

The Preliminary Determination findings for the hearing on Development Proposal are summarized below:

<b>Requested Action</b>	<b>Summarized Findings</b> (see appendix for zoning text excerpts)
Preliminary Approval of a PUD Development Proposal (Section 12.35.3)	<p>The PUD Development Proposal:</p> <ul style="list-style-type: none"> <li>• Conforms with general PUD development controls and district development controls</li> <li>• Conforms with adopted policy plans or development guidelines for that portion of the city</li> <li>• Provides benefits to the city which outweigh its adverse effects, considering: <ul style="list-style-type: none"> <li>○ quality of site design</li> <li>○ traffic flow and safety</li> <li>○ adequacy of utilities and other public works</li> <li>○ impact on existing public facilities</li> <li>○ potential fiscal impact</li> </ul> </li> </ul>
Referenced Policy Plans in the PUD-8 District (Section 13.101)	<p>To the extent reasonably practicable and subject to the provisions of Section 13.107.5 below, new buildings shall be generally consistent with the policy objectives set forth in the <a href="#">Eastern Cambridge Planning Study</a> dated October 2001, the guidance provided in the <a href="#">Eastern Cambridge Design Guidelines</a> dated October 15, 2001, the <a href="#">East Cambridge Riverfront Plan</a> dated May 1978, the <a href="#">East Cambridge Development Review Process and Guidelines</a> dated June, 1985 and the <a href="#">Cambridge Riverfront Plan</a> dated Spring 2011.</p>
Objectives for PUD-8 Special Permit (Section 13.102.4)	<ul style="list-style-type: none"> <li>• Providing a mix of commercial, including research and technology, and residential uses, with particular emphasis on ground-floor retail along First Street, to encourage activity throughout the day and evening.</li> <li>• For residential uses, incorporating a diversity of dwelling unit sizes that are appealing and accessible to a variety of users, including families with children and households from a variety of socioeconomic backgrounds.</li> <li>• Improving the network of connections that integrate the PUD-8 District with the surrounding urban fabric of the East Cambridge neighborhood and the activity surrounding the East Cambridge Riverfront, and maintaining existing ground level pedestrian connections between Charles Park and Lechmere Canal Park, including interior connections with active retail uses.</li> </ul>

	<ul style="list-style-type: none"><li>• Enhancing the existing network of high-quality streets, landscaping and open spaces, including significant space for public gathering and recreation, that serves the surrounding communities as well as the development on the site by encouraging and fostering a sense of community, civic engagement, social interaction, economic development, and environmental sustainability.</li><li>• Integrating development with open space physically and functionally by means of building orientation, active frontages, location of building entrances, pedestrian linkages between major activity centers, enhanced landscaping and similar techniques.</li><li>• Providing a strong street edge and active ground floors that animate streets and open spaces, including through the presence of Active Uses on the first-floor fronting on First Street and Cambridgeside Place.</li><li>• Enhancing the architectural richness and diversity and aesthetic qualities of the PUD-8 District to complement and strengthen the architectural character of the district as it has evolved historically.</li><li>• To the maximum extent practicable, promoting best practices for environmental sustainability in establishing design objectives for individual buildings and sites, in accordance with the City's ongoing planning efforts and current Massachusetts Department of Environmental Protection standards.</li><li>• Demonstrating a commitment to implementing a Transportation Demand Management and Mitigation Program consistent with the reduced parking mandated in this PUD zoning and the capacity limitations of the transportation network that serves the area, including roadways and public transportation systems.</li><li>• Activating surrounding streets by incorporating Active Uses on the portion of the ground floors of new and renovated buildings immediately fronting on First Street, Cambridgeside Place and Lechmere Canal Park (excluding those areas of such ground floors utilized for lobbies, limited mechanical areas and/or entrances to parking and/or loading areas).</li><li>• Strengthening pedestrian access from First Street to retail establishments and the Riverfront.</li><li>• Demonstrating a commitment to implement programming for proximate Public Open Space.</li></ul>
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The complete set of findings for issuance of a special permit to be made at the public hearing on Final Development Plan are summarized below:

