

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

2011 DEC -5 P 12: 55
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

NOTICE OF DECISION PLANNED UNIT DEVELOPMENT

Case Number:	262
Address:	Industrial Park Drive at North Point Boulevard Extension
Zoning:	North Point District / PUD-6
Applicant:	EFEKTA House, Inc. One Education Street, Cambridge, MA 02141
Owner:	Commonwealth of Massachusetts Department of Transportation / Department of Conservation and Recreation
Special Permit Application Date:	August 16, 2011
Date of First Public Hearing:	September 6, 2011
Date of Preliminary Determination:	September 6, 2011
Date of Second Public Hearing:	October 18, 2011
Date of Final Decision:	October 18, 2011
Date of Filing Planning Board Decision:	December 5, 2011
Application:	Approval of a Final Development Plan for a Planned Unit Development (Article 12 and Section 13.70), Reduction of Required Parking (Section 6.35.1 and Section 10.45), Project Review Special Permit (Section 19.20) for a single building containing 295,000 square feet of commercial Gross Floor Area and 126 accessory parking spaces.
Decision:	GRANTED, with conditions.

Appeals, if any, shall be made pursuant to Section 17 of Massachusetts General Laws, Chapter 40A, and shall be filed within twenty (20) days after filing of the above referenced decision with the City Clerk. Copies of the complete decision and final plans, if applicable, are on file with the Community Development Department and the City Clerk.

Authorized Representative of the Planning Board: Jeffrey C. Roberts *JCR 12/05/11*

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

DOCUMENTS SUBMITTED

Application Documents

1. Special Permit Application dated August 16, 2011 including: Introduction by Rich McKinnon; Support Letters from East Cambridge Planning Team, Cambridge City Council, and Cambridge Mayor David Maher; Cover Sheet; Summary of Application; Fee Schedule; Dimensional Form; Conformance with Zoning Ordinance; Urban Design Summary; Project Description; Urban Design Objectives; Noise Control; LEED Checklist; LEED Narrative; Sewer Infrastructure; Water Service; Certification of Receipt of Plans by Public Works, Traffic, Parking and Transportation, Water, and City Arborist; PUD Development Proposal; Ownership Certificate; Legal Description. Maps and Graphical Materials included in separate volume.
2. Special Permit/PUD Final Development Plan Application dated October 18, 2011 including: Special Permit Application, Conformance with Zoning Ordinance, Project Narrative, Certification of Receipt of Plans, PUD Development Proposal, Exhibits. Maps and Graphical materials included in separate volume.
3. Supplement to Final Development Plan Application dated October 18, 2011 including: Cover Letter, Memorandum to Cambridge Planning Board on Chapter 91/Cambridge Special Permit Sequencing (9/26/2011); Letter to Charles River Conservancy (9/26/2011); Letter to Cambridge Community Development Department on Multi-Use Path Agreement (9/27/2011); Tax Agreement Letter to Robert Healy, Cambridge City Manager (6/28/2010); Letter to Mayor David Maher (12/13/2010).
4. Coordination Plan: EF-Skate Park/North Point Park by ZEN Associates, Inc., submitted to the Planning Board on October 18, 2011.

Other Documents

5. Letter from Renata von Tscharnier, representing Charles River Conservancy, dated July 7, 2011.
6. Letter (e-mailed) from David Lefcourt, City Arborist, dated August 19, 2011, regarding the Tree Survey.
7. Letter from Cambridge Bicycle and Pedestrian Committees dated September 1, 2011.
8. Preliminary Determination by the Planning Board on Planned Unit Development Proposal, dated September 23, 2011.
9. Memorandum from Susan Clippinger, Director of the Traffic, Parking and Transportation Department, dated October 18, 2011.

SUMMARY OF FINAL DEVELOPMENT PLAN

The Final Development Plan is to construct a single new building with 295,000 square feet of Gross Floor Area dedicated to commercial uses. The uses will include approximately 216,000 square feet of general office and educational (other school) space, a 14,000 square-foot restaurant on the ground and second floors, and 65,000 square feet of above-grade structured parking. The number of parking spaces proposed is 126, which is less than the minimum required by zoning. The Applicant is seeking a special permit for reduction of required parking under Section 6.35.1 to a minimum of 120 spaces, which will allow some flexibility in the layout of the garage.

FINDINGS

After review of the Application Documents and other documents submitted to the Planning Board, testimony given at the public hearings, and review and consideration of the applicable requirements and criteria set forth in the Zoning Ordinance with regard to the relief being sought, the Planning Board makes the following Finding pertaining to the Final Development Plan as instructed in the following sections of the Zoning Ordinance and other referenced City documents:

1. Article 12 and Section 13.70 – Approval of a Final Development Plan
2. Section 6.35.1 and Section 10.45 – Reduction of Required Parking
3. Section 19.20 – Project Review Special Permit
4. Eastern Cambridge Design Guidelines
5. Section 10.43 – General Special Permit Criteria

1. Article 12 and Section 13.70 – Approval of a Final Development Plan

As required by Section 12.36 of the Zoning Ordinance, the Board finds that the Final Development Plan meets the evaluation criteria set forth in Section 12.35.3 of the Zoning Ordinance, as detailed below:

- (1) *The Development Proposal conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth in the specific PUD district in which the project is located.*

As described on pages 22-23 of the Final Development Plan Special Permit Application, the Final Development Plan conforms to the General Development Controls with regard to utilities, public infrastructure, landscaping, and environmental performance standards. As set forth on page 25 and Appendix 7.20 of the Final Development Plan Special Permit Application, the Development Parcel will contain approximately 138,000 square feet, consisting of the EF Parcel (as defined in the Final Development Plan Special Permit Application) and additional land owned by the Commonwealth that will be dedicated for public use as public open space. This agreement has been specifically authorized by Chapter 88 of the Acts of 2011. In accordance with Section 13.74.2 of the Zoning

Ordinance, the Development Parcel will therefore comply with the minimum parcel size requirement. No new roadways are proposed. All public works will be constructed in accordance with City standards. The landscaping will complement the adjacent public park and will be designed in accordance with the Charles River Basin Master Plan. As described in the Final Development Plan Application, the project will comply with the Cambridge Noise Ordinance and will be designed in accordance with the Green Building Requirements of Section 22.20, to achieve a certifiable level of LEED Silver. The project will also undergo additional review by the Massachusetts Department of Environmental Protection subject to the Massachusetts Environmental Protection Act and Chapter 91 of the Massachusetts General Laws, as well as the Cambridge Conservation Commission.

