

PLANNING BOARD
FOR THE CITY OF CAMBRIDGE

GENERAL HEARING

Tuesday, October 13, 2015

7:00 p.m.

in

Second Floor Meeting Room

344 Broadway

Cambridge, Massachusetts

H. Theodore Cohen, Chair

Catherine Preston Connolly, Vice Chair

Tom Sieniewicz, Member

Steven Cohen, Member

Louis J. Bacci, Jr., Member

Mary Flynn, Member

Ahmed Nur, Associate Member

Iram Farooq, Assistant City Manager

Community Development Staff:

Liza Paden

Jeff Roberts

Stuart Dash

Suzannah Bigolin

Swaathi Joseph

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I N D E X**PAGE****GENERAL BUSINESS**

Update from the Community
Development Department

Adoption of the Meeting Transcript(s)

Public Hearing

7:00 p.m. Cambridge Redevelopment Authority Zoning Petition to amend the Kendall Square Urban Renewal Plan and to amend the existing MXD Zoning, Article 14.000. The proposed zoning amendments include, among other changes, increasing the maximum aggregate gross floor area (GFA) from the current 3,333,000 square feet to 4,273,000 square feet, the maximum retail limit of 150,000 square feet would be deleted and small scale retail would be exempt from the GFA cap, a new category called Innovation Space would be created at 5% of new office/R&D GFA would be required to be this Innovation Space. Also to be amended is the existing height limit of 250 feet, a new height of 200 feet would be allowed in the MXD area north of Broadway, and residential buildings that satisfy certain middle-income requirements may be allowed to reach a height of 350 feet.

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General Business

BZA case #8287-2015, 269-273 Putnam Avenue,
Variance to allow ground floor accessory
structure approved in BZA case 6937 to be
used for limited retail food sales and
restaurant.

Keyword Index

P R O C E E D I N G S

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H. THEODORE COHEN: Good evening, everyone. Welcome to the October 13th meeting of the Planning Board. We start up with an update from the Community Planning Department, Assistant City Manager.

IRAM FAROOQ: Thank you, Mr. Chair. So today's -- between today and the next week's Planning Board meeting we have two significant Zoning petitions that are before the Board that actually are stemming both of them from the Kendall Square Planning Study of a couple years ago, so it's actually quite exciting to see them happening together and hopefully there will be some synergy in the discussions that we have, so we won't have to repeat all of the things every time. But really both of the petitions are largely

consistent with the recommendations of the K2 Study both in terms of the amount of density changes that are recommended but also in terms of a series of public benefits that were identified during that Planning Board process.

And then just an update on what else is coming up, the hearing on the Volpe process -- oh, and the Volpe rezoning at the Ordinance Committee is going to be on November 12th at 5:30. The Ordinance Committee hearing for the MXD Zoning has already occurred.

Next week will be the -- as I mentioned, the Volpe hearing at Planning Board. And on the 27th there will be two public hearings, both zoning petitions: The carsharing petition and the Barrett petition which speaks to accessory units in

residential districts, and also has a component related to basement space.

And moving then to other things that are happening in the city that might be of interest to the Board. So on October 20th at 3:30 there is a hearing at the Transportation, the Public Utilities Committee on our bike plan that we've just put together at CDD. It's a bike network plan that looks at all of the -- it kind of creates a strategic plan for where bike routes might be prioritized, whether they're on street or off street facilities. And there's a component that relates to getting kids from home to school. So safe routes to school and such.

On October 21st at three o'clock there is a City Council Human Services and Veteran's Community meeting with an update at

the homeless charrette that happened a couple weeks ago.

And October 26th at 5:30 is a roundtable meeting for citywide planning. If you haven't yet received an invitation to that, you should be receiving it soon.

So those are things coming up at Council. I did want to mention that we are, in terms of our citywide planning project, we are hoping to go to City Council for appropriation very soon. So you'll get to -- we'll share that information with you once we take it forward.

And also in more CDD related news, we have a couple weeks ago advertised for the CDD Deputy Director. So we are looking for somebody who's an extremely skilled planner, and also has a strong emphasis on sort of organizational operations and administration.

So if anybody knows any stellar candidates, please tell them to apply. The posting is up on our -- on the City's main website. And the opening -- I mean, the job closes I believe November 2nd or 3rd. So just a few weeks.

Thank you so much.

H. THEODORE COHEN: Thank you.

Liza, do we have any meeting transcripts to approve?

LIZA PADEN: No, they'll be coming this week.

H. THEODORE COHEN: Okay, fine.

All right, well, then we are going to have a public hearing now on the Cambridge Redevelopment Authority's Zoning petition to amend the Kendall Square Urban Renewal Plan and to amend the existing MXD Zoning, Article 14.000 of the Zoning Ordinance.

You know, things might get resolved this evening. I expect that what is likely to happen since this is a very complex subject and a very complex proposal for rezoning, is that we will identify a lot of the issues this evening and probably ask that CDD staff and CRA and its staff meet together over the next couple of weeks to see if we can -- if there are areas of differences or areas of concern, what they can iron out the differences. And then I believe the evening of November 10th has also been set aside for a continuation of this hearing.

So, if somebody would like to begin the presentation, that would be wonderful.

KATHLEEN BORN: Good evening, members of the Planning Board. It's a pleasure to be here. I'm Kathleen Born, and I serve currently as the Chair of the

Cambridge Redevelopment Authority.

JOHN HAWKINSON: Is your mic on?

I'm sorry.

KATHLEEN BORN: Is the mico on?

Thank you. It is not. Small room but nevertheless.

I currently serve as the Chair of the Cambridge Redevelopment Authority. I'm joined this evening by my fellow board member Barry Zevin. Barry is actually the governor's appointing on the Redevelopment Authority. And for those of you who don't know there are five members on the redevelopment authority. Four of us were appointed by the City Manager and confirmed by the City Council in April of 2002. Barry holds a prior appointment having been appointed by Governor Patrick and reappointed by Governor Baker. Governor Patrick. Excuse

me. And you will be hearing from our Executive Director Thomas Evans and our Program Manager Jason Zogg. And I just wanted to make a few quick comments first.

This is an unusual petition because it is being put forth by another city agency and I wanted to give you a little bit of background about how we developed the petition and the Urban Renewal Plan.

We had -- we have been working on this for about two years, and I don't have an exact count, but I reckon we've had probably about 10 meetings, somewhere between 10 and 12 public meetings about this. And before we got embarked on this we, the Redevelopment Authority had been engaged in a strategic plan. And we had identified during that plan our primary mission to act in the public interest. So we looked at the development of

this Urban Renewal Plan and this Zoning Petition always through that lens. Every component of it we were asking ourselves where is the public benefit? And you'll hear some of the details of that from Tom and Jason.

I just wanted to give you one piece of overview that you wouldn't hear, and that's the really the big picture thing. I've been thinking and probably all of you have been lately, about the American economy and about our state economy, and also a little bit about of our city economy. And I feel optimistic about our country. I feel very optimistic about the State of Massachusetts. And increasingly I am realizing what an incredible role our City of Cambridge has played in the development of that robust, technology-oriented, 21st century economy in

Massachusetts and probably nationwide. We asked ourselves also as a progressive city, Cambridge, with the gift of this economy, I shouldn't say it's an undeserved gift. I think the City has worked long and hard to make this city fertile for this kind of economic growth. But we asked ourselves what a progressive city would do with the good fortune of having a robust economy. And that led us to the belief in this kind of growth in Kendall Square. This kind of measured, careful growth that you're going to see explained tonight. And that led us to another place which was that we wanted to be sure that this Urban Renewal Plan has embedded in it the Cambridge value that we share our good fortune with the entire city, and that this is a project that will spread the riches of this economy and also provide

affordable housing for long-time Cambridge residents and also people who are coming to participate in the economy here.

I was walking around Kendall Square this afternoon and just marvelling at the diversity and -- the age diversity and the national diversity, the many languages that were spoken in Kendall Square. And we're hoping that this petition takes a look at things and will take a look at things, like transportation and open space and meaningful retail and innovation space, and we're very proud of it. We're very proud of the fact that the public brought us along this far and that it was a good partnership and we hope you'll feel positively about what we have to show you.

Thank you.

JASON ZOGG: Hi, I'm Jason Zogg, a

program manager at the Cambridge Redevelopment Authority. So I'll begin the presentation and then Tom will take over about halfway through. But I wanted to set a little bit of context then dive into the Kendall Square Urban Renewal Plan Amendment and that's KSURP for short. I'll be referring to KSURP frequently through this presentation.

And then the MXD Zoning Petition which is Article 14.000. Talking a little bit about a summary of the development that is proposed, some of which you may or may not have seen in other presentations.

Tom will discuss community benefits and the review process.

Just to give you a little bit of history, and I know some of you may have, and I'm sure some people in the audience have

heard this history already, but the Cambridge Redevelopment Authority in the 1960s cleared a significant amount of the land using our urban -- federal urban renewal dollars for NASA. NASA eventually decided to close their electronic research center after constructing only just a handful of buildings and transferred the surplus land back to DOT. What was left, what NASA left is what eventually became the Volpe Transportation Systems Center, and the surplus land that was returned to CRA went through an interesting process that included the urban land institute and many other plans. Eventually with the adoption of a Zoning District that surrounds the Volpe Center.

You can see part of what we call it the CRA parcel No. 1 is the Volpe site. Then parcel 2, 3, and 4 make up the MXD Zoning

District. So immediately surrounding there.

From Main Street on the bottom of parcel 4 and 3 up to Binney Street on the top of parcel 2 and then the railroad tracks on the edge.

So back in the 1970s, the late 1970s, after NASA pulled out, there was a process with the Urban Land Institute that actually assisted in creating the consensus regarding what was then three competing plans at the time. There was a City Manager's plan, there was a task force plan, and there was a neighborhood plan. And you all helped I think bring a consensus together.

There was an RFP for a master developer to develop parcels 3 and 4 and parcel 2. And that selection of criteria included such things as maximizing jobs, capitalizing on the public transit system, which would

eventually be reconstructed, the capacity of the developer to deliver, because at that time it was quite a large risk to take in an empty, vacant area, and establishing a sense of identity and activity. So you can see this image actually highlights the rebuilding of Kendall T station in the early 1980s as part of the development. And you can see the Marriott Hotel being constructed in the background.

But Boston Properties won the RFP for -- was accepted as the master developer to develop parcels 3 and 4 in 1979 and parcel 2 in 1982. And the terms of that transaction between Boston Properties and the Cambridge Redevelopment Authority included obviously the development rights, infrastructure obligations such as this public/private partnership with the MBTA to create a new

transit hub here, and financial consideration.

There have been 10 -- this is going to be the tenth amendment to the Urban Renewal Plan. Obviously zero was 1965, that was when we thought it was going to be NASA.

1977 was after we knew it wasn't going to be NASA. And that was last really substantial change in a lot of the wording and now we're at No. 10. In those, in those 10 amendments that have happened, some of them increased development rights including specifics regarding hotel, commercial, and housing. Some of them have allowed biotechnology uses which was not explicitly provided for in the original 1970s, and obviously time extensions.

So one of the great parts about the history that I always like to highlight is

what we've achieved in terms of creating the true transit-oriented development. We've seen 43 acres and over four million square feet developed since the late 1970s or early 1980s, and with more than half of that happening in the time scale of this draft starts in 1994, this is a graph of trip generations projected -- projected annually by a consultant that we hired and observed. We've been doing traffic counts consistently for the past 20 years. So we've -- we've successfully, through really enhanced transit demand management measures, which has also been assisted by the City, we've been able to keep a good portion of our, our trips on transit. So we've got 34 percent drive, 37 percent transit, 6 percent walk, and 9 percent bike which was the survey done last year.

So the story of Cambridge Center, as it was once called now called Kendall Center, it's developed into one of the Commonwealth's most important academic, technological, and biomedical innovation centers, and also not just in Massachusetts but nationally. The past several decades have focussed on commercial office development and limited ground floor retail, and now also residential as well with the Ames Street residential project that was before this Board a couple of months ago.

