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# CITY OF CAMBRIDGE

Community Development Department

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To: Planning Board

From: Jeff Roberts, Director of Zoning and Development  
Swaathi Joseph, Zoning Associate Planner

Date: May 10, 2019

Re: **CambridgeSide PUD-8 Zoning Petition (second public hearing)**

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## Overview

On March 19, 2019, the Planning Board held a hearing on the petition by New England Development and Cambridgeside Galleria Associates Trust to amend the provisions of the Zoning Ordinance to establish a new Planned Unit Development district (PUD-8) in East Cambridge, with development controls contained in a new Section 13.100.

Since the last Planning Board meeting, the Applicant has met with staff to develop responses to comments and questions raised in the initial review of the petition related to proposed density, height, uses, and residential allocation. This memo contains comments from the Board during the first public hearing and additional comments from staff on the following subjects:

- Urban design comments related to design objectives and guidelines
- First street improvements
- Transportation analysis
- Parking strategies that might be incorporated into zoning
- Retail strategies that might be incorporated into zoning
- Climate and resilience
- Zoning clarifications

The applicant also recently submitted a set of written material in response to comments from the Board, summarized in this memo.

Staff will be available to discuss this information and respond to questions at the upcoming hearing.

**Planning Board Comments from the First Hearing**

The following is a summary of issues discussed by the Planning Board at its March 19, 2019 hearing:

- Building height impacts
- Additional density in the area not substantiated with studies showing the demand
- TIS results needed to understand traffic impacts and how parking needs of existing and proposed uses will be met
- Impact of lab and light industry uses on the surrounding residential areas
- Consider more residential use allocation
- Residential phasing
- Affordable housing relative to current minimum requirements
- Opportunities for affordable retail to support local businesses
- Response to climate resilience and floodproofing garage
- Separate classification of public benefits associated with PUD-4 and PUD-8
- Possible upgrades to DCR building
- Additional details on open space connections
- Clarifications and corrections of proposed zoning language

The following is a summary of issues discussed by the Ordinance Committee at its April 3, 2019 hearing:

- Activation of First Street supporting the proposed setback
- Study traffic, pedestrian, bike, truck movements with emphasis on First Street and Land Blvd
- Greater housing/affordable housing component
- Concerns about height
- Concerns regarding lab space and proposed location for this use
- Provide economic rationale for size/scale of proposal
- Types of retail/commercial use:
  - Understand how much retail there is now, how much there will be
  - Appreciate the mall serving the neighborhood needs affordably
  - Storefronts that support minority/locally owned businesses
  - Affordable non-profit space, maybe shared workspace
  - Community space, conference space for groups
  - Affordable child care space
  - Entertainment as an attraction
- Open space:
  - Connection from Canal extending across MOS
  - Plant trees
  - More public access/activities at Gatehouse park
  - Passage from First Street to Charles River
  - Activating “dead zone” along river
  - Public dock across from Point Park
- Net zero buildings
- Reduced concerns about loss of parking and options to make parking work

### **Additional Materials Provided by Petitioner**

The Petitioner recently submitted a revised draft of the zoning petition along with a narrative responding to several of the issues that were discussed. Except for clarifying some technical issues that were raised with the zoning language (which are commented on toward the end of this memo), the revised zoning draft does not reflect a substantive change from the original proposal, but the response narrative suggests that many of these issues will be addressed through a letter of commitment.

#### *Suggested Letter of Commitment*

Letters of commitment are typical for zoning petitions of this type as a way to incorporate public benefits. The revised zoning references a letter of commitment but a draft has not been provided thus far. According to the response narrative, the letter of commitment would address the following issues:

- Increased affordable housing
- A comprehensive arts program
- Community events
- Community space for local groups and residents
- Formation of an Open Space and Retail Advisory Committee
- Improvements to existing open spaces including Lechmere Canal Park, Charles Park and Gate House Park (subject to approval)
- Improvements to pedestrian access under the Land Boulevard Bridge (subject to approval)
- Reconstruction of the DCR boathouse to include a public dock (subject to approval)

#### *Rationale for Proposed Density and Height*

The narrative also provides an explanation of how the petitioner arrived at the proposed amount and mix of new uses and the proposed building heights. While staff has no comment on the specific rationale, it broadly reflects similar themes to other development proposals in this area by suggesting that the value of new “Class A” commercial office/laboratory development provides the necessary economic base to enable the other elements of the project, including maintenance of the existing retail atrium, new retail and improvements on First Street, new market-rate and affordable housing, open space improvements, and other public benefits that are not financially feasible on their own.

