



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2015 JUL 30 PM 1 26

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

WRITTEN DETERMINATION MINOR AMENDMENT TO PLANNED UNIT DEVELOPMENT

Case Number:	179 Amendment #5 (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:	CJUF III Northpoint LLC (see below)
Owners:	CJUF III Northpoint LLC c/o HYM Investment Group, LLC One Congress Street, Boston MA 02114 Boston and Maine Corporation Iron Horse Park, North Billerica, MA 01862 Massachusetts Bay Transportation Authority 10 Park Plaza, Boston, MA 02116
Application Date:	June 26, 2015
Date of Determination:	July 28, 2015
Summary of Proposal:	Minor Amendment to Final Development Plan to modify project phasing, per Section 12.37 and Condition #12, Paragraph "e" of Special Permit Decision #179.
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: Jeffrey C. Roberts *JCR 7/30/15*

For further information concerning this Written Determination, please contact Liza Paden at 617-349-4647, or lpaden@cambridgema.gov.

DOCUMENTS SUBMITTED

Documents Submitted by Permittee

1. Request for Minor Amendment to PUD Development Plan from HYM Partnership, dated June 26, 2015, including summary letter, transportation analysis, final development plan summary and map with proposed revisions.

Other Documents

2. Memo to the Planning Board from Jeff Roberts, Land Use and Zoning Planner, Community Development Department, dated July 21, 2015.
3. Memo to the Planning Board from Joseph Barr, Director of Traffic, Parking and Transportation, dated July 21, 2015.

SUMMARY OF REQUEST

The Permittee seeks a Minor Amendment to Special Permit #179 first issued on March 11, 2003 and subsequently amended through Minor Amendments granted on March 6, 2007 and November 18, 2008 and Major Amendments granted on November 16, 2012 and February 13, 2015.

The requested Minor Amendment would modify the project phasing. The current approved Final Development Plan identifies individual building sites that are classified as Phase 1A, Phase 1B and Phase 2 of the overall development plan. The PUD special permit requires that the phases be completed in sequence, and that certain project mitigation requirements be completed before development can proceed to the next phase. The project is currently in “Phase 1A,” as three of the five Phase 1A sites have been developed.

The proposed phasing moves some sites currently in Phase 1A to Phase 1B, moves some sites currently in Phase 1B to Phase 1A and Phase 2, and moves one site from Phase 2 to Phase 1B. Moreover, the proposal would allow Phase 1B sites to be constructed prior to the completion of all Phase 1A sites, provided that all other requirements applicable to Phase 1B development are met. The timing of some of the mitigation requirements are also proposed to be modified to align with the proposed phasing plan. The application provides a transportation analysis indicating what changes in traffic impact might be expected with the proposed changes in phasing.

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.

Furthermore, in granting Special Permit #179 (and as carried forth in subsequent amendments), the Board provided guidance regarding modifications to phasing, as set forth below:

(Planning Board PUD Special Permit Decision #179, Condition 12-e.) The Phases of development approved in Condition #5 above may be modified as a Minor Amendment from the Planning Board. In requesting such a Minor Amendment the Permittee shall submit the following information:

- (i) A revised Appendix I reflecting the proposed reallocation of Gross Floor Area and uses.*
- (ii) A revised Appendix II.*
- (iii) A narrative description of the purpose of the requested change, its impact on other Conditions of this Decision, and an analysis of the implications of the change on traffic, on the rate at which residential Gross floor Area will be constructed, on the provision of parks, roadways and utilities, and on the viability of the resulting urban environment should subsequent phases not be built or delayed for a significant period of time.*

In approving the revised Phasing Plan, the Planning Board shall find that the alternate arrangement of uses and Gross Floor Area continues to provide for a viable and coherent residential and commercial community at each stage of the Master Plan's development, continues to bring adequate park and other infrastructure on-line at appropriate times, including necessary traffic mitigation measures, and will otherwise continue to advance the intent and objectives of this Decision in approving the original Phasing plan.

