

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

NOTICE OF DECISION

Case Number:	179 Amendment #6 (Major)
Location of Premises:	O'Brien Highway at First and East Streets in the North Point District and the MBTA Green Line Lechmere Station at Cambridge Street and O'Brien Highway
Zoning:	North Point Residence District / PUD-6 Residence C-2B District / PUD-4A
Applicant:	DW NP Property, LLC
Owners:	DW NP Property, LLC c/o DivcoWest Real Estate Services One Kendall Square, Ste. B3201 Cambridge, MA 02139 Massachusetts Bay Transportation Authority 10 Park Plaza, Boston, MA 02116
Application Date:	April 11, 2016
First Public Hearing and Preliminary Determination:	June 7, 2016
Second Public Hearing and Decision:	July 26, 2016
Date of Filing Decision	September 2, 2016
Summary of Proposal:	Major Amendment to Planned Unit Development Special Permit (Sections 13.70 and 13.50) and Project Review Special Permit (Section 19.20) to allow modifications to the arrangement of uses, roads, building sites and building massing within the Development Parcel. No change to the total Gross Floor Area (GFA) or mix of uses is proposed.
Decision:	GRANTED, with conditions.

2016 SEP -2 AM 10:13
OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

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

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

DOCUMENTS SUBMITTED

Application Documents and Supporting Material

1. Application for Amendments to PUD Development Plan and Project Review Special Permits, dated April 11, 2016, including Application Forms, Detailed Narrative of Proposed Amendments, Exhibits A-N, and Appendices including Revised Statistical Summary of the Approved Master Plan, Full-size Revised 40-scale Roadway Network Schematic Plans (5 sheets), and Full-size Existing Conditions Plans (5 sheets). Also attached was a letter from the East Cambridge Planning Team dated February 7, 2016.
2. Final Development Plan for Amendments to PUD Development Plan and Project Review Special Permits, dated July 7, 2016, including July 1, 2016 letter from Tom Sullivan of DivcoWest, Application Forms, Detailed Narrative of Proposed Amendments, Exhibits A-N, and Appendices including Revised Statistical Summary of the Approved Master Plan, Full-size Revised 40-scale Roadway Network Schematic Plans (5 sheets), and Full-size Existing Conditions Plans (5 sheets).
3. Supplemental package of documents including memorandum on Selected Topics Discussed in First Public Hearing dated July 7, 2016; matrix responding to various topics dated July 7, 2016; and North Point Retail Vision prepared by Graffito SP dated July 6, 2016.
4. Draft North Point Urban Design Guidelines submitted on July 20, 2016.

Other Documents

5. Memo to the Planning Board from Community Development Department staff, dated May 31, 2016.
6. Memo to the Planning Board from Joseph E. Barr, Director of Traffic, Parking and Transportation, dated May 31, 2016, with attached memo from VHB (on behalf of the Applicant) to Joseph E. Barr dated April 6, 2016.
7. Letter to the Planning Board from Shawna Sullivan, Director of Public Affairs, EF Properties, dated June 2, 2016.
8. Letter to the Planning Board from Patrick Magee on behalf of the East Cambridge Business Association, dated June 7, 2016.
9. Letter to the Planning Board from Cambridge City Councillor Timothy J. Toomey, Jr., dated June 7, 2016.
10. Planning Board Preliminary Determination granted June 7, 2016, filed with the City Clerk on June 27, 2016 (corrected cover sheet filed July 1, 2016).

11. Memo to the Planning Board from Joseph E. Barr, Director of Traffic, Parking and Transportation, dated July 19, 2016.
12. Memo to the Planning Board from Community Development Department staff, dated July 20, 2016.

APPLICATION SUMMARY

The Application seeks a Major Amendment to Special Permit #179 first issued on March 11, 2003 and subsequently amended through Minor Amendments issued on March 6, 2007 and November 18, 2008, Major Amendments issued on November 16, 2012 and February 13, 2015, and a Minor Amendment issued on July 30, 2015. The application represents an amended Final Development Plan seeking a Major Amendment to the Planned Unit Development Special Permit and Project Review Special Permit from the Planning Board in accordance with Sections 12.37 and 12.34 and Section 19.20 of the Zoning Ordinance.