While much of the narrative focuses on the desire to support the economically struggling core retail and 200,000 square-foot public atrium of the existing site, the zoning does not articulate a clear and firm commitment to maintain that space. The zoning would apply to sites with 100,000 square feet of existing retail, and would require new ground floors along First Street to be designed for retail frontage, but the zoning for the existing mall (which, per this proposal, would continue to follow the PUD-4 development controls) would continue to allow a future change in use. This is potentially another issue that would be addressed in a letter of commitment.

#### *Other Items in Response Narrative*

The response narrative comments on some additional issues:

- Heights: The response matrix notes that “The petitioner is evaluating the 185-foot height band,” but specifics have not been provided thus far.
- Transportation and Parking: These issues are noted in the response matrix and discussed further below in this memo.
- Resiliency: This issue is also noted in the response matrix and discussed further below in this memo.
- Laboratory Buildings: The narrative discusses in detail ways in which the noise and lighting impacts of laboratory buildings can be mitigated. However, it is not clear how these measures are reflected in the proposed zoning requirements or guidelines, particularly with regard to lighting. While these are not issues that can be easily regulated through zoning, thought should be given to ways in which noise and lighting could be effectively assessed through the development review process to ensure that the practices described in the narrative would be utilized in a way that produces the desired outcome.

### **Additional Staff Comments**

#### *Urban Design*

As a zoning petition, this proposal would enable a Planned Unit Development (PUD) that would be subject to future review and special permit approval by the Planning Board. As this petition is framed, the Board would approve a phased Final Development Plan at a “master plan” level when granting a special permit. Though it is not noted in the petition (but perhaps could be), a phased development plan is typically subject to an ongoing design review process for individual buildings and sites as set forth in the conditions of the special permit.

At the level of PUD zoning, the aim is to ensure that a good set of urban design criteria, objectives, and guidelines are established and/or referenced in the zoning to inform the future design review process. These objectives and guidelines would specify the intended outcomes of a development plan to the developer and the Board, and would form the basis for the Board’s eventual special permit decision, along with any ongoing conditions that might be attached to any approval.

With that in mind, the urban design team has reviewed the objectives and guidelines stated and referenced in the petition, along with the presentation materials made at the prior hearings and the additional materials provided, and has met with the petitioner’s team on a few occasions. The following comments are meant to inform the design objectives for this new PUD district if the petition is adopted.

***Staff supports the urban design intentions of the petition.*** The petition would allow CambridgeSide to be transformed into a mixed-use retail/commercial/residential project. The way the proposed heights step down from south to north is a good response to the urban context, and the transformed development has the potential to improve the pedestrian experience on the adjoining city streets by increasing sidewalk width, adding amenities, activating the adjoining streets with ground floor retail, and giving building massing and façades a more pedestrian-friendly scale while still maintaining a sense of the urban streetwall.

***Additional considerations.*** Staff recommends considering the following issues in the urban design objectives and guidelines for the proposed new district.