As described on pages 23-29 of the Final Development Plan Special Permit Application, the Final Development Plan conforms to the use, dimensional and other standards of the PUD-6 District in North Point. The proposed project is within the maximum FAR and height limitations and exceeds the minimum development parcel size. The project also exceeds the minimum requirements for open space and publicly accessible open space. The project is seeking a special permit to reduce the required amount of parking from 166 spaces to 120 spaces, which is discussed further below in these Findings. Transportation Demand Management measures will be required to comply with the Parking and Transportation Demand Management Ordinance. The approved dimensional characteristics of the proposed project are set forth in Appendix I of this Special Permit Decision.

The PUD-6 regulations include two standards for which specific Planning Board approval is required in the case of the proposed project. First, a Planning Board Special Permit is required to allow a project to include 100% non-residential uses, which may be issued for projects where only one building is located within the Development Parcel. The Board finds that the proposed uses are appropriate given the nature of the single proposed building as an expansion of an existing use and the presence of other stand-alone residential uses in the area, and therefore approves the non-residential use of the site as proposed in the Final Development Plan.

Secondly, pursuant to Section 13.73.1, a written Planning Board determination is required to allow a retail (in this case, restaurant) establishment to exceed 10,000 square feet in floor area. The Planning Board finds that the proposed 14,000 square-foot restaurant use is appropriate given the unique location of the site adjacent to the waterfront, which provides the potential to attract a large set of customers and to activate this section of the public waterfront, and therefore approves the restaurant use as it is proposed in the Final Development Plan.

- (2) *The Development Proposal conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located.*

The Final Development Plan is consistent with the City's development plans for the area. The City Council adopted changes to the PUD-6 regulations in December, 2010, which were intended specifically to allow a development proposal of this type at this location. Although the stated purpose of the North Point PUD District is to encourage a transition

to mostly residential uses, the proposed site along the river has a unique location that is well suited to an office building of exemplary design, with ample open space and public amenities at the ground level. The Board also finds that the Final Development Plan is consistent with the objectives set forth in the Eastern Cambridge Plan and the Eastern Cambridge Design Guidelines adopted in 2001. The specific Eastern Cambridge Design Guidelines are referenced further below in these Findings.

(3) *The Development Proposal provides benefits to the city that outweigh its adverse effects. In making this determination the Planning Board shall consider the following:*

(1) *The quality of the site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public*

The Final Development Plan demonstrates a thoughtful site design that is well suited to its prominent location along the Charles River Basin adjacent to public parkland. The building has an exceptional visual design, with a colored glass feature that will be visible from many vantage points along the river. The building's ground floor will be open and welcoming to the public, with an accessible winter garden and a large restaurant use oriented toward the river.

The pathways and landscaping surrounding the building are designed to appropriately integrate the various existing and proposed uses in the area, including the existing EF building, the existing public park, future outdoor recreational amenities including the planned skate park, and the future system of bicycle and pedestrian pathways that will connect the Cambridge riverfront to both the Charlestown riverfront and the interior of the North Point area.

The Final Development Plan, as described on pages 9-17 of the Supplement to Final Development Plan Application document, will include substantial contributions to improve the Charles River parklands and to design and construct streetscape improvements including two multi-use path connections to existing and planned pathways in the area.

(2) *Traffic flow and safety*

The proposed use will not negatively impact traffic flow or safety in the area. Based on evidence of transportation patterns to the current EF site, it is anticipated that a lower proportion of automobile trips will be made to this site compared to other office uses. Traffic impact findings are made further below in these Findings.

(3) *Adequacy of utilities and other public works*

According to the Development Proposal, existing utilities and public infrastructure will be adequate to serve the proposed building. All connections to

public infrastructure will be subject to review and approval by the appropriate City departments.

(4) Impact on existing public facilities within the city

The Development Proposal will not negatively impact any existing public facilities. Moreover, the proposed building will likely have positive impacts on the use and activation of public parklands along the Charles River Basin.

(5) Potential fiscal impacts

The Proposed Project will provide additional tax revenues to the City (as confirmed on page 19 of the Supplement to Final Development Plan Application document). No negative fiscal impact is anticipated.

2. Section 6.35.1 and Section 10.45 – Reduction of Required Parking

A special permit shall be granted only if the Board determines and cites evidence in its decision that the lesser amount of parking will not cause excessive congestion, endanger public safety, substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, or that such lesser amount of parking will provide positive environmental or other benefits to the users of the lot and the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units.

Pursuant to Section 10.45 of the Zoning Ordinance, the Planning Board is authorized to grant a Special Permit for the reduced parking requested by EF, such that EF is not required to make a separate application to the Board of Zoning Appeal for this purpose. The proposed development seeks a reduction of the minimum parking requirement to 120 off-street spaces, resulting in a proposed ratio of 0.41 spaces per 1,000 square feet of new Gross Floor Area. Review of the Transportation Impact Study by the Traffic, Parking and Transportation Department indicates that the proposed amount of parking will be adequate to serve the anticipated number of automobile trips made to the proposed development. Given the anticipated low demand for parking, the availability of alternative parking and transportation options in the area, and the City's goal to limit the number of automobile trips throughout the city and in this area in particular, the Board determines that the lesser amount of parking meets the standards specified above. In making this determination, the Board makes reference to the following considerations.

- a. *The availability of surplus off street parking in the vicinity of the use being served and/or the proximity of an MBTA transit station.*

The proposed development is within walking distance of the Lechmere and Science Park MBTA stations, providing access to light rail and bus service as well as the EZRide shuttle to Kendall Square and North Station. It is also within walking distance of commercial parking garages at the Cambridgeside Galleria and the Museum of Science. The site is proximate to multiple existing or planned bicycle/pedestrian paths, and the

proposed project will include connecting elements to those pathways. EF will continue to implement TDM measures to reduce the demand for parking, including a shuttle system and a bicycle sharing system, among other measures that are required as conditions of this Special Permit or as part of the project's Parking and Transportation Demand Management Plan. According to their Traffic Impact Study, only 28% of current EF employees and students drive alone to their building which is considerably less than comparable buildings.