The Application proposes adjustments to the site Master Plan, including: a redistribution of open space resulting in a new, approximately 30,000 square-foot active use park on Water Street (Parcel I); the creation of a grouping of small-scale retail buildings in the center of the project (Parcels I, Q and a new Parcel W); addition and relocation of “finger parks” to align with and extend view corridors; reparcelization of building sites resulting in a reduction in length of some sites (Parcels A, B/C/D, E/F, G/H and Q, which is separated into two sites Q1 and Q2); realignment of some streets including North First Street (the extension of First Street north of Monsignor O’Brien Highway), North Point Boulevard, and some side streets, along with the elimination of some minor side streets; modest redistribution of the approved use and scale of development on various building sites, including a shift in the parcels eligible for 220’ tall buildings (within zoning limitations); revised project phasing; and a request for an interim commercial use on Parcel H. (Note that in this document the terms “Block” and “Parcel” may be used interchangeably to refer to locations of buildings within the PUD).

The Application proposes no changes to total Gross Floor Area (GFA), minimum residential GFA, maximum commercial GFA, maximum retail GFA, traffic generation, number of parking spaces, total open space area, height zones or number of 220’ tall buildings.

FINDINGS

Based on a review of submitted Application materials and testimony given at the public hearing, the Board makes the following findings with reference to the special permits being sought.

1. Major Amendment to Planned Unit Development Special Permit (Sections 12.37 and 12.36)

The following standards are set forth in the Zoning Ordinance regarding Major Amendments to Planned Unit Development Special Permits.

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.

In issuing a Preliminary Determination, the Board found that the proposed amendments remain consistent with the criteria set forth in Section 12.35.3, and reaffirms such Findings as set forth 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.

The Board finds that the proposed amendment remains consistent with the General Development Controls set forth in Section 12.50 and the development controls of the applicable PUD zoning districts. The total parcel size, development density, mix of uses, and parking have not changed from the previously approved Final Development Plan. The proposed changes represent substantial but moderate shifts in the overall distribution of uses and massing, and a reshaping of the system of roadways, public spaces and building sites within the development master plan. All environmental standards currently applicable to the Final Development Plan will continue to be met.

(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.

At the master plan level, the Revised Final Development Plan is a moderate departure from the previously approved Final Development Plan and remains consistent overall with the Eastern Cambridge Design Guidelines and the Eastern Cambridge Planning Study. The revised Final Development Plan includes more detail on the design principles that will apply to building and site designs, streets and open spaces, and those design principles will be set forth and illustrated in even greater detail through a revised North Point Design Guidelines document.

(3) The Development Proposal provides benefits to the city that outweigh its adverse effects.

The Board finds that the Revised Final Development Plan will continue to provide a net benefit to the city in light of the considerations below.

In making this determination the Planning Board shall consider the following:

(a) 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 Revised Final Development Plan continues to provide a mix of uses at various densities, and provides open spaces, streets and retail uses that will benefit the general public, consistent with the plans and zoning requirements for the area.

(b) Traffic flow and safety

The Application Materials and other supporting information presented to the Planning Board indicate that the traffic impacts of the proposed modifications have been carefully studied. The Traffic, Parking and Transportation Department has indicated that the proposed Major Amendment remains consistent with the original transportation framework for the North Point development.

(c) Adequacy of utilities and other public works

Utilities and public works will continue to be designed and constructed in accordance with City standards and with the Conditions of the originally approved PUD Special Permit.

(d) Impact on existing public facilities within the city

The proposed modifications are not anticipated to result in any additional impact on other public facilities.

(e) Potential fiscal impacts

The proposed modifications are not expected to result in negative fiscal impacts for the project or the City.

Additionally, the Board finds that the Final Development Plan contains revisions in response to those requests set forth in the Preliminary Determination, as set forth below.

1. *The Final Development Plan should address the comments provided to the Planning Board by the Community Development Department and the Traffic, Parking and Transportation Department, which are attached to this Preliminary Determination.*

The Revised Final Development Plan, along with supplemental materials provided by the Applicant on July 20, 2016, responds directly to those comments.

2. *The Final Development Plan should include larger and more detailed site drawings, and a physical three-dimensional model illustrating the bulk of existing and proposed buildings should be presented at the second public hearing.*

The Revised Final Development Plan and supplemental materials provided to the Board and presented at the public hearing contain more detailed illustrations of the intended design outcomes. The Applicant presented a model at the public hearing on July 26, 2016, illustrating the scale and bulk of existing and proposed buildings.

3. *The Final Development Plan should better describe the intended changes to the character of the planned First Street extension north of Monsignor O'Brien Highway, particularly at the proposed new "Site W." The current proposal is a departure from the original plan, which included a wider and more landscaped extension of First Street. While the current proposal seeks to emphasize a more intimate retail-focused streetscape, the Board feels it is important to maintain visual connections and cues that will lead from the relocated MBTA station to the central open space and community path, which are key public amenities.*

The Revised Final Development Plan and supplemental materials provided to the Board and presented at the public hearing provide a clearer description of the proposed First Street design, which retains many of the landscape features that will help lend the corridor a stronger open space character while still aiming to provide a slightly more intimate, pedestrian and bicycle-oriented urban retail corridor.

