



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board
From: CDD Staff
Date: December 29, 2014
Re: **PUD-KS Rezoning Initial Proposal**

We are submitting for the Planning Board's consideration a set of proposed zoning changes for the PUD-KS zoning district. These proposed zoning changes follow the recommendations of the Kendall Square ("K2") Planning Study, published in 2013. The following information is provided in this package:

- Zoning and development history of the area
- Overview of the Kendall Square ("K2") Planning Study
- Description and rationale for proposed zoning changes
- Proposed text amendments to Section 13.10 (no map change proposed)
- Area zoning and height limit maps

We are introducing this proposal for review and discussion at the January 6 Planning Board Meeting. We expect to return on January 27 to review any questions, comments or modifications to the proposal. On or after January 27, we would ask the Board to consider submitting the proposal to the City Council as a rezoning petition, after which the Planning Board and City Council can begin to hold public hearings on the petition. We would expect the hearing process to occur throughout the spring.

Volpe Center

A unique characteristic of this district is that most of the land is owned by the Federal government. Since the City's publication of the K2 study, the U.S. General Services Administration (GSA) and Department of Transportation (DOT), which operates the Volpe Transportation Systems Research Center, have indicated an interest in redeveloping the Volpe parcel, and have taken steps toward forming a public-private partnership to construct a new facility for the Volpe Center in exchange for which the remainder of the 14-acre site would be developed for private uses. That process is expected to continue over the course of the next year and a half.

It is a goal of the City to support the preservation of the Volpe Center as a contributor to the vitality and diversity of activities in Kendall Square. Therefore, the proposed zoning changes are meant to incorporate the objectives of the K2 plan and to anticipate the inclusion of the Volpe Center in a redevelopment plan. CDD has worked collaboratively with DOT and GSA in developing this rezoning proposal and will continue to work with DOT and GSA to refine the proposal. Representatives from those agencies will be present at the next Planning Board meeting.

Zoning and Development History

There have been a few phases in the development of this area.

Industrial Phase

The part of Cambridge near the West Boston (now Longfellow) Bridge, constructed in the 1790s, has been a major commercial center for centuries. An attempt was made (though ultimately unsuccessful) in the early 19th Century to develop a commercial seaport to compete with Boston. Industrial uses began to predominate in the area with the advent of railroad lines in the mid-19th Century.

From the establishment of the current zoning map in 1943 until 1978, the entire area was zoned Industry B (IB). As one of the most permissive zoning districts in the city, IB allowed development of various commercial uses, including light and heavy industry, at a maximum Floor Area Ratio (FAR) of 4.0 with few dimensional limitations.

Urban Renewal Plan

In the 1960s, the City formulated the Kendall Square Urban Renewal Plan, which employed Federal, local and other private and institutional resources to assemble and clear industrial-use land in order to facilitate its redevelopment to more economically advantageous uses. This plan was (and, in some areas, still is) overseen by the Cambridge Redevelopment Authority (CRA).

A substantial portion of the Kendall Square Urban Renewal Area was expected to be developed as a NASA Electronics Research Center, and several buildings for that use were developed on what is now the Volpe parcel in the 1960s. However, NASA relocated its operations from Cambridge in 1969, and construction of facilities ceased. The buildings vacated by NASA were occupied by DOT in 1970, and since that time there has been no significant expansion of Federal facilities or other uses on the site.

In 1978, as part of a comprehensive rezoning of Eastern Cambridge, the block containing the Volpe parcel was rezoned from IB to Office 3A (O-3A), reducing the allowed FAR from 4.0 to 3.0 and limiting the allowed uses to office, residential and some ancillary retail. Around the same time, the remainder of the Kendall Square Urban Renewal Area was rezoned to create the MXD district, and has been developed for private uses from the 1980s to the present under the direction of the CRA. By contrast, the Volpe site has remained unchanged and is now effectively removed from the rest of the Kendall Square Urban Renewal Area.

Eastern Cambridge Planning Study

In 2000-2001, while also undertaking a citywide planning and rezoning effort, the City conducted the Eastern Cambridge Planning Study (ECaPS) to set future goals and expectations for redeveloping areas such as Kendall Square, North Point, and other predominantly commercial areas surrounding the East Cambridge neighborhood.

A major focus of the ECaPS effort was to anticipate and plan for future redevelopment on the Volpe site. The following goals were articulated for that site in the ECaPS plan:

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- *Create a transition in land uses from Broadway to the residential neighborhoods – by requiring residential development to the north and mixed-use development to the south.*
- *Require lower heights closer to the neighborhoods and allow taller heights closer to commercial development on Broadway.*
- *Establish a minimum required amount of housing and a maximum allowable amount of office and R&D to create a strong residential presence in the area.*
- *Require a major new public park facing Binney Street and connecting to Third St. and Broadway. The park should be inviting and accessible to the existing residential neighborhoods and transition areas.*
- *Encourage retail on Third Street and Broadway to create active street life in Kendall Square.*

In response to the ECaPS plan, the PUD-KS District was created and regulations adopted (as Section 13.10 of the Zoning Ordinance) in 2001. As part of the PUD zoning strategy, the base zoning was lowered to limit as-of-right development. A PUD special permit from the Planning Board would be required to allow development at an FAR of 3.0, in exchange for required housing and open space and incentives for ground floor retail. Graduated height limits were also imposed (see attached map).

No development of the Volpe site has been proposed or actively contemplated under the current zoning. However, the smaller portion of the PUD-KS district that is not controlled by the Federal government was developed as a residential site with ground floor retail (303 Third Street, now called “Third Square”) under the PUD-KS zoning regulations in 2009. That development includes a required public open space connection from Third Street into the interior of the Volpe site.

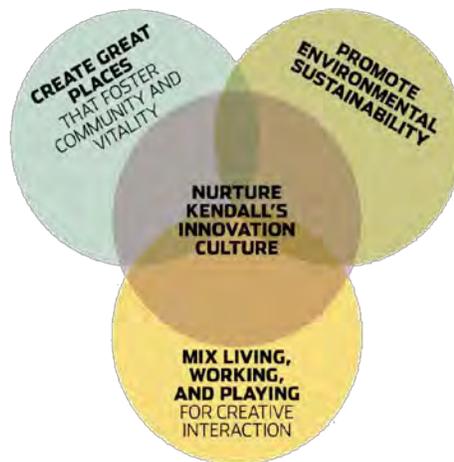
Kendall Square (“K2”) Planning Study

In 2012, the City conducted the Kendall Square Central Square (“K2C2”) Planning Study and released separate reports in 2013 (referred to as the “K2 study” and “C2 study”). The K2 study focused on the core of Kendall Square, which included some areas (such as the Volpe parcel) that overlapped with the area studied in ECaPS.

Vision

The following goals and objectives for all of Kendall Square were articulated in the K2 study:

1. *Nurture Kendall’s Innovation Culture*
 - *Expand opportunities for Kendall Square knowledge economy to continue to grow.*
 - *Foster a strong connection between the MIT campus and the rest of Kendall Square. Enable MIT to develop in a manner consistent with its academic and research mission, so that it continues to be a magnet attracting innovative businesses to the area.*
 - *Support a vibrant environment for creative interaction.*
 - *Three themes (below) working together supporting the central theme of nurturing Kendall’s innovation culture.*
2. *Create great places*
 - *Support open space and recreation needs of a growing neighborhood.*
 - *Create lively, walkable streets.*
 - *Expand opportunities for Kendall’s diverse community to interact.*
 - *Development and public place improvements must happen in tandem.*
3. *Promote environmental sustainability*
 - *Expand convenient, affordable transportation and access choices.*
 - *Enhance streets as public places.*
 - *Create a healthier natural environment.*
 - *Reduce resource consumption, waste and emissions.*
 - *Leverage the environmental and economic benefits of compact development.*
4. *Mix living, working, learning and playing*
 - *Leverage community and innovation benefits of mixed-use environment.*
 - *Focus intensity around transit.*
 - *Minimize development pressures on traditional neighborhoods.*
 - *Continue to support city and state economic development.*



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Zoning Recommendations

The K2 study recommended increasing the development capacity in the core of Kendall Square (including the Volpe site) to allow for further commercial, residential and institutional growth. That development would be balanced by mitigating requirements and public benefits including the following:

- Strict parking limitations and enhanced transportation demand management (TDM)
- Increased standards for sustainable development
- Required housing (including middle-income units in exchange for increased height)
- Required retail and other active uses at the ground floor
- Required open space improvements
- Required “innovation space” for small companies and start-ups
- Funding contributions for area-wide open space, transit and workforce development programs
- Design guidelines to inform the review of future projects

The K2 zoning recommendations divide the Kendall Square study area into four different districts. Some of the recommended zoning changes would be applied across all four districts, while other zoning changes would be tailored to the unique characteristics and challenges of each district. A zoning amendment affecting one of those districts, which includes MIT-owned land in Kendall Square, was adopted in 2013.