- b. *The availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied.*

Commercial parking facilities are available as described above.

- c. *Shared use of off street parking spaces serving other uses having peak user demands at different times, provided that no more than seventy-five (75) percent of the lesser minimum parking requirements for each use shall be satisfied with such shared spaces and that the requirements of Subsection 6.23 are satisfied.*

No formal shared use parking is proposed; however, excess nighttime parking on the site may be used by patrons of the proposed restaurant use.

- d. *Age or other occupancy restrictions which are likely to result in a lower level of auto usage.*

The project will be an expansion of an existing use. As noted above, that existing use has historically generated lower-than-average auto usage and lower demand for parking.

- e. *Impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways.*

The proposed site is surrounded by public open space. Additional on-site parking would have a negative impact on the public's enjoyment of that open space and on the provision of trees, vegetation and other landscaping improvements that provide aesthetic and environmental benefits to the site.

- f. *The provision of required parking for developments containing affordable housing units, and especially for developments employing the increased FAR and Dwelling unit density provisions of Section 11.200, will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.*

This consideration is not applicable given that the project is not residential.

3. Section 19.20 – Project Review Special Permit

(19.25.1) Traffic Impact Findings.

Where a Traffic Study is required as set forth in Section 19.24 (2) the Planning Board shall grant the special permit only if it finds that the project will have no substantial adverse impact on city traffic within the study area as analyzed in the Traffic Study. Substantial adverse impact on city traffic shall be measured by reference to the traffic impact indicators set forth in Section 19.25.11 below.

(19.25.11) Traffic Impact Indicators. In determining whether a proposal has substantial adverse impacts on city traffic the Planning Board shall apply the following indicators. When one or more of the indicators is exceeded, it will be indicative of potentially substantial adverse impact on city traffic. In making its findings, however, the Planning Board shall consider the mitigation efforts proposed, their anticipated effectiveness, and other supplemental information that identifies circumstances or actions that will result in a reduction in adverse traffic impacts. Such efforts and actions may include, but are not limited to, transportation demand management plans; roadway, bicycle and pedestrian facilities improvements; measures to reduce traffic on residential streets; and measures undertaken to improve safety for pedestrians and vehicles, particularly at intersections identified in the Traffic Study as having a history of high crash rates.

The indicators are: (1) Project vehicle trip generation weekdays and weekends for a twenty-four hour period and A. M. and P.M. peak vehicle trips generated; (2) Change in level of service at identified signalized intersections; (3) Increased volume of trips on residential streets; (4) Increase of length of vehicle queues at identified signalized intersections; and (5) Lack of sufficient pedestrian and bicycle facilities. The precise numerical values that will be deemed to indicate potentially substantial adverse impact for each of these indicators shall be adopted from time to time by the Planning Board in consultation with the TPTD, published and made available to all applicants.

The results of the proposed project's Transportation Impact Study are summarized in the Memorandum from Susan Clippinger, Director of Traffic, Parking and Transportation, dated September 6, 2011 (attached as an Appendix to this Decision). This memorandum reveals that the Traffic Impact Indicators are only exceeded at 8 out of 25 studied pedestrian crossings where the Pedestrian Level of Service would decrease slightly or remain at an existing low level. No vehicular level of service indicators are exceeded in the study area. No mitigation is recommended by the Traffic, Parking and Transportation Department at these intersections because they have already been improved or could not reasonably be further improved by the Applicant. However, the Applicant has proposed the construction of multiuse path segments through and around the site, which will provide key connections to the system of public bicycle/pedestrian paths in the area. In addition, the project will include bicycle parking as required by zoning, and the Applicant will be required to implement a Parking and Transportation Demand Management Plan, which will further reduce traffic-related impacts. Therefore, the Board finds that the project will have no substantial adverse impact on traffic within the study area.

(19.25.2) Urban Design Findings.

The Planning Board shall grant the special permit only if it finds that the project is consistent with the urban design objectives of the city as set forth in Section 19.30. In making that determination the Board may be guided by or make reference to urban design guidelines or planning reports that may have been developed for specific areas of the city and shall apply the standards herein contained in a reasonable manner to nonprofit religious and educational organizations in light of the special circumstances applicable to nonprofit religious and educational activities.

The Board finds that the proposed project is consistent with the Urban Design Objectives set forth in Section 19.30, as described below, citing information presented in the Project Narrative on pages 31-32 of the Final Development Plan Application.

(19.31) New projects should be responsive to the existing or anticipated pattern of development.

The proposed use is compatible with other uses in the area. The proposed new EF headquarters building is adjacent to the existing EF office building, which will remain in use. Nearby residential uses will not be negatively impacted and residents will benefit from the improvement and activation of North Point Park. There are no adjacent historic buildings and the site does not contain an existing structure (other than a concrete foundation, which will be demolished prior to construction). Adjacent park areas will benefit from large scale landscape improvements on the development site, which are anticipated to bring greater use to the water's edge.

(19.32) Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.

The site design has been coordinated to strengthen and extend existing bicycle and pedestrian paths. The Applicant has agreed to construct sidewalk and roadway improvements on Education Street to connect the multi-use pedestrian and bicycle pathway on North Point Boulevard with pathways in the North Point Park. The base of the building on the sides facing the entrance and the river will feature largely transparent façades with views into publicly accessible active areas, and provide visual interest to pedestrians. Bicycle facilities will include an indoor bicycle room located on the ground floor and outdoor bicycle racks located in proximity to the newly expanded riverfront park area.

(19.33) The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.

The location and preliminary selection of mechanical equipment has been considered and addressed in the early stages of the design to mitigate aesthetic impacts. Rooftop equipment will be located within a mechanical penthouse or concealed by a rooftop screen composed to complement the overall design of the building. According to the Noise Control narrative on page 32 of the Special Permit Application, as the design for

the project develops, the project's acoustical consultant will review equipment noise data and proposed screening techniques to confirm compliance with the City of Cambridge Noise Ordinance. Loading and unloading operations will be located within the building footprint, concealed from view, and their noise impact will be controlled. Service areas and parking access will be located away from primary pedestrian paths and will not be visible from the park or riverfront. Trash storage and handling will be contained within the building and out of sight of pedestrians. Landscaped areas will serve as a visual amenity and contribute to the sustainability goals of the project, with incorporation of Stormwater Best Management Practices and reduced reliance on irrigation.