The Board finds that sufficient information has been provided as set forth above in the Request for a Minor Amendment, and the Board has received reports from the Community Development Department (CDD) and Traffic, Parking and Transportation Department (TP & T) indicating support for the proposed minor amendment. The Board also finds that the proposed phasing plan continues to promote a viable and coherent community at each stage of development, that substantial progress has already been made on open space, infrastructure and transportation mitigation and that each will continue to advance at each stage of development, and that the proposal continues to advance the intent and objectives of previous Planning Board decisions on this case.

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 #179, incorporating the recommended changes set forth in the Community Development Department report dated July 21, 2015. The approved modifications to the Final Development Plan are set forth in the Appendices to this determination. Except as explicitly set forth in the attached modifications, the Conditions of Special Permit #179 and all subsequent amendments shall continue to be in effect.

Voting in the affirmative to approve the Minor Amendment were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Catherine Preston Connolly, Martha Flynn, Hugh Russell, and Associate Member Thacher Tiffany, appointed by the Chair to act on the case.

For the Planning Board,

A handwritten signature in black ink, appearing to read "H Theodore Cohen", with a long horizontal flourish extending to the right.

H Theodore Cohen, Chair.

A copy of this determination approving Amendment #5 (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 correct copy of the above decision filed with the Office of the City Clerk on July 30, 2015, by Jeffrey C. Roberts, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

Twenty (20) days have elapsed since the filing of the decision. No appeal has been filed.

DATE:

City Clerk of Cambridge

Exhibit B - Appendix I: Statistical Summary of the Approved Master Plan (as Revised by Proposed Minor Amendment)

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: FAR at Lechmere	2.66 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	Minimum 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 Open Space in Square feet:	TBD
f. Parking Spaces	Maximum Permitted:	3,807 spaces +300 replacement MBTA spaces
	Maximum non-residential:	See Special Permit
	Minimum residential:	0.5 spaces/unit for each building Average of 0.75/unit for the entire project at full build-out
	Maximum residential:	1.0 spaces/unit
g. Dwelling Units	Proposed Number:	ca. 3,119 units

B. Development in Cambridge

a. Parcel Area	Total Area in Acres: Square Feet:	38.77 acres 1,690,276 square feet
	Area at North Point in Acres: Square Feet:	37.1 acres 1,617,534 square feet
	Area at Lechmere in Acres: Square Feet:	1.67 acres 72,742 square feet
b. Floor Area	FAR at North Point: FAR at Lechmere:	2.66 2.5
	GFA at North Point: GFA at Lechmere: Total GFA:	4,302,640 square feet 181,855 square feet 4,484,495 square feet

c. Non-Residential	Maximum FAR at North Point:	1.10
	Maximum FAR at Lechmere:	1.25
d. Residential	Approved GFA at North Point:	1,573,703 square feet
	Approved GFA at Lechmere:	TBD (Retail Only)
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
	Minimum residential:	TBD - Average of 0.75/unit at full build-out for all municipalities
g. Dwelling Units	Proposed Number:	TBD (not limited by permit)

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	2.66
	Total GFA	761,359 square feet
c. Non-Residential	Maximum FAR	2.14
	GFA	611,359 square feet
d. Residential	Minimum FAR	0.52
	GFA	150,000 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

I. Overall Dimensional Limits

a. Block Areas	Total Phase 1A in Square Feet:	207,076 <u>218,076</u> square feet
b. Floor Area	Total GFA	1,513,592 <u>1,553,592</u> square feet
c. Non-Residential	Maximum GFA	765,000 <u>328,600</u> square feet
	Retail GFA	Required, amount TBD
d. Residential	Minimum GFA	748,592 <u>1,224,992</u> square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	130,680 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential:	See Special Permit
	Minimum residential:	TBD - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

II. Dimensional Limits on Individual Blocks

Block N	a. Total Block Area:	46,000 square feet	
	b. Total GFA:	394,000 square feet	
	c. Maximum Non-Residential GFA:	<u>8,600</u> (Retail only)	
		Proposed Retail:	<u>8,600</u>
	d. Minimum Residential GFA:	<u>385,400</u> square feet	
	e. Total Parking Spaces:	184	
	f. Proposed Associated Public, Green Area or Permeable Open Space:	27,000 square feet	

Block G	a. Total Block Area:	47,000 square feet	
	b. Total GFA:	445,000 square feet	
	c. Maximum Non-Residential GFA:	445,000 square feet	
		Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	None	
	e. Total Parking Spaces:	TBD	
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD	