So the continued success of Kendall's innovation economy, including thousands more jobs, and this will help build on that achievement that has been created, creating a more liveable complete urban neighborhood and a more active district.

The Kendall Square Association has a

ten year vision for Kendall Square that they put together last year, and some of the areas for improvement that were highlighted by the Kendall Square Association, including neighborhood amenities, including the land use mix for more of an 18-hour live/work community. The high cost of residential and commercial spaces, improving transportation reliability, and increasing the networking and engagement opportunities, those collisions that create the innovation economy that we see today. And so we've tried to really address each of those areas of improvement that were highlighted here in our zoning petition.

So I will go over briefly the Urban Renewal Planning Amendment and the MXD Zoning Petition which are two different documents but very, very closely linked.

You can't talk about these two documents without talking about the fact that they are implementing mechanisms with the K2 planning study, which has the four goals that I'm sure you've seen many, many times here. But we also took a look at other prior studies including the East Cambridge Planning Team's study which is in the two images on the right side by CBT Architects. There's -- we're involved in the Cambridge Transit Strategic Plan, the Bicycle Network Plan. We have been taking into account the climate change and vulnerability assessment, the NetZero Task Force work, and are heavily -- deeply involved in the creation of the Kendall Square eco district at the moment.

So this is where I talk about the difference between the two documents. So the Urban Renewal Plan sets goals at broad level

goals and objectives. All urban renewal plans start with broad goals and objectives. We took a look at those, those goals and objectives that were written in 1977 and realize that many of them were applicable to today's world. They were fairly well written back in 1977 with only some relatively minor tweaks, a couple of additional objectives. We made some updates to that.

Obviously redevelopment programs are discussed in there. Allowable land uses, use limitations, development controls, process and procedures are all included in the Urban Renewal Plan.

The Zoning Petition also shares allowed land uses, dimensional requirements. It talks about parking, open space. We now have sections about innovation space and active minimum amount of active ground floor

easements and other affordable housing inclusionary housing.

Now these two documents all interrelate within in the little blue box through a review process which focussed on the in-fill development concept plan. A similar document had always been created under the Urban Renewal Plan by the Cambridge Redevelopment Authority. It was prepared as a kind of accompanying document to the, the ten updates to the urban renewal plan, and we had been calling it for the past several decades just a concept plan, but this in-fill development concept plan is a more evolved version of that. It includes site plan and phasing, housing and commercial program plan, open space, and infrastructure.

So the Urban Renewal Plan Amendment.
Some of the central elements that you need to

know about the urban renewal plan changes is that obviously we've revised the objectives that I just described.

Clarified historical language because there was a lot of traditional urban renewal language that you might find in the 1960s in planning documents. Some of the terms were not even terms that we as urban planners use today.

Increasing and development allowances, obviously which I'll get into some numbers briefly in a moment, revising land use controls which Tom will talk about in a moment, and obviously a time extension.

Now the MXD Zoning Petition which is a separate document which shares very much identical language, increases development capacity, institutes this concept -- in-fill development concept plan, and review process.

Increases the affordability requirements, adjust building heights, which Tom will get into, requires innovation and retail space. Active -- a minimum amount of active ground floor usage and minimize parking requirements which we will get into.

So just to understand the steps in this diagram here, you have the Urban Renewal Plan Amendment on the top. Those steps are a little bit longer because urban renewal plans in the state of Massachusetts have to be approved by the Department of Housing and Community Development at the end of this diagram. Because it -- the Urban Renewal Plan has to be approved by the Department of Housing Community Development, we needed to do a state level environmental impact report. And meet EMR which is a process we've been going through in the past year. The draft

comments were published back in April, comments were due in May. We're working on that and publishing an SCIR and single SCIR.

The MXD Zoning Petition on the bottom is simultaneous. It shares very much the same language, but doesn't have that state level review at the end obviously.

So in summary, this, this, these two documents together are asking for one million additional square feet. 600,000 square feet of commercial and 400,000 square feet of housing. Visually I tried to explain how this, this increase really increases that yellow bar -- that yellow section of the bar by in larger proportion than the purple. And Tom will go into a little bit more of the details of these numbers in a later diagram because there are many exceptions to this.

So just to run through the proposed

development itself, the -- we took a look at what are the opportunity sites left in the MXD District.

The MXD District is about three city blocks.

All of the property is currently owned by one landowner or another, the CRA owns bits and pieces along the outside edges one of which we're building the Grand Junction Path right now. But what are the sites in the MXD District that haven't reached their highest and best use from urban design standpoint?

So we took a look at the top of the long parking garage, it's called the North Garage, the blue parking garage. We took a look at the building that is on the corner of right here of Galileo Way and Broadway, which is currently the EMC Squared building, a very

short, I want to say three floor building, not the very use of high core of Kendall Square.

Also right here above the T-station is where the Coop is located. It's about three or four floor building. Again, not necessarily the highest and best use for land directly above one of the busiest T stations.

So looking at this in a three-dimensional perspective, we wanted to show while Boston Properties did, is the master developer dating back to 1979, the landownership has changed over the years. So the kind of pale-blueish, grey-blue is Boston Properties, but the grey, the dark grey is others, including the Whitehead Institute here. We've got the Broad Institute which seems to be MIT. And this is a hotel developer called Zinnia Hotels from Florida

that owns the Residence Inn. And then we have Biogen in the middle here on either side.

So just switching between ownership and the concept plan. At the moment the concept plan calls for constructing on top of the North Garage, the long linear garage that spans from Broadway on this end to Binney Street on this end. Eleven what is called Eleven Cambridge Center the EMC Squared building on the corner of the Galileo curve and Broadway where the railroad tracks are, and then this building on top of where the Coop is located, the bookstore. And obviously you've already, you're already aware of the extension by the Whitehead Institute there.

So zooming in a little bit further on the parcel on Broadway, the concept is to

have office building, office building constructed in a, in a linear fashion with slighter towers on top of the existing parking garage that is there today with innovation office space specifically called out in the front here to have a residential tower be constructed directly next to that where the EMC Squared building is. This is rendering a very wide angle rendering of what it theoretically could look like on Broadway with the concept of a crosswalk going directly across from the park at Akamai and over or the other side of Broadway.

The Whitehead expansion which is already known to you, this is just a conceptual sketch of what that extension could look like. One very small side note to all of this is that included in this square feet is the conversion of 15,000 square feet

of mechanical space in the new Broad tower. These are not windows here. These are louvers, exhaust louvers, and they want to turn that into mechanical space. So it's a very tiny portion of the million square feet.

And then this would be a later phase that would be potentially, you know, five to ten years out, but which is why it's a, it's a very basic massing throttle, but in combination residential, commercial, retail building on top of the T station where the Coop is today. So that would be a certainly later phase.

THOMAS EVANS: Thank you, Jason.

Mr. Chair, I want to go through a little bit more detail on the land use policies and development controls that are contained within both.

THE STENOGRAPHER: Could you please

identify yourself, please?

THOMAS EVANS: I'm sorry. Tom Evans from the Cambridge Redevelopment Authority.

The -- one of the key elements that Jason was introducing was the concept of adding residential into -- a greater amount of residential into the MXD District. The CRA early on thought it would be best to just really clarify the inclusionary housing percentage in the district and laid out the net inclusionary housing numbers would be 15 percent rather than a density bonus concept. Just to, just to clarify in this area where development's kind of moved -- is not necessarily parcel by parcel or FAR fixed, and just for the most part because we felt this is a key element of making sure Kendall Square is a -- continues to serve the broader Cambridge community.

Another key aspect of this is basing the basic square foot -- the inclusionary number on square footage. So rather than a doorknob counter or a unit count, you could have a square footage percentage to allow a developer to build larger units, family units, potentially or just multi-bedroom units rather than mimicking the studio count or single-bedroom counts.

Another concept that came out the K2 plan was this idea of a middle income (inaudible) originally contemplated as a 50-foot bonus to 300 feet in the area that CRA has proposed that heights would go to 350 feet. And in exchange for that, 25 percent of the additional space within the building would become middle income units targeting households from 80 to 120 percent of AMI. And that those units, again, to increase the

incentive would be exempt from the GFA cap of the -- as included in the million square feet.

One sort of Scribner's error that I wanted to pass out was the, in the both the urban renewal plan and the zoning petition, there was a concept of floor plate limit. And originally we had been discussing that there be a floor plate limit across a pair of buildings that would be 24,000 square feet, and then it was changed and modified in the urban renewal plan to be as 12,000 square feet just on a per parcel basis and that change didn't make it over into the zoning petition. So actually it's entered into the record a slight revision to change the 12,000 to 24,000 to 12,000.

Regarding commercial space, Jason spoke to this a little bit, there's two different

elements of requirements in the commercial component. The first is five percent innovation space requirement. That five percent of the office or lab space would be set aside for innovation space that was defined in the K2 plan as focussed on short-term leases and usually month-to-month leases and office space that has very much focussed on shared accommodations of 50 percent of the area would be shared conference rooms and work space rather than private offices. Another component of the commercial is that ground floor retail was seen as being a really essential point of livening up on Kendall Square or any district in the city. And so the requirement that there be 75 percent active street frontage on all new construction was an element of the K2 plan which we brought into the zoning

petition. One, one idea that was added to that is that if there is -- because it's already a highly built out area, was with Planning Board approval, a portion of that square footage could be transferred to an existing building if you retrofit ground floor retail that right now is not active. And so looking to try to broaden the spread of active uses as throughout the district.

We've also been -- and just in exploring on more redevelopment programmatic side, a concept on more innovative opportunity spaces whereby CRA would work with the Kendall Square innovation community and tenants in the area to provide opportunities both in retail and in innovation space for those that might not otherwise be able to afford the higher rents in Kendall Square. It's an idea still in

concept and we've been discussing it as both innovative retail, small scale retail entrepreneur opportunity retails that might not have the same lease link that retail tenants have and/or programs that allow subsidized entry in the innovation space with entrepreneurs in the area.

So this is just another slide illustrating the gaps in the retail frontage within Kendall Square. The purple lines are areas that were required or recommended to require retail in the K2 plan, and the key focus of this area and the development that Jason was describing is along the Broadway frontage. Another idea was that well, if you wanted to also substitute some of that for activating key corners like the corner of Main and Third, which is now an active retail corner. So the idea again is to retrofit the

existing space in the urban renewal plan to have more active frontage.

The -- both the urban renewal plan and the MXD District have a requirement for 100,000 square feet of public open space to be set aside, and that's not something that we're changing. Actually, we wanted to increase that to be the equivalent of 15 percent of the developable space within the project area, which that adds up to 150,000 square feet. One of the things that we were proposing to changing in the urban renewal plan is the urban renewal plan had a lot by lot open space requirement that was in addition to the public open space requirement. And this usually was in the form of setbacks or rear yards and not necessarily active public use, and was kind of a -- created a bit more of a suburban

office park feel to some of the parcels. We have proposed to adjust that to still keep that ratio of eight square feet per 100 square feet of GFA but allowing that GFA or that open space to be located off site so it doesn't necessarily have to be on a particular lot, and could be somewhere else in the district or another parcel nearby in the district. And one of the focal points we've been talking about is the Grand Junction Path.

We've been taking a look at these setback areas and what we've been calling the interstitial spaces that feeding off of some of the ideas coming from the Kendall Square open space competition, that the open space network for Kendall Square not only has a couple big patches of open space to be developed in the future but has linkages

between them. And so we have these setback areas between the buildings and passageways, pedestrian passageways that we would like to enhance the publicness of. This is somewhat of a remnant of urban renewal in that originally these parcels had a much finer grade of streets, and in the urban renewal days the trend was to create super blocks and so we've created these much larger blocks, we like to work to break them up more by creating public passageways and open space between the buildings. You can travel through them now, we'd just like to enhance them more.

Another idea that is shown in the initial renderings for the Broadway street, the Broadway development is the idea that indoor/outdoor public space underneath the innovation space that would serve as a winter

garden. We've heard a lot about -- especially after last winter, interest in having public spaces that serve people 12 hours -- hours -- 12 months out of the year.