<b>Requested Action</b>	<b>Summarized Findings</b> (see appendix for zoning text excerpts)
Approval of a PUD Final Development Plan (Section 12.36.4)	The PUD Final Development Plan: <ul style="list-style-type: none"><li>• Continues to conform to the criteria for approval of a Development Proposal.</li><li>• Contains revisions to the Development Proposal in response to the Preliminary Determination.</li></ul>
Project Review Special Permit (Section 19.20)	<ul style="list-style-type: none"><li>• The project will have no substantial adverse impact on city traffic within the study area, upon review of the traffic impact indicators analyzed in the Transportation Impact Study and mitigation efforts proposed.</li><li>• The project is consistent with the urban design objectives of the City as set forth in Section 19.30 (see below).</li></ul>
General special permit criteria (Section 10.43)	Special permits will be normally granted if the zoning requirements are met, unless it is found not to be in the public interest due to one of the criteria enumerated in Section 10.43 (see below).

## Planned Unit Development – Preliminary Determination

**12.35.2** Within twenty-one (21) days after the public hearing, the Planning Board shall make a determination concerning the Development Proposal. If the Planning Board approves the Development Proposal or conditionally approves the Development Proposal with recommendations for modifications, then the developer must submit a Final Development Plan as specified in Section 12.36. If the Planning Board disapproves the Development Proposal then the application for a Special Permit to construct a PUD shall be denied. If the Planning Board makes no decision within the specified time limit, then the Development Proposal shall be considered approved and the developer shall prepare a Final Development Plan

**12.35.3** Approval of the Development Proposal shall be granted only upon determination by the Planning Board that the Development Proposal:

- (1) conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth for the specific PUD district in which the project is located;
- (2) conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located;
- (3) provides benefits to the city which outweigh its adverse effects; in making this determination the Planning Board shall consider the following:
  - (a) quality of 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;
  - (b) traffic flow and safety;
  - (c) adequacy of utilities and other public works;
  - (d) impact on existing public facilities within the city; and
  - (e) potential fiscal impact.

## **Planned Unit Development – Final Development Plan**

**12.36.4** The Planning Board shall make the decision to approve or disapprove the application for a Special Permit to construct a Planned Unit Development no later than ninety (90) days after the public hearing concerning the Development Proposal Approval of the Final Development Plan shall be granted only upon determination by the Planning Board that the Final Development Plan meets the evaluation criteria set forth in Section 12.35.3 and contains any revisions to the Development Proposal required by the Planning Board. If the Planning Board grants the Special Permit with conditions, the conditions must be agreed to in writing by the developer before the Special Permit is granted. The Planning Board shall make its final decision in writing and shall specify its reason for not granting a Special Permit to construct a PUD. If the Planning Board makes no decision within the specified time limit, then the Final Development Plan shall be considered approved and the Special Permit to construct a PUD shall be deemed granted.

## PUD-8 Special Permit

**13.102.3** *PUD-8 Special Permit Requirements.* Within the Development Parcel, the locations of streets and open spaces, the quantities of proposed land uses, and general PUD-8 lots, building envelopes, locations and heights shall be indicated in sufficient detail that the Planning Board can reasonably assess the impact of the PUD-8 Special Permit and its general consistency with the PUD-8 Special Permit Criteria set forth in Section 13.102.4 below. At a minimum, a Development Proposal and subsequent Final Development Plan must contain the following components:

