

| Requested Actions | Summarized Findings <i>(detailed zoning text on following pages)</i> |
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| Preliminary Determination (First Hearing) – Major Amendment to PUD Special Permit (Section 12.37) | The proposed amendment to the PUD: <ul style="list-style-type: none">• Conforms with general PUD development controls and district development controls.• Conforms with adopted policy plans or development guidelines for that portion of the city.• Provides benefits to the city which outweigh its adverse effects, considering:<ul style="list-style-type: none">○ quality of site design○ traffic flow and safety○ adequacy of utilities and other public works○ impact on existing public facilities○ potential fiscal impact |
| Final Decision (Second Hearing) – Major Amendment to PUD Special Permit (Section 12.37) | The amended Final Development Plan contains revisions to the initial proposal in response to the Preliminary Determination. |

Approval of a PUD Major Amendment

Amendments:

- 12.37** *Amendments to Final Development Plan.* After approval of the Final Development Plan by the Planning Board, the developer may seek amendments to the Final Development Plan, only if he encounters difficulties in constructing the PUD which could not have reasonably been foreseen, such as with terrain or soil conditions or other complications.
- 12.37.1** Amendments to the Final Development Plan shall be considered major or minor. Minor amendments, as specified in Section 12.37.2 shall be authorized by written approval of the Planning Board. Major amendments, as specified in Section 12.37.3, shall be considered as an original application for a Special Permit to construct a PUD and shall be subject to procedures specified in Section 12.34 through 12.36. The Planning Board shall decide whether proposed changes are major or minor.
- 12.37.2** Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.
- 12.37.3** Major amendments represent substantial deviations from the PUD concept approved by the Planning Board. Major amendments shall include, but not be limited to, large changes in floor space, mix of uses, density, lot coverage, height, setbacks, lot sizes, open space; changes in the location of buildings, open space, or parking; or changes in the circulation system.

Approval of a Development Proposal:

- 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.

Approval of a 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.

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

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.

10.45 Any development application requiring a special permit from the Planning Board that contains elements requiring a special permit from the Board of Zoning Appeal may be allowed by the Planning Board within the scope of the Planning Board special permit and shall not require a separate application to the Board of Zoning Appeal.

East Cambridge Development Review Process and Guidelines



Design Principles

The goal of the East Cambridge Riverfront Plan is to create a functionally diverse and animated urban development, consisting of handsome background buildings that focus on and enrich the public open space system extending from Lechmere Canal to the Front and the main thoroughfares (First Street, Commercial Avenue and Cambridge Parkway). Furthermore, new structures must be compatible with East Cambridge's historic architecture. The City seeks new buildings that are timeless, subtle, and elegant structures that will always feel comfortable and inviting to the general public. This will be achieved in part through the design of properly scaled windows, masonry articulation, setbacks, animated silhouettes, and use of materials that are warm, inviting, and supportive of other proposed buildings and the urban design plan.

The City will not support isolated, individual architectural statements that relate only to themselves. The City does support projects which are positive additions to the East Cambridge environment. General guidelines are discussed below.

Projects should be active. In particular, the City promotes an active urban setting around the Lechmere Canal both during and after customary business hours. Additionally, the City supports new residential development bordering the Front that will maximize hours of activity and improve public security along the riverfront.

Development in the public and private realms should be integrated in as positive, secure and elegant a manner as possible. Any part of the perimeter of the planned unit development which fronts on an existing street or public open space should be designed to complement and harmonize with adjacent land uses (planned or existing) with respect to use, scale, density, set-back, bulk, height, landscaping, and screening. Finally, each individual project should be carefully conceived and executed to the mutual benefit of its immediate neighbors.

The new development projects will inevitably affect the existing East Cambridge community. Therefore, attractive and inviting connections to and from adjacent neighborhoods are essential. Further, every possible physical amenity that is easily accessible to and inviting for present East Cambridge residents should be provided.