And then this next image is just some of those interstitial spaces that are areas that we feel like are opportunities for further enhancement of the open space network, whether it's the Sixth Street walkway, some land in between buildings. This image to the top right is behind the Whitehead Institute, but not actually the Whitehead Institute property, and some of the spaces between the Biogen buildings on the northern block.

And one of the things that was not really addressed in the urban renewal plan from '77 was the broader concept of sustainability. There's some focus on energy

efficiency with the 70s and the oil crisis, but this idea of climate change resilience, for example, or storm water management was not really a mature part of the urban renewal plan. And so we definitely had a big focus on that in our planning efforts and in our environmental impact report review. And as Jason mentioned, we've been very much focussed on figuring out how some of these sustainability ideas are best addressed at a districtwide rather than a parcel by parcel basis and that's the evolution of the eco district concept which again came out of the K2 plan originally.

Another area where we are looking for big -- we think this is kind of tied to sustainability investment is in the area of transit, and we've been working with massDOT, with the city, with MBTA to come up with a

funding program that could enhance transit in the area in -- for enhancements that have not yet been determined yet. We are currently participating in the Kendall Square Task Force which is looking at transit and mobility issues throughout Kendall Square, and we've identified some ideas to not only improve the Red Line but also maybe to provide other transit service to the area. Through the MEPA process we've been asked to find a way means to mitigate some of the increased number of trips into the area. We'd like that to be through transit. We haven't necessarily identified what the project is, and so we've purposefully have said we're going to commit to creating a program and a fund that will implement projects that will be identified later between our cooperation with the City and

massDOT. None of -- a lot of the big moves for improving the areas are not opportunity to contribute in a meaningful way to a broader set of improvements to the Red Line or bus transportation or other transit in the area. And that was to provide seed money for heftier investments.

Another area that we are very much interested in looking at is a continuation of our work on the Grand Junction Path where we're currently constructing the first phases of that right now and we're working cooperatively with the city for the planning of that, the continuation, that corridor up to the Somerville line. And this is in an area that we think is a really worthwhile piece of investment from this project, though we can't necessarily 100 percent commit to constructing it because the right of way is

not ours necessarily to control, so this is an area of continued design and planning and then future collaboration with massDOT who owns most of that rail yard.

Also related to transportation is a focus on parking and more progressive parking policies. The K2 plan had introduced this idea of switching out from parking minimums to parking maximums. And the office R&D and retail maximums that we propose in the MXD Zoning mimic those that were in the K2 plan. We adjusted the residential minimum which to -- down to 0.25 basis required per unit and the cap at 0.75 per unit, because we see that that continuing to focus on transit and limiting parking supply is one of the only ways to continue to have Kendall Square grow without becoming a burden on the neighborhood road network.

So in summary, this is a follow-up of the image that Jason showed earlier that lists out the additional requirements for commercial square footage dedicated to innovation space, to increase active frontage, inclusionary housing and 15 percent middle income density bonus, and then a number of areas where in order to incentivize some of those uses, some of those beneficial uses for exemptions for the middle income units for small scale retail for residential balconies, because we really think that providing balconies on even large scale residential projects helps give them residential articulation so you can see and visualize humans up in the facade. And the requirement for innovation space would all be exemption. So it's like a million plus really based on some of these exemptions.

And so, just one other thing I wanted to spend a little time on is this concept of the interagency review process. Now, Ms. Born had mentioned the strategic planning process whereby the CRA had gone through a process of really to redefine itself and wrote a new mission or maybe its first mission as far as I can tell to focus on development that is balanced within the economic system and provide social equity for Cambridge, that we work in the public trust and really looking to provide some agility in the development world on behalf of the City's public good. And so in thinking that through, this is a different CRA than the CRA that approved a lot of the Cambridge Center Development that had not really had much public process in the approval. It really wasn't until the Broad Institute expansion of

75 Ames Street where projects were brought before the Planning Board. So, one key thing is we have done a great deal of engagement over the past two years about not only the concepts within the petition and the urban renewal plan, but some of the redevelopment programs that the CRA would like to implement in -- on behalf of the city and the Kendall Square area. We had an extensive community forum where we took ideas for whatever area needs. And this, again, continues to build off work that the city did for K2, work that the city did through the intercept survey, and worked that the KSA has continued to prioritize, and really look to see what are the community priorities that the CRA should be looking for in the next 15 years in Kendall Square.

We've also per state requirements have

been going through this extensive environmental review that has really -- though we had an EIR from 1977 we've been doing a previous of small supplemental changes. This was a comprehensive new look at the various impacts. And in 1977 we weren't even looking at greenhouse gas emissions, and so some of the issues around sustainability and climate change are new topics for our EIR. And also looking at some of the sort of more basic environmental issues from the hazardous materials, the Brownfield situation in Kendall Square, and water management.

And then taking all of those processes and entering into an interagency review whereby the CRA board and with the Planning Board would review the concepts, the ideas for in-fill development together through oh,

if you call it a concept, an in-fill concept plan, which would function much like a PUD Special Permit although it's not -- we're not -- it's not a PUD in that we don't have a whole new parcels and street networks to build, but just looking at in-fill parcels but knowing that we want to -- before approving one building, we want to know what the rest of the story is gonna be for the project area. And to look to not only approve the initial concept plan collectively, but then have an ongoing building design review that involves both the CRA Board and the Planning Board.

And we are committed to continuous engagement with the community and transparency with the work we're doing. We've had a co-urbanized web site which has dedicated to this project up since February

of this year. You know, when we began two and a half years ago. It seemed to innovative to have a website for the CRA, but we've been trying to make sure that every -- all the dialogues that we've been having about this through all the meetings is very publicly available. And we've -- want to then create what we're calling an implementation plan, whereby the various programs where there's some mitigation in the EIR or some of the more programatic elements in the redevelopment plan, we would track through what we're calling an implementation plan, and so the CRA Board in their public review and look to see how we're doing along the various things that we're saying contributing to Kendall Square, whether it's in traffic mitigation or in economic development goals or in open space

activation. And so that's, that's an ongoing monitoring process that we really would like to commit to.

And this is above and beyond some of the requirements not only for me, but also for the Special Permit process for future development.

And that's the conclusion of our presentation. I look forward to your questions and comments.

H. THEODORE COHEN: Well, thank you. Why don't we hold our questions for the moment because I'm going to ask staff if they can go through in some detail, you know, sort of the history. Briefly the history of the Planning Board and the CRA and what is proposed in the amendment of the plan amendment and the zoning amendments. And we've received your memo and there are some

areas where there are differences from what K2 had suggested, and so if you could highlight some of those and then we can go into a more far reaching discussion of, you know, what the issues are.

JEFF ROBERTS: Okay, Mr. Chair.

Jeff Roberts, Community Development, and I'll try to -- I'll start with the last thing that you said and highlight some of the particular differences between the petition and the recommendation of the K2 study. Some of the -- one thing I noted, I hope that Planning Board members have copies of the K2 study. I brought it with me as a prop. I didn't bring it this time. You can certainly contact us if you need to look at a copy. I was thinking you may be able to dig one up. I'll talk about those differences and then I'll get into that final question, which is

potentially the most complicated issue about how does, how does project review work?

How does it work now within the MXD?

How does it work more generally citywide?

And how to think about what is being proposed here?

The key aspects of the proposal are an increase of 600,000 square feet of non-residential and 400,000 square feet of residential gross floor area that's part of the K2 study. Also, it's the proposal's consistent with the K2 study in the requirements for innovation space, in the provision for a middle income housing height bonus which if the Board sort of thinks, thinks back not too long ago to the early discussions of the Volpe proposal, the Volpe site zoning proposal, that there has been

some additional thinking about that, and the Board had suggested moving away from the incentive provision more to a strict requirement for middle income housing. So while this is consistent with the K2 study, it may warrant some additional thought.

The provision for active ground floors is consistent except for the suggestion that there could be a tradeoff between creating active ground floor space in new buildings and retrofitting existing buildings in key locations. There may be merit to that. I think that we thought that that was -- if that were something to be entertained, that it should be subject to some review and approval process, so that if that is proposed, the Board can make a judgment as to whether that's, whether that tradeoff in that particular case is a, is overall a benefit.

Parking, again, is largely consistent with the K2 recommendations except for the minimal for residential. The K2 study recommended that the only firm minimum for parking requirements would be a 0.5 space or half a parking space per residential unit which is consistent with much of the real world information that we've been able to collect about parking demand for residential buildings in that area.

Going to 0.25 or one quarter of a space per residential unit dips down below that. There may be, there may be reasons to think about that as a -- again, this is just the minimum, not necessarily the final number, but given that this is an area that where there's not a lot of resident permit parking immediately nearby and transit is very close, there may be some reason to think about

whether we would predict a further decrease in residential parking demand, but that warrants some further discussion.

And sustainability is, the sustainability requirements in the proposed zoning are consistent with the K2 recommendations. Although it does add one, it adds one provision that was not included which is that new buildings be built to be solar ready, that they could accommodate solar in the future, but on the other hand it does not include the requirement that new buildings need to study using the existing district steam system which is -- which has been a goal for the City. It was reflected in the K2 study.

So those are some areas that are largely consistent. Some areas where there are some differences are in height and the K2

study recommended a maximum of 250 feet for non-residential uses and 300 feet for residential uses. This proposal is going up to 350 feet for residential uses. And, again, this has also been a topic of ongoing discussion. This occurred at the Board for the Volpe site rezoning proposal. And another thing to note about height is that aside from the floor plate, the strict floor plate limitation which, you know, we can sort of amend the comments in our memo, according to the amendment that Mr. Evans gave out that it would be, that the floor plate limitation would be 12,000 square feet rather than 24,000 square feet. In addition to those strict limitations, the K2 study references a set of design guidelines which aren't explicitly called out in the zoning proposal, but those are meant to further inform the

expectations of desired building form. While the strict requirements would set those, those strict limitations, the design guidelines would -- were intended to give a stronger representation of what the desired urban form would be for new buildings, particularly buildings that are taller. And those are, those are things that should be, that should be considered as we move forward into, into looking at potential development proposals.

So another aspect of the proposal is the affordable housing aspect. While it is different from the, from the K2 recommendations, it takes that, that same step up from the inclusionary, from the current inclusionary model of having a 15 percent requirement and then a compensating bonus, which adjusts that final percentage,

to simply looking at a requiring a 15 percent figure. That is, that formulation is similar to what the Planning Board -- what the Planning Board has been recommending on the Volpe rezoning proposal.

So, again, different from what's in the K2 study but reflects some of the evolving discussion that's occurred since that study.

The open space requirement is slightly different in that it has a larger total public open space requirement than recommended, but -- and it removes the lot-by-lot open space requirement which is generally consistent with what the City does for large area plans now. I think as Mr. Evans noted and Mr. Zogg, I forget which one, and what we have observed as well is that in areas where there's a requirement for a certain amount of open space on a lot, much

of the time that open space ends up being not very usable to the public and it ends up being smaller yard areas. And while it's nice to have some space around buildings, I think that the purpose of the required public open space is really to serve a stronger public function.

So, I'll skip -- skipping to the end of the memo, there is another note about the -- about contributions to funds, and this was covered in the presentation. The K2 study recommends funding contributions at a rate of \$10 per square foot going to open space programming, workforce writing programs, and transit improvements. And the proposal here is to -- well, the zoning proposal does not include that requirement. The urban renewal plan proposes a different formulation that would, would use a different type of formula

to collect funds that would be directed towards open space and transit improvements. But, again, that's as was indicated, that's something that is still, that actual the mechanisms by which that works is still, still under some discussion. So that will need to be thought about.

And then so the finally the last piece is this development review procedure, and I'll try to step back and set a larger context. So the -- and so a lot of this has to do with the CRA and the role of the CRA in relation to the rest of the city, but also has to do with just the sort of the big picture of what, what does development review mean and how does the process work from the -- starting from some of the larger scale view to more of the detailed look.