4. *The Final Development Plan should include more study of the character of the "finger parks" both as open space amenities and as opportunities for physical and visual connections through the site. One of the Board's concerns is that the current proposal removes side streets from the perimeter of these spaces and connects them directly to building sites, which may result in those spaces feeling less welcoming to the public. The removal of side streets also raises questions about where informal pick-up/drop-off activities for new buildings will occur. Another concern is that some "finger parks" north of Dawes Street appear to be intended to serve as parking and loading access drives, and more information should be provided about the character of those spaces and how they will affect activity along Dawes Street. Another specific area to be looked at further is the proposed "turnaround" at the far western edge of the site and the adjacent open space.*

The Revised Final Development Plan and supplemental materials provided to the Board and presented at the public hearing better illustrate the intent of the "finger parks" to

provide opportunities for pedestrian and bicycle connection and circulation while still providing space for programmed and informal activities. An updated set of Design Guidelines, presented to the Board in draft form, suggest bordering these parks with public circulation areas as a potential mechanism to prevent these spaces from appearing to be the private realm of surrounding buildings.

5. *The Final Development Plan should provide further explanation of how the “retail square” will retain a predominantly local character, and not become a “destination retail” center that would potentially attract more vehicle trips to the site.*

The Applicant has provided a retail report that describes the intended mix of retail uses, which demonstrates that retailers will be smaller-scale establishments oriented to primarily serve residents of the development and surrounding neighborhood, and will not have the larger stores that are characteristic of a “destination retail” center.

6. *The Final Development Plan should provide information about the “I-cubed” application under consideration at the state level, and what alternative funding options may be pursued if that application is not approved.*

The Applicant has provided a comprehensive status update, and indicates that the Applicant will remain responsible for funding any infrastructure improvements not funded through the “I-cubed” program.

7. *The Final Development Plan should include additional information, to the extent available, about the MBTA’s plans to construct the relocated Lechmere Station with a reduced design scope, and what opportunities there may be to enhance the station design in the future.*

The Applicant has provided a response, indicating that it is currently the responsibility of the MBTA to complete the station as part of the Green Line Extension project, and that the Applicant has committed \$3 million (in addition to the cost of acquiring the rights to MBTA-owned portions of the Development Parcel) to fund public realm improvements around the new station and to maintain such areas in perpetuity, and has agreed to match the City's recent \$12.5 million contribution to the Green Line Extension project, for a total joint contribution of \$25 million, as set forth in the above-referenced letter memorandum on Selected Topics discussed in First Public Hearing dated July 7, 2016 from the Applicant to the Planning Board.

8. *The Final Development Plan should include information in response to questions raised at the public hearing regarding the ownership and title of land within the Development Parcel.*

The Applicant has provided a response indicating that it has confirmed its fee ownership title to the remaining developable parcels in North Point, other than those owned by the MBTA, with a title insurance policy issued by Chicago Title Insurance Company.

2. Major Amendment to Project Review Special Permit (Section 19.20)

The Planning Board finds that the proposed Major Amendment results in a Final Development Plan that continues to meet the criteria for approval of a Project Review Special Permit, with reference to the zoning provisions set forth below:

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. . .

Based on the analysis provided in the Application Materials and with reference to the memoranda from the Traffic, Parking and Transportation Department dated May 31, 2016 and June 19, 2016, the Board finds that the proposed revisions to the Master Plan, which do not substantially change the program of uses, will not result in a substantial change to the traffic impacts of the project as originally analyzed. Therefore the Board finds that the proposed Major Amendment will not result in any further impact on city traffic.

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 Major Amendment continues to improve the urban design characteristics of the project at a Master Plan level, and continues to respond positively to the City's planning objectives for the area, established in the PUD-6 and PUD-4A zoning, the Eastern Cambridge Planning Study, and the Eastern Cambridge Design Guidelines, as set forth above in these Findings.

With reference to the objectives in Section 19.30, the revised Master Plan, as was the case with the original Master Plan, envisions a development that will transform a large, mostly vacant development parcel into a new urban neighborhood that integrates positively with the surrounding context, prioritizes pedestrian and bicycle travel, is sensitively designed to minimize adverse environmental impacts, provides a considerable addition to the city's housing stock, and provides ample open space amenities to the occupants of the development as well as the larger public.