A. Open Space and Circulation Design

1) Open Space

The Zoning Ordinance requires that open space be provided in the PUD-2 District (Lechmere Canal area to Rogers St.) Useable open space shall be at least 20% of land and consist of parks, landscaped areas open to the sky, and through-building arcades at the ground level. In the PUD-4 District (South of Rogers St. and the riverfront), useable open space shall be 25% of land and consist of parks and landscaped areas open to the sky at the ground level.

Private development bordering public open space and public thoroughfares must have direct access to that public space, and must present inviting elevations and imagery, with special attention at the ground plane. More generally, all development must directly relate to, provide easy access to, and reinforce activity at the existing ground plane. Design must be coordinated to relate well to public open space and public or private passageways that connect with that open space. All retail/restaurant/first floor rental spaces must be at the same level as the adjoining sidewalk or public open space. The City strongly discourages the use of steps between the public domain and first floor rental space.

All credited open space must be built using the same palette of materials as Lechmere Canal Park. To ensure that these high standards are met, all tree and planting selections will be reviewed by Cambridge's Planting Committee. When and where requested by the City, projects that immediately border the new public open spaces must provide sufficient enclosed space for park refuse and/or equipment storage. All privately owned open space must be designed to reinforce and enhance the design intent of any adjoining public open space.

2) Pedestrian Circulation

All developments must include an integrated pedestrian circulation system with particularly strong connections between Lechmere Canal and Front Park at the Riverfront, and between the historic residential neighborhood by way of an extended Charles Street to the planned Charles Park. As development proceeds, a continuous brick paved arcade along the eastern edge of First Street from Lechmere Square to the south side of Spring Street extending into a major market complex entry should be created.

In the development of any large, multi-acre site in the area, the City will expect numerous lobbies and other entries, each serving a particular section of a complex, rather than one large lobby and one or two entries serving the entire complex. Offices and residential lobbies should be directly located on public streets and, in the case of a mixed-use building, need to be clearly separated from each other.

3) Service Facilities

Entrances to parking facilities and service areas must be coordinated with adjacent development. In addition, entries need to be as far from street intersection and public open space corridors as possible, and integrated into the building forms to minimize visual impact. Service roads should be coordinated where several adjacent private developments occur. For example, Lechmere's service easement from Commercial Avenue should serve the shopping complex, the One Canal office project, and the development opposite the Sonesta Hotel in a cooperative way.

B. Mix of Land Uses

Each development is expected to include a mixture of uses as follows:

PUD-4 (Market complex and Sonesta site) - retail, restaurant; cinema on the lower two floors with office, residential and/or hotel above.

PUD-4 (Charles St extended south) - retail, restaurant on first floor with office and/or housing above.

PUD-2 (West of Commercial Ave.) - retail, restaurant on first floor with office and/or housing above.

PUD-2 (Riverfront) - restaurant, retail facing Front Park and riverfront, housing above.