Block M	<u>a. Total Block Area:</u>	<u>29,000 square feet</u>	
	<u>b. Total GFA:</u>	<u>205,000 square feet</u>	
	<u>c. Maximum Non-Residential GFA:</u>	<u>TBD (Retail Only)</u>	
		Proposed Retail:	<u>Required, amount TBD</u>
	<u>d. Minimum Residential GFA:</u>	<u>205,000 square feet</u>	
	<u>e. Total Parking Spaces:</u>	<u>TBD</u>	

	<u>f. Proposed Associated Public, Green Area or Permeable Open Space:</u>	<u>TBD</u>
<u>Block L</u>	<u>a. Total Block Area:</u>	<u>29,000 square feet</u>
	<u>b. Total GFA:</u>	<u>280,000 square feet</u>
	<u>c. Maximum Non-Residential GFA:</u>	<u>TBD (Retail Only)</u>
	<u>Proposed Retail:</u>	<u>Allowed, amount TBD</u>
	<u>d. Minimum Residential GFA:</u>	<u>280,000 square feet</u>
	<u>e. Total Parking Spaces:</u>	<u>TBD</u>
	<u>f. Proposed Associated Public, Green Area or Permeable Open Space:</u>	<u>TBD</u>
Block U	a. Total Block Area:	45,000 square feet
	b. Total GFA:	320,000 square feet
	c. Maximum Non-Residential GFA:	320,000 square feet
	Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	Possible mixed use or residential building
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD
Block T (completed prior to this Major Amendment)	a. Total Block Area:	38,986 square feet
	b. Total GFA:	242,194 square feet
	c. Maximum Non-Residential GFA:	None
	Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	242,194 square feet
	e. Total Parking Spaces:	151 spaces in garage, 79 spaces at other locations on NorthPoint
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD
Block S (completed prior to this Major Amendment)	a. Total Block Area:	30,090 square feet
	b. Total GFA:	112,398 square feet
	c. Maximum Non-Residential GFA:	Possible mixed use building
	Proposed Retail:	None
	d. Minimum Residential GFA:	112,398 square feet
	e. Total Parking Spaces:	51 spaces in garage, 49 spaces at other locations on NorthPoint

	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD
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B. Statistical Summary - Phase 1B

I. Overall Dimensional Limits

a. Block Areas	Total Phase 1B in Square Feet:	280,000 288,000 square feet
b. Floor Area	Total GFA:	1,845,000 1,945,000 square feet
c. Non-Residential	Maximum GFA:	840,000 1,265,000 square feet
	Retail GFA:	Required, amount TBD
d. Residential	Minimum GFA:	1,005,000 680,000 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	152,460 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential:	See Special Permit
	Minimum residential:	TBD - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

II. Dimensional Limits on Individual Blocks

Block M	a. Total Block Area:	29,000 square feet
	b. Total GFA:	205,000 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Required, amount TBD
	d. Minimum Residential GFA:	205,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block G	a. Total Block Area:	47,000 square feet
	b. Total GFA:	445,000 square feet
	c. Maximum Non-Residential GFA:	445,000 square feet
	Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	None
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block L	a. Total Block Area:	29,000 square feet
	b. Total GFA:	280,000 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Allowed, amount TBD

	d. Minimum Residential GFA:	280,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block H	a. Total Block Area:	81,000 square feet
	b. Total GFA:	300,000 square feet
	c. Maximum Non-Residential GFA:	300,000 square feet
	Proposed Retail:	Allowed, amount TBD
	d. Minimum Residential GFA:	None
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block F	a. Total Block Area:	39,000 square feet
	b. Total GFA:	240,000 square feet
	c. Maximum Non-Residential GFA:	240,000 square feet
	Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	None
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block E	a. Total Block Area:	44,000 square feet
	b. Total GFA:	300,000 square feet
	c. Maximum Non-Residential GFA:	300,000 square feet
	Proposed Retail:	Retail not proposed
	d. Minimum Residential GFA:	None
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block K	a. Total Block Area:	29,000 square feet
	b. Total GFA:	240,000 square feet
	c. Maximum Non-Residential GFA:	Mixed-use building allowed
	Proposed Retail:	Allowed, amount TBD
	d. Minimum Residential GFA:	240,000 square feet
	e. Total Parking Spaces:	TBD
f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD	