For each of the four districts, the K2 study recommended using a Planned Unit Development (PUD) overlay zoning approach, similar to the zoning for North Point and the current zoning for the Volpe site. Base zoning regulations would remain unchanged, while the PUD zoning would provide a mechanism to redevelop large parcels of land at a higher intensity in exchange for public benefits and a more rigorous review and approval process by the Planning Board. Development could be permitted as a Master Plan and built in phases over a specified period of time, sometimes as much as 20 years depending on the size of the project.

East Cambridge Planning Team / CBT Study

Concurrent with the K2C2 Study, the East Cambridge Planning Team (ECPT) consulted with CBT Planners and Architects to create an alternative vision for the K2 study area. Although CBT took a different design approach, the recommendations for future development were similar in terms of increasing development capacity and height in exchange for meeting community objectives for housing, retail, urban design, open space and sustainability. One key difference was that the ECPT plan recommended devoting a greater proportion of new development to housing.

Proposed PUD-KS Zoning Changes

Overall Zoning Approach

Because the district already has PUD zoning in place, and the existing regulations already align in several key ways with the goals and objectives of the K2 study, the proposed zoning change can be applied by making specific modifications to the existing text of the PUD-KS regulations.

The proposed changes fall into two broad categories:

- Changes to development capacity, height and open space requirements are proposed in response to the K2 recommendations that are unique to the district and the Volpe site.
- Provisions related to active ground floors, middle-income housing, startup innovation space, traffic and parking, sustainability and community investments are incorporated as they are recommended for the entire Kendall Square area. This zoning text is similar in most ways to the zoning changes adopted for the MIT Kendall Square area in 2013.

Proposed text changes are included in an appendix for the Board's review and comment.

Development Capacity – Floor Area Ratio (FAR) and Gross Floor Area (GFA)

The recommended increase in development capacity is achieved by increasing the maximum Floor Area Ratio (FAR) for a development parcel from 3.0 to 4.0. This is the base FAR that was allowed in the district prior to its rezoning in 1978, and would make the allowed density comparable to nearby areas such as the MIT Kendall Square district (PUD-5) and the area still zoned Industry B. The K2 study concluded that such a level of development would be supportable in the heart of Kendall Square and would meet the goals of providing capacity for economic growth and the ability to leverage public benefits such as housing, active ground floors, open space and other improvements to the Kendall Square area as a whole.

The K2 study envisions that a significant portion of new development would be housing. For a large parcel such as the Volpe site, the current PUD-KS zoning requires at least 40% of development to be residential. The K2 study recommends maintaining this required percentage. Aside from North Point, 40% is the highest proportion of housing required in any PUD district. As in other mixed-use PUD projects, the inclusionary housing requirements would apply and the allowed capacity for residential would be increased by applying the compensating FAR bonus.

One of the unique objectives for this district is to support the Volpe Center facility itself. As a Federal government use, Volpe is not subject to local regulations such as zoning, while private redevelopment of the site would be subject to zoning. From an urban design perspective, there is a benefit to considering the Volpe facility as part of a planned development rather than a stand-alone site. Therefore, an FAR exemption for government facilities is proposed so that a future Volpe facility can be included in an urban design master plan for the entire site without affecting the overall capacity for development. The Volpe facility would also be excluded from the calculation of minimum housing and other requirements triggered by commercial GFA.

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Special FAR exemptions recommended in the K2 study are also proposed. While an exemption for small ground-floor retail spaces is included in the current PUD-KS zoning, that exemption is being modified somewhat to allow for an expanded amount of retail. An exemption for “Innovation Office Space” is also included, as discussed further below.

The chart below summarizes the approximate development limitations that would result on the Volpe parcel from the proposed zoning changes:

Note: ALL FIGURES APPROXIMATE	Current Zoning	Proposed Zoning
Parcel Area (approx)	610,000 SF (14 acres)	610,000 SF (14 acres)
Maximum Commercial GFA	1,098,000 SF	1,464,000 SF
Minimum Residential GFA (assuming Maximum Commercial)	732,000 SF (+ 219,600 SF inclusionary)	976,000 SF (+ 292,800 SF inclusionary)
Max. Retail GFA (exempt)	70,000 SF	128,421 SF (up to 5% of total)
Max. Innovation GFA (exempt)	N/A	73,200 SF (up to 5% of office)
Government GFA (exempt)	See note *	400,000 SF * (approx.)
Max. Total GFA	2,119,600 SF	3,334,421 SF (approx.)

** The proposed zoning anticipates that a federal government facility would be exempt from zoning requirements. The expected amount of GFA is comparable to the size of the existing Volpe facility. In either case, it is assumed that government facilities could be developed with immunity from zoning.*

Height Limits

The attached maps show the height limit changes recommended in the K2 study. The current height limits (established in the ECaPS study) allow the tallest heights up to 250 feet along Broadway and reduce to 65 feet along Binney Street. The proposed height limits establish a general height limit of 250 feet, with a decrease to 120 feet along Binney Street and to 85 feet surrounding 303 Third Street (Third Square) and at the corner of Third and Binney Streets, in order to promote compatible development next to existing residential uses. As discussed further below, residential heights may be increased to 300 feet in the tallest height districts as an incentive to provide middle-income housing units.

The proposed height change responds to a few issues. In general, taller buildings will be necessary to accommodate the proposed increase in development capacity while preserving open space and connections through the site. Given the total development capacity, it is not likely that every building will be 250 feet tall, but the less restrictive height limits will provide flexibility to consider development plans with different configurations of buildings and open space. Another issue is that the Alexandria rezoning adopted in 2009 established taller heights along much of Binney Street, and it is less rational to maintain a 65-foot height limit where surrounding districts allow commercial uses at heights from 75 to 250 feet. Finally, as discussed in the open space section further below, the K2 study recommends exploring alternate arrangements for public open space rather than concentrating it in the northwest corner of the district. This means that development options in the northwest corner of the site may need to be considered.

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Open Space

The current PUD-KS zoning has among the most substantial open space requirements in the city. For a development parcel the size of the Volpe site, 42% of the parcel is required to be some type of open space. Moreover, the zoning requires the creation of a 7.5-acre public park. Because the Volpe site is only about 14 acres, that requirement would constrain development opportunities on the remainder of the site even more than the general open space requirement.

One reason why it is sensible to have a high open space requirement is the district’s central location between a residential neighborhood and a major commercial and transit node. Because the current Volpe site design reflects the “superblock” approach of 1960s urban renewal, it creates a barrier with few walkways or other opportunities for public circulation. Unlike many other PUD areas, which have existing public street grids, additional public open space on the Volpe site would encourage a more urbanistic arrangement of buildings and public spaces.

However, the K2 study recommendations diverge somewhat from the prior ECaPS objectives with regard to the desire for a large contiguous public park. Since the ECaPS zoning was adopted, many new public or publicly accessible open space amenities have become available, including community gardens on Charles Street, the Kendall skating rink, walkways and boat launch on the Broad Canal, and the state and private parks developed at North Point. In addition, over five acres of new public open space will be made available due to recent agreements with Alexandria and Boston Properties.

Both the City’s K2 study and the parallel study conducted by the East Cambridge Planning Team (ECPT) observed that the key issue regarding the future of open space in Eastern Cambridge is not necessarily the acreage of new parks but the connections that contribute to a neighborhood-wide network of open space. The ECPT study suggested that open spaces around Kendall Square could be conceived as a “bracelet,” making a comparison to the “Emerald Necklace” in Boston. In response to this goal, the City commissioned the “Connect Kendall Square” design competition to envision a framework for the planning and design of existing and future open spaces in the area. That process is currently underway and expected to complete in the spring.



K2 Study: Conceptual Vision



ECPT Study: Conceptual Open Space Vision

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Both the City and ECPT studies envision open space connections throughout the district but substantially less than 7.5 acres of open space. Both studies also envisioned alternatives in which public open space might be arranged into smaller component parks rather than a single contiguous park.



K2 Study: Alternative Conceptual Open Space Arrangements on the Volpe Parcel

Another consideration is the character of a potential new Volpe Center facility, which would need to be designed according to applicable security guidelines for a Federal installation. While open space would likely be created that would meet the definition of publicly beneficial open space, the security and operational requirements would prevent that space from being designated as public open space according to Cambridge's zoning definition. Therefore, a strict public open space requirement would be a significant disincentive to including a new Volpe facility in a development plan.

As a result, the recommended zoning proposal for the Volpe area is to continue to require a significant amount of publicly beneficial open space, but to reduce the public park space requirement and to allow it to be developed not necessarily as a contiguous park but possibly as a series of smaller parks and connecting paths. The chart below summarizes the quantitative impact of the proposed zoning changes:

Note: ALL FIGURES APPROXIMATE	Current Zoning	Proposed Zoning
Parcel Area (approx)	14 acres	14 acres
Min. Open Space (Public + Publicly Beneficial)	At least 5.9 acres (42%)*	At least 5.0 acres (36%)
Min. Public Open Space (as part of total)	At least 7.5 acres	At least 2.5 acres

** In current zoning, the open space requirement includes types other than public or publicly beneficial.*

It is important to note that the quality of open space, in terms of site planning, design and activation, will be essential to meeting the open space goals for the area. With greater flexibility in the zoning, the final open space plan for the parcel can be informed by the Connect Kendall Square process along with the goals of the Federal agencies and an eventual private development partner. Public review by the Planning Board will be a critical part of that process.