1) Retail

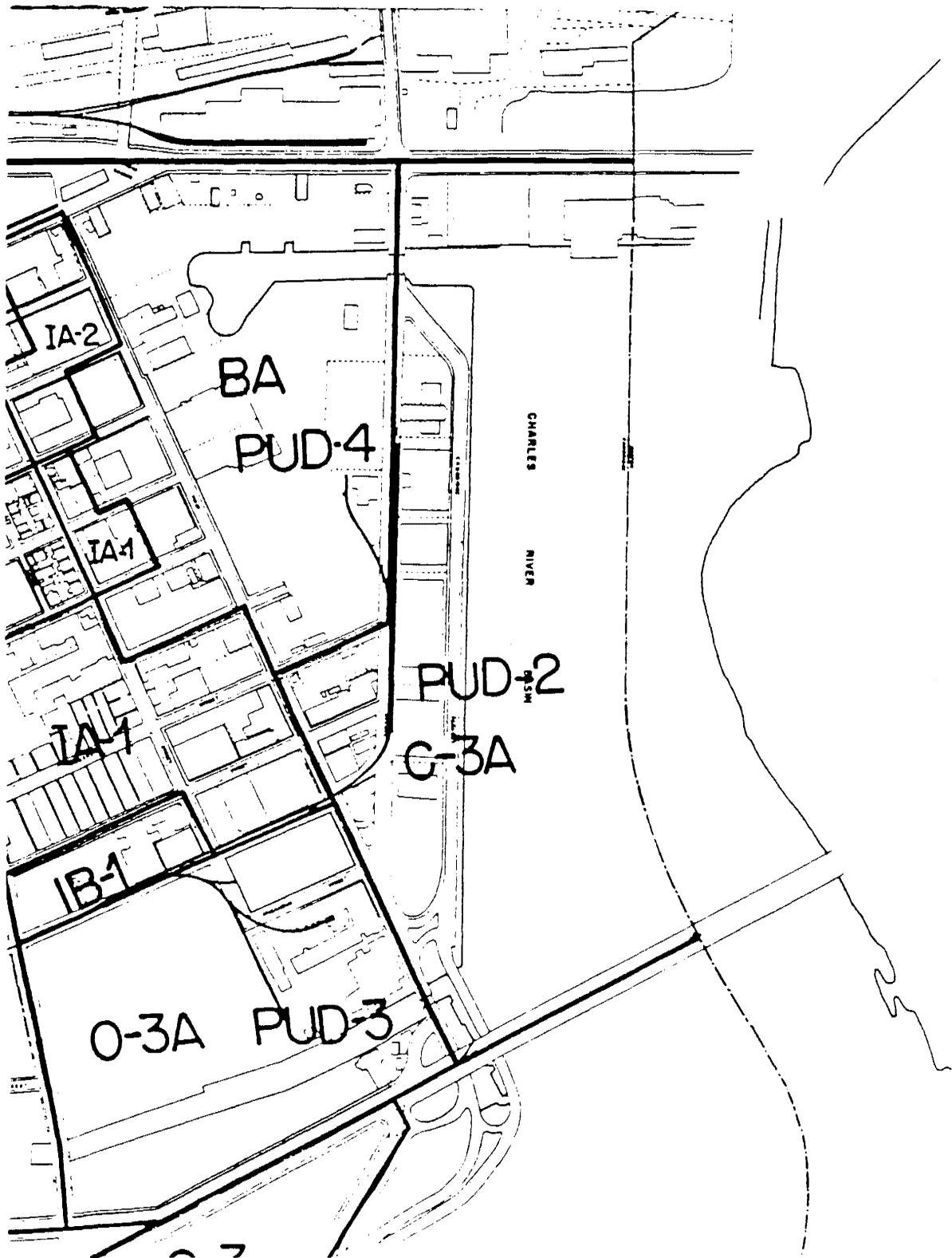
In the Riverfront Plan, the retail focus of the development plan occurs between Lechmere Canal and Charles Street (extended), with two levels of active, restaurant, and related marketplace retail overlooking and fronting on the canal. This retail ties directly into a publicly accessible, through-block shopping arcade that is parallel to First Street and on axis with the fountain.

Lechmere Canal retail should encourage patronage by East Cambridge residents. Such uses include cinemas and moderately priced, light-fare restaurants.

The ground floors of all buildings facing the canal, planned Charles Park, First Street and Front Park must be designed to easily accommodate retail/restaurant uses, regardless of whether the buildings are actually used for retail/restaurant uses in the first years of occupancy.

Existing commercial activity along First Street should be reinforced with the introduction of additional commercial establishments, where possible.

A through-block shopping arcade is an indispensable component of the pedestrian system in the Riverfront Plan. This arcade will provide a grade-level connection through the PUD-4 shopping building and connect Lechmere Canal to the planned triangular open space at Charles Street extension. The arcade must be directly accessible to the public.



2) Housing

The Riverfront Plan envisions the development of a significant residential pattern of use throughout the development area. This has not been achieved in the early phases of development, but the City anticipates that, as the area becomes more and more established, housing will be built to help give a 24 hour presence and the depth of interest and vitality that only people living in an area can provide.