Block J	a. Total Block Area:	29,000 square feet
	b. Total GFA:	280,000 square feet
	c. Maximum Non-Residential GFA:	Mixed-use building allowed
	Proposed Retail:	Allowed, amount TBD
	d. Minimum Residential GFA:	280,000 square feet
	e. Total Parking Spaces:	TBD
f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD	

<u>Block I</u>	<u>a. Total Block Area:</u>	<u>100,000 square feet</u>
	<u>b. Total GFA:</u>	<u>440,000 square feet</u>
	<u>c. Maximum Non-Residential GFA:</u>	<u>280,000 square feet</u>
	<u>Proposed Retail:</u>	<u>Required, amount TBD</u>
	<u>d. Minimum Residential GFA:</u>	<u>160,000 square feet</u>
	<u>e. Total Parking Spaces:</u>	<u>TBD</u>
<u>f. Proposed Associated Public, Green Area or Permeable Open Space:</u>	<u>TBD</u>	

C. Statistical Summary - Phase 2

I. Overall Dimensional Limits

a. Block Areas	Total Phase 2 in Square Feet:	537,500 <u>556,500</u> square feet
b. Floor Area	Total GFA:	1,887,262 <u>1,747,262</u> square feet
c. Non-Residential	Maximum GFA:	555,000 <u>575,000</u> square feet
	Retail GFA:	Required, amount TBD
d. Residential	Minimum GFA:	1,332,262 <u>1,172,262</u> square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	165,528 square feet
	Other Open Space in Square feet:	3.8 acres or balance of requirement TBD

f. Parking Spaces	Maximum non-residential:	See Special Permit
	Minimum residential:	TBD - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

II. Dimensional Limits on Individual Blocks

Block R	a. Total Block Area:	44,000 square feet
	b. Total GFA:	140,000 square feet
	c. Maximum Non-Residential GFA:	Mixed use building allowed
	Proposed Retail:	Required, amount TBD
	d. Minimum Residential GFA:	140,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block Q	a. Total Block Area:	97,500 square feet
	b. Total GFA:	155,000 square feet
	c. Maximum Non-Residential GFA:	155,000 square feet
	Proposed Retail:	Required, amount TBD
	d. Minimum Residential GFA:	Additional housing GFA allowed if commercial GFA is not reduced
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block V	a. Total Block Area:	61,000 square feet
	b. Total GFA:	181,855 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Required, amount TBD
	d. Minimum Residential GFA:	181,855 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	11,000 square feet

Block I	a. Total Block Area:	100,000 square feet
	b. Total GFA:	440,000 square feet
	c. Maximum Non-Residential GFA:	280,000 square feet
	Proposed Retail:	Required, amount TBD
	d. Minimum Residential GFA:	160,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

<u>Block H</u>	<u>a. Total Block Area:</u>	<u>81,000 square feet</u>
	<u>b. Total GFA:</u>	<u>300,000 square feet</u>
	<u>c. Maximum Non-Residential GFA:</u>	<u>300,000 square feet</u>
	<u>Proposed Retail:</u>	<u>Allowed, amount TBD</u>
	<u>d. Minimum Residential GFA:</u>	<u>None</u>
	<u>e. Total Parking Spaces:</u>	<u>TBD</u>
	<u>f. Proposed Associated Public, Green Area or Permeable Open Space:</u>	<u>TBD</u>

Block C	a. Total Block Area:	40,000 square feet
	b. Total GFA:	245,000 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Allowed, amount TBD
	d. Minimum Residential GFA:	245,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block B	a. Total Block Area:	55,000 square feet
	b. Total GFA:	120,000 square feet
	c. Maximum Non-Residential GFA:	120,000 square feet
	Proposed Retail:	Allowed, amount TBD, includes up to 50,000 sf grocery store
	d. Minimum Residential GFA:	None
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block A	a. Total Block Area:	109,000 square feet
	b. Total GFA:	360,407 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Marginally possible, amount TBD
	d. Minimum Residential GFA:	360,407 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