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Additional K2 Zoning Provisions

The area-wide zoning provisions recommended in the K2 study are summarized briefly below:

- **Active Ground Floors:** In the design of a PUD, 75% of all ground floor frontage facing Third Street and Broadway would be required to include retail spaces. In exchange, any ground-floor space dedicated to retail establishments not exceeding 5,000 square feet per establishment (or larger with Planning Board approval) would be exempt from FAR limitations, up to 5% of the total allowed FAR.
- **Middle Income Housing:** As part of a PUD approval, heights are allowed to exceed 250 feet up to a maximum of 300 feet for residential uses only. In exchange, middle-income housing units (affordable to 80%-120% of area median income) must be provided occupying a minimum GFA equivalent to 25% of the residential GFA located above 250 feet.
- **Startup Innovation Space:** At least 5% of office space must be designated as “Innovation Office Space,” available for small companies or individuals on short-term leases. An Innovation Space Plan is required as part of a PUD proposal, and the Planning Board can approve variations. Up to half of the Innovation Office Space would be exempt from FAR limitations, up to 5% of the total office GFA.
- **Parking and Transportation:** Parking for a PUD is considered to be accessory to all uses within the PUD, and a shared parking analysis is required as part of a PUD proposal to determine the minimum amount of parking necessary to serve all uses throughout the day and week. The Planning Board approves the final amount and location of parking, but the following strict maximum and minimum parking ratios apply by land use:

Use	Auto Parking Requirements
R&D	0.8 sp/1000 sq. ft. <u>maximum</u>
Office	0.9 sp/1000 sq. ft. <u>maximum</u>
Retail/consumer service	0.5 sp/1000 sq. ft. <u>maximum</u>
Residential	0.5 sp/unit <u>minimum</u> ; 0.75 sp/unit <u>maximum</u>

Bicycle parking is required per citywide requirements in Article 6.000.

- **Sustainability:** New development is required to be designed to a minimum LEED Gold standard with enhanced energy efficiency requirements and cool roofs; feasibility of connecting to district steam must be evaluated in a PUD proposal; zoning relief may be permitted for co-generation and alternative energy systems in a PUD.
- **Community Investment Fund:** Development authorized in a PUD is required to contribute to a fund an amount equal to \$10.00 per square foot of non-residential GFA above base zoning limitations, which supports open space, transit and workforce development programs for Kendall as a whole. This is in addition to Incentive Zoning contributions to the Affordable Housing Trust, required for all PUD projects.

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

13.10 PUD AT KENDALL SQUARE: DEVELOPMENT CONTROLS

13.11 *Purpose.* The PUD-KS district is intended to provide for the creation of a mixed-use district of high quality general and technical office and retail activity, with a significant component of residential use. **The retention of government office facilities on the site is desired, as well as space for smaller innovation companies as a component of the commercial office space that is created.** The creation of **public open space to serve residents of the district and the larger neighborhood** ~~a large public park~~ is desired. The PUD-KS district permits larger scale development and supporting commercial activities close to Kendall Square and the major public transit services located there. It encourages strong linkages between new development at Kendall Square, the East Cambridge riverfront, and the PUD-KS area and the neighborhoods of eastern Cambridge, facilitated in part by a strong retail presence along Third Street **and Broadway.** Development in the PUD-KS district **is expected to meet high standards for sustainable design and** should be generally consistent with the policy objectives set forth in the **Kendall Square Final Report 2013 (K2 Plan)** ~~Eastern Cambridge Plan~~ and the guidance provided in the ~~Eastern Cambridge~~ **Kendall Square** Design Guidelines.

The purpose is modified somewhat to reflect the current goals articulated in the K2 study, which are nevertheless similar to those in the prior Eastern Cambridge (ECaPS) Plan. In addition, the purpose supports retaining Federal facilities, while the zoning is structured to recognize that Federal facilities could, under normal circumstances, be immune from local regulation.

13.12 *Uses Allowed in a PUD-KS District.* The uses listed in this Section 13.12, alone or in combination with each other, shall be allowed upon permission of the Planning Board. The amount and extent of uses may be further regulated and limited as set forth elsewhere in this Section 13.10.

13.12.1 Residential Uses

(1) Townhouse Development. Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a Planned Unit Development in a PUD-KS district.

(2) Multifamily dwellings.

13.12.11 Transient Residential Uses

For the purposes of this Section 13.10, the following Transient Residential Uses shall be considered non-residential uses

(1) Hotels or motels

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

13.12.2 Transportation, Communication, Utility and Institutional Uses. All uses listed in sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district. Telephone exchange use set forth in 4.32 g (1) shall be permitted provided that any facility having a floor area greater than four hundred (400) square feet shall only be permitted in a building in existence as of June 1, 2001 that, if vacant, has not been occupied by a residential use in the five years immediately preceding the time of application for a Certificate Of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

13.12.3 Office and Laboratory Uses. All uses listed in Section 4.34.

13.12.4 Retail Business and Consumer Service Establishments. The following retail uses shall be permitted, provided that the total amount of retail Gross Floor Area (GFA) in the District does not exceed ~~70,000 square feet~~ five percent (5%) of GFA and no individual establishment exceeds ten thousand (10,000) square feet of ~~Gross Floor Area~~ GFA unless the Planning Board determines in writing that more retail GFA and establishments of a greater size better serve the residents within the PUD district and in adjacent districts and better advance the policies set forth in the ~~Eastern Cambridge~~ K2 Plan and the ~~Eastern Cambridge~~ Kendall Square Design Guidelines.

Provisions for retail space are modified to reflect the desire for expanded retail in the K2 Plan.

- (1) Store or retail sale of merchandise
 - a. Establishment providing convenience goods such as drug stores, food stores, tobacco, newspaper and magazine stores, variety stores, and liquor stores.
 - b. Other retail establishments
 - ~~(1)~~(2) Stationery and office supply store.
 - ~~(2)~~(3) Printing and reproduction service establishment, photography studio.
 - ~~(3)~~(4) Other store for retail sale of merchandise located in a structure primarily containing non-retail use provided no manufacturing, assembly or packaging occur on the premises.

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

~~(4)~~**(5)** Barber shop, beauty shop, laundry and dry-cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.

~~(5)~~**(6)** Restaurants or other eating and drinking establishments listed in Subsection 4.35 e, f, and g.

~~(6)~~**(7)** Theater or hall for public gatherings.

(8) Art/Craft Studio

(9) Bakery, Retail

13.12.5 Institutional Uses. All uses listed in Section 4.33 f and g.

13.12.6 Other Uses. Any use not listed in subsections 13.12.1 through 13.12.4, otherwise allowed in a Business B District may be allowed by the Planning Board only upon written determination by the Board that such use is consistent with the objectives of the PUD-KS district and the policies and guidelines set forth in the ~~ECaPSK2~~ Plan.

13.13 *District Dimensional Regulations.*

13.13.1 Permitted FAR. In the PUD-KS District the maximum ratio of floor area to Development Parcel shall be ~~3-0~~ **4.0**, subject to the further use limitations set forth below in Section 13.13.11. **For the purposes of calculating FAR, the GFA of the following uses shall be exempt from the requirements of this Section 13.13.1:**

Development capacity is increased per the recommendations of the K2 Plan.

- (1) GFA devoted exclusively to a use designated as Other Government Facility in the Table of Use Regulations on a Government Owned Lot, as set forth in the provisions of Section 13.112 below. Notwithstanding such exemption, a Government Owned Lot can be included in calculating the area of a Development Parcel.**
- (2) GFA devoted to retail and consumer service uses, provided the GFA is located on the ground floor or basement level of a multistory building, is clearly identified within the Active Use Plan as described in Section 13.111.1 below (though the exempt GFA may exceed the required Active Use), fronts on and has a public entrance onto a public street, park, or plaza, and for each individual establishment the GFA does not exceed 5,000 square feet. The Planning Board may approve such**

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exemption for a space of a larger size if it is devoted to a particular type of retail that is desired in the neighborhood but requires a larger space to be feasible.

- (3) **Fifty (50) percent of the GFA devoted to innovation office space, up to a maximum of five (5) percent of non-residential GFA in a Final Development Plan, as described in Section 13.111.3 below.**

13.13.11 Limitations on Non-Residential Development. In the PUD-KS District all non-residential uses shall be further limited as set forth below. Where the amount of non-residential GFA is limited to a percentage of the total GFA authorized, the calculation shall be based on GFA authorized exclusive of any GFA that may be constructed as a result of the application of the FAR bonuses permitted in Section 11.200 or any GFA devoted exclusively to structured parking.