- (a) Site Development Plan - describing how the Development Parcel is divided into distinct PUD-8 lots, streets, and open spaces and their development characteristics, including potential uses and Gross Floor Area ("GFA").
- (b) Site Massing Plan - illustrating the height and massing of building volumes for each proposed building site, including representative ground-level views from selected vantage points, and studies of anticipated shadow and wind impacts resulting from building mass.
- (c) Parking and Loading Plan - identifying the locations of all parking facilities, bicycle parking facilities and facilities for loading or other vehicular service functions, the number of spaces proposed at each location , and explaining in detail any restrictions or commitments applicable to existing parking facilities, including but not limited to commercial parking permits, ongoing lease agreements, and programs to make parking available to off-site users.
- (d) Connectivity Plan - illustrating all pedestrian, bicycle and vehicular circulation routes within the Development Parcel, their connections to nearby public circulation routes and destinations outside the Development Parcel, and approximate locations of access and egress points on each building and parking facility within the Development Parcel.
- (e) Open Space Plan - illustrating and quantifying the areas of all open space areas utilized by the development in satisfaction of Section 13.105, including, without limitation, pedestrian ways providing connectivity to the riverfront.
- (f) Ground Floor and Activation Plan - illustrating the conceptual arrangement of functions such as retail establishments and other active uses, and residential and office lobbies at the ground floor of each building in the Development Parcel, as well as the locations and anticipated sizes of Active Uses that may be required by the specific provisions of this Section 13.100 and strategies for programming and activating those spaces.
- (g) Housing Plan - providing the approximate number and mix of housing unit types proposed on the residential site, and identifying the anticipated location of dwelling units that may be required by specific provisions of this Section 13.100.
- (h) Phasing Plan - describing the general sequence in which development is proposed to proceed.
- (i) Sustainability and Resiliency Plan - describing: (1) how the sustainability requirements set forth in Section 13.107.4 below will be met; (2) how the proposed development will promote best practices for environmental sustainability and resiliency; (3) how the proposed development serves nearby East Cambridge community-wide needs for emergency refuge or shelter during heat or storm emergencies in coordination with the Cambridge Climate Vulnerability Assessment dated February 2017.
- (j) Net Zero Plan - describe how the proposed development will address the goals set forth in the Net Zero Action Plan, including the potential incorporation of enhanced commissioning for newly constructed or renovated office and lab buildings, opportunities for ground source and air source heat pumps, solar photovoltaics, solar hot water, bio-fuel emergency power fuel, battery storage, facilities electrification, airtightness and additional methods to eliminate fossil fuel usage, including in the context of relevant

energy initiatives implemented through the City of Cambridge, and exploring participation, if available, in any program sponsored by the City of Cambridge for community renewable energy purchase.

- (k) Transportation Plan - incorporating: (1) a Transportation Impact Study required by Section 19.20 of this Ordinance; (2) a Shared Parking Study required by Section 13.106.5 below; (3) a study of the impacts of increased demand on public transportation services in the East Cambridge area; (4) a description of the development's relationship to future regional rail, bus, pedestrian/bicycle and other transportation system connections in the area; and (5) a Transportation Demand Management and Mitigation program describing measures which may be incorporated by the Planning Board into a condition of a PUD-8 Special Permit to offset or mitigate the development's impacts on transportation systems, including measures set forth in this Zoning Ordinance and the City's planning efforts to be linked to milestones, thresholds or performance standards. Such studies (and the recommendations set forth therein) shall account for the proposed scale and phasing of development and the limitations on system capacity to accommodate new vehicle, transit, and other trips.
- (l) Environmental Comfort Plan - describing or showing screening, building elements, or other site improvements designed to reduce impacts from wind and shadows, provide adequate lighting for safe use while minimizing excessive light, mitigating urban heat island effect, and controlling noise generated by mechanical systems and by truck traffic, particularly on First Street.
- (m) Architectural Character Plan - describing general approaches to the design of buildings, landscaped areas, streets, and pathways, identifying the type of visual character that the development will aim to achieve, with the expectation that specific designs of individual buildings and spaces will be reviewed in further detail as they are developed.
- (n) Comprehensive Signage Plan - providing the approximate number, type and characteristics of signage to be installed within the District.
- (o) Utilities Plan - analyzing existing infrastructure and demonstrating that each proposed building site at the time of development will be adequately served by water, sewer, gas, and electric infrastructure capacity or describing appropriate infrastructure capacity improvements that will be implemented to ensure such building site will be adequately served upon the completion of such improvement.

## **Project Review Special Permit – Traffic Impact Findings**

**19.25.1** Traffic Impact Findings. Where a Traffic Study is required as set forth in Section 19.24 (3) above 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.

In areas where the Planning Board determines that area-specific traffic guidelines have been established in the Ordinance, the Board recognizes written agreements between project proponents and the City dealing with transportation mitigation strategies.