Block D	a. Total Block Area:	31,000 square feet
	b. Total GFA:	245,000 square feet
	c. Maximum Non-Residential GFA:	TBD (Retail only)
	Proposed Retail:	Allowed, amount TBD
	d. Minimum Residential GFA:	245,000 square feet
	e. Total Parking Spaces:	TBD
	f. Proposed Associated Public, Green Area or Permeable Open Space:	TBD

D. Comprehensive Summary by Phase and Block (as revised by proposed Minor Amendment)

Phase 1A

Block	Area	Res GFA	NR GFA	Retail	D.Units	Res Pkg	NR Pkg	OS
S	30,090	112,398	0	None	99	51 on block 49 off block	0	TBD
T	38,986	242,194	0	None	230	151 on block 79 off block	0	TBD
N	46,000	394,000 385,400	Retail only 8,600	Required	355	0.5 per residential unit 184 spaces		27,000
G	47,000	0	445,000	None	TBD	TBD	TBD	TBD
<u>M</u>	<u>29,000</u>	<u>205,000</u>	<u>Retail only</u>	<u>Required</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>
<u>L</u>	<u>29,000</u>	<u>280,000</u>	<u>Retail only</u>	<u>Allowed</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>
U	45,000	Mix allowed	320,000	None	TBD	TBD	TBD	TBD
total	207,076 <u>218,076</u>	748,592 <u>1,224,992</u>	765,000 <u>328,600</u>	TBD	TBD	TBD	TBD	130,680

Phase 1B

Block	Area	Res GFA	NR GFA	Retail	D.Units	Res Pkg	NR Pkg	OS
M	29,000	205,000	Retail only	Required	TBD	TBD	TBD	TBD
G	47,000	0	445,000	None	TBD	TBD	TBD	TBD
L	29,000	280,000	Retail only	Allowed	TBD	TBD	TBD	TBD
<u>I</u>	<u>100,000</u>	<u>160,000</u>	<u>280,000</u>	<u>Required</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>
H	81,000	0	300,000	Allowed	TBD	TBD	TBD	TBD
F	39,000	0	240,000	None	TBD	TBD	TBD	TBD
E	44,000	0	300,000	None	TBD	TBD	TBD	TBD
K	29,000	240,000	Mix allowed	Allowed	TBD	TBD	TBD	TBD
J	29,000	280,000	Mix allowed	Allowed	TBD	TBD	TBD	TBD
total	280,000 <u>288,000</u>	1,005,000 <u>680,000</u>	840,000 <u>1,265,000</u>	TBD	TBD	TBD	TBD	152,460
cumul.	487,076 <u>506,076</u>	1,753,592 <u>1,913,592</u>	1,605,000 <u>1,585,000</u>	TBD	TBD	TBD	TBD	283,140

Phase 2

Block	Area	Res GFA	NR GFA	Retail	D.Units	Res Pkg	NR Pkg	OS
R	44,000	140,000	Retail only	Required	TBD	TBD	TBD	TBD
Q	97,500	May be added	155,000	Required	TBD	TBD	TBD	TBD
V	61,000	181,855	Retail only	Required	TBD	TBD	TBD	11,000
I	100,000	160,000	280,000	Required	TBD	TBD	TBD	TBD
<u>H</u>	<u>81,000</u>	<u>0</u>	<u>300,000</u>	<u>Allowed</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>	<u>TBD</u>
C	40,000	245,000	Retail only	Allowed	TBD	TBD	TBD	TBD
B	55,000	0	120,000	Allowed	TBD	TBD	TBD	TBD
A	109,000	360,407	Retail only	Allowed	TBD	TBD	TBD	TBD
D	31,000	245,000	Retail only	Allowed	TBD	TBD	TBD	TBD
total	537,500 <u>518,500</u>	1,332,262 <u>1,172,262</u>	555,000 <u>575,000</u>	TBD	TBD	TBD	TBD	165,528

cumul.	1,024,576	3,085,854 <u>3,077,254</u>	2,160,000 <u>2,168,600</u>	300,000 max	3,119	0.75/unit at full build-out (total parking spaces for all uses cannot exceed 3,807)	See Special Permit (total parking spaces for all uses cannot exceed 3,807)	392,000
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Area = lot area of developable blocks only excluding streets and open spaces (square feet)
 GFA = gross floor area (square feet); OS = public, green area or permeable open space (square feet)
 D.Units = dwelling units; Pkg = motor vehicle parking spaces
 “Res” refers to residential minimum requirements; “NR” refers to non-residential maximum limitations
 “total” = total allowed or required within that Phase; “cumul.” = cumulative development at the end of Phase