(1) Building Setbacks, Height, and Massing:

- (a) The adequacy of First Street’s sidewalk width to support pedestrian activity, plantings, and street furniture should be considered. It is important to establish expectations for a functional and well-designed public realm. Pending more detailed study, staff would suggest that the ground floors of new buildings along First Street be set back 12 feet or more from the existing building footprint location. Building stories above the ground floor could overhang, but not by more than 5 feet.
- (b) Given the proposed scale of buildings and the relatively narrow confines of First Street, staff recommends establishing a streetwall podium of about 65 feet above grade for new buildings along First Street and the majority of CambridgeSide Place and Land Boulevard. Above the podium, taller portions of new buildings should step back by 10 feet or more.
- (c) Mechanical penthouses should be set back 15 feet or more from building façades.
- (d) Since the current guidelines for this area do not contemplate taller buildings, the Kendall Square Design Guidelines (2013) should be consulted to establish guidelines for the massing of large buildings, the façade expression of towers, and the design of ground floors.
- (e) Consideration should be given to maintaining the portion of the building that faces Lechmere Canal’s round basin at its current height to limit shading impacts.

(2) Ground Floor Design:

- (a) The Kendall Square Design Guidelines (2013) provide a more up-to-date resource on designing for active ground floors, and should be consulted to inform the design of ground floors addressing all the adjoining streets and open spaces.
- (b) The PUD’s required Ground Floor Activation Plan should establish a minimum height of ground floors, both within the building and in terms of façade expression, to create an appropriate sense of pedestrian scale and ensure the flexibility of retail spaces for various types of businesses.

(3) First Street:

- (a) Proposed changes to First Street should be designed in coordination with CDD, the Traffic, Parking and Transportation Department (TP&T), and Department of Public Works (DPW).
- (b) Final plans for First Street should respond to future transit planning for the area. (See further discussion below.)

(4) Open Space and Pedestrian Connectivity:

- (a) The project and associated improvements should be designed in accord with the Cambridge Riverfront Plan’s “Planned Open Space System.”
- (b) The PUD’s required Open Space and Connectivity Plans should consider improvements to the streetscape of the adjoining portions of First Street, CambridgeSide Place, and Land Boulevard to increase connectivity between the East Cambridge residential neighborhood and the river, and to improve the pedestrian realm.

- (c) New buildings should be separated by courtyards and other significant breaks to avoid long lengths of unbroken building mass (as the petitioner has shown in the March 19 design documents presented to the Planning Board). An effort should be made to align the courtyards on First Street to the ends of Spring and Hurley Streets.

(5) Design Guidelines:

- (a) Because a PUD plan will be submitted at a master plan level, staff suggests that a consolidated set of design guidelines should be prepared and approved with any future PUD approval to inform the detailed design of individual buildings and sites.
- (b) The overall design objectives should be to complement the urban fabric of East Cambridge, create a rich, connective, and enjoyable pedestrian realm, maximize environmental benefits, minimize detrimental environmental impacts, minimize energy use, and help the city fulfill its goals for traffic and transportation.
- (c) Consolidated design guidelines would cover the following topics: streetscape amenities and dimensions, canopy street trees, ground floor design, entrances, building service, the location of the ground floor façade relative to the plane of the streetwall above, façade length, modulation of the streetwall façade, bay widths, the massing and façade expression of towers, mechanical penthouses, architectural details, building materials, incorporation of art, lighting design, screening of mechanical systems, sustainability and energy efficiency, on-site energy generation, urban heat island effect, universal access, and coordination with the City's plans for vehicular, pedestrian, and bicycle movement in East Cambridge.

- (6) Review Materials: The Development Proposal submission should include ground level views from significant vantage points, photometric studies, wind studies, glare studies, shadow studies, and an assessment of projected future heat impacts.

*First Street Improvements*

Staff appreciates the willingness of the petitioner to invest in improvements along First Street. While it is useful to see the petitioner's vision, the graphics in their initial presentations show changes within the public right-of-way that have not been reviewed and endorsed by City departments and will require further discussion. If the petition is adopted, staff would look forward to working with the developer and the Planning Board to establish both interim and future conditions for First Street, considering the City's future objectives along all of First Street when determining the best design approach for this section of the street.