3. Office

A large amount of new and rehabilitated space has been created for office use in East Cambridge; much more is planned and likely in the near future. The City will continue to require that office buildings and office components of mixed use buildings be as attractive and humane as possible. The presence of the office space should be secondary to the open space system and active ground floor retail pattern.

4) Parking

All parking shall be screened to the satisfaction of the City from all public view and from view of adjacent private development, if it will have a detrimental effect on either the design of or leasing of a planned or existing adjacent development. Parking facilities should be incorporated and located within development projects to maximize the opportunity for ground level retail activity and to limit inactive, unsecured areas.

C. Elements of Form

1) Height

Height and bulk of buildings should be configured to minimize their visual dominance, the extent of cast shadows, and undesirable alterations of air currents affecting the public open space system, the historic East Cambridge neighborhood and adjacent new or planned development.

Limited building height around the canal is essential, especially at the northern edges of the shopping crescent and the site opposite the Sonesta Hotel. The crescent must contain the Lechmere Canal spatially as well as maximize the hours that sunlight reaches the crescent open space. The Riverfront Plan achieves this by suggesting building to the property line a maximum height of 2 or 3 stories near the center of the crescent with additional stories stepped back from the canal. As the crescent meets Thorndike Way, the height of the development at the canal's edge must match that of the four story development at One Canal Park. In general, to assure that adequate sunlight reaches the riverfront's public and publicly accessible open space, building planes facing or generally oriented toward the riverfront open space system must be stepped back to minimize the shadows that are cast on the open space system.

No building element may project vertically beyond the maximum building height allowed within the PUD, unless a coordinated system of expressive building tops becomes an integral part of the development's design concept. An expressive building roofline appropriately celebrates the building's union with the sky and is reminiscent of late 19th and turn of the century architecture. In general, chimneys, water towers, air conditioning equipment, elevator bulkheads, skylights, ventilators and other necessary features appurtenant to structures which are usually carried above roofs should not extend beyond the maximum building height requirements for each district. However, if those features are designed in a coordinated, distinctive manner in concert with the upper floors of the building and, if the design is approved by the City as creating an architecturally and urbanistically successful roof to the development, the same non-occupied features may project beyond the maximum height limit.

2) Scale

Projects must relate to human dimensions and provide a sense of intimacy in all aspects of design from building concept development to construction details. Of particular importance are the treatment of the ground plane and other parts of the projects which can be seen and experienced directly by users.

3) Massing

Regardless of any preconceived development configuration for any particular use, new development west of Commercial Avenue is expected to extend the East Cambridge grid pattern; to maximize historic East Cambridge access to the open space system via Charles Street extension; to break down any building type's typical massing to relate to the historic character and mass of 19th century Cambridge; and to prevent a monolithic appearance.

To reinforce Lechmere Canal as a dynamic, handsome publicly oriented marketplace and open space, the atmosphere of the canal must be integrated into the market and arcade, employing a level of architectural quality equal to that of the canal park throughout the arcade and market.

Properties must maximize the hours of sunlight available to Lechmere Canal and architecturally balance the massing of the Ten Canal Park office/retail building mass along the western part of the crescent. These guidelines intend to create a harmonious, architecturally integrated, appropriately festive crescent that incorporates the building at Ten Canal Park in a unified and elegant manner.

All adjacent private developments, when bordering the public domain, must build to a common party wall in an architecturally compatible manner, with adjacent buildings responding to their neighbors. The City does not encourage the creation of alleyways along property lines visible from any public view.

4) Streetwalls and Setbacks

Maintenance of existing streetwalls is required within the district. This may be accomplished by principal front wall plane setbacks and cornice lines which are consistent with existing buildings on the same block or neighboring blocks. A three to five foot setback, matching One Canal Park, is required along the eastern side of First Street in order to create adequate space for people to walk and trees to grow.