NORTHPOINT



Exhibit D – Section 5 of Special Permit (as Revised by Proposed Minor Amendment)

5. Phases. The three Phases as described in Exhibit B and depicted in Exhibit J-2 of the Revised Final Development Plan and as set forth in Appendix I of this Decision are approved by the Planning Board subject to the following limitations and conditions. It is the intention of the following conditions and limitations to ensure that at each stage of development of the Master Plan, a coherent and viable residential and commercial community is established that does not depend on future construction and improvements for its long-term success. However, the Phases as set forth in the application documents and herein approved may be changed and modified at any time as a Minor Amendment to this Decision as permitted in Condition #12 below.

a. The use mix and distribution shall be as shown in the Revised Final Development Plan and in Appendix I.

b. Each Phase shall consist of the buildings, parks, streets, utilities, and other physical improvements set forth in the Revised Final Development Plan (except as they may be modified by this Decision) and the mitigation measures required in Condition #13 below.

c. No building permit may be issued for building construction in ~~the next succeeding~~ Phase 2 until all buildings and associated facilities are under construction in the preceding ~~Phase~~Phases. No Occupancy Permit may be issued for any building in ~~the next succeeding~~ Phase 2 until an Occupancy Permit has been issued for all buildings in the preceding ~~Phase~~Phases and all associated improvements in the ~~current Phase~~preceding Phases have been completed, except as may be specifically approved by the Planning Board as a Minor Amendment. However, a building permit may be issued at any time for buildings on Blocks Q and R to be constructed in conjunction with the construction of the relocated Green Line T Station.

d. In Phase IA no additional Building Permit may be issued for any nonresidential Gross Floor Area in excess of 350,000 square feet, exclusive of retail uses, until plans have been approved by the Planning Board for vertical pedestrian and bicycle access to the Gilmore Bridge as part of the Design Review for development on Block N or Block H. No Occupancy Permit for any building containing nonresidential Gross Floor Area in excess of 350,000 square feet, exclusive of retail uses, may be issued until such approved vertical pedestrian and bicycle access to the Gilmore Bridge has been constructed and is fully operational.

e. In Phase 2 the following limitations with regard to the issuance of Building and Occupancy Permits shall apply:

(i) No Building Permit may be issued for any building in Phase 2 (including buildings on Blocks Q and R) until the design of the intersection of Cambridge Street, O'Brien Highway, and First Street (and its extension into the development) has been approved by the City.

(ii) No Building Permit may be issued for any building in Phase 2 (except for buildings on Blocks Q and R associated with the relocation of the Green Line T Station) until:

(1) The Station has been relocated to the north side of Monsignor O'Brien Highway as indicated in the Master Plan, and

(2) Water Street extension has been regraded and paved within the Development Parcel at an alignment and grade that will accommodate the proposed Urban Ring Busway (a.k.a. Urban Ring Viaduct), which is anticipated to be constructed from the City of Somerville via West Boulevard and then to the Water Street extension at the northwesterly edge of the Development Parcel, unless the Busway is not yet under construction at such time, in which event the construction of the Water Street extension shall be completed no later than the completion of the construction of the Busway or the completion of the entire project, whichever occurs first.

(iii) No Building Permit for any building other than those on Blocks Q and R may be issued until the reconstruction of the Cambridge Street/O'Brien Highway/First Street intersection has begun.

(iv) No Occupancy Permit may be issued for buildings on Blocks Q and R until demolition of the those portions of the existing Lechmere T Station that would impede the construction of the extension of First Street has substantially begun and the relocated T station and the extension of First Street are substantially complete.