(19.34) Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.

The proposed project will be designed to be sustainable in its design and low-impact in its service needs. As previously noted above in these Findings, the project will not adversely impact traffic in the area, and will moreover provide benefits to support pedestrian and bicycle travel. As indicated on pages 48-50 of the Final Development Plan Application, existing infrastructure systems will be adequate to serve the proposed project, and the Applicant will coordinate with the Department of Public Works, the Cambridge Water Department, and other necessary utility providers to provide the necessary services. The LEED checklist and narrative provided on pages 33-36 of the Final Development Plan Application indicate that the project will conform to the Green Building Requirements of Section 22.20.

(19.35) New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.

The proposed building will locate publicly accessible active uses on the ground floor, including a public lobby (with publicly accessible rest rooms), winter garden and a restaurant that will also include space on the second floor with views of the park, Charles River and the Boston skyline. These uses will invite users of the adjacent public open space. The dining area functions are designed to extend out into a patio area that will help to animate the park space and river's edge when the weather allows.

(19.36) Expansion of the inventory of housing in the city is encouraged.

Residential uses are not proposed. As noted further above in these Findings, the Board finds that the non-residential uses are appropriate given the nature of the single proposed building as an expansion of an existing use and the presence of other stand-alone residential uses in the area.

(19.37) Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.

Publicly beneficial open space will be provided inside and outside the building. The winter garden will extend the natural landscape to interior spaces that can be enjoyed throughout the year, and will minimize the delineation between inside and outside.

Publicly accessible spaces will be open and inviting. As indicated above, the dining area will connect to a patio area, bringing diners and activity outside to areas with high visibility. Site features will include a variety of landscape and hardscape forms, materials, and textures, which will integrate the project into a context that is a collage of diverse natural and man-made forms.

4. Eastern Cambridge Design Guidelines

In making its findings with regard to urban design, the Board takes into consideration the Eastern Cambridge Planning Guidelines adopted by the City Council in 2001. The Board finds that the Final Development Plan is consistent with the Eastern Cambridge Design Guidelines. The guidelines applicable to the project are considered below.

Goals (North Point)

- *Create a lively new mixed-use district with strong visual and pedestrian connections to East Cambridge. The new district should be a place to live, work, and enjoy a variety of parks and public spaces.*
- *Create a new east-west main street through the center of North Point, connecting East Cambridge with the future MDC Park*
- *Extend First Street into North Point to connect existing and new neighborhoods.*
- *Create a major new public park easily accessible from the relocated Lechmere T station, First Street, and O'Brien Highway.*
- *Create a new retail edge at the relocated Lechmere T station and at the intersection of First Street, Cambridge Street, and O'Brien Highway that will complement, not compete with, existing retail on Cambridge Street.*

The proposed project will contribute positively to the mix of uses in the area by supporting the expansion of an existing institution while supporting the surrounding public open space and adding a large two-floor restaurant and interior public space to active the building edge. The project will also provide key connections in the bicycle and pedestrian route from the North Point residential area to the riverfront parklands.

Building Height and Orientation (Park Edges)

- *The height of the principal façade of buildings surrounding a park should be no greater than 1/3 the width of the park. For additional height above this limit, buildings should be stepped back by at least ten feet from the principal facade. Greater height without setbacks may, however, be appropriate at corners or in specific locations to create architectural variety.*
- *The buildings must conform to overall district height limits in the zoning.*
- *Locate buildings to minimize shadows on the park, especially in the afternoon.*
- *Surround public parks with uses that create an active environment throughout the day and evening and increase safety for park users, such as:*
 - *Buildings should be designed with individual units and front doors facing the street, including row house units on the lower levels of multi-family buildings. Where residential lobbies face the street, doors should generally be spaced no more than 75 feet apart.*

- *Shops, cafés and other public uses that enliven the street.*

The proposed project is uniquely located in an area where it is surrounded by parkland on two sides and an active highway ramp on another. The building's height and orientation, and especially its iconic architectural character, are appropriate to its location on the riverfront at the corner of the North Point Boulevard extension and Education Street. The project will conform to the overall district height limits, conforms to the setback requirements (as recently revised by the City Council as part of the McKinnon Petition) and is designed with careful attention to the ground level where it fronts the public riverfront parklands. The shape and location of the building is configured to minimize shadows cast on North Point Park, with the exception of that portion of the park, including the potential skate park, which is located underneath the existing highway ramps. The proposed restaurant and lobby uses will support an active ground-floor environment adjacent to the park.

Scale and Massing

- *For new development sites, the block size should be similar to the existing East Cambridge blocks. An attempt should be made to reduce the distance that pedestrians have to walk to a crosswalk in order to safely cross the street.*
- *Buildings should avoid continuous massing longer than 100 feet facing residential streets and 200 feet facing mixed-use and retail streets. If massing extends beyond this length, it should be made permeable and visibly articulated as several smaller masses using different materials or colors, vertical breaks, bays, or other architectural elements.*
- *In addition to the above limits, buildings should reflect a rhythm and variation appropriate to the urban context. For example, this can be achieved by expressing bay widths of 16 to 25 feet along residential streets and 25 to 50 feet along mixed-use and retail streets.*
- *Buildings should have a clearly expressed base, middle, and top. This may be achieved through changes in material, fenestration, architectural detailing, or other elements.*
- *Use variations in height and architectural elements such as parapets, cornices and other details to create interesting and varied rooflines and to clearly express the tops of buildings.*
- *Emphasize corners using taller elements such as towers, turrets, and bays*
- *Taller buildings should be articulated to avoid a monolithic appearance: Taller buildings should be point towers instead of slabs, and should have smaller floor plates instead of larger floor plates.*

As described above, the proposed project is in a unique location within a riverfront park area and not within a typical urban block. The project scale and massing meet the zoning requirements, and the Board finds the scale, massing and architectural character to be appropriate to its location.

Architectural Character (Commercial)

- *Create varied architecture and avoid flat facades by using recessed or projected entryways, bays, canopies, awnings, and other architectural elements.*
- *Vary the architecture of individual buildings to create architecturally diverse districts.*
- *Where buildings are set back at upper stories, lower roofs may be used as balconies, balustrades, and gardens.*

The Board finds the architectural character of the proposed building to be exemplary, iconic and unique, which is appropriate given the location of the project in a highly visible location along the riverfront.