So the first thing to note is that at

this stage, it's a zoning proposal. So if this were adopted by the City Council, it wouldn't approve any development. It would just simply say that these are the limitations and the parameters under which development can proceed, and then in order to get that development authorized and approved, you need to go through some approval process. So the way the Planning Board historically has worked starting back in the late 70s, kind of around the time development was starting to commence around this site, was the -- was that the certain areas of the City were designated as PUD overlays, and the Planning Board was given the jurisdiction to review development of a certain scale within those areas that would just by their location and by the size and the nature of the development would have some public impacts

and some public effects that would require review and authorization by the Planning Board. And those were incorporated into the PUD requirements which set out some, some overall development controls and made reference to area plans and guidelines. And the Planning Board's role has been to look at that -- to look at that large project as a whole and determine how it's meeting the City's plans for both the area and the City's overall planning, the planning for the City at large.

Over time the -- and particularly in 2001 when the project review Special Permit requirements, Section 19.20 often referred to as Article 19.000, when those came in, it was, it was essentially taking that Planning Board's role of reviewing large development, and rather than just focusing on specific

projects and specific areas it expanded it to the entire city. And so above a certain scale, we want the Planning Board to have to look at the project to determine specifically what the traffic and transportation impacts of that project would be and what needs to be done to mitigate those impacts, and also to look at the urban design character and determine, again, from that high level view whether that project fits within the context of what's around it and, again, the City's overall plans for that area.

So the Planning Board over time has taken on increasingly broader responsibilities for viewing these projects. Along with this, along with the same timeline, the MXD Zoning was put in place and it was put in place specifically to have this type of development review occur under the

auspices of the CRA. So until about 2001, the Planning Board had really no involvement at all in review of development or very little involvement. There was some, there was some coordination between Planning Board. And if Hugh Russell was here, he could talk a little bit more about it, between the Planning Board and the CRA when it came to design review. But in terms of the big picture planning it was the CRA developed the urban renewal plan, and it's always been their responsibility to oversee the implementation of that urban renewal plan. And the Zoning was written not to require discretionary review by the Planning Board.

After 2001, as changes to the MXD Zoning and to the urban renewal plan occurred to accommodate specific development projects, including the Broad Institute, the housing,

which is now the Ames Street housing, and most recently the Whitehead rezoning, there were incorporated into the zoning some special requirements that the Planning Board undertake project review for those individual specific pieces of additional development.

And what that has meant is that the Planning Board has looked at individual -- has looked at individual building proposals but has still not been in that -- in the role of looking at the overall plan for development within the area in the way that the Planning Board would, would look at overall planning for areas like North Point and Cambridge Research Park and Kendall Square and more recently Alexandria development plan.

So what's being proposed here is trying to find a way to take these processes that have been running largely in parallel and to

try to integrate them together more. We've talked about it with the CRA staff, and there's certainly lots -- there's certainly lots of discussion to be held, lots of questions to be answered and we welcome thoughts of the Planning Board. But the idea is to retain the CRA's role in overseeing the urban renewal plan, but to bring the Planning Board into the process more as a -- in the manner that the Planning Board has been involved in PUD developments. So rather than just doing individual design review for buildings, which is still part of this proposed process, but doesn't fully address all of the area-wide issues such as traffic and transportation, which is really best looked at as an overall plan rather than just individually building by building, as well as some of the sustainability requirements. As

was noted, there's a lot more that could be done with sustainability looking at an area wide level rather than a building by building level.

Some of the key impact issues like shadows and wind are issues to be considered at a larger plan level rather than just an individual building by building level. That these topics would be incorporated into a, into a master plan or a concept plan that would be reviewed and approved by the Planning Board with a Special Permit. That Special Permit would then govern all of that additional development rather than one -- or each building having its own Special Permit, one Special Permit would govern all the development going forward. And the Special Permit would include as part of the conditions, ongoing provisions for ongoing

design review in the way that a PUD would do.

So what's being proposed in terms of the joint, the process for joint CRA and Planning Board interagency design review seems to be a way to create an ongoing design review that would dovetail the CRA and the Planning Board's role rather than what has been occurring now which is that review -- the project needs to get reviewed and approved by the CRA and by the Planning Board acting separately and in parallel which can create some conflict, it can create some confusion over who gets the final say, who gets to look at what -- whose jurisdiction covers, you know, what particular issues.

So I don't think we have any strong necessarily any answers, but I think this is certainly an approach that attempts to resolve many of the issues that come up

around having these different agencies involved in review.

The one thing to keep in mind that's important is that the Planning Board is the Special Permit granting authority. So under -- in no circumstances is the CRA directly involved in granting and deciding whether to grant or deny a Special Permit, that's something that's just under statute. It belongs in the Zoning and could only be exercised by the Planning Board.

So I think that covers our comments. I don't know if that answers your questions.

H. THEODORE COHEN: Yes, just one question. In the design review, I mean if I understand it correctly, there would be an approval through a Special Permit of the in-fill concept plan, which would also cover a project -- essentially a project review

Special Permit. And then for individual building designs, am I correct, that the proposal is that there would be a review committee, body, whatever we want to call it, that is made up of a couple members of the CRA and a couple members of the Planning Board, but it doesn't go back to the full CRA or the full Planning Board? Is that correct?

JEFF ROBERTS: I think that's the intention. And the CRA folks can fill in on this, but the, the implication is -- so what the Zoning does is establishes this group. And the implication is that this group would be responsible for ongoing design review within the conditions of the Special Permit. Now, at the time the Planning Board issues a Special Permit, there could be additional conditions, there could be additional thinking or additional provisions that the

Planning Board on its own could impose. But I think the expectation is that when the Planning Board grants a Special Permit, that the responsibility for design review and approval of individual buildings would be passed along to a different group that combines elements of both the Planning Board and the CRA.

H. THEODORE COHEN: And would that group be holding public meetings with regard to design review? Not necessarily a public hearing but a public meeting that the public would be invited to and observe it, similar to the design review that we do now for buildings and the PUD. Where a comment could be solicited but it would not be mandated.

THOMAS EVANS: For the record, Tom Evans CRA, again. Yeah, that was the intention. Our existing design review

process has been going through, you know, has been taking place in a public meeting. And so the intent would be to continue that jointly with the Planning Board members.

H. THEODORE COHEN: Do we have any questions right now? I assume we'll have a lot of questions. It is a public -- we are having a public hearing, so a couple of people have indicated they wish to speak so we'll hear from them first and then we could identify all the issues that we have.

CATHERINE PRESTON CONNOLLY: Yes.

H. THEODORE COHEN: All right, so people who have indicated they wish to speak would you please come forward and speak at the podium. And unless your name is John Doe, please spell it for the stenographer and please give your address. And the first person is Laurie Younger.

LAURIE YOUNGER: I don't care to speak.

H. THEODORE COHEN: You don't care to speak? Thank you.

Lee Farris.

LEE FARRIS: Lee Farris. L-e-e F-a-r-r-i-s speaking for myself. I only have a few comments and questions at this point because this is a pretty complicated thing so I came partly to learn.

I do want to note that Mr. Evans came and spoke at the Area 4 Coalition last week which I appreciate, and the general gist of the comments was that the Area 4 coalition would like to see a lot more housing rather than commercial than what is proposed here and that they would like a higher percent of affordable housing.

And I certainly support those goals.

And while the new GFA in this project is 40 percent residential and 60 percent commercial, when you look at the whole district including what's already been done to state the obvious, the residential is very small percent of the total GFA. And so I would encourage the Planning Board to consider asking the Redevelopment Authority to have a higher than 40 percent residential requirement in this to sort of balance out what has already happened.

Then a few other things that are more questions. I'm wondering how since the Volpe site zoning has not been decided and they're going to be having a community forum the 17th and the petition will then be going before the Ordinance Committee, etcetera, etcetera, and I'm told will be revised somewhere in that process based on the public comment and

Council comment. What's the way to harmonize this petition and the Volpe petition? So how -- to think about how do you get them to move along at the same time so that the things that they're requiring match up? And I'm sure that's a concern that's already occurred to you.

And then an interesting point that Mr. Evans made at the Area 4 Coalition was that there could be a building that has in the same building commercial and residential. Now, other times that we've been talking to people, developers in this Kendall Square area we've been told -- or in Central Square, we've been told it's not possible to mix commercial and residential and given all specific reasons why. But Mr. Evans said that it is done elsewhere in the country and it can be done here. And I, you know, I

think that's kind of an interesting concept, but then I'm wondering how does the housing and the height and the GFA requirements get calculated? So, for example, would that result in a commercial building up to 250 and then a mere 100 feet of residential, which would all be subject to the middle income requirement, but obviously wouldn't be very much housing.

So just like I said, questions about how these things would interact.

Thank you.

H. THEODORE COHEN: Thank you.

Is there anyone else who wishes to speak?

(No Response.)

H. THEODORE COHEN: None appearing, well then why don't we start with our questions and comments and why don't we just

go around the table. And, Ahmed, why don't you start?

AHMED NUR: Thank you, Mr. Chair.

I wanted to say thanks for the Cambridge Development for the time that they put into this and as well as the staff working with them. And secondly, I have some questions but I think I'm just going to (inaudible) myself in most of them. Most of the questions that I like to be answered is I didn't understand the ratio between the height suggested here from 300 residential to 350. That's suggested about five floors tops. But then on the other hand, the floor plate limitation seems to be a 50 percent reduction from 2400 to 12. And so the smaller the plates are obviously maybe you'll have, if it's a 2500 per unit, maybe five units per floor? So I don't understand how

we're going to come up with that many floors. That's one question that I had.

And also the parking. I do support the parking, particularly the maximizing in this mixed district that Catherine can maybe educate me on this as well, but we're assuming that nobody is driving and there's really no way in or out of Kendall Square, so I don't know why we're allowing three quarters of parking per unit which you're suggesting at 12k will then have five unit parking spaces. And so I don't think that we should allow that.

And, thank you, Mr. Chairman.

H. THEODORE COHEN: Why don't we go around and then we can get some comments back and then have more comments.

Tom?

TOM SIENIEWICZ: Thank you,

Mr. Chair.

My primary concern actually goes to the review sections of the proposal. Thank you for laying out your mission, which as I was reading it and said well, could these be the Planning Board missions? And we're absolutely in parallel. We have exactly the same mission as you have from social equity and balanced economic system, we work in the public trust, we balance economic vitality housing and open space. There's one section, where I hope we can aspire to this, which is an agile public authority, and I hope we're not seen as anything but as agile as we possibly can be responsibly. So I want to make sure that any recommendations we might have on a review process are agile. And inventing new boards and new processes and new makeups of new boards does not sound

agile to me. I think just grossly I would say, you know, we're here with the proposal before us asking for a million square feet of development. Okay. How about we review that in a conventional way with the systems that we have in place. I don't know, there may be some legal reason why that can't happen, but I'm just looking at the streamlining it. And so that's part of I'm sure a broader discussion that we'll have here tonight.

I have two other really minor questions relative to the parking ratios. I really like the way that you're thinking about affordable housing, saying let's just make it square footage. Let's not go to units. I think that's really for me a wonderful thing to hear, and yet the parking then goes to units rather than to what might be the number of occupants and the shared large apartment.

So there seemed to be different variables in those two equations that are in fact related and so it became just a detail that I'd like to see if we can -- somebody smarter than me can figure out.

On the open space requirement, eight square feet per 100 square feet, which is eight percent in yet a 15 percent district wide and, again there's -- that's an arithmetic glitch, probably an easy question for you to answer, but I like this amalgamation of open space to try to make something that's more meaningful in terms of open space.

Those are my quick initial thoughts, Mr. Chair.

H. THEODORE COHEN: Mary.

MARY FLYNN: Thanks.

I would just like to second what my

colleagues have said about the proposal and the great work that the CRA has done. I really appreciate the work that you're doing with Community Development. I think it's great that we are, you know, working together in this really important and exciting part of the city. I, too, I guess have some just, you know, general concerns about that approval process and, you know, partly I'm pretty new to this, so I think I just probably need to spend a little bit more time reviewing it and maybe discussing with staff how it would work. I do think that there is an advantage to not reinventing the wheel in as much as we can try to link whatever is proposed here with existing systems and processes, I would be in favor of that.