(v) No Occupancy Permit may be issued for any building, except as provided in (iv) above for Blocks Q and R, until the reconstructed intersection and extension of First Street into the Master Plan area is fully operational, including associated reconstruction of the intersections of First Street and Cambridge Street and Cambridge Street and O'Brien Highway.

f. Notwithstanding any modification in the mix of uses that may be approved in conformance with the limitations imposed in Condition #12 (c) below, the Gross Floor Area constructed at the end of Phase 1A shall not be less than thirty (30) percent residential. At the completion of Phase 1B residential uses shall constitute no less than fifty (50) percent of the entire Gross Floor Area constructed to that point.

Exhibit E –Appendix II: Traffic and Transportation Mitigation Requirements (as Revised by Proposed Minor Amendment)

The Permittee has committed to an extensive list of Travel Demand Management (TDM) measures, transportation infrastructure improvements, and off-site roadway mitigation measures that are all designed to minimize the transportation impacts of the proposed development by reducing reliance on automobile travel and increasing the capacity of key intersections. All of these measures must be in place before completion of the project. The following schedule shall apply.

1. Prior to the issuance of the first building permit the Permittee and City staff (staff of the Traffic, Parking and Transportation and Community Development Departments, except as noted) shall thoroughly investigate all reasonable measures that will improve the environment and attractiveness of the Gilmore Bridge for pedestrians and bicycles in order to ensure an attractive connection for them between the Community College station on the Orange Line and the buildings within North Point. The items to be investigated will include the widening of the sidewalk, ways to reduce the adverse impact of wind on the pedestrians, options to support bicycle use, and the appropriate timing of the improvements that are agreed upon.
2. Before the first Certificate of Occupancy for the first building is issued the following measures must be operational:
 - a. Transportation infrastructure improvements, including:
 - (i) A surface roadway connection between East Street and North Point Boulevard as approved by City staff.
 - b. In addition, should the first building contain non-residential uses (exclusive of accessory retail uses) the following non-residential TDM measures:
 - (i) TDM measures shall be implemented for any non-residential uses as detailed in the approved PTDM Final Decision, #F-30, dated February 21, 2003 (herein after the PTDM Plan), and all subsequent amendments for the project.
 - c. In addition, before the first Certificate of Occupancy for the first residential building, the following residential TDM measures, including:
 - (i) A transportation coordinator, responsible for implementing and/or administering all TDM programs.
 - (ii) At least one car-sharing space made available to a car-sharing program.
 - (iii) A program that will: (1) permit residents to forgo parking privileges in the parking garage and have that choice reflected in a downward adjustment to their rent, and (2) require increased parking fees for residents choosing more than one space per unit. This program must be approved by City staff and the Permittee shall report to the City annually on the operation of the program.

(iv) Membership in the Charles River TMA and provision of shuttle service. Plans for operations of a shuttle to the Red Line must be approved by City Staff prior to obtaining the first Certificate of Occupancy. Revised plans for operations should be submitted with each application for a building. Revisions to operations at any time shall require approval by City Staff.

3. Prior to the issuance of a building permit for the first building commenced on a Parcel other than Parcels S, T and N, install a Hubway station near the base of the vertical connection to the Gilmore Bridge.

4. Prior to the issuance of an Occupancy Permit for the first building commenced on a Parcel other than Parcels S, T and N, complete a feasibility study for design of other improvements to the environment along the Gilmore Bridge to encourage pedestrian and bicycle access to the Orange Line and bicycle access enhancements for use of the Gilmore Bridge, and present feasibility study to City staff and MassDOT.

5. 3- Before the issuance of an Occupancy Permit which brings the total non-residential space to more than 350,000 sq. ft., the following measures must be operational:

a. Transportation infrastructure improvements, including:

(i) All of the above infrastructure improvements.

(ii) A surface roadway connection between East Street and Water Street as approved by City staff, provided that the City staff shall work with the Permittee to modify the location of the connection if necessary to coordinate with the schedule of the MBTA for construction or property conveyances.

(iii) A vertical, handicap-accessible, pedestrian and bicycle connection to the Gilmore Bridge north of the park.

~~(iv) Improvements to the environment along the Gilmore Bridge to encourage pedestrian and bicycle access to the Orange Line as determined by the Permittee and City staff, subject to any required state agency approval.~~

b. TDM measures, including:

(i) All of the above TDM measures.