Environmental Guidelines

- *Design buildings to use natural resources and energy resources efficiently in construction, maintenance, and long-term operation of the building. Buildings on a lot should be sited to allow construction on adjacent lots to do the same. Compliance with Leadership in Energy and Environmental Design (LEED) certification standards and other evolving environmental efficiency standards is encouraged.*
- *Rooftop mechanical equipment should be sited and shielded to protect neighboring uses from noise impacts.*

The project will comply with the Green Building requirements of Section 22.20 and is proposed to meet a high LEED standard. The Board refers to earlier Findings with regard to rooftop mechanical equipment and noise.

Parking

- *While underground parking is preferable everywhere, if above ground parking is to be built it should be designed so as not to be visible from public streets or pathways. Above ground structured parking should be lined with active uses (shops, cafes, etc.) along major public streets, or with housing units along residential streets.*
- *Locate vehicular parking entrances on side streets and alleys and provide safe pedestrian access from public streets.*
- *All parking garages must provide direct pedestrian access to the street.*
- *The primary pedestrian exit/access to all garages serving nonresidential uses should be to the street or a public area.*
- *Design and locate lighting fixtures in surface parking lots and garages to enhance safety while minimizing light spillover onto adjacent properties.*

The proposed location of above-grade structured parking within the proposed building and adjacent to the existing active highway ramp is consistent with the intent of these guidelines.

Public Open Space

- *The provision of open space of diverse sizes and use is encouraged to enhance the public environment in the study area.*
- *The provision of interconnected series of open spaces is encouraged to provide connections to neighborhoods and to encourage pedestrian movement.*
- *In transition areas and neighborhoods, locate new open spaces to create linkages and connect to existing parks and open spaces, where possible.*

As previously described in these Findings, the project will enhance the open space amenities surrounding the site, and will provide key pedestrian and bicycle connections to on-site amenities and other public open space amenities in the area. All areas outside the building will be open to the public for use as public open space.

Streets and Sidewalks

- *Use streetscape elements such as trees, benches, signage, and lighting to support active pedestrian uses and to reinforce the character and identity of each district.*
- *Design streets to encourage pedestrian and cycle activity, and to control vehicle speed in residential areas.*
- *Where appropriate, establish, preserve and highlight views from public streets and spaces to important civic landmarks such as the Charles River cable-stayed bridge and the clock tower in Kendall Square.*
- *In the design of new streets, provide sufficient pavement width to accommodate on-street parking where appropriate in order to provide short-term parking and to serve local retail.*
- *In the design of new streets, pathways, and parks, provide pedestrian-scale lighting to enhance pedestrian safety.*
- *Refer to the Cambridge Pedestrian Plan and the Cambridge Bicycle Plan for additional guidance on creating a safe and pleasant environment for pedestrians and bicyclists and for guidance on sidewalk width and street trees.*
- *Provide safe pedestrian and bicycle connections to future regional pathways (Grand Junction railroad, North Point path).*
- *Provide strong pedestrian, bicycle and visual connections to the Charles River and public parks through view corridors, signage, and/or art installations.*
- *Provide safe pedestrian and bicycle connections to existing and new bus stops and to transit stations including Kendall Square, Lechmere, Community College and North Station MBTA stations. In particular, direct access from the residential neighborhood south of Msgr. O'Brien Highway and Cambridge Street to the new T station, if relocated, is desirable.*
- *Improve pedestrian, and bicycle connections to the Charles River, particularly across First Street.*

The proposed project will include significant improvements to bicycle and pedestrian amenities, including key connections to support the system of multi-use pathways in the area and (subject to approval by applicable public agencies) a raised intersection to calm traffic and improve pedestrian safety at the street intersection closest to the site.

Transportation

- *Preserve rights of way for future Urban Ring project.*
- *Integrate retail and other public activities with any new transit stations.*
- *Provide pedestrian crossings/phases at all major intersections.*
- *Provide bicycle lanes on major streets.*
- *Provide sheltered bicycle racks in all new commercial and multi-family residential buildings and in transit stations.*
- *Provide bicycle racks along the street in retail areas.*

The proposed project will be proximate to several transit stations and routes, will continue to implement transportation demand management measures such as shuttle service for employees, and will include significant improvements to bicycle and pedestrian transportation infrastructure as described above.

5. General Criteria for Issuance of a Special Permit (10.43)

The Planning Board finds that the project meets the General Criteria for Issuance of a Special Permit, as set forth below.

10.43 Criteria. Special permits will normally be granted where specific provisions of this Ordinance are met, except when particulars of the location or use, not generally true of the district or of the uses permitted in it, would cause granting of such permit to be to the detriment of the public interest because:

(a) It appears that requirements of this Ordinance cannot or will not be met, or ...

With reference to the Findings above, the proposed project will meet all general and specific zoning requirements upon issuance of the requested Special Permits.

(b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...

With reference to the Traffic Impact Findings and other Findings above, the proposed project will not result in substantial adverse traffic impacts, nor will it cause congestion, hazard or change in neighborhood character.

(c) the continued operation of or the development of adjacent uses as permitted in the Zoning Ordinance would be adversely affected by the nature of the proposed use, or ...

With reference to the Findings above, the proposed building will complement the existing adjacent office building, will provide improvements to the adjacent public open space, and will have no adverse impact on the operation of other uses in the area.

(d) nuisance or hazard would be created to the detriment of the health, safety and/or welfare of the occupant of the proposed use or the citizens of the City, or ...

With reference to the Findings above, the proposed project will conform to all applicable health and safety requirements and will not have a detrimental impact on health, safety or welfare.

(e) for other reasons, the proposed use would impair the integrity of the district or adjoining district, or otherwise derogate from the intent and purpose of this Ordinance, and ...

With reference to the Findings above, the proposed building is consistent with the intent and purpose of the Zoning Ordinance, including the intent and purpose of the district as set forth in the Zoning Ordinance.

(f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.

With reference to the Findings above, the proposed project is consistent with those objectives.

DECISION

Based on a review of the Application Documents, testimony given at the public hearings, and the above Findings, the Planning Board hereby GRANTS the requested Special Permits subject to the following conditions and limitations. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Special Permits and any successor or successors in interest.