First Street has been identified for at least 15 years as a priority corridor for carrying high-frequency bus service, in addition to high-quality bike and pedestrian accommodation. Already, the EZRide shuttle provides transit service along First Street with 8-minute headways, among the highest frequencies in Cambridge. As part of the Green Line Extension (GLX) project, currently scheduled to be complete in 2021, Lechmere Station will move to the far side of Monsignor O'Brien Highway and First Street will be extended to connect to the new Lechmere Station and the North Point / Cambridge Crossing area. Planning studies also contemplate a bridge connection for transit, pedestrians and cyclists from Cambridge Crossing to the Inner Belt/Sullivan Square areas in Somerville, a proposal strongly supported

by both Cambridge and Somerville. This more efficient connection enhances the immediate utility of the high-frequency bus connections to and from the Green Line and beyond. Planning studies also have contemplated creating a bridge connection for transit, pedestrians and cyclists between Cambridge Crossing and Inner Belt/Sullivan Square areas in Somerville.

In 2017, the Kendall Square Mobility Task Force built on past recommendations to designate First Street as a high-frequency bus corridor and advance bus priority on this corridor as a high priority. Bus priority in the near term would support current EZRide and other shuttle service, as well as supporting the longer-term improvements described above, which might include the expansion of MBTA bus service. Any design of First Street should support the vision of a First Street that provides high-frequency bus service, connections to Lechmere Station, and safe and comfortable facilities for people who walk and bike.

The graphics in the petitioner's initial presentation show a narrowing of the roadway that would hinder future plans for bus priority as described above. On the other hand, pending further design collaboration with staff, the proposal to set a portion of the building back could provide a welcome opportunity to enhance the public access and frontage, in order to provide space for people on foot or bicycle, which would enable further achievement of streetscape goals in this area.

#### *Transportation Analysis*

Discussion at the prior hearings raised two key transportation-related issues: Will the area be able to accommodate the level of additional traffic generated by the anticipated development under this proposal, and will the existing underground parking garage support the parking demand of the anticipated development. These issues are separate in some ways and intertwined in others. For example, a plan that ensures an ample supply of parking is likely to encourage more driving, leading to greater traffic impacts. A parking supply that is too constrained might limit traffic impacts, but might impact mall users or have spillover effects on parking availability in the nearby area.

Staff from the Traffic, Parking, and Transportation Department (TP&T) have been in communication with the petitioner and have met since the previous hearing to discuss ways to model transportation impacts. Since this is a zoning petition and not a development proposal, which if the zoning is adopted will require a comprehensive transportation impact study (TIS), TP&T recommended a higher-level analysis comparing trip generation across different development scenarios. TP&T also recommended analyzing future parking demands against the capacity of the underground garage.

The petitioner's traffic consultant has been working on these tasks and TP&T expects a presentation of some of their work at the May 14 Planning Board hearing. TP&T looks forward to seeing the results of their work and continuing to work with the petitioner on this project.

#### *Parking Strategies in Zoning*

Independent of the analysis of transportation impacts, there are strategic considerations for the treatment of parking requirements in zoning. Parking demand is constantly shifting and it is difficult to anticipate how needs will change in the future. Also, controlling parking supply is a key tool that the City uses to limit impacts from automobiles, including traffic and greenhouse gas emissions.

In recent years, Cambridge's zoning strategy for parking in mixed-use development areas has included strict maximum parking limits to avoid the creation of excess parking, flexibility in the use and management of the parking supply to support a mix of activities (office, residential, retail, and other uses) efficiently and dynamically, and removing zoning impediments so that parking can be reduced over time as the overall demand changes.

These zoning strategies work in tandem with transportation demand management (TDM) programs, enforced through the Parking and Transportation Demand Management (PTDM) Ordinance and through special permit conditions. TDM strategies include subsidies and amenities to encourage non-auto modes such as transit, bicycling, and walking, as well as charging the full cost of parking to users (as opposed to, for instance, companies purchasing parking to provide to employees at a subsidy) and giving users more flexible choices to reduce their own parking utilization (such as paying daily rates for a limited number of days instead of paying for a full month).

The CambridgeSide proposal is different from other recent development proposals because it would use existing underutilized parking on the site, rather than creating new accessory parking. Another unusual characteristic is that the existing garage has a commercial parking license, allowing it to operate essentially as a principal parking use with broad flexibility in how spaces can be allocated. There are limitations on its use imposed by past special permits and agreements with the City, which should be analyzed to determine how they might affect how that parking is used over time.