I also like the open space approach very much. I am just a little concerned

about the detail of, you know, some setbacks on some buildings and where, you know -- how does that get reviewed and who makes the decision. I think obviously the community, the larger community spaces will be a tremendous benefit, but I think in some cases with certain buildings there may be, you know, a need to have a setback that would perhaps like on a corner building, a residential building that you talked about, you might want something there that would make a statement on the corner in terms of landscaping. I'm not sure exactly who or how that gets decided. Perhaps it's built in to the overall plan that you're going to be presenting. But that would be of concern to me.

I do like the housing bonus being -- requirement being attached to the floor area,

and that makes a lot of sense.

I guess, I always am concerned about parking in terms of its impact on the neighborhood. And I realize if you don't provide it, then a lot of people will either not live there or figure out a different way to get, to get to, to Kendall.

But, you know, we talked more about these additional transit improvements, and I'm concerned that, you know, transit improvements take a long time to come about and so I don't know if in the petition there's any link. And, again my, you know, I'm sorry if I'm ignorant on this at this point, but is there a link to how much can actually get built out of the additional million square feet and is it linked to certain transit improvements and what do -- has there been any analysis on what's going

to be needed in terms of -- I know you said you looked at a lot of alternatives, but, you know, what's actually going to be needed to accommodate the additional number of people that would be coming to work and live in Kendall. I don't know if anyone's done that analysis. But it would be interesting to see and to maybe consider that certain improvements be put in place before, before you reached the maximum amount that can be built out in the district.

And then on the open space fees, I understand it's a different formula, I don't understand what the formula is so I just need to educate myself on that. I'm assuming by having the different formula, you're assuming that perhaps you could end up getting a higher percentage of or a higher fee than what you would get by just requiring a flat

fee in the Zoning Ordinance.

So those are just my kind of random thoughts at this point.

CATHERINE PRESTON CONNOLLY: So the thing that struck me first and led to a lot of kind of my afterthoughts in this was my experience working for the U.S. CPA during the nineties and having the joy of going to the Congress Street building and working on top of a parking garage, which is I have to say no matter how nice you try to make that space, architecturally very difficult to make it an appealing space to either look at or work in. And so I started thinking about what was driving that, and as I was looking at your parking numbers, I realized that we were talking about adding a million square feet, probably with adding not one parking space. And which, you know, is born out in

the having no minimums for -- going from all minimums for all the uses that is in the existing zoning, having no minimums for office R&D, and retail and a housing minimum that's frankly lower than I've seen any place else in the city and so far that we haven't seen data that actually bears out. And as much as I am, as everyone here will attest to, one of the more aggressive pushers of don't build more parking than you need, it gives me pause to see this big a change and I am concerned that the need to preserve a parking garage is going to result in both an ugly building and not enough residential parking for the residences you want to put in there, or we're going to end up with a problem that Mary is talking about where you actually do, for market reasons, have to provide enough parking for the residences but

then we don't have the kinds of currency with transit improvements and other improvements that would support the office mode splits that are needed to achieve the kinds of ratios that are going to be supported with your existing parking supply. And if I've gotten my numbers wrong there, it has been a while since I've looked at the Kendall Square inventory, but as I recall, you've got about 3200 parking spaces which to me says you're going to do the bare minimum -- you're going to hit the maximums on your office space and the minimum on the housing and that's how you can stay within that number. Now there's some room for movement to do a little more for the residential and a little less for the office and R&D, but that's how I see that and that's, I think that mirrors a lot more discussion than we've had so far.

On the open space I think I'm supportive of doing more usable, more aggregated open space, but I also want to make sure that we're not essentially giving credit for things you're already doing. I, you know, I think it's great that you're doing the Grand Junction and that's fabulous, but I don't want the fact that you're doing that already means that you don't have to do anything meaningfully new once we add a million square feet of development. That would be a concern to me.

Similarly the comment about the Broad building needing additional GFA because they're moving their -- they're turning mechanical space into usable space. Again, it feels like we're incentivizing the wrong thing there. Right now they have screened mechanicals that you can't really tell are

mechanicals, and while I would love to think that they suddenly need less mechanical space, I think it's far more likely that they're going to end up with more on the roof than they just got more GFA.

Overall I think, you know, I'm not against having more development here. Kendall Square is a very exciting area that is a great place to focus development. I would like to see a higher percentage of it be housing because that is the greater need in the city and in this area in particular. And I'd like to see a plan that doesn't, you know, that isn't driven by -- and not that you -- that isn't driven by the very limited view of what current tenant leases say they have to have for parking and that it can't be interrupted or moved, because that's what it feels like we've ended up with here. And I'm

sure Biogen has a lease that says we must have this garage, it can't be interrupted. If you're going to do any work, we have to continue to have that. And I get that. But I would rather see something that looked more long term and got us a better building and more rational parking than to just say this is what we're stuck with.

H. THEODORE COHEN: Steve.

STEVEN COHEN: I have to preface my comment. First of all, I'm apologizing, I have a sore throat. And secondly to say that I'm not sure I really understand the proposal well enough in its detail to comment really intelligently in part my fault. I need to study longer and deeper.

With that caveat, just a few random comments.

Kathy, your point above all, the

rationale of what we do here is serve the public interest. And I'd love to hear you and your colleagues elaborate on that in detail, perhaps at some point, you know, how each of these provisions serve the public interest. Certainly the one element that's obvious is the extent that it provides affordable housing much needed in the city. Plan to see that you're doing the 15 percent straight might be an argument for more, but certainly that's good.

As Jeff pointed out, we've been thinking of different ways to coming at the middle income requirement, and I know that when we get through discussing this in further detail, that's something that we'd like to address.

I agrees with Tom's general comment that well, I don't really fully understand

all of the mechanisms for review, there is always a great virtue when it comes to government regulation which is what we do, that we keep that as simple as possible and that we're not creating redundant procedures and boards and that we use procedures that are well understood and work through to the extent that we can accomplish that here. I think that would be a service to the public who has enough of a challenge and difficulty figuring out how this all works.

The transportation and parking thing, we have heard from several sources, from several folks who have testified in our various hearings that we're creating something of a challenge for transportation in Kendall Square. We're not providing parking for people to drive. We don't want to encourage them to drive. We're told, of

course, they should use mass transit, but we've also heard that the mass transit systems are already more or less at their limits, the Red Line in particular. Well, then, okay, don't take transportation, live here, but that's easier said than done. We don't have enough housing, and the argument might be that we should be providing more housing in Kendall Square. But, of course, much of the housing that we are providing in Kendall Square is very expensive. You know, housing and -- very likely won't be meeting the housing needs of those folks who will be working in this new space.

Now, frankly I haven't heard anything terribly authoritative on these subjects. It's been random pieces from random folks and I'm not really clear what the bottom line objective truth of these matters are, but

I've heard enough to be troubled by the subject and to be a little bit concerned how we're going to be providing transportation and housing for all of the folks that are going to be working in all of the commercial space which we are encouraging in Kendall Square and in this project and as well as another projects and I'd love to hear something a bit more authoritative perhaps from the City or a consultant or what have you.

And I guess just the last other observation that I would make for what it's worth, so if we're adding about one million feet of commercial residential space and that's consistent with K2, so that counts up to that number, that's nothing new, but nevertheless I have in mind as I look at this, as I did in the K2 process, that adding

a million square feet, a square foot of buildable space in Kendall Square is worth in the neighborhood of gosh, I don't know, 200 bucks a foot, maybe more, maybe less. So we're talking about creating value of something in a \$100 million, \$200 million range I'm not sure loans the land to benefit from this. Does the CRA own it or is this all privately owned?

KATHLEEN BORN: I'd like to have Tom answer the question, but we own the development rights.

STEVEN COHEN: Right.

KATHLEEN BORN: Now. The land is generally owned by Boston Properties or their successors with the exception of some CRA land.

STEVEN COHEN: Well, that's an interesting question. When you say you own

the development rights, that's distinguished from regulating --

KATHLEEN BORN: Owned is probably the wrong --

THOMAS EVANS: Mr. Chair, the development agreement with Boston Properties provided parcels of land sold to them with a certain amount of developable square footage, and so when Ms. Born is describing development rights, the concept that if you need additional square footage upon that land during -- that is development rights to be disposed of by the CRA through an amendment of the development agreement that provides for additional square footage, and there's financial consideration that we are negotiating with Boston Properties and other property owners in the area.

STEVEN COHEN: I see. So there's

financial consideration in the CRA --

THOMAS EVANS: Correct.

STEVEN COHEN: -- will be paid?

THOMAS EVANS: Correct.

STEVEN COHEN: Anyway, just a point I think for all of us to keep in the back of our mind that we are creating 100, 200, 300 million dollars worth of development here. And Lord knows I'm not adverse to the private sector making profits, from taking the enormous risk and undertaking of doing developments of this sort, but when we create value like this, you know, it's not just a casual desire in civic nature that we want to see the city benefit, we're creating real value and we'd certainly like to see, as you put, it that public interest be well served. And having said that, also going back to the affordable and residential for a moment, as I

understand it, the district overall with this proposal, the district overall will be about 15 percent, you know, residential, 85 percent commercial. And I'm not familiar with the economics and where these parcels are and massing studies and so forth, but just looking at that percentage, it does seem like there might be at least room for discussion for, you know, perhaps greater discussion for residential. And of course massing studies are always something that makes our review a little bit more meaningful if and when we get to that stage.

Anyway, they were kind of random and I just want to repeat again that I really don't feel that I understand it all well enough to be making comments that are terribly meaningful, but these are things that just struck me on the first go around.

H. THEODORE COHEN: Lou?

LOUIS J. BACCI, JR.: Most of my stuff has been covered. I agree with coming back with the minimums for the parking. It kind of bothered me that you had none except for the residential.

The idea that the power plant is within a stone's throw of this and there's no requirement, use their steam -- and I know you can't require it, and I know there doesn't seem to be a lot of teeth in the meat to look into it. They're adding capacity, they're upgrading, it seems like a perfect place to go knock on the door and say, what can you do?

And, again, not too much here, but so as this is proposed I guess, what would you be expecting from the revenue from this -- these proposals? Any idea what this would

generate from the development rights?

KATHLEEN BORN: Tom?

THOMAS EVANS: Mr. Chair, we haven't actually come to full negotiations on this. The last major development piece -- well, there were two, 17 Cambridge Center, which is 300 Binney right at the corner of the curve and the Broad Institute expansion on 75 Ames Street, all followed through on a formula that is -- was in the original development agreement from '79. The Broad Institute, in total, the development fees came in about \$8 million to the CRA for that project which was 246,000 square feet per that formula. So that's, you know, in the ballpark at the time between 40 and 50 dollars per square foot.

KATHLEEN BORN: Escalating.

THOMAS EVANS: The formula is set up to escalate. There is some discussions on

whether that formula is equally applied to residential or commercial, would you make adjustments, would you make adjustments to other development requirements and so forth? But that's, that's the past application in the formula which hasn't necessarily been fully endorsed in the development agreement moving forward.

KATHLEEN BORN: You might just reiterate how the development fees are purposed. Community benefits.

THOMAS EVANS: So, again, to the Chair, Ms. Born was identifying that the purpose of the development fees, you know, what do you do with them? And that's actually been kind of part of the purpose of this strategic planning process.

LOUIS J. BACCI, JR.: That was my next question. So it's a good thing you

didn't sit down.

THOMAS EVANS: So, you know, originally the development fees were to pay down debt to HUD which had provided a substantial loan to the CRA to build infrastructure. And this is going back into the 80s.

KATHLEEN BORN: Right.

THOMAS EVANS: And then we had a HUD closeout agreement dated in mid-nineties saying that additional revenue that comes out of the redevelopment can be used for further enhancement of the other project area or other public benefits to be determined, and they had made a broad reference to how CDBG funds are used which is just HUD's main funding program for local government. So with that in mind, when we look at the application of future development fees, we're

looking at those at types of community benefits to, you know, lower income segments of the population, to making improvements in the Kendall Square area, and advancing the infrastructure. We've been thinking a lot about sustainability, improvements to, and it's a rather modern infrastructure that's in the project area because it was all built in the 80s, but that was not necessarily built with today's concerns on strong water management or energy and so forth.