1. All use, building construction, and site plan development shall be in substantial conformance with the Application Documents dated October 18, 2011, and all supplemental documents and information submitted by the Applicant to the Planning Board as referenced above. Appendix I summarizes the dimensional features of the project as approved.
2. The project shall be subject to continuing design review by the Community Development Department (CDD). Before issuance of each Building Permit for the project, CDD shall certify to the Superintendent of Buildings that the final plans submitted to secure the Building Permit are consistent with and meet all conditions of this Decision. As part of CDD's administrative review of the project, and prior to any certification to the Superintendent of Buildings, CDD may present any design changes made subsequent to this Decision to the Planning Board for its review and comment.
3. All authorized development shall abide by all applicable City of Cambridge Ordinances, including the Noise Ordinance (Chapter 8.16 of the City Municipal Code) and the Parking and Transportation Demand Management Ordinance.
4. Throughout design development and construction, all authorized development shall conform to the Green Building Requirements set forth in Section 22.20 of the Cambridge Zoning Ordinance.
5. The Permittee shall undertake the transportation improvements set forth in the letter from EF to the Community Development Department and Traffic, Parking and Transportation Department (TPT) dated September 27, 2011 (included on pages 15-17 of the Supplement to Final Development Plan Application and attached as an Appendix to this Decision), subject to the requirements set forth in the Memorandum from TPT dated October 18, 2011 (also attached as an Appendix to this Decision) and subject to continuing design review of planned transportation improvements by CDD and TPT. The Permittee shall complete such improvements prior to the issuance of a Certificate of Occupancy for development authorized by this Special Permit; however, no Certificate of Occupancy shall be withheld as a result of delays in completion of the foregoing work that are outside the Permittee's control, so long as the Permittee has made reasonable good faith efforts to complete such improvements.

6. The Permittee shall contribute \$100,000 for improvements at North Point Park as set forth in the letter from the Permittee to the Charles River Conservancy dated September 26, 2011 (included on pages 9-12 of the Supplement to Final Development Plan Application and attached as an Appendix to this Decision). Such funds may be used to construct restroom facilities at the planned skate park adjacent to the project site; however, the use of such funds shall not be restricted to the development of restroom facilities, but may be used to support any aspect of North Point Park, subject to agreement by the Permittee and the Massachusetts Department of Conservation and Recreation (DCR). Such funds shall be disbursed or placed in escrow prior to the issuance of a Certificate of Occupancy for development authorized by this Special Permit; however, no Certificate of Occupancy shall be withheld as a result of failure to reach agreement on the exact use of funds, so long as the Permittee has made reasonable good faith efforts to reach such agreement.
7. As set forth on page 47 of the Special Permit Application, a portion of the Development Parcel (consisting of approximately 83,000 square feet) shall be dedicated for use as public open space, pursuant to an agreement between the Commonwealth of Massachusetts and the City of Cambridge in accordance with Section 13.74.2 of the Ordinance. Prior to obtaining a building permit for development authorized by this Special Permit, the Permittee shall provide documented evidence that this Condition #7 has been met.

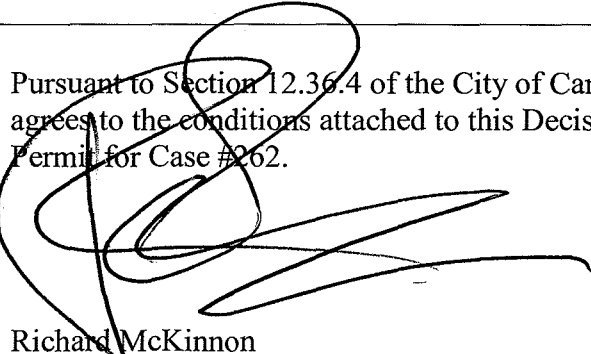
Voting in the affirmative to GRANT the Special Permits were Planning Board Members Tom Anninger, H. Theodore Cohen, Hugh Russell, William Tibbs, Steven Winter, Pamela Winters, and Associate Members Ahmed Nur and Charles Studen, appointed by the Chair to act on the case, constituting at least two thirds of the members of the Board, necessary to grant a special permit.

For the Planning Board,



Hugh Russell, Chair.

Pursuant to Section 12.36.4 of the City of Cambridge Zoning Ordinance, EFEKTA House, Inc. agrees to the conditions attached to this Decision approving the granting of a PUD Special Permit for Case #262.



Richard McKinnon
Authorized Representative, EFEKTA House, Inc.

A copy of this decision #262 shall be filed with the Office of the City Clerk. Appeals, if any, shall be made pursuant to Section 17, Chapter 40A, Massachusetts General Laws, and shall be filed within twenty (20) days after the date of such filing in the Office of the City Clerk.

ATTEST: A true and correct copy of the above decision filed with the Office of the City Clerk on December 5, 2011, by Jeffrey C. Roberts, authorized representative of the Cambridge Planning Board. All plans referred to in the decision have been filed with the City Clerk on said date.

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

DATE:

City Clerk of Cambridge

Appendix I: Approved Dimensional Chart

	Existing	Allowed or Required	Proposed	Permitted
Lot Area (sq ft)	N/A	100,000 min	138,000	No Change
Total GFA (sq ft)	N/A	331,200 max	295,000	295,000
Residential Base	N/A	215,280 max	0	Consistent with Application Documents and applicable zoning requirements
Non-Residential Base	N/A	115,920 max ¹	295,000 ¹	
Inclusionary Bonus	N/A	N/A	N/A	
Total FAR	N/A	2.4 max	2.14	Consistent with Application Documents and applicable zoning requirements
Residential Base	N/A	65% min	0	
Non-Residential Base	N/A	35% max ¹	100% ¹	
Inclusionary Bonus	N/A	N/A	N/A	
Total Dwelling Units	N/A	0	0	0
Base Units	N/A	N/A	N/A	Consistent with Application Documents and applicable zoning requirements
Inclusionary Bonus Units	N/A	N/A	N/A	
Base Lot Area / Unit (sq ft)	N/A	N/A	N/A	
Total Lot Area / Unit (sq ft)	N/A	N/A	N/A	
Lot Width (ft)	N/A	N/A	N/A	No Change
Height (ft)	N/A	150 max	150	Consistent with Application Documents and applicable zoning requirements
Front Setback – South (ft)	N/A	None	N/A	
Front Setback – West (ft)	N/A	None	N/A	
Side Setback – North (ft)	N/A	None	N/A	
Side Setback – East (ft)	N/A	None	N/A	
Open Space (% of Lot Area)	N/A	20%	78%	Consistent with Application Documents and applicable zoning requirements
Private Open Space	N/A	N/A	N/A	
Permeable Open Space	N/A	N/A	N/A	
Off-Street Parking Spaces	N/A	166-184	126 ²	120 minimum ²
Handicapped Parking Spaces	N/A	6	6	Consistent with Application Documents, PTDM and other applicable requirements
Bicycle Spaces	N/A	17	20 min	
Loading Bays	N/A	2	2	

¹ The Planning Board approves the 100% non-residential use of the site pursuant to Section 13.73.0.