(1) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of less than five acres, the total GFA devoted to non-residential uses shall not exceed ten (10) percent of the total GFA authorized in a PUD for that portion of a PUD Development Parcel containing such lot or lots, or any portion thereof. This limitation shall apply to each Development Parcel individually. This limitation shall not apply to any individual lot created subsequent to the Planning Board approval of the PUD Final Development Plan.

Notwithstanding the above limitations, additional non-residential GFA shall be permitted as set forth in Paragraph (3) below.

(2) For any lot or combination of lots held in common ownership as of June 1, 2001 having in total an area of more than five (5) acres, the total GFA devoted to non-residential uses shall not exceed sixty (60) percent of total GFA authorized, **exclusive of GFA exempted in Section 13.13.1 above**, inclusive of any GFA otherwise exempt from the provisions of the Cambridge Zoning Ordinance in a PUD for that portion of a PUD Development Parcel containing such lot or lots, or any portion thereof. This limitation shall not apply to any individual lot created subsequent to the Planning Board approval of the PUD Final Development Plan. **The limitations set forth in this Section 13.13.11(2) shall not apply to any individual lot within a Development Parcel created subsequent to the Planning Board approval of the PUD Final Development Plan.**

The Final Development Plan shall include a Phasing Plan providing a general sequence for the construction of residential and non-residential uses. The Planning Board shall approve such a Phasing Plan if it is found to ensure that residential uses will be

Required residential development is kept at the same percentage as recommended in the K2 Plan. Standards for phasing are added.

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completed on a schedule that meets the objectives of the City and ensures compliance with the requirements of this Paragraph (2). In general, non-residential development shall not be authorized to exceed sixty percent (60%) of the total non-exempt GFA permitted for non-residential uses until substantial construction activity of residential uses has commenced. Full completion of the permitted non-residential GFA shall not be allowed before the full permitted residential development has been completed or substantial construction activity has commenced. The Planning Board may approve variations to the standards in this Paragraph if the Phasing Plan is found to be in general conformance with the intent of this Paragraph.

Notwithstanding the above limitations, additional non-residential GFA shall be permitted as set forth in Paragraph (3) below.

At least ninety-five (95) percent of the authorized non-residential GFA must be located on the portion of said lot or lots having an Office 2 base district designation.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) the Planning Board may in its discretion approve a Final Development Plan providing GFA in excess of sixty (60) percent of the authorized GFA in the PUD provided it is conclusively demonstrated to the Planning Board that all residential GFA required to be developed on such lot or lots in their entirety, by this Paragraph, has already been constructed.

~~(3) For the entire PUD-KS district, the first 50,000 square feet of retail and customer service uses authorized in total in all approved PUDs shall not be counted toward the non-residential GFA limitations of Paragraphs (1) and (2) above provided the GFA is located on the ground floor of a multistory building, fronts on and has a public entrance onto Third Street, Broadway, or a public park, and for each individual establishment the GFA does not exceed 10,000 square feet.~~

- 13.13.2** Minimum Development Parcel Size. The minimum size of a Development Parcel within the PUD-KS shall be the greater of (1) 40,000 square feet or (2) seventy-five percent of the area of a lot or combination of lots (a) in existence as of June 1, 2001 and (b) held in common ownership where it is proposed to incorporate any portion of such lot or lots within the Development Parcel. A Development Parcel within the PUD-KS may contain noncontiguous

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lots elsewhere in the PUD-KS district or within a contiguous PUD district. There shall be no specified minimum lot size for lots located within a Development Parcel.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) limit the feasibility of creating a Development Parcel meeting the size requirements of this Section 13.13.2, the Planning Board may in its discretion approve a PUD application having a smaller Development Parcel size.

13.13.2.1 Where the Development Parcel required in Section 13.13.2 is greater than 100,000 square feet, the applicant may at his or her own discretion designate a portion of Development Parcel as a Master Plan Area, within which area physical information may be presented in a more generalized way, subject to more detailed approval by the Planning Board at a time and in a manner determined by the Board in its PUD special permit decision. Within the Master Plan Area location of streets and public parks, the quantities of proposed land uses, general building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the Master Plan and its general consistency with the objectives of the PUD district and the guidance provided in the K2 Plan and the Kendall Square Design Guidelines.

This provision is also included in the North Point zoning, which anticipates long-term development in accordance with a master plan.

13.13.3 Residential Density. ~~For the purpose of computing residential density, the minimum lot size for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.~~ **There shall be no required minimum Lot Area Per Dwelling Unit in the PUD-KS District.**

The K2 study recommends removing limits on unit density to allow for a variety of unit types and sizes, including micro-units.

13.13.4 Maximum Building Height.

13.13.41 The maximum height permitted in the district shall be ~~sixty-five (65)~~ **two hundred fifty (250)** feet except as it may be further limited or permitted below. The permitted heights are further illustrated on the Building Height Regulation Map for the PUD-KS, Map 13.11.

Existing height limits are deleted and replaced with those recommended in the K2 study (see attached map). Note that the map reference will need to be updated.

(1) Reduced Building Height to One Hundred Twenty Feet. The maximum height shall be reduced to one hundred twenty (120) feet in portions of the PUD-KS District within one hundred fifty (150) feet of the centerline of Binney Street, except as further reduced below.

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- (2) Reduced Building Height to Eighty-Five Feet. The maximum height shall be further reduced to eighty-five (85) feet in the portion of the PUD-KS District bounded by the centerline of Binney Street, the centerline of Third Street, a line seventy-five (75) feet south of and parallel to the centerline of Potter Street, and a line seventy-five (75) feet west of and parallel to the centerline of Fifth Street, including the extension of such lines to their intersection with other reference lines identified in this Paragraph.

~~Additional Building Height to Eighty-Five Feet. The maximum height shall be eighty-five (85) feet in the areas described below:~~

~~(a) An area bounded by the centerlines of Fifth Street, Monroe Street, Third Street and Potter Street.~~

~~(b) An area bounded by the centerline of Potter Street and its northwesterly extension; then the centerline of the former Sixth Street (the MXD district boundary line); then a line northeasterly of, parallel to and two hundred (200) feet distant from the northeasterly sideline of Broadway; then a line northwesterly of, parallel to, and three hundred (300) feet distant from the northwesterly sideline of Third Street, to the point of beginning.~~

~~(2) Additional Building Height to One Hundred and Twenty Feet. The maximum height shall be one hundred and twenty (120) feet in that area bounded by areas described in Paragraph (1) above; then the centerline of Third Street; then a line northeasterly of, parallel to, and one hundred (100) distant from the northeasterly sideline of Broadway; then the centerline of the former Sixth Street (the MXD district boundary line) to the point of beginning.~~

~~(3) Additional Building Height to One Hundred and Eighty Feet with Portions to Two Hundred and Fifty Feet. The maximum height shall be one hundred and eighty (180) feet in that area bounded by the area described in Paragraph (2) above; then the centerline of Third Street; then the centerline of Broadway; and then the centerline of the former Sixth Street (the MXD district boundary line) to the point of beginning. However, portions of buildings may rise above one hundred and eighty (180) feet to no more than two hundred and fifty (250) feet provided the area of all floorplates of portions of buildings above 180 feet do not exceed ten percent of the total area of the Development Parcel.~~

~~(4) Portions of Buildings limited to Forty-five Feet. Notwithstanding the provisions of Paragraphs (1) – (3) above, any portion of a building that is within fifty (50) feet of an existing~~

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

~~or proposed Public Open Space or single intervening street abutting that open space may exceed 45 feet only if for each floor above 45 feet, that floor is set back an additional 10 feet from the façade of the floor below, until the maximum height is attained, or until a 20 foot setback from the façade at 45 feet is attained. Alternately, a set back of 20 feet from the façade of the building at a height of 45 feet shall be permitted, and the remaining portions of the building allowed to achieve the maximum height permitted in Paragraphs (1) – (3) above or any variation between the two provisions.~~

(3) Middle Income Housing Incentive. The Planning Board may approve buildings exceeding two hundred fifty (250) feet up to three hundred (300) feet in height; provided that:

- a. **the use of any occupiable space situated above 250 feet in height shall be limited to residential and/or institutional dormitory uses, and**
- b. **Middle Income Units (as defined below) shall occupy an aggregate GFA equal to at least twenty-five percent (25%) of the total residential GFA (excluding any GFA occupied by institutional dormitory uses) in the portions of the building that exceed 250 feet in height. Such Middle Income Units shall be evenly distributed throughout the residential development in a manner approved by the Planning Board, in consultation with City staff, in the Final Development Plan for a Development Parcel, in order to ensure that the Middle Income Units are of an appropriate location, size, configuration and quality for households intended to occupy such units.**

This height incentive is recommended in the K2 study to encourage the creation of middle-income units. The same provision was included in the MIT Kendall Square (PUD-5) zoning.