We've also been looking at using that to enhance open space, not just the development of open space but the programming and further sort of, you know, going above and beyond mowing and weeding and so forth, how you really create active interesting open space which has been a major recommendation coming out of the open space design

competition.

We've been looking at economic development programs and entrepreneur opportunity programs. These are all ideas that will be implemented -- that's why when we mentioned the implementation program, as revenue comes in, the CRA Board would look to develop programs in concert with CDD and the City Manager's office that reflect the goals that we have in the urban renewal plan.

LOUIS J. BACCI, JR.: So a simple question would be can you use this revenue to acquire other properties?

THOMAS EVANS: Yes.

LOUIS J. BACCI, JR.: Okay.

And another thing, and that's not a question for you, the open space changes, seems like we could end up with a lot of very flat-faced frontages on our buildings, right?

It's a sidewalk area and all this open space would be in the rear and not really visible and easily accessible by someone walking down the street. It seems like it leaves a hole. And I -- we tend to get what we let happen, so I'm kind of worried about that.

The other thing is I don't quite know -- understand how this joint regulatory thing happens. It seems like it's simple enough as it is, as complicated as it is to have you make a proposal and come to us and have us discuss it like we're doing tonight.

I guess that's as far as I'm going to go right now.

H. THEODORE COHEN: Okay.

LOUIS J. BACCI, JR.: Oh, one other thing. One other kind of surprising thing, the only way we get any middle income units in this is if you go above 200 feet or is it

250?

THOMAS EVANS: 250 in the proposal.

LOUIS J. BACCI, JR.: So if this all gets decided to not go above 250, there are no middle income units in any of this?

H. THEODORE COHEN: We have to discuss this.

LOUIS J. BACCI, JR.: So and the percentage kind of adds -- it's nice to have the 25 percent, but kind of runs into a funny number at 25 percent if you -- floor plates are small. All of a sudden it's -- if you have six, you only get one and a half. So the numbers need to be clarified.

Thank you.

H. THEODORE COHEN: Okay, well I do want to thank you and I think, you know, what you've been doing is great and, you know, I think what we really want to do is to make

sure that you can continue with your work in an even better situation for the City and for the Kendall Square area.

Most of my -- a lot of my comments have already been discussed and I'm basically just going to run sort of through a list in keeping with what Jeff had originally went through.

I think the question of the amount of residential is something that ought to be looked at. I mean, if my numbers are correct, you know, the original plan had six percent residential and now this, you know, goes up to 13 percent. I think what we've seen, you know, over the past five to ten years in Kendall Square, you know, is a tremendous need for additional housing and that what may have made sense 20, 30 years ago maybe needs to be revisited now.

So the percentage of things and the square footage of things is something I think maybe we ought to look at some more.

The middle income housing, you know, I personally am in favor of there being a middle income housing component. I think that it is a valid question that if a developer chooses to not go as high as they could go, that we're not going to see the middle income housing.

Related is, with regard to the affordable housing, and I support the concept of it being based on square footage and certainly that it be 15 percent. I'm unclear from the Zoning whether it had to be 15 percent in any individual building or whether it just needed to be 15 percent in the entire district. And if that were the case, then we might get into the situation of having one

building that's 40, 50, 60 percent of affordable housing and the other buildings that have none, and then we get into the concept that, you know, there's, there's the poor door some side and I just was unclear how it is I think up until now it's always been -- the inclusionary housing had to be in a particular building we were looking at.

The active ground floor I, you know, I think it's great.

The tradeoff where you're retrofitting is a similar concern with regard to the affordable housing that we might allow, and I guess this is going to be by Special Permit or somebody was going to review it, but I wouldn't want to see some building having no ground floor activity but saying oh, well, those two buildings over there are going to add 25 percent to each of them. And so

while, you know, we're not going to do this right here on Broadway, but I'll do it over there on Main Street. That I wouldn't -- not want to see that happening. I mean, I think the concept of retrofitting is a good idea, but maybe there has to be some limits on how much can be done and, or at least a minimum, you know, saying, you know, you have to put in 75 percent but you can retrofit maybe -- you can retrofit but maybe no more than a certain percentage.

The parking I'm concerned about, too. I, you know, rely upon Catherine and her comments, but the 20 -- the 0.25 percent seems so low. I mean, we've been moving down from 1.0 to 0.9 to maybe 0.7, and I think we've done 0.5 in some places, but, you know, and that's been a hard sell to a lot of the existing neighbors in various districts. But

I think we've had traffic and parking statistics to support it. I just think going down to 0.25 seems like a big leap of faith. And, you know, I never worked in a building over a parking garage so I can't comment upon that, but it raises some issues.

The sustainability, I have really nothing to say. You know, I think whether the existing steam system can be used or not, is something that, you know, ought to be looked into.

I don't know whether any of this takes into account what might be coming forward with regard to NetZero. Whether if NetZero Zoning is adopted, whether that will apply here. Iram is nodding her head.

IRAM FAROOQ: Yes, it will.

H. THEODORE COHEN: Okay, so that takes away my concern that this will somehow

be an exemption from whatever might be adopted.

The -- open space. My colleagues have spoken about that more than I could.

The contribution to the funds.

I have some questions about the heights of the various buildings and would like to be clearer on what buildings are viewed. I know there's a measurement from Broadway of what would be limited to 200 feet, and I think under K2 that 200-foot limitation was not required in those particular neighborhoods. So I would like to be clearer on what can be done. And also the 350, if somebody could remind me, the recommendation on Volpe was --

IRAM FAROOQ: 500?

H. THEODORE COHEN: Well, one building that could go up to 500, but two buildings in the one area could go to 350 I

believe?

IRAM FAROOQ: 350.

JEFF ROBERTS: Yes, that's right.

H. THEODORE COHEN: 350 with a building of architectural import could go to 500. So I don't really have a problem with the 350, but I'd be curious of how it plays out.

And then I guess the -- my last thing is the development review procedure and how we can integrate the processes. And I understand the concept and it's not that I think, you know, we feel so enamored if I were having the final word, but I am concerned of a, you know, a committee or a board or whatever it is, that has a couple members from each board and then it seems to me those couple members are getting, you know, their particular point of view is

getting greater weight than the collective point of view and that maybe rather than something or, you know, maybe there is this joint committee that comes up with a recommendation and then the full boards of both the Planning Board and the CRA gets to review it.

LOUIS J. BACCI, JR.: That's more steps.

H. THEODORE COHEN: That's more steps.

STEVEN COHEN: Or joint meetings.

H. THEODORE COHEN: Or maybe we could have joint meetings. We've done that in the past. You know, I don't object to, you know, trying to streamline some things and making it easier, but I am concerned about concentrating too much approval power into a very small group of people when the

concept of the whole board is to be able to get input from everybody.

I think -- oh, I was -- simple question, but I was unclear about what the Broad wants to do with its mechanicals. I mean, the building was just built.

LOUIS J. BACCI, JR.: They want to put them on the side. They want to take the area that is mechanicals and put it on top and use that as lab space.

H. THEODORE COHEN: And put them on the top?

LOUIS J. BACCI, JR.: Remember when they couldn't do anything with the mechanicals when they came to us the first time?

H. THEODORE COHEN: I'm sure, Tom, you want to just address that one.

THOMAS EVANS: Sure. Tom Evans,

CRA. The Broad mechanical space that is being considered for conversion is actually not the mechanical space on top of the building. There's -- I'm not sure if I open this it will work, but it will show in -- well, we'll see what happens.

CATHERINE PRESTON CONNOLLY: We've seen the picture.

THOMAS EVANS: So there's about two-thirds or three-quarters of the way up the building on a floor that is -- and so, the way that the building works is there's two floors, mechanicals on the very top. These are building -- these are mechanicals within the building footprint. As I understand it, it was planned out to have some extra space for some mechanicals that ended up not really being used. They've been using construction staging office space, and

while they said well, this is -- would it be better for the building facade to actually create windows here and provide some office space? But it's not in this silver mechanical space at the top, it's in a set of louvers mid-building. And so I believe that's --

H. THEODORE COHEN: So they're not looking to relocate mechanicals?

THOMAS EVANS: No, the building is fully operational. It has all the mechanicals it needs. And there's probably about 20,000 square feet of space just sitting there empty.

H. THEODORE COHEN: And so does this relate to their allowed GFA?

THOMAS EVANS: Correct. It would not be changing the envelope of the building at all.

H. THEODORE COHEN: But the mechanical space was not calculated in calculating the GFA, and now it would become part of it and so -- okay.

LOUIS J. BACCI, JR.: But they are extending the building.

THOMAS EVANS: The building envelope would not change at all.

LOUIS J. BACCI, JR.: Not in the proposal we saw was to extend the building.

ATTORNEY JAMES RAFFERTY: No, that's the Whitehead.

LOUIS J. BACCI, JR.: Sorry, wrong building. Sorry, got them confused.

THOMAS EVANS: Just to clarify, the Whitehead -- the Whitehead building has already has Zoning approval under the MXD, but the urban renewal plan which is being carried forth together doesn't have that

square footage, and so that the urban renewal plan carries the Whitehead square footage allowance as well.

H. THEODORE COHEN: So they can't go forward until --

THOMAS EVANS: The urban renewal plan has changed.

H. THEODORE COHEN: -- it gets amended. I just didn't know what was going on. And I was reminded today that we were just making a recommendation on the Whitehead rezoning and saw plans of what theoretically could be done under the Zoning but was not actually a review --

LOUIS J. BACCI, JR.: Right, when I was reading it, I mixed the two.

H. THEODORE COHEN: I think those are all of my comments.

I don't know if you want to respond to

some of them now.

CATHERINE PRESTON CONNOLLY:

Mr. Chair, could we take a five-minute break if we're going to have responses?

H. THEODORE COHEN: Surely.

Why don't we take a five-minute break. You can decide if you want to respond now or if -- I think in any event, we're coming back on November 10th and whether it makes more sense to you and your staff to talk to CDD staff and how you want to do it.

Yes, we'll take a five-minute break right now.

(A short recess was taken.)

H. THEODORE COHEN: All right, let's get back into session. And, Tom, if you'd like to --

THOMAS EVANS: Thank you.

Mr. Chair, we have lots of wonderful comments

that we'll be looking at, providing a clear technical answer to. Many of them I think can be done through clarifications and so forth.

The one piece I did want to speak to tonight, though, I think that will be part of an ongoing discussion with staff, is the interagency design review, because there was a theme through all the board members. And I wanted to clarify that the goal was not to create something brand new, but was trying to bring two parallel processes into synchronicity with each other. And one of the examples that Kathy Born had pointed to was sort of a process we had gone through with the Main Street design review before it came to the board level was a very rich process at the staff level through our design review process. The -- so the goal of having

the interagency committee of sorts was to have a process whereby the same discussions were happening in parallel with staff and then come back to both boards for a final decision point. But rather than having one board having a conversation over here and one board having a conversation over here, it was to have -- and rather, I mean, we could also do it through a full board, but to have like a simpler process to begin the dialogue and then have that come back to both boards, maybe would be through a joint meeting for that final approval, but the goal was not to duplicate or to create a new process but to kind of merge two processes that are going forth. As Jeff mentioned, the Planning Board is this Special Permit issuance, but the CRA has a unique allocation role in square footage in the urban renewal plan. So that

was the intent of that piece.

H. THEODORE COHEN: Okay, thank you. But I think it's something that the staffs ought to be working on together to see if they can come up with something that works for everybody and for, you know, the proposed developer, too, so that it's, it gets the appropriate review by both boards and an opportunity for everybody to comment upon it.

So I guess we will be following up with this next month, but I don't know whether people want to have some final comments here from the Board to stress particular issues they are looking into or are concerned about?