A nine foot setback above elevation +4.5 is anticipated along the western side of Cambridge Parkway. The setback control will only take effect above elevation +4.5 so that each developer can maximize the parking potential below grade. Exceptions to this setback, subject to design review, would be those architectural elements that complement the Park's edge. This might include, but not be limited to, entrance canopies and trellis-covered seating or overlook areas.

A three foot setback has been established along both sides of Commercial Avenue. Permissible exceptions, subject to design review, might include entrance canopies and other at-grade open space amenities.

5) Silhouette

As buildings increase in height, they should be shaped to be increasingly slender and broken down in scale toward the top. Buildings should be of a tripartite architectural configuration consisting of base/middle/expressive top.

Buildings must provide animated silhouettes that enliven views from the open space system, the historic neighborhood, the Charles River Basin, the thoroughfares through and entries to East Cambridge. This greater articulation should be an integral part and emphasis of the building concept.

6) Details

Development bordering the public domain must be rich in architectural details, pay special attention to the ground plane and silhouette, and convincingly incorporate appropriate imagery depending on project location, i.e. historic East Cambridge tradition, waterfront, and open space imagery. Overall form and individual elevations must be designed to emphasize human scale and presence through the use of properly proportioned features, including but not limited to punched windows, lateral-arm awnings, balconies, setbacks, passageways, etc.

Materials

All new buildings should be mainly faced with an authentic New England water-struck brick, Kane Gonic, or equal approved by the Community Development Department. In addition, elegant highlights and subtle embellishments with granite and limestone are desirable. A granite base treatment (to match that used at Lechmere Canal) is needed to relate to the public open space system and thoroughfares. This is especially important for all first floor columns meeting the pedestrian level at important public locations. Limestone or granite string courses, lintels, sills and trim will soften and refine the brick facades. The City recommends a pattern similar to Flemish bond or American bond with headers every 6 or 7 courses.

The highest quality of materials must be used at the pedestrian level of all buildings. The use of pre-cast concrete is not considered to be an embellishment at any level.

Awnings

All new buildings should provide lateral-arm awnings, color coordinated with adjacent development, at all retail frontage overlooking public open space, especially the Canal/Front axis, and First Street (where arcades do not exist). The awnings will assist in offering an active, vital marketplace image, while at the same time creating a means of protection for shoppers, residents and office workers during inclement weather.

Transparency of Ground Floor Spaces

All new buildings should maximize visibility and transparency through ground floor retail or possible future retail space as determined by the City, especially along the perimeter of the Canal Park and First Street. The City realizes that future additions of storage rooms, toilets and restaurant kitchens will limit areas of transparency, but it is Cambridge's objective to locate these areas to maximize visibility and transparency where it is desirable.

All tenant improvements visible from public open spaces and thorough-fares are subject to design review as part of the P.U.D. process.

Balconies

All new buildings should provide human-scaled balconies at appropriate locations overlooking the public open space systems. The balconies must be detailed so that they are inviting, highly useable and relate directly to the character of the adjoining open space.

Penthouse

All mechanical penthouse and other projections should be architecturally integrated within the overall form and individual elevations of the building. They must be faced with the same building materials and enhance, not detract from, the overall building appearance and balance.

Color

The City encourages the subtle use of warm and inviting color in all the buildings in the project area. The selection of colors must be sympathetic to 19th century Cambridge and the general palette of materials being used for Lechmere Canal and the Front.

Windows

For reasons of public health, aesthetics and future energy concerns, the City desires operable windows to be used throughout the buildings of the development area.

As noted earlier, strip windows are not acceptable. Traditional masonry openings and articulated fenestration are expected.

Art

Individual works of art and their respective settings must work together in a harmonious, subtle way. The City encourages artists to work on basic architectural elements of the building instead of individual free-standing objects.

Signs

All signage is subject to design review as part of the P.U.D. process. In general, signs should be designed to fit well on the buildings, to be legible but not overpowering, and to complement other elements applied to buildings, such as awnings, canopies, or artwork.