(ii) Provision of car-sharing spaces to meet demand.

6. 4-4. Before the ~~initiation of~~ first Certificate of Occupancy is issued for a building in Phase IB the following measures must be operational:

a. Transportation infrastructure improvements, including:

(i) All of the above infrastructure improvements.

(ii) Sub-paragraphs (ii) and (iii) of this section in the original Special Permit relate to the plans for a vertical pedestrian and bicycle connection to the Gilmore Bridge adjacent

to Block H and Block N. Those sub-paragraphs are superseded in this Major Amendment by the Permittee's approved plan to create an open-air vertical park connection with accessible elevator as a component of the development of Block H or Block N.

(iii) See above.

~~(iv) Bicycle access enhancements for use of the Gilmore Bridge, as determined by the Permittee and City staff.~~

(iv) (v) A temporary multi-use path connection from North Point Boulevard to Water Street when the intersection of O'Brien Hwy and Water Street has been improved, with an extension to the Somerville Community Bike Path as soon as it exists, as approved by City staff, provided that the City staff shall work with the Permittee to modify the location of the connection if necessary to coordinate with the schedule of the MBTA for construction or property conveyances.

b. All of the above TDM measures.

c. Off-site roadway mitigation measures, including:

(i) Proposed improvements to Land Boulevard and O'Brien Highway developed in coordination with City staff and approved by the State as necessary.

(ii) ~~The~~[Intentionally deleted--The proposed new mid-block crossing of O'Brien Highway ~~developed in coordination with City staff unless, in consultation with the City, it is determined that implementation of the crossing must be delayed until the reconstruction of O'Brien Highway and Cambridge Street is completed.~~has been determined by the City staff and MassDOT not to be desirable.]

(iii) Other off-site intersection improvements, developed in coordination with City staff, including:

(a) Pavement marking improvements and signal timing changes with equipment improvements where deemed necessary by City staff at the intersections of O'Brien Highway and Twin City Plaza, O'Brien Highway Museum Way, Cambridge Street Hampshire Street, Cambridge Street and Prospect Street, Cambridge Street and Columbia Street, Cambridge Street and Sixth Street, Cambridge Street and Third Street, Cambridge Street and Second Street, Charles Street and Third Street, Charles Street and First Street, Binney Street and First Street, Binney Street and Land Street, Broadway & Galilei Way, Broadway & Third Street, and Cambridgeside Place and Land boulevard.

(b) Intersection reconstruction including cross-section changes, sidewalk modifications, pavement markings, new asphalt, and signal timing changes, with equipment improvements where necessary, at the intersections of: O'Brien Highway and Third Street and O'Brien Highway and Water Street.

7. ~~5.~~ Before the initiation of Phase 2, except as permitted in Condition 5(e) of this Decision, ~~;~~

(i) the following improvements to the intersections of Cambridge Street and First Street, Cambridge Street and O'Brien Highway, and at the new intersection of First Street Extension and O'Brien Highway shall be completed based on a plan approved by City staff and the State as necessary:

- (a) All necessary cross-section and alignment changes;
- (b) New roadbeds and pavement;
- (c) New sidewalks and lighting;
- (d) New pavement markings; and
- (e) All signal timing changes and new signal equipment; ~~;~~

(ii) Completion of improvements to the environment along the Gilmore Bridge to encourage pedestrian and bicycle access to the Orange Line and bicycle access enhancements for use of the Gilmore Bridge, as determined by the Permittee and City staff, subject to any required state agency approval.

8. ~~6.~~ The Permittee shall contribute \$100,000 (adjusted for inflation) to fund the City's design and installation of traffic calming improvements on Cardinal Medeiros Avenue. This contribution will not be required prior to the issuance of the third Certificate of Occupancy for the project. The City will provide six months written notification of need to make this contribution.

9. ~~7.~~ As soon as the hotel is opened, the Permittee must provide a transportation service to/from Logan Airport in order to reduce SOV travel between the airport and hotel. Plans for provision of this service must be approved by City staff prior to obtaining the hotel Certificate of Occupancy. Revisions to operations at any time shall require approval by City Staff. The Permittee is encouraged to explore opportunities for providing this service free of charge in cooperation with other area hotels.