TOM SIENIEWICZ: Well, I had a question that I approached you at the break about that I wouldn't mind a little perspective from my fellow board members on -- and just bear with us for a few minutes

here, it relates to something that I think you said, and others said, about housing. And not just affordable housing, but middle income housing. But maybe some really inexpensive -- some very, very expensive housing that might get built here, which we also need. And whether the percentage in the district, as I'm looking at this graph, makes the best kind of city, right? And I know that we're only talking about some small portion of or a portion of Kendall Square and not the whole district, but.... So the question about well, is that -- are we looking at the right percentage? And I go back to Kathy Born's initial statement, and I couldn't agree more, that we're really in a unique position in Cambridge. I think we'll all agree that this is the place that innovation has found for a lot of reasons

that we helped put in place, but also good accidents, Massachusetts Institute of Technology is sitting there. And there's a talent war and they want that talent, and so there is a real need for not only housing but there's a real need for spaces where this innovation can happen and flourish and solve pressing problems for humankind, not just for Cambridge, but for the globe. And so I'm sitting here thinking, well, yeah, I want more housing for my fellow citizens, but you know what, I don't think I want that at the expensive, the commercial space which also has a profound human not only regional, citywide, but actually human need. And so I'm thinking is this a zero sum game through -- I have to subtract some of the purple in order to make more yellow? Or should we be talking about tonight, I'm going to -- I

think this is consistent with my reputation on this Board, should we say okay, we want more housing and we're willing to have more square footage if we can find a place to put it because there is such a critical need for that, to get that balance right in the district. But we also need the commercial space. So it's a question really for fellow board members how they feel about that as I sit here and upzone.

H. THEODORE COHEN: Well, I think it's a very interesting question and I think it's worthy of greater discussion. And I don't really have, you know, the data or the information to say well, you know, it is a zero sum game and, you know, what we could do with 100,000 square feet of less of office space and pick up another 100,000 square feet of residential or whether that is detrimental

to the district as a whole. Neither do I know whether the proposal for this addition is -- should be limited to that amount. I mean, could you add another 200 -- 100, 200,000 square feet of housing somewhere or is that becomes impossible or does that demand two or three, 500 story buildings. And so, you know, maybe that's something both staffs can give us more insight into.

You presumably came up with this number of what the increase should be and so, you know, maybe if we heard some rationale why this number was chosen rather than a smaller or a larger number and why the mix of commercial versus residential was chosen at this level. It would just give us some more data to understand where we are.

TOM SIENIEWICZ: And, Ted, there is a wonderful section -- just forgive me, one

more comment, wonderful section in the proposed Volpe Zoning which suggests that you can't fully build out all of the commercial unless you build the housing. And something that rings true about that, I mean I don't want to, you know -- you can build a certain amount of commercial, but at some point you got to ante up and build a city and put housing in perhaps it isn't as attractive financially, but there is a certain elegance to that thinking I thought.

H. THEODORE COHEN: Right, well I think that's already been incorporated into this, because I think there was currently a limit on what can be permitted until the 200,000 Ames property is completed.

TOM SIENIEWICZ: Right, right, right.

H. THEODORE COHEN: And so, you

know, it -- I know that's in there now and maybe it should be, you know --

TOM SIENIEWICZ: Memorialized.

H. THEODORE COHEN: -- enhanced that some of the other commercial can't be built until some of the more residential is built.

CATHERINE PRESTON CONNOLLY: Ted, if I can just comment on this board member's thoughts on your suggestion, Tom. I guess to me it depends on what the answers to all the other questions are.

TOM SIENIEWICZ: Okay.

CATHERINE PRESTON CONNOLLY: If there are good answers to the questions of transit capacity, open space planning, what the affordable housing mix are, and how that all works together as community, I'm absolutely open to making the pie bigger.

If the answer is this is our capacity

and we have to fit within that, I think we need -- we're looking at a zero sum game and I want to see more housing in it.

STEVEN COHEN: My thoughts on that: You know, it seems to me there are several arguments for housing in general.

One is, you know, housing provides for 24-hour activity in an area rather than just an office district. There's the affordable housing component. There's the middle income housing component. And there's providing housing for the people who are working here and I still -- I don't -- I raise this transportation issue and, you know, I don't know if we ever get any response to it. So I don't know exactly what number should be, Tom. I do know that when we looked at the Volpe site, I do believe we were at 40 percent housing over the entire site. And

here in this district while we're saying 40 percent of this additional square footage be housing, when you look at the entire district, we're looking at 13 percent. You know, I don't know what the right number is. But given the strong arguments that can be made for housing in the district, you know, my gut suggests to me that we could do a bit more.

IRAM FAROOQ: Mr. Chair, if I might just provide a little bit of context from the K2 analysis because that pertains to what we're talking about today as well as next week a little bit.

So in terms of how we came up with the million square feet or the particular numbers from -- on each of the sites was really by just looking at -- especially in these in-filled areas, what capacity, what is

the -- what's the rough height that we can think of accommodating in this area that will seem like a reasonable height? Where are the parcels where you could envision either rebuilding or in-filling around, and how much would that net for you? And admittedly we placed the density in different places. So in this district we envisioned that density would go over the Coop building as opposed to as much of it being over the garage and over the -- what is that?

JASON ZOGG: EMC Squared building.

IRAM FAROOQ: EMC Squared building.

And then some of it over the garage, but a lot of it has been clustered. They're based on, you know, constraints that as planners, we were not into that much detail, but they have to do with things what are leases like and what the potential is for what duration

of time. And in terms of the percentage -- I mean, clearly housing was a huge priority, trying to inject housing into the district. But this is our commercial district as well. And I think we felt very similarly to where Tom is ending up, that it's really critical to also retain room for growth, for the knowledge and economy to grow because that's what we're hitting against as a constraint there. Things get more and more expensive. They get less attainable, you know, affordability challenge that we're seeing on the residential side, we're also seeing on the commercial side in places like Kendall Square. So it's really important to allow some room for companies to grow. And then if you look at us as a city, really there are three places that can accommodate commercial or significant amounts of commercial.

Kendall Square, potentially in Alewife, and in North Point. And that's it. Right? So we can think of housing in many other parts of the city, but it's really hard to envision any significant commercial growth in any of the other areas, especially given what we have learned about commercial that it tends to work well when you cluster together. So those were really -- that was really the rationale.

I can say if you say is it, is it 40/60, the right percentage or is it 30/70 or 45/55? It's hard to completely pin this down. But the other thing that we did do is that we tested it from a transportation impacts perspective. So we looked at vehicular and traffic generation. We did a critical sum spot, and we also looked at transit capacity based on information that we

had at the time which was, that was the first time we were doing that kind of transit analysis in the city. So we were somewhat new to it. But we modeled, everything that we modeled is based on the percentages that you are seeing before you for the residential commercial mix on the Volpe site as well as on the MXD and the MIT site. So I would say we feel reasonably good about those number except, you know, if the projections that we assumed, we assumed less for Volpe but we also assumed that a lot, every single parcel would get built out. So we're trying to just go back to the transportation assumptions that we had at the time and make sure that in terms of an amount of square footage that we had assumed that would be for each one that we use that we are still within the projections that we, that we used. So that,

we won't be able to bring that next week, but what we will attempt to bring back to you is the methodology that we used so everybody can get a little more familiar with the fact, with the kind of transportation analysis that has been done to support the work, because I know that that seems to be a thing that's coming up a lot.

H. THEODORE COHEN: That's great.

And I think what would be really helpful is if we could get some concept of if everything were built out under Volpe --

IRAM FAROOQ: Yes.

H. THEODORE COHEN: -- and this and MIT --

IRAM FAROOQ: Yes.

H. THEODORE COHEN: -- and any other area in the K2 area that's left so that we could have some concept of what -- if it were

all done, how much residential would there be? How much commercial would there be? And, you know, maybe some idea of retail, but that may be too far down the road.

IRAM FAROOQ: Yes.

H. THEODORE COHEN: But I think if we had some concepts, we could say, all right, you know, it makes sense to only have 13 percent residential here because we're going to have 50 percent.

STEVEN COHEN: Yes, exactly.

H. THEODORE COHEN: And they're close enough to each other.

TOM SIENIEWICZ: And thank you for explaining that methodology. I'm aware, like you are, how fast the conversation is changing. How fast the mode switch -- the modes are changing in transportation. When I first joined this Board, C2 K2 were drafted

already. So, you know, I got grey hair like four or five years ago, so that the whole conversation around height has evolved in really an unexpected way from my perspective. When somebody is mentioning 500 feet, you know that never was imagined four or five years ago. So there may be more capacity in the sites that you imagined and modeled at the outset. The million square feet? I don't know. Maybe you're also moving as quickly as the conversation is going. You and your staff are brilliant, but I would ask you to go back and just go back to those first principles and see how they're reflecting currently.

LOUIS J. BACCI, JR.: And I guess that goes with one question I had. The floor plate size, why so slender? Did you just not be -- would you not be able to fit anything

larger on these sites?

IRAM FAROOQ: No, it's because --
oh, please go ahead.

LOUIS J. BACCI, JR.: Because
capacity, capacity, capacity, right? It's
there, they might as well build it.

UNIDENTIFIED AUDIENCE MEMBER: The
12,000 actually represents a 60-foot by
200-foot building which happens to be about
the footprint about the EMC site and also a
reasonable dimension for a residential
building in terms of width. So, so it might
not work so well on the --

LOUIS J. BACCI, JR.: Because you
don't need it.

UNIDENTIFIED AUDIENCE MEMBER: Well,
you know, I keep having to remind myself that
this -- all of this appears like a bunch of
general principles, but it's in fact a bunch

of a small number of very particular sites.

LOUIS J. BACCI, JR.: Right. I looked at them all.

UNIDENTIFIED AUDIENCE MEMBER: And the devil is in the details here. It's not your normal zoning.

LOUIS J. BACCI, JR.: Right. What I was getting at more was more capacity per floor?

UNIDENTIFIED AUDIENCE MEMBER: Well, you can't. I mean, you can't fit a bigger building on a floor plate and in terms of shadow anyway.

LOUIS J. BACCI, JR.: That's why I was asking the reason for the slender footprint. You didn't need it or couldn't fit it?

UNIDENTIFIED AUDIENCE MEMBER: I wouldn't consider that actually terribly

slender.

LOUIS J. BACCI, JR.: It's fairly slender. If you make it a square, it's 100 by 100 basically, right?

IRAM FAROOQ: If you step back to other parts of Kendall Square, we have also talked about reducing the floor plate as you go taller simply because you don't want to see big -- you don't want to see big and really blocky.

LOUIS J. BACCI, JR.: Correct.

IRAM FAROOQ: If you're going taller, you want to increase --

LOUIS J. BACCI, JR.: How about stepped?

IRAM FAROOQ: Sure. Maybe they're stepped, but maybe they're shared. But you could have different formulations, but the idea being that you're not blocking off the

entire sky and you're able to have two slender towers of some variation.

LOUIS J. BACCI, JR.: And placement has a lot to do with it.

IRAM FAROOQ: Right.

LOUIS J. BACCI, JR.: But very tall slender buildings don't have much capacity. So you need to add some capacity at the base to get there. You know what I mean? That's what I'm getting at.

THOMAS EVANS: One thing I would add is that the capacity imagined on the 400,000 square foot is based on 250-foot height limit. We've imagined that density bonus for middle income, which we could discuss dialing, to be something different. If you imagine both -- two buildings going up another 100 feet, that's a 200-foot building, which may provide some additional housing

capacity. So there may be some room on the sites.

LOUIS J. BACCI, JR.: But there's nothing in this that makes -- that gets us any middle unless you go over 250 feet?

THOMAS EVANS: Correct.

LOUIS J. BACCI, JR.: And so we reduced the number to 200 feet as for the back of the --

THOMAS EVANS: Correct.

LOUIS J. BACCI, JR.: So you aren't going over 200 feet there. And so kind of restricts where you would go.

STEVEN COHEN: Mr. Chair?

H. THEODORE COHEN: Yes.

STEVEN COHEN: Just a few words. We mentioned a few times that we had some other thoughts about moderate income. I guess if we're leaving you with thoughts we ought to

tell you what those thoughts were. And in discussing Volpe Zoning I think we came around to the notion that doing -- addressing these subjects through, you know, incentive bonus, it was perhaps not the best way and not the most straightforward way, difficult to calculate, difficult for the public to understand, and that perhaps the best way is simply to set a height limit for different use, for different uses. Perhaps it's 350 for residential and simply impose a middle income housing requirement. And perhaps it's, perhaps it's 15 and five. Just 15 low income, five percent moderate income or some such calculation and some such height. I'll leave it to you and staff and others to come up with the right numbers. But, again, that has the virtue of simplicity and until we all understand clearly what is permitted here,

what is required here. So I for one would encourage that perspective.