For the purposes of this Section 13.13.41, Middle Income Units shall be defined as residential dwelling units for which:

- i. **the occupancy is restricted to households whose total income exceeds 80% but does not exceed 120% of the median income of households in the Boston Standard Metropolitan Statistical Area adjusted for family size, or such other equivalent income standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund; and**
- ii. **the rent (including utilities) does not exceed thirty percent (30%) of the income of the renting household or, in the instance of home ownership units, the monthly mortgage payment (including insurance, utilities and real**

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estate taxes) does not exceed thirty percent (30%) of the income of the purchasing household, or such other equivalent standard as may be determined by the Board of Trustees of the Affordable Housing Trust Fund.

~~13.13.42~~ The Planning Board shall not approve any Final Development Plan in the PUD-KS District not in conformance with the regulations of Section 13.13.4 above. In the portion of the PUD-KS that allows buildings to 200 feet or more, the Planning Board may approve a building up to 250 feet if other buildings or portions of buildings in that portion of the Development Parcel are no higher than one hundred and fifty (150) feet.

13.13.43 In evaluating a ~~development proposal~~ **Development Proposal** providing building height in excess of one hundred and twenty (120) feet, the Planning Board shall give consideration to evidence presented on the following:

(a) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other buildings in the vicinity to a significantly greater extent than if the building height did not exceed one hundred and twenty (120) feet;

(b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development;

(c) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;

(d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and

(e) that the orientation and location of the proposed ~~structure~~ **structures** would not otherwise diminish the health and safety of the area around the development parcel.

~~The~~ **(f) if applicable, the** additional height permits accommodation of GFA transferred from the Eastern Cambridge Development Rights Transfer Donating District.

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Notwithstanding the provisions of Paragraphs (a) through (f) above, the Planning Board shall give consideration to the consistency of any Final Development Plan in achieving the design and site planning goals, as well as the measures set out to achieve these goals, as set forth in the Kendall Square Design Guidelines 2013.

13.13.5 Other Dimensional Requirements. There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. There shall be no minimum required front, rear and side yard requirements for a development parcel or for lots located within a development parcel. The Planning Board shall approve all such lot sizes and building setbacks.

13.14 *Open Space.* The following Open Space requirements shall be met on each Development Parcel.

(1) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (1) above, any combination of Public Open Space **or Publicly Beneficial Open Space**, ~~Green Area Open Space or Permeable Open Space~~, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least twenty (20) percent of the area of that portion of the Development Parcel.

(2) For that portion of a Development Parcel consisting of lots described in Section 13.13.11, Paragraph (2) above, any combination of Public Open Space **or Publicly Beneficial Open Space**, ~~Green Area Open Space or Permeable Open Space~~, as defined in this Ordinance, shall be provided on the Development Parcel and shall in the aggregate equal at least ~~Forty-two (42)~~ **thirty-six (36)** percent of the area of that portion of the Development Parcel, subject to the further limitations set forth in Section 13.14.1 below.

This results in the equivalent of about 5 acres on a 14-acre site such as the Volpe parcel.

Owners of adjacent Development Parcels may collectively provide the required open space by ~~easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity~~ **provided the Planning Board finds that the owners of each Development Parcel have provided written evidence of an agreement, that the total amount of open space required for both Development Parcels is provided, and that the Open Space Plans for each Development Parcel meet the standards for approval.** In that event, **the Planning Board shall record in the Special Permits for each PUD the amount of open space required on each Development Parcel** ~~each Development Parcel shall, for purposes of this Section 13.10 be deemed to include that portion of such open space as the owners shall allocate to it in chosen legal instrument.~~

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

For the purposes of this Section, open space on a Government Owned Lot which is developed as part of a PUD shall be allowed to be included in the total open space required in this Section 13.14 in accordance with the provisions set forth in Section 13.112 below.

All required open space shall be generally accessible to the public for reasonable periods throughout the day for the purposes for which the open space is designed and approved by the Planning Board, which may include but not be limited to walking, bicycling, active and passive recreation. The Planning Board must approve any proposal to significantly limit public access to the required open space.

A Development Proposal shall include a detailed Open Space Plan describing and illustrating how the requirements of this Section will be met, including the requirements set forth in Subsection 13.14.1 below. In granting a special permit, the Planning Board shall approve the Open Space Plan if it is found to be in general conformance with the objectives set forth in the K2 Plan and the Kendall Square Design Guidelines.

- 13.14.1** Required Public Open Space. For that open space required in Section 13.14, Paragraph (2) above, **at least half of the required area shall meet the definition of Public Open Space and shall serve the following purposes: to provide public connections along key desire routes for residents of the neighborhood, to expand or enhance existing Public Open Space in the area, and to provide recreational opportunities or other benefits to the general public that will complement those already existing in the neighborhood. The required Public Open Space shall consist of one or more park spaces along with public pedestrian and bicycle paths to provide connections to the park space(s) from surrounding streets and other open spaces.** the required open space shall consist in part of a contiguous 7.5-acre Public Open Space to be located in the northwest quadrant of the PUD-KS district as further described and located in the Eastern Cambridge Plan. The Public Open Space shall be under the control of the City of Cambridge through fee simple conveyance, easement, or other legal mechanism acceptable to the City. In the event that the City of Cambridge does not accept the facility, the PUD permittee shall maintain the park for the use of the general public as originally designed and approved by the Planning Board in the Special Permit. The Public Open Space shall be designed and constructed by the permittee according to the conditions of the PUD special Permit and when conveyed to the City shall be environmentally and otherwise suitable for the recreational uses for which it is designed.

Text is modified to make reference to the goals established in the K2 study to envision a comprehensive open space framework for the area. Instead of requiring a large contiguous park in a specific location, the open space could be designed more flexibly and evaluated for its benefit to the overall open space network. This area-wide strategy is being further developed through the *Connect Kendall Square* design competition and study process.

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The required Public Open Space may be transferred to the control of the City of Cambridge through fee simple conveyance, easement, or other legal mechanism acceptable to the City. In the event that the Public Open Space is not conveyed to the City of Cambridge, the PUD permittee shall maintain the Public Open Space for the use of the general public as originally designed and approved by the Planning Board in the Special Permit. The Public Open Space shall be designed and constructed by the permittee according to the conditions of the PUD Special Permit and, if conveyed to the City, shall be conveyed in a condition environmentally and otherwise suitable for the uses for which it is designed.

However, where circumstances related to the transfer of property from the federal government to other governmental or private entities (for the purpose of private development on a portion or all of the land in the control of the federal government) limit the feasibility of creation of a ~~7.5-acre park~~ **Public Open Space**, the Planning Board may at its discretion approve a Final Development Plan providing a contiguous Public Open Space of less than 7.5 acres **with modifications to the requirements of this Section**. In approving such a Final Development Plan the Planning Board shall find that ~~a smaller facility~~ **the proposed Open Space Plan** continues to meet the objectives of the ~~Eastern Cambridge~~ **K2** Plan and the ~~Eastern Cambridge~~ **Kendall Square** Design Guidelines, **and that the Final Development Plan remains in compliance with the requirements of Section 13.14 (2).**

- 13.14.2** The Planning Board shall encourage development that is located adjacent to a Public Open Space to be physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, and similar techniques **in accordance with the objectives set forth in the K2 Plan and the Kendall Square Design Guidelines.**
- 13.15** *Perimeter and transition.* Any part of the perimeter of a PUD-KS which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Developments in the PUD-KS district should provide integrated pedestrian circulation systems, with particularly strong linkages among the riverfront, Kendall Square, and the Eastern Cambridge neighborhoods.
- 13.17** *Parking and Loading Requirements.* Development **in** the PUD-KS District shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, and in the Schedule of

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Parking and Loading Requirements applicable to the Residence C-3, Office 3, Business B and Industry B districts, except as modified by this Section 13.17.

13.17.1 With regard to uses contained within new commercial buildings, provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.17 may be satisfied (a) anywhere in the PUD-KS District or, if located outside of the PUD-KS District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000 and (b) in total or in part by a lease agreement between the Developer and the City, other public entity or private owner or consortium for use of parking spaces in the public or pooled private parking facilities within said area.

Current parking requirements are deleted and replaced with those developed through the K2 study.

13.17.2 All parking provided within an approved PUD shall be considered collectively accessory to all approved uses within the PUD. Notwithstanding anything to the contrary in Article 6.000, this Ordinance shall not restrict the management and assignment of parking spaces in a way that will most efficiently utilize the existing and proposed parking spaces to serve all approved uses. As an exception to these rules, all parking spaces (whether existing or proposed) that are accessory to an Other Government Facility use as listed in Section 4.33, paragraph (g) of the Table of Use Regulations shall be distinctly identified, and shall not be accessory to any other uses.

13.17.3 Minimum Parking. In approving a Final Development Plan for a Development Parcel, the Planning Board may waive any minimum parking requirements applicable in the zoning district, with the exception that parking for residential uses shall not be less than 0.5 parking spaces per dwelling unit. The Planning Board may approve arrangements for shared parking of such residential parking spaces with commercial spaces. The Planning Board shall specify a minimum parking requirement for a PUD based on review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, including the Shared Parking Study as required further below, and with the guidance of City agencies.