Figuring out the right set of specific parking allowances, limitations, and other requirements will be a component of PUD special permit review if the zoning is adopted, based on more detailed analysis. Regarding the overall zoning strategy, staff recommends considering the following approaches:

- Clarifying that new development will be supported by parking that exists on the site, and that new accessory parking will not be created (but existing parking may be reduced).
- Allowing the existing commercial parking supply to provide the necessary parking for new uses, rather than converting that parking to accessory parking, to the extent permitted by commercial parking permits that are in effect for the site.
- Removing minimum parking requirements, except possibly for residential uses (to prevent spillover effects in the adjacent neighborhood), with the expectation that new uses will be served by existing parking in accordance with applicable commercial parking permits and any conditions imposed by the Planning Board in granting a PUD special permit.

#### *Retail Strategies*

The mall currently provides a variety of retail uses at different price points serving people of diverse income levels throughout Cambridge and the region. As a result, efforts to support new local retail opportunities should not discourage the diverse mall tenants from moving to new spaces that might be created fronting First Street or, alternatively, staying inside the mall.

To ensure a mix of retailers along the new First Street retail, CDD encourages the developer to create a retail committee (including an area resident, East Cambridge Business Association representative, and EDD staff) to meet twice a year to discuss the first floor leasing and marketing efforts. This is a strategy



that has been utilized in other major development projects, including MIT's Kendall Square development and the Mass+Main project in Central Square.

#### *Climate and Resilience*

Regarding climate change resilience, the petitioner's team has reviewed the anticipated flood elevations and believes that adequate protection from projected 2070 flood elevations can be provided without substantially affecting the development proposal. The Department of Public Works (DPW) has also reviewed the proposal. The proposal acknowledges the City's resilience planning reports and efforts and the proposed zoning language is consistent with zoning for similar areas. DPW expects to apply the same development standards though the special permit process based on the precedents established in prior projects.

In response to questions raised by the Planning Board related to energy performance and greenhouse gas emissions, staff is currently working to advance an update to the "Green Building Requirements" that apply to development citywide. These changes are based on the recommendations of the Net Zero Action Plan and include the following:

- Increasing the minimum design standard to LEED Gold, or alternatively meeting PassiveHouse or Enterprise Green Community standards.
- Requiring an enhanced commissioning process for buildings subject to Green Building Requirements.
- Providing a "net zero narrative" with a development proposal, describing the building's envelope performance (including window to wall ratio), anticipated energy use and greenhouse gas emissions, a framework for how the project could be converted to net zero emissions in the future, and other information related to greenhouse gas emissions over time.

Provided these changes are adopted, they would apply to new development on this site along with comparable projects throughout the city.

#### *Zoning Clarifications*

On March 19, Board members made several drafting comments on the zoning petition. Some of the Board's general concerns were related to the core concept of a PUD-8 overlay district operating alongside the PUD-4 zoning, with the existing development on the CambridgeSide site controlled by PUD-4 and new development controlled by PUD-8. The petitioner has discussed these issues with staff and has responded by providing a set of proposed revisions for the Board's review and a memo explaining the overall approach and proposed changes. Still, it is difficult for staff to predict how this overall approach will work until a development plan is proposed that clearly defines and distinguishes "PUD-4 development" from "PUD-8 development."

Below is a summary of comments made by the Board on specific zoning sections, the petitioner's revisions, and comments from staff.

- Section 13.102.1: The Board found it difficult to understand the standards for development parcels, and asked whether it would be possible to have multiple development parcels in the PUD-8 District. Because the minimum development parcel size is 7.5 acres, which is the approximate area of the

entire district, it would seem impossible to have more than one development parcel. The revised text deletes some unnecessary language to make the standards clearer.