One other thought that I draw from the Volpe discussion that we had was we did have such an equation on the residential side, but then on the commercial side in Volpe, if I remember correctly, we also recommended -- nothing was passed by the City Council, but we recommended a fee on the commercial side to be paid into the affordable housing fund. And what, what is required under current Zoning Law in that regard?

IRAM FAROOQ: So we've just adopted the incentive zoning revisions, which now at this point will be \$12 a square foot but depending on --

STEVEN COHEN: And it goes --

IRAM FAROOQ: It goes up to 15. A dollar a year for 15. And we do another

study.

STEVEN COHEN: Right. And, again, that would be applicable to the commercial development here?

IRAM FAROOQ: Exactly, yes.

STEVEN COHEN: Thank you.

H. THEODORE COHEN: Jeff, you wanted to say something?

JEFF ROBERTS: Yes, I wanted to add something to the discussion here, but it has to do with zoning mechanics, and so it may be something for the Board to chew on a little bit before the next time.

We sometimes get sucked into looking at these proposals, the zoning proposals, the development proposals that says here are the numbers and that's what's going to be built. But in reality we're setting limitations and saying well, this is the limit of what you

can build of X and this is the minimum of what you have to build of Y. And there's still a lot of flexibility that can be left in the zoning in order to achieve things that the city might want. I'm reminded of the -- as the discussion was going on, I was reminded of when this was up for the MIT Kendall Square Zoning which became the PUD-5 Zoning, and at the time there was a lot of discussion about MIT's needs to provide student housing. That wasn't really on the table as part of the proposal at that time, but it was something that the Board felt strongly about and decided to include in the zoning provisions that would hold harmless any additional student housing that was built in the particular area. In actuality when the proposal actually came forward a year or so later, it did include an expansion of

graduate student housing. So that's just an example of an area where even if it's, you know, even if something's not really being looked at in the context of a -- of what specific development is imagined right now, you know, we could and the Board can imagine all kinds of things that might be good outcomes that the zoning could at least allow to happen, if not, facilitator incentivize in some other way.

H. THEODORE COHEN: Anyone have any other comments right now?

(No Response.)

H. THEODORE COHEN: If not, then thank you so much for coming. It's been a very interesting conversation. I look forward to continuing it on November 10th. And so this hearing will be continued until November 10th. And I hope staff can work

together to come up with some of the answers and, you know, give us some more concepts.

Thank you very much.

Board members, we have one more matter.

LIZA PADEN: There is a Board of Zoning Appeal case that one of the board members wanted to look at. I sent the case on to you and I didn't know if anybody wanted to make any comments or discuss the case for 269 Putnam Avenue.

H. THEODORE COHEN: Well, I guess I was the one who asked you about it. And as I understand it, I mean I don't know people know this, this is the Alive and Licking Lobster facility. As I understand it, and Liza, please correct me if I'm wrong, that they originally had, you know, either pre-existing use or got a Variance for I think a commercial use. And over time that

has expanded into an expanded retail use. And in recent years that retail use has been even further expanded with the construction of some tables and an arbor and people eating there. And I think some of the neighbors have now complained about this retail use and that it was not in keeping with the original permit, whatever it might have been. And so now I guess they're before the ZBA for a Variance to continue that operation. That's the status.

I just asked for some information about it. I will freely admit that I patronize the location and think of it as sort of one of those semisecret places in Cambridge that not everybody knows about. But, you know, having looked at things, I mean, you know, my personal opinion is, you know, while I think it's great and I like the use there, that it

shouldn't be in violation of Zoning. And if it does need a Variance, then this is probably something that the ZBA is perfectly able to determine the competing interests of the neighbors versus the business and whether it's -- should get a Variance for that use or not.

TOM SIENIEWICZ: I'm very familiar with the establishment, not that I'm a patron. I've only shopped there once, but I own property within a block of there and I've watched over 30 years the evolution of that business and the neighborhood around it frankly. And I think that's actually what we're seeing now, is that the neighborhood has evolved around it, and so a use that is, you know, hopefully been lawfully in place there, but perhaps at the stretching the limits of zoning is now seemingly

incompatible.

There is a fast food establishment not less than 100 feet away, across the street. There is a Rite Aid a block away. Not a block, a lot away. So it is at the very edge of between a residential district and a commercial district. So it's a complicated, interesting, fascinating set of circumstances and I agree with you, Ted, and your characterization that it's establishments like this that, you know, go to the very heart of making good character in our city. So I hope that the Zoning Board would give it a fair hearing, as I'm sure they will, and would see it in that light and balance the property owners rights to enjoy their property around it somehow.

STEVEN COHEN: Is there some noxious element of the use itself that people are

complaining about?

ATTORNEY JAMES RAFFERTY: No, everyone loves it.

H. THEODORE COHEN: What did you say?

ATTORNEY JAMES RAFFERTY: I said, no, everyone loves it. It's a hidden gem. I'm just a citizen here. Jim Rafferty is my name. I actually happen to represent this case to the BZA.

STEVEN COHEN: Oh, what a coincidence. What an incredible coincidence.

ATTORNEY JAMES RAFFERTY: And they put lobster sandwiches on scali bread and they come from all over the world for this. And there has been a complaint. And it was zoned as an office district and they got a Variance to construct it. So the office use is permitted. So a commercial use is

permitted there because the structure predated the change to residential. But the office admittedly has morphed into -- there are a lot of crustaceans in the office I'd say --

LOUIS J. BACCI, JR.: There are.

MARY FLYNN: I love it.

ATTORNEY JAMES RAFFERTY: -- that you'd see in your average office. Unless you were George Berkowitz, it's a very seafood-oriented office. And therein lies the challenge.

But the proprietor, when I tell you that the signatures on this, in support of this number in the thousands. What this place is, it's a community -- I mean, it's just so special. But I think you're appropriate to flag it. But I do think the BZA is going to have to know the whole

history, but they sometimes benefit from being reminded to keep an open mind. Because there is proposed restrictions that haven't been in the file, and that is that the -- where it's become more popular in the last few years. Now there are picnic tables in the rear. In our latest proposal we're proposing that they go away because they do back up to the backyard of a property owner who operates a B&B out of her own property there. So the proposal is to restrict it, narrow it up a little, but to allow it to continue. So our hope is that with reasonable conditions and constraints, it can continue to be the great community asset that it's been.

STEVEN COHEN: So could we muster a positive recommendation --

LOUIS J. BACCI, JR.: I think so.

STEVEN COHEN: -- subject to reasonable restrictions or would you just rather --

LOUIS J. BACCI, JR.: I am positive about it.

H. THEODORE COHEN: Well, if that's the wish of the Board.

MARY FLYNN: It's an institution I'm not aware of, but I'm going to find out --

LOUIS J. BACCI, JR.: You want to talk about supporting local retail.

JOHN HAWKINSON: Mr. Chair, there's a hand.

MARY FLYNN: Yeah, no. I think that stuff is --

H. THEODORE COHEN: We let Jim speak so....

LIZA PADEN: Could you come up and use the microphone, please?

SARAH SMITH: My name is Sarah Smith. It's not John Doe but close. Sarah Smith. Sarah with an H. I think you know the rest.

I'm the abutter with the bed and breakfast adjacent to the property that houses the picnic tables. If you would like some visuals, I have a few photographs. Could I?

H. THEODORE COHEN: Sure.

SARAH SMITH: Just to correct the record, this was not a conforming pre-existing use and it was never allowed. Commercial use was never allowed in an Office 3 Zone.

In 1993 when I bought my house, I could hardly tell there was a business there. Mr. Mastrangelo's business operated out of a truck. Once in a while someone would come by

and buy a live lobster from the truck.

In 1994 he sought a Variance for a rear setback to build a garage with office and storage space upstairs. In fact, he didn't build garage for a vehicle, he built a retail establishment with an apartment upstairs, with a porch off of it that comes right up to my property line with parking below.

In the beginning there wasn't very much business. It didn't disturb anyone, and no one on the block even knew that it wasn't legally permitted or that retail was not an allowed use in an Office 3 Zone.

In 1999 the neighbors got together and had the block down zoned to Residential C-1 where retail is still not an allowed use. And over the years Alive and Kicking Lobster has grown significantly thanks in great part to social media. And now there are five

large picnic tables between his residential property adjacent to where the garage is next-door. And since then Mr. Mastrangelo has added a covered structure, basically a room extending from his property -- his house to my fence which he has changed into a nine-foot solid wall, to provide space for three of the picnic tables away from the elements all year round with heating.

What used to be -- I said that. A loud speaker announces orders all day long. An industrial fan blows noise and foul odors into the neighbors' yards and there's a constant stream of customers all year long. Business has snowballed in recent years. Sheds have had to be added to the back to accommodate the growth in the business, and they are within the reduced setback that was granted in 18994. They're just inches from

the back fence.

Business has expanded to every abutter's property lines and has nowhere else to grow. This is not something that should be tolerated in a residential zone. It could be an asset to the community, especially on River Street where retail is now being encouraged, but this type of operation was never allowed in Office 3 and should not be allowed in C-1.

Thank you.

H. THEODORE COHEN: Thank you.

Well, now having heard arguments on both sides, do we want to take any position or just leave it up to the Board to decide.

LOUIS J. BACCI, JR.: I'm still for the positive.

AHMED NUR: I don't want to take a decision. I won't support it or go against.

I'll go against it the way it is, personally, this member, because I don't know whether this was permitted or not.

STEVEN COHEN: Well, I support the Variance with appropriate, you know, reasonable protections for, you know, abutters.

ATTORNEY JAMES RAFFERTY: Just to point out the proposed conditions and I've sent Ms. Smith's a counsel a copy of them a week ago also include hour restrictions, no activity after six p.m., no starting before eleven a.m., and closing at four p.m. on Sundays. And we're suggesting to the Board that there are conditions that could be in place that would increase the compatibility with this use with surrounding uses. And we have several immediate abutters strongly in support of this.

STEVEN COHEN: And I would strongly support the ZBA's determination in what are the appropriate determination and conditions, but I would be willing to convey to them our support for a Variance subject to whatever, you know, reasonable regulations and restrictions they decide on.

CATHERINE PRESTON CONNOLLY: Yes, I'm good with that.

H. THEODORE COHEN: That seems to be the consensus of the Board?

LOUIS J. BACCI, JR.: Yes.

MARY FLYNN: I think I'm sort of taking Ahmed's position. I feel like, you know, not knowing the full history and, you know, whether or not it's really been doing things illegally and knowingly all along, I think I would just leave it to the BZA.

H. THEODORE COHEN: All right,

rather than taking a vote on the matter, Liza, could you just convey to the Board, to the ZBA that probably a majority of the Board thinks that it's an asset to the community. If a Variance can be granted with appropriate conditions to protect the neighbors, but that there were some members who felt that this was just something that should be left up to the ZBA in its discretion after hearing it fully.

LIZA PADEN: Okay.

STEVEN COHEN: To the effect that we're not unanimous, just increases our credibility, don't you think?

CATHERINE PRESTON CONNOLLY: Yes.

H. THEODORE COHEN: Is there anything else before the Board?

(No Response.)

H. THEODORE COHEN: No? Then I

think we are adjourned.

Thank you, all.

(Whereupon, at 9:50 p.m., the
Planning Board Adjourned.)

* * * * *

ERRATA SHEET AND SIGNATURE INSTRUCTIONS

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BRISTOL, SS.**

I, Catherine Lawson Zelinski, a
Certified Shorthand Reporter, the undersigned
Notary Public, certify:

That the hearing herein before set
forth is a true and accurate record of the
proceedings.

IN WITNESS WHEREOF, I have hereunto set
my hand this 13th day of November, 2015.

Catherine L. Zelinski
Notary Public
Certified Shorthand Reporter
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