13.17.4 Maximum Parking. Maximum allowed parking for a PUD shall be limited by applying the rates set forth below to each use within the PUD and taking the summation of the result for all uses. For any use not listed below, the maximum parking ratio set forth in Article 6.000 shall apply. Exceeding the maximum allowed parking shall require a waiver of maximum parking required under the general provisions of Article 6.000.

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- a. Maximum of 0.9 spaces per 1,000 square feet of GFA for office uses, excluding technical office (Section 4.34(a-e)).
- b. Maximum of 0.8 spaces per 1,000 square feet of GFA for laboratory use and technical office uses (Section 4.34(f)).
- c. Maximum of 0.75 spaces per residential dwelling unit (Section 4.31(d-g)).
- d. Maximum of 0.5 spaces per 1,000 square feet of retail (Sections 4.35 and 4.36).
- e. Maximum of 1 space per 4 sleeping rooms for hotel use (Section 4.31(i)(2)).

13.17.5 Shared Parking Study. A Development Proposal for development in the PUD-KS District shall include an analysis of anticipated parking demand for all uses in the development throughout the course of a typical day and week. This analysis may identify opportunities for reducing the total amount of parking required to serve all uses through the sharing of parking spaces by multiple uses. Based on this analysis, the Planning Board may approve a reduced minimum or maximum parking requirement upon finding that the approved amount of parking will be sufficient to serve all permitted uses.

13.17.6 Interim Use of Surface Parking. On an interim basis, in anticipation of later construction of structured parking sufficient to meet all parking requirements, on grade open parking shall be allowed in a Development Parcel subject to the following conditions:

(1) The future parking structure will be constructed within the Development Parcel but it may be located either on or off of the lot which it will serve;

(2) Construction of the replacement parking structure will commence within four years of the date of certificate of occupancy for the building initially served by on grade parking;

(3) The future parking structure will contain sufficient spaces for users of the building initially served by on grade open parking so as to meet the parking requirements for such building; and

(4) Binding commitments shall exist to establish, to the reasonable satisfaction of the Planning Board, that requirements (1) through (3) above shall be satisfied. Such

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commitments shall be made by negotiated lease agreement, deed restriction, covenant, or comparable legal instrument.

~~13.17.1~~ Off street parking facilities shall be provided as follows:

~~(1) Residence: 1 space per unit minimum, 1.5 spaces per unit maximum.~~

~~Public Assembly: Number of seats requiring one space: 15.~~

~~(3) Institutional: 1 space per 1,800 square feet.~~

~~(4) Retail (except as noted in Section 13.17.2 below) and Office: _____~~

~~Ground floor: 1,125 square feet~~

~~_____ Other level: 1,800 square feet~~

13.17.27 Ground Floor Retail and Customer Service Uses. Retail and customer service uses fronting on and having a public entrance onto a public street or a public open space, located at the first floor level of a multistory building, and not exceeding 10,000 square feet for each separately leased establishment shall not be required to provide any accessory parking. Where parking is provided it shall be subject to Section 13.17.1 above.

13.17.8 **Loading. The Planning Board, in its approval of a Final Development Plan, may waive any requirements for the amount, location and design of loading facilities within a Development Parcel, and may permit loading facilities to be shared across various uses and lots within the PUD-KS District.**

13.18 Traffic Mitigation Measures. In reviewing a development proposal under the provisions of this Section 13.70 and Section 19.20, the Planning Board shall determine that the proponent has demonstrated, at the time of Final Development Plan approval, a commitment to a Transportation Demand Management Program consistent with the reduce parking mandated in this PUD. The measures to be taken in this program must address:

(1) The amount of parking provided,

(2) The scale of development and the mix of uses proposed, and

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(3) The assumptions employed with regard to the proportion of automobile use for those traveling to the site.

For examples of such Measures, the Planning Board shall refer to the Eastern Cambridge Plan, Article 18.000, and the requirements of Section 19.20 in establishing Transportation Demand Management measures applicable to any approved PUD.

13.19 ~~Relationship to MBTA Urban Ring Future Transportation Plans ~~Project~~.~~ In all PUD application documents, the applicant shall indicate how the proposed PUD development relates physically to **future transportation options intended to connect existing radial transit lines (subway, commuter rail, and bus), as identified in the K2 Plan, including the implementation of bus rapid transit (BRT) service** ~~the most current plans developed by the MBTA for implementation of the Urban Ring transportation project.~~

Although the Urban Ring project is not currently being pursued by the MBTA, desired transit connections serving a similar function are identified in the K2 Plan, such as connections from Kendall Square to Sullivan Square and the Longwood Medical Area.

13.110 Residential Uses Abutting Binney Street. Where any Development Proposal locates residential dwellings along Binney Street, the Planning Board shall, in approving a Final Development Plan containing such residential units, be satisfied that the negative impacts of truck and other heavy vehicular traffic on Binney Street will be adequately mitigated for the residents of the proposed dwelling units. Such mitigation shall be achieved through the location of the buildings within the Development Parcel and the distribution of activities within those buildings; the provision of setbacks, landscaping and similar kinds of buffers; the inclusion of non-residential uses at the ground floor; the employment of construction techniques to minimize the transmission of sound and vibrations; and/or through the employment of any other appropriate measures.

13.111 **Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in Kendall Square. The Planning Board shall approve a Final Development Plan in the PUD-KS District only after finding that in addition to all other applicable requirements the following requirements have been met. The Planning Board shall, in addition, include conditions in the approval of a Final Development Plan that will ensure ongoing compliance with these requirements.**

The following are the requirements recommended in the K2 Plan for all areas of Kendall Square. The text is substantially the same as text in the MIT Kendall Square zoning adopted in 2013.

13.111.1 **Required Active Uses. Final Development Plans shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, for those buildings in the PUD immediately fronting a public street, public park, or public plaza, with the exception of buildings on a Government Owned Lot that are exempt from GFA per the provisions of Section 13.112, the first floors of these buildings shall generally be**

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planned, designed, constructed and used for Active Uses as defined below. At a minimum, a total of at least seventy-five percent (75%) of the frontage on the ground floors of such buildings facing Broadway and Third Street shall be devoted to spaces containing Active Uses. The Planning Board shall review an Active Use Plan as a component of a Development Proposal and a Final Development Plan describing how the proposal meets the requirements and intent of this Section. Notwithstanding the above, the Planning Board, in approving a Final Development Plan, may grant minor modifications to the requirements set forth in this Section 13.111.1 upon finding that the proposed Active Use Plan meets the objectives of the District and the K2 Plan.

(a) Definition of Active Uses. For purposes of this Section 13.12.7, “Active Uses” shall mean:

(1) Retail business and consumer service establishments listed in Section 13.12.7;

(2) Institutional uses that are generally open to the public, such as museums and exhibition spaces; and

(3) Other uses which the Planning Board determines meet the goals of this Section 13.12.7.

The definition of “Active Uses” shall specifically exclude lobbies or other spaces that serve an accessory function to upper-story office or laboratory uses.

(b) Building and Site Design Requirements for Active Uses and Open Spaces.

(1) Active Uses shall have one or more entrance(s) from the sidewalk or plaza separate from the principal entrance of the building serving nonretail uses.

(2) Outdoor courtyards, delineated gathering space, or sitting areas are encouraged in any approved Final Development Plan.

Prior to submitting any application for a special permit in the PUD-KS District, the applicant shall engage the services of a consultant or other party with retail expertise to advise the applicant in connection with retail and other Active Uses to be included in the applicable Development Parcel. The recommendations of that consultant shall be included in the applicable special permit application.

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13.111.2 Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new or substantially altered structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures.

At a minimum, any noise or vibration emanating from new commercial or substantially altered commercial buildings shall not be normally perceptible at ground level without instruments at a distance of one hundred (100) feet from the source lot line and shall comply with the provisions of the City of Cambridge Noise Ordinance applicable to Commercial Areas (as such term is defined in the Noise Ordinance).

In order to enforce these requirements, the applicant shall provide, in addition to a Noise Mitigation narrative required as part of Article 19.000 review, acoustical reports prepared by a professional acoustical engineer as described below:

- (a) Prior to and as a condition of the issuance of the first certificate of occupancy for a new or substantially altered commercial building, an acoustical report, including field measurements, demonstrating compliance of such building with all applicable noise requirements; and**
- (b) Prior to obtaining any building permit to add any new equipment having a capacity greater than five (5) horsepower to the rooftop, a narrative report demonstrating that there will be continued compliance with all applicable noise requirements after such addition, and upon completion of such addition and as a condition thereof, an acoustical report, including field measurements, demonstrating such compliance.**

13.111.3 Innovation Space. A Development Proposal containing at least two hundred thousand (200,000) square feet of new Office Uses, specifically excluding any office space designated as Other Government Facility on a Government Owned Lot pursuant to Section 13.112, shall include a plan for Innovation Office Space meeting the requirements of this Section 13.111.3.