² The Planning Board approves a reduction in required parking pursuant to Section 6.35.1.



CITY OF CAMBRIDGE
Traffic, Parking and Transportation
344 Broadway
Cambridge, Massachusetts 02139

www.cambridgema.gov/traffic

Susan E. Clippinger, Director
Brad Gerratt, Deputy Director

Phone: (617) 349-4700

Fax: (617) 349-4747

MEMORANDUM

To: Cambridge Planning Board
From: Susan Clippinger, Director TP&T
Date: October 18, 2011
Re: EF Campus Expansion Project

The Traffic, Parking & Transportation (TP&T) Department has reviewed the Supplemental information submitted by EF Education First dated October 18, 2011, including their September 27, 2011 letter regarding multi-use paths. We have the following comments on their September 27 letter:

1. We support their commitment to design and construct a multi-use path on the north side of Education Street opposite the new EF building. The path will connect the off-street path from North Bank Bridge to the path network on the north side of North Point Blvd. To construct the new path, the sidewalk will be widened. This can be done while still maintaining two travel lanes plus the northbound bike lane and parking on Education Street from North Point Blvd. to the ramps. The bike lane and sidewalk on the north side of Education Street will be reconstructed into a multi-use path. We will work with EF on the final design, which must be approved by the City.
2. We support the multi-use path connecting the southwest corner of North Point Blvd. at Education Street with the existing multi-use path located within the park. This work is subject to DCR approval.
3. If EF desires to build a raised intersection at North Point Boulevard at Education Street, we will work with them on it.
4. The proponent should design and install directional way-finding signage for path users at 4-6 locations as approved by the City and DCR. Key locations include the points where the multi-use path changes directions such as, North Point Blvd. at Education Street, Education Street near the highway ramps and path split near North Bank Bridge to/from either Education Street or North Point Park.

The goal for all the work above is to be completed prior to their first building occupancy permit so that all the paving can be done simultaneously with the street and sidewalks adjacent to the new building, however, the occupancy permit for the new EF building should not be withheld due to any delays for the work above. TP&T will make every effort to work with EF on the items above so that paving may be done all at once.

Cc: Adam Shulman, TP&T, Brian Murphy, Susanne Rasmussen, Cara Seiderman, Liza Paden, Roger Boothe, CDD Martha Doyle, EF, Rich McKinnon, McKinnon Companies.



September 26, 2011

One Education Street
Cambridge, MA 02141
Phone 617.619.1000
Fax 617.619.1001
ef.com

BY HAND

Renata von Tscharner
Charles River Conservancy
4 Brattle Street
Cambridge Massachusetts 02138

Dear Renata:

Thank you for meeting with us last week. It was very helpful to discuss the skatepark with you, CDD and DCR. I would have liked to follow-up with this letter earlier, but I have been traveling outside the country on business.

As you know, we are, and always have been, big supporters of the Charles River Conservancy. We were very happy to provide you with rent-free use of office space and conference rooms in our building for over 4 years. We have also made direct financial contributions to CRC and have sponsored regular "park clean-up days" for our employees to pick up garbage and trash in the North Point Park. You can be sure that we will continue to look for creative ways in which we can assist your efforts to enhance the Charles River and the North Point Park as a wonderful public resource that benefits all of us.

One of the points that you have made, quite correctly, is that the design of our project should ensure a welcoming atmosphere for the users of the park, including a ground floor that is designed to be open and accessible, with the maximum feasible area dedicated to facilities of public accommodation, and with those facilities oriented toward the park. We are in complete agreement. It has been a fundamental principle of our design effort to ensure that our building integrates, activates, and supports the park. To this end, we have agreed to do the following:

1. We have discarded our original plan to construct a building similar to our existing building at One Education Street and instead are proceeding - - at an additional cost of more than \$10 million dollars - - with a dramatic design by a world-class architect that will make the park a highly visible and attractive destination. Our hope is to transform the context of the park entirely - - instead of being dominated by the highway ramps, the park will be the setting for one of Boston's most eye-catching structures.

2. The two sides of the building facing the open areas of the park with views of the Charles River are being entirely devoted to facilities of public accommodation, including an expansive public lobby with public bathrooms and public seating areas, a

public conference room, and a 14,000 square foot restaurant on two floors with outdoors seating and conference/function rooms on the second floor.

3. All areas outside the building will be open to the public and integrated seamlessly with the adjoining park areas.

4. EF will landscape and maintain all of the areas between the building and the adjacent park paths, even where the land is outside EF's premises.

5. EF will replace the sidewalk on the opposite side of Education Street, in front of the MWRA pump station, with a multi-use path suitable for pedestrians, bicycles and skateboarders so that it serves as a suitable connection from the intersection of North Point Boulevard and Education Street to the multi-use path in the park that serves the skatepark and runs along the river. The work will include a connector path from the intersection to the North Point Park west of the cul-de-sac, directional signage, street lighting, and if deemed feasible and desirable by the City the construction of a raised intersection at the intersection of North Point Boulevard and Education Street. (This work is subject to sufficient land being available and any necessary State approvals.)

We agree with you that the north-easterly side of the building must also be appropriately integrated with the surrounding public domain. While this side of the building directly faces the highway ramps, it also faces the park's multi-use path and the proposed location of the skatepark. We have taken a number of steps to accomplish this:

- We have moved the building away from the path by 5 to 8 feet in order to provide more light, air, and landscaping on this side of the building. The change in building location requires the termination of a electrical easement by National Grid, and we have been working closely with them to make this possible.
- We will extend the outdoor terrace area on the river side of the building so that the terrace runs all the way to the edge of the building closest to the multi-use path and skatepark. This will bring the outdoor restaurant seating area closer to the skatepark and establish a closer connection between the building and park.
- We will provide ground level landscaping and lighting on the north-easterly side of the building will be consistent with the same standards for ground level landscaping and lighting on the other three sides of the building.
- We will also put security lighting on the northeast and northwest corners of our building directed toward the skatepark and other amenities.