**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.



## **Project Review Special Permit – Urban Design Findings**

**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.

### **19.30 Citywide Urban Design Objectives**

The following urban design objectives are intended to provide guidance to property owners and the general public as to the city's policies with regard to the form and character desirable for new development in the city. It is understood that application of these principles can vary with the context of specific building proposals in ways that, nevertheless, fully respect the policies' intent. It is intended that proponents of projects, and city staff, the Planning Board and the general public, where public review or approval is required, should be open to creative variations from the detailed provisions presented in this Section as long as the core values expressed are being served. A project need not meet all the objectives of this Section 19.30 where this Section serves as the basis for issuance of a special permit. Rather the permit granting authority shall find that on balance the objectives of the city are being served. Nor shall a project subject to special permit review be required to conform to the Required Building and Site Plan Requirements set forth in Section 19.50.

Further indicators of conformance with these policy objectives shall be found in planning documents and plans developed for specific areas of the city or the city as a whole, to the extent that they are not inconsistent with the objectives set forth in this Section 19.30. These documents include the *Harvard Square Development Guidelines*, the *Central Square Action Plan*, the *Central Square Development Guidelines*, the *North Massachusetts Avenue Urban Design Guidelines Handbook*, the *University Park at MIT Urban Design Guidelines*, the *North Point Policy Plan and Design Guidelines*, the *Cambridge Institutional Growth Management Plan*, the *East Cambridge Riverfront Plan*, the *Eastern Cambridge Plan*, the *Eastern Cambridge Design Guidelines*, the *Alewife Revitalization*, *Alewife Urban Design Study Phase II* and its Draft update of 1991, and *Toward a Sustainable Future: Cambridge Growth Policy Document*.

**19.30 Citywide Urban Design Objectives [SUMMARIZED]**

Objective	Indicators
New projects should be responsive to the existing or anticipated pattern of development.	<ul style="list-style-type: none"> <li>• Transition to lower-scale neighborhoods</li> <li>• Consistency with established streetscape</li> <li>• Compatibility with adjacent uses</li> <li>• Consideration of nearby historic buildings</li> </ul>
Development should be pedestrian and bicycle-friendly, with a positive relationship to its surroundings.	<ul style="list-style-type: none"> <li>• Inhabited ground floor spaces</li> <li>• Discouraged ground-floor parking</li> <li>• Windows on ground floor</li> <li>• Orienting entries to pedestrian pathways</li> <li>• Safe and convenient bicycle and pedestrian access</li> </ul>
The building and site design should mitigate adverse environmental impacts of a development upon its neighbors.	<ul style="list-style-type: none"> <li>• Location/impact of mechanical equipment</li> <li>• Location/impact of loading and trash handling</li> <li>• Stormwater management</li> <li>• Shadow impacts</li> <li>• Retaining walls, if provided</li> <li>• Building scale and wall treatment</li> <li>• Outdoor lighting</li> <li>• Tree protection (requires plan approved by City Arborist)</li> </ul>
Projects should not overburden the City infrastructure services, including neighborhood roads, city water supply system, and sewer system.	<ul style="list-style-type: none"> <li>• Water-conserving plumbing, stormwater management</li> <li>• Capacity/condition of water and wastewater service</li> <li>• Efficient design (LEED standards)</li> </ul>
New construction should reinforce and enhance the complex urban aspects of Cambridge as it has developed historically.	<ul style="list-style-type: none"> <li>• Institutional use focused on existing campuses</li> <li>• Mixed-use development (including retail) encouraged where allowed</li> <li>• Preservation of historic structures and environment</li> <li>• Provision of space for start-up companies, manufacturing activities</li> </ul>
Expansion of the inventory of housing in the city is encouraged.	<ul style="list-style-type: none"> <li>• Housing as a component of large, multi-building development</li> <li>• Affordable units exceeding zoning requirements, targeting units for middle-income families</li> </ul>
Enhancement and expansion of open space amenities in the city should be incorporated into new development in the city.	<ul style="list-style-type: none"> <li>• Publicly beneficial open space provided in large-parcel commercial development</li> <li>• Enhance/expand existing open space, complement existing pedestrian/bicycle networks</li> <li>• Provide wider range of activities</li> </ul>

## General Criteria for Issuance of a Special Permit

**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
- (b) traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or
- (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
- (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
- (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
- (f) the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.