13.111.3.1 Required Space. For a Development Proposal containing new Office Uses (excluding any office space designated as “Government Facility, Other” as defined in Article 2 of this Ordinance), Innovation Office Space within the PUD-KS District must occupy GFA equal to, or in excess of, the amount of GFA that is five percent (5%) of the new GFA

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approved in the Final Development Plan for Office Uses. Existing GFA within the PUD-KS District may be used to meet this requirement. Where at least 40,000 square feet of Innovation Office Space is required, Innovation Office Space may be distributed in separate buildings, provided, however, that each separate “unit” of Innovation Office Space, contains at least 20,000 square feet. If less than 40,000 square feet of Innovation Office Space is required to be contained in the PUD-KS District, the Innovation Office Space must be contained in a single building.

Developers of properties within the PUD-KS District may collaborate with property owners in adjacent zoning districts in the Kendall Square area to develop joint Innovation Office Space. In such a case, the total square footage of Joint Innovation Office Space must be large enough to satisfy the sum of the requirements, if any, for such participating Developers and zoning districts.

13.111.3.2 Characteristics. For the purposes of this Section 13.111.3, Innovation Office Space shall have the following characteristics:

- (a) Durations of lease agreements (or other similar occupancy agreements) with individual business entities shall be for periods of approximately one (1) month.**
- (b) No single business entity may occupy more than 2,000 square feet or ten percent (10%) of the entire Innovation Office Space required to be provided in the PUD-KS District, whichever is greater. The average size of separately contracted private suites may not exceed 200 square feet of GFA.**
- (c) Innovation Office Space shall include shared resources (i.e., co-working areas, conference space, office equipment, supplies and kitchens) available to all tenants and must occupy at least fifty percent (50%) of the Innovation Office Space. Individual entities occupying Innovation Office Space may include small business incubators, small research laboratories, office space for investors and entrepreneurs, facilities for teaching and for theoretical, basic and applied research, product development and testing prototype fabrication or production of experimental products. Developers within the PUD-KS District obligated to provide Innovation Office Space, must provide an annual report to the City’s Community Development Department showing the location and size of all Innovation Office Space, the number of separately leased spaces, if any, information regarding the number of tenants, size of company, and area of endeavor.**

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

13.111.3.3 GFA deductions for Innovation Office Space. For a development proposal required to provide Innovation Office Space, 50% of the required GFA devoted to Innovation Office Space shall not be counted toward the FAR requirements of 13.13.1 and the non-residential GFA limitations as set forth in Section 13.13.11.

13.111.3.4 Variations. In approving a Final Development Plan or a Minor Amendment to a Final Development Plan, the Planning Board may allow variations in the specific standards and characteristics set forth in Sections 13.111.3.1 and 13.111.3.2 above, if the Planning Board finds that the Innovation Office Space, as proposed, will be consistent with the purposes of these standards and characteristics.

13.111.4 Sustainability. New buildings constructed within the PUD-KS District shall comply with the provisions of Section 22.20 of the Ordinance. For those construction projects subject to Section 22.23, LEED certification at the Gold level or better is required. In connection with the submission requirements of Section 22.24.2.a., the Developer of such buildings shall submit a Statement of Energy Design Intent produced through the EnergyStar Target Finder tool, or comparable method. New buildings in the PUD-KS District must incorporate an integrated design approach and incorporate the best practices for meeting sustainability in the following five (5) areas:

- (a) Energy and Emissions; Steam. Each new building must conserve building energy and, to the extent applicable, reduce carbon/GHG emissions. The Developer, with each Development within the PUD-KS District, must evaluate the potential for on-site energy generation or the construction of co-generation facilities within the PUD-KS District. A Development Proposal for a commercial building shall include a study, prepared by the Developer, considering the feasibility of connecting the building(s) identified in the Development Proposal to the existing district steam system.**
- (b) Urban Site and Landscaping; Water Management. The Developer, for each new building, must explore opportunities for (i) potable water use reductions, (ii) storm water management using open spaces, (iii) the incorporation of indigenous vegetation, and, (iv) storm water for irrigation purposes. At a minimum, all new buildings within the PUD-KS District must meet the Department of Public Works' standards for water quality management and the retention/detention of the difference between the 2-year 24-hour pre-construction runoff hydrograph and the post-construction 25-year 24-hour runoff hydrograph.**

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

- (c) Cool Roofs. All new buildings approved in the District after January 1, 2014, must employ Functional Green Roofs (as such term is defined in Article 22.000 of this Zoning Ordinance), high-albedo “white” roofs or a functionally equivalent roofing system.
- (d) Monitoring. All new buildings approved in the PUD-KS District shall be required to conform to the requirements of the Cambridge Building Energy Use Disclosure Ordinance, Chapter 8.67 of the Municipal Code.
- (e) In connection with the approval of a Final Development Plan or in connection with the granting of a Special Permit pursuant to Article 19 of the Ordinance, the Planning Board may grant dimensional and other zoning relief in order to permit the construction of a co-generation facility or other energy systems that allow developments to develop shared solutions to minimize energy usage.
- (f) A Development Proposal shall include a Sustainability Narrative describing how the project will meet the requirements set forth in this Section, and shall additionally describe the consistency of the proposed development with other sustainability goals that may be established by the City, such as mitigating urban heat island effect, promoting district energy systems, and preparedness for impacts of climate change.

13.111.5 Contribution to Community Fund. Prior to issuance of a Certificate of Occupancy for any building authorized by a PUD special permit in the PUD-KS District and containing non-residential uses not exempt from GFA pursuant to Section 13.13.1, the permittee shall be required to contribute to a Community Fund established by the City Manager. The contribution (referred to as a “Fund Contribution Payment”) shall be calculated by multiplying ten dollars (\$10.00) by the number of square feet of new GFA greater than is permitted in the base districts for all non-residential uses not exempt from GFA pursuant to the provisions of Section 13.13.1. The City shall use the Fund Contribution Payment pursuant to this Section 13.111.5.

- (a) Open Space and Transit Improvements. 67% of any Fund Contribution Payments shall be allocated for the establishment and betterment of publicly beneficial open spaces located in the PUD-KS District and adjoining neighborhoods, and transportation improvements and services to benefit the Kendall Square neighborhood and adjacent neighborhoods; not already required by the City of Cambridge Parking and Traffic Demand Management Ordinance (PTDM). The open

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

space and transit improvement funds shall be allocated at the direction of a committee appointed by the City Manager, which committee shall contain representatives from adjacent neighborhoods.

- (b) Workforce Development and Training. Thirty-three percent (33%) of any Fund Contribution Payment shall be allocated separately for workforce development serving residents throughout the City of Cambridge. The workforce development and training funds shall be allocated at the direction of a committee appointed by the City Manager.

13.112 Special Requirements Related to Government Use on Government Owned Lots. Where a Development Parcel in the PUD-KS district includes a Government Owned Lot as it is defined below, the special provisions set forth in this Section 13.112 shall apply notwithstanding any other regulations to the contrary set forth in this Ordinance.

- (a) For the purpose of this Section 13.10, a Government Owned Lot shall mean a lot owned by the federal government that may be developed in conjunction with a transfer of land to a private entity, where such transferred land abuts the Government Owned Lot, and where, for the convenience of the government, the Government Owned Lot is included as part of a Development Parcel. If so included, such Government Owned Lot shall be clearly identified in a Development Proposal and Final Development Plan.
- (b) Uses on a Government Owned Lot categorized as Other Government Facility in Section 4.33, item (g) in the Table of Use Regulations in this Zoning Ordinance, if included within a Final Development Plan, shall be exempt from the requirements set forth in this Section 13.10 and elsewhere in the Ordinance, including but not limited to Floor Area Ratio (FAR) limitations, limitations on non-residential use allowed in a Final Development Plan, Active Use requirements, Innovation Space requirements, Community Fund contributions and Incentive Zoning contributions.
- (c) Notwithstanding the above, a Government Owned Lot shall be included in calculating the area of a Development Parcel for all purposes, including the calculation of FAR limitations and Open Space requirements. Publicly Beneficial Open Space on a Government Owned Lot may be counted toward meeting the open space requirements of this Section, notwithstanding any limitations on access or use that may be imposed by the controlling government entity.