- Section 13.102.2: The Board raised a concern about wording of “shall” instead of “may,” which has been changed in the revised version. The Board also raised questions about the text relating to minor amendments. Generally, it is unusual for the zoning to pre-determine what changes to a Final Development Plan constitute a minor amendment. The Planning Board would make such a determination after reviewing a development plan and referring to the criteria in Section 12.37. When approving a Final Development Plan, the Board could specify in the conditions of the special permit what flexibility is allowed for aspects of the plan such as use allocation or phasing. While it is unusual to suggest additional types of changes to be considered as minor amendments, the last sentence has been revised to clarify that the Board “could” approve such changes rather than saying that they “shall” be approved.
- Section 13.102.5: The Board asked whether a lot within the district might be controlled by long-term lease in addition to fee rights or enforceable easements. The revised zoning text includes long-term lease interests.
- Section 13.102.8: The Board raised concerns about the language being overly broad in waiving lapses and potentially taking away appeal rights that are afforded by state law. The revised text deletes some of these provisions but retains others. Generally, project commencement and phasing for a PUD is governed by the general provisions in Section 12.40, set forth below. Staff’s general concern is whether the proposed new section may constrain or conflict with these general provisions:

12.40 ENFORCEMENT

12.41 *Commencement of Construction.* The developer shall begin construction of the PUD within twelve (12) months of the date of the granting of the Special Permit to construct a PUD. The Planning Board may grant in writing an extension of this time period of up to twelve (12) months upon determination of good cause by the developer. If the developer fails to commence construction of the PUD within the specified time, the Special Permit shall lapse.

12.41.1 If the PUD is to be developed in stages, then the developer must begin the construction of each stage within the time limits specified in the Final Development Plan. Construction in each phase shall include all the elements of that phase specified in the Final Development Plan.

12.42 The Planning Board, or its Designee, shall periodically monitor the construction of the PUD, with respect to start of construction and development phasing. If the Planning Board, or its designee, finds that either the developer has failed to begin development within the specified time period or that the developer is not proceeding in accordance with the approved development phasing, with respect to either timing or construction of an approved mix of project elements, then the Planning Board shall review the PUD and may extend the time for start of construction or the length of time needed to complete a phase, revoke the Special Permit, or recommend that the developer amend the Final Development Plan subject to procedures specified in Section 12.37.

If the Planning Board revokes the Special Permit for the PUD then the Final Development Plan shall be null and void.

- Section 13.102.10: The Board also raised concerns about whether the language related to “Conflict” (amended to “Consistency” in the revised text) is overly broad in scope. The revised version deletes language related to conflict with “any other City of Cambridge ordinance or regulation” but retains other language pertaining to conflict with special permits, site plan approvals (which are not authorized in the Cambridge Zoning Ordinance), or variances. Such language is not typically included in PUD district development controls and it is difficult to anticipate how it might apply in practice.
- Section 13.104.1: As noted earlier, the Board expressed uncertainty about the potential for multiple development parcels, which might result in more gross floor area (GFA) than anticipated. The revised text specifies a limit on net new GFA within the PUD-8 district as a whole, which is consistent with language used in some other PUD districts, to avoid uncertainty over how much total GFA is authorized.
- Section 13.104.1: The Board also raised concerns about language pertaining to inclusionary housing, noting that the requirement is typically based on the citywide zoning requirements at the time the special permit is granted without specifying the requirement in the zoning for that district. No changes are made in the revised version.
- Section 13.105.1: A reference is corrected in the revised text.
- Section 13.106.6: No specific concerns were raised about the text, but the Board asked for additional information about what the loading requirements would be for the anticipated development, since the zoning authorizes the Board to waive such requirements.
- Section 13.107.2: The Board noted that screening of rooftop mechanicals is desirable but limited by code requirements, and suggested that buildings be required to screen mechanicals to the fullest extent allowed by law. The revised text adds a sentence to this effect.
- Section 13.107.3: The Board asked about this provision related to co-generation facilities, which mirrors language incorporated into PUD districts in Kendall Square. In those other districts, staff suggested that district energy production facilities might be incorporated into large development areas as a way to promote efficiency and resilience. It is not clear whether that would be the case for this proposal. This provision is deleted in the revised version.