We have carefully considered your request for a snack shop/skate shop to be located in the building. A snack shop is not necessary; one of the principal functions of the restaurant is to provide drinks and snacks for our employees, and the same items will of course be available to the public. As for a skate shop, it is simply not a use that is compatible with an office building and a business environment. We also do not think that such a use will be financially viable given the limited scope of its business, the seasonal nature of the skatepark and its isolated location. A more viable alternative may be for an established skate shop to operate a van at the park when there is sufficient demand. We use a van service called "My Bike" which comes to our existing building on a regular basis to service a fleet of bikes that we own for shared use by our employees as well as bicycles owned by our employees. This service works very well and could be a model for a similar skateboard van. Finally, a skate shop will serve a relatively small portion of park visitors and is not a good use of the site's unique location on the Charles River. The building has been designed to maximize the amount of public space facing the park's expansive open areas and the views of the Boston skyline and Charles River. This design maximizes the availability and use of the public areas by the largest number of people. The design has been reviewed extensively and favorably by the Cambridge Planning Board, the East Cambridge Planning Team as well as DEP and DCR at the State level. Respectfully, we do not think any change is warranted.

As you know, we are providing bathrooms within our building that will be available for use by the public. There will in fact be two sets of bathrooms available to the public—one set in the restaurant and another set in the public lobby. You have requested that we include an additional set of bathrooms for skateboarders that would be located at the rear of the building facing the skateboard park. We agree with you that a bathroom facility located closer to the skatepark for use by the 'skateboard crowd' would be highly desirable. However, the ground floor uses on this side of the building cannot be relocated. These uses are the restaurant kitchen, which must be adjacent to the restaurant seating area, and the building's electric transformer and switch gear, which must be located where there is ready access both for the electric company and the Cambridge Fire Department. Since the building does not have a basement, the alternative would be to locate the electric equipment outside the building and we believe all parties would consider this unacceptable.

As an alternative to providing additional bathrooms in our building for users of the skatepark, we would like to offer a payment by EF of \$100,000 for construction of a public bathroom facility at the skatepark. This contribution represents an increase of more than 10% above the community benefit payment that was already required of us, and deemed sufficient, by the Cambridge City Council. Payment in full would be made at the time construction of the skatepark commences. This commitment would be included by the Cambridge Planning Board as a condition in the Special Permit for the project.

We understand that funding for the skatepark is uncertain and that there may not be funds at this time for key operational items like maintenance, staffing, security and lighting, but as an

educational organization with many budget constraints, we cannot take on responsibility for these items. EF is not a private developer seeking to profit from the development of this property. We are a business that needs room to expand, and is doing so at this location to create a campus with our existing building.

In our first meetings with you and other community groups we offered a number of specific community contributions, including specific commitments to assist with the construction of the skatepark and tennis courts. The Cambridge City Council did not accept these commitments and instead required us to agree to payments totaling \$914,000 for use by the City Council in its discretion. We have also agreed, at the request of the City, to pay full real estate taxes on the property even though it may be owned and used by EF entities that are tax-exempt—a benefit to the City of more than \$90 million on conservative assumptions. We are now agreeing to a significant additional \$100,000 commitment targeted to the skatepark. We respectfully request that you accept our offer, together with all of the design measures we have incorporated in the project and the financial contributions that are already required by the City, as a fair and reasonable package of community benefits to be provided by EF for this project.

Sincerely yours,



Martha H. Doyle

cc: Planning Board
Conrad Crawford, DCR
Karl Haglund, DCR
Roger Boothe, CDD
Cara Seiderman, CDD



One Education Street
Cambridge, MA 02141
Phone 617.619.1000
Fax 617.619.1001
ef.com

September 27, 2011

BY E-MAIL

Community Development Department
City of Cambridge
344 Broadway
Cambridge, MA 02139
Attention: Roger Boothe, Cara Seiderman

Traffic, Parking and Transportation Department
City of Cambridge
344 Broadway
Cambridge, MA 02139
Attention: Adam Shulman

Dear Roger, Cara and Adam:

This letter will confirm the agreement that EFEKTA House, Inc. ("EF") has made regarding the improvements to the multi-use and bicycle path connections at North Point Park in connection with the development of its new headquarters building pursuant to Special Permit application PB 262 (the "Project"). As we discussed, EF shares the City's goals of designing and constructing a connection for the multi-use path that will encourage users to travel along the safest and most effective routes to North Point Park in the vicinity of the Project.

To this end, EF agrees to be responsible for the following public streetscape improvements in connection with the Project:

1. EF will design and construct a multi-use path beginning at the northwest corner of North Point Boulevard and Education Street (such intersection, the "Adjacent Intersection") and extending along the north side of Education Street in the approximate location shown on the plan attached hereto as Exhibit A (the "Path Connection") for use by pedestrians, bicyclists, skateboarders and others seeking to travel to or through the park along the existing multi-use path between the Project site and the elevated highway ramps.



2. EF will design and construct a multi-use path connection (the "SW Corner Connector") connecting the southwest corner of the Adjacent Intersection with the existing multi-use path located within the park in the approximate location shown on Exhibit A.
3. If requested by the City, EF will design and construct a raised intersection at the Adjacent Intersection (the "Intersection Work") in the approximate location shown on Exhibit A such that vehicular traffic will be slowed and bicyclists, skateboarders and other path users can cross the street without any grade change.

The City will obtain all necessary permits, approvals and property rights for this work prior to installation of the paved surfaces for the sidewalks immediately adjacent to the Project so that all of the street and sidewalk work can be done simultaneously.

We understand that the provisions of this letter will be incorporated as a condition of the Special Permit to be issued for the Project by the Cambridge Planning Board.

Sincerely yours,

A handwritten signature in black ink, appearing to read "Martha H. Doyle".

Martha H. Doyle

cc: Richard E. McKinnon
Dean F. Stratouly
Richard D. Rudman, Esq.
Emma Rothfeld, Esq.