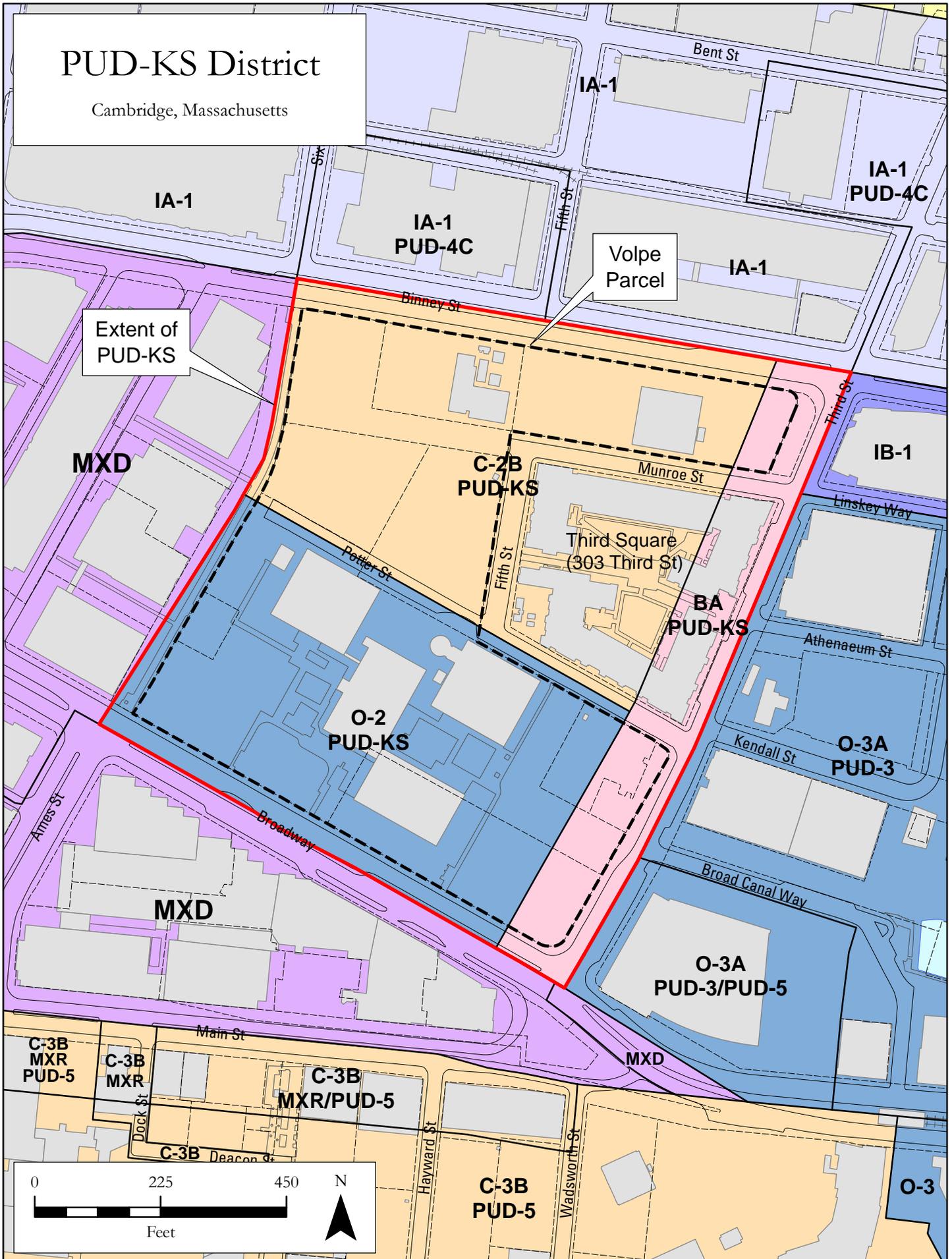
These provisions are included acknowledging that the development of Federal facilities could, under normal circumstances, be immune from local regulation. There would be a benefit to including such facilities in a PUD plan rather than having them developed separately on a stand-alone site. This text seeks to remove requirements that may be seen as impediments by a Federal agency, to incentivize development of government facilities within a PUD area.

The notes below are to describe the proposed revisions, and not to be incorporated into the Ordinance.

- (d) If a Special Permit has been granted authorizing development on a Development Parcel containing a Government Owned Lot in accordance with a Final Development Plan, and the controlling government entity later separates the Government Owned Lot from the remainder of the Development Parcel, then no future modification to development on the Government Owned Lot shall affect the development authorized in the approved Final Development Plan on the remainder of the Development Parcel, and such development shall be allowed to proceed in accordance with the Final Development Plan.
- (e) If a Special Permit has been granted authorizing development on a Development Parcel containing a Government Owned Lot in accordance with a Final Development Plan, and the Government Owned Lot is later transferred in ownership such that it no longer meets the definition of a Government Owned Lot as set forth in Paragraph (a) above, then the provisions of this Subsection 13.112 shall no longer apply and any modifications to the Final Development Plan shall be required to conform to the requirements and procedures set forth in Article 12.000 and this Section 13.10 along with other applicable provisions of the Zoning Ordinance.

PUD-KS District

Cambridge, Massachusetts



PUD-KS District Orthophotograph

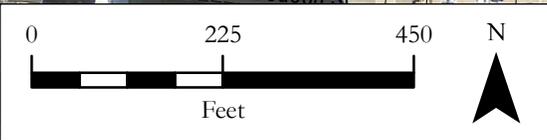
Cambridge, Massachusetts

Volpe
Parcel

Extent of
PUD-KS

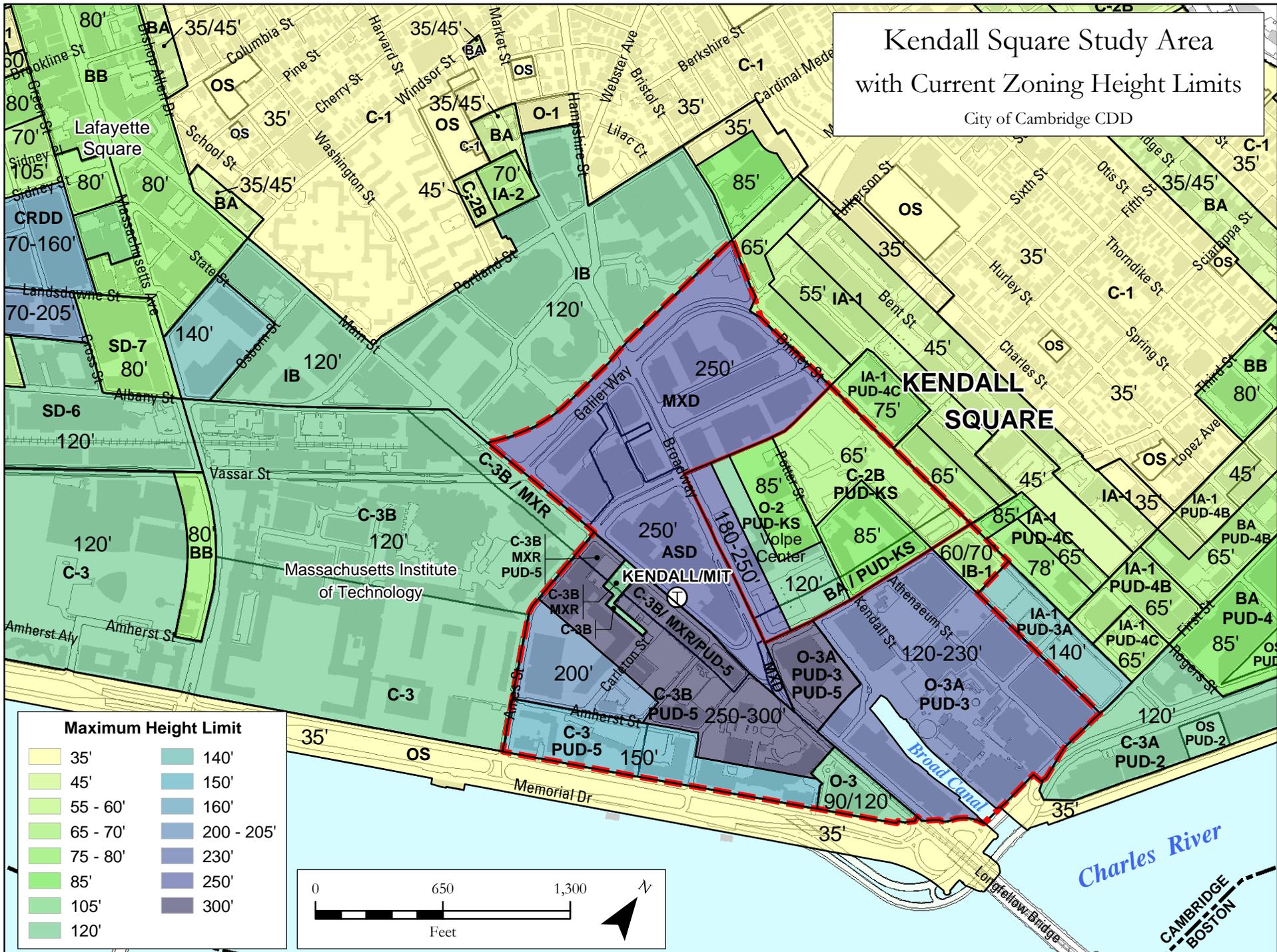
Third Square
(303 Third St)

MassGIS orthophotograph from 2013.



Kendall Square Study Area with Current Zoning Height Limits

City of Cambridge CDD



Kendall Square Study Area with Proposed Zoning Height Limits

City of Cambridge CDD