Individual buildings will continue to be subject to design review by the Planning Board and will continue to be designed in accordance with the guidelines applicable in the district and for this particular PUD. Specific urban design guidelines for buildings and open spaces within the North Point development, adopted by the Planning Board when approving the

original Final Development Plan, will be updated to reflect changes to the Master Plan and presented to the Planning Board for future approval.

For these reasons, the Board finds that Major Amendment will result in a Final Development Plan that remains consistent with the city's urban design objectives.

3. 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:

1. *It appears that requirements of this Ordinance cannot or will not be met, or ...*

With the granting of the requested Major Amendment to a Planned Unit Development Special Permit, the requirements of the Ordinance will be met.

2. *traffic generated or patterns of access or egress would cause congestion, hazard, or substantial change in established neighborhood character, or ...*

Traffic impacts have been reviewed as set forth above in these Findings, and no adverse impact is anticipated.

3. *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 ...*

The proposed changes to the approved Final Development Plan will not impair the operation or development of adjacent uses.

4. *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 ...*

The proposed changes to the approved Final Development Plan will not cause nuisance or hazard.

5. *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 ...*

As set forth above in these Findings, the proposed changes to the approved Final Development Plan remain consistent with the PUD requirements and guidelines of the applicable districts.

6. *the new use or building construction is inconsistent with the Urban Design Objectives set forth in Section 19.30.*

As set forth above in these Findings, with the proposed changes, the approved Final Development Plan remains consistent with the city's urban design 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 Major Amendment to Special Permits granted by Planning Board Decision #179 for Planned Unit Development in the North Point Residence District and Planned Unit Development District 4A. Hereinafter, for purposes of this Decision, the Permittee shall mean the Applicant for the requested Major Amendment and any successor or successors in interest.

In making this Decision, the Board affirms that the Revised Final Development Plan contained within the Application Materials dated July 7, 2016, shall supersede and replace the original Final Development Plan previously approved by the Planning Board.

This Decision shall be subject to the conditions and limitations set forth below, which shall supersede and replace the prior Decisions for Planning Board Special Permit #179 and its subsequent Major and Minor Amendments.

Sections 1-20 below are the corresponding sections from the original Special Permit Decision, restated or amended by this Major Amendment and by prior Major and Minor Amendments. Sections 21-23 include conditions established upon granting Major and Minor Amendments, including this Major Amendment, that were not contemplated in the original Special Permit Decision.

1. **Master Plan.** The Planning Board approves the Revised Master Plan (henceforth referred to as the Master Plan) as illustrated in the Revised Final Development Plan documents dated July 7, 2016. The approval of the Master Plan in Cambridge is based on the understanding that portions of the proposed development are located in Somerville and Boston, which portions are an integral part of the entire Master Plan. Appendix I summarizes the critical statistical elements of the Master Plan as approved. To the extent that any portion, element or detail of the Master Plan, as presented in the application documents, is not permitted by the provisions of Sections 13.70 or 13.50 that portion, element or detail may be approved by the Planning Board only if a variance is granted by the Board of Zoning Appeal or the provisions of Sections 13.70 or 13.50 are amended by the City Council. Where any element in the Revised Final Development Plan documents is in conflict with any provision or condition of this Decision, the requirements of this Decision shall apply.
 - a. The Planning Board specifically approves the locations of the twenty (20) development Blocks (also referred to interchangeably as Parcels) labeled A-N and Q-W (which includes the addition of Block W and division of Block Q into Blocks Q1 and Q2 as approved in Major Amendment #6), as depicted in Exhibit A of the Revised Final Development Plan and the proposed land uses and gross floor area calculations for each block as set forth in Appendix I of the Revised Final Development Plan, which is attached to this Decision.
 - b. The Planning Board specifically approves the building heights allowed by the applicable

zoning regulations for each block as depicted in the Final Development Plan. In accordance with Section 13.74.32, the Planning Board approves the locations of six residential buildings in Cambridge (on Blocks B, C, D, I, L and N) and one commercial building in Cambridge (on Block G) that are allowed to exceed one hundred fifty feet (150') in height up to a maximum of two hundred twenty feet (220') in height, as depicted in Exhibit G of the Revised Final Development Plan, attached to this Decision.

2. **Street Layout.** As an element of the Master Plan, the Planning Board specifically approves the Street Layout Plan as depicted in the Revised Final Development Plan documents both as to location and general dimensional and urban design character. In granting Major Amendment #6 to this Special Permit, the Planning Board approves the specific “40 scale” Roadway Network Schematic Plans dated July 7, 2016 and included in the Revised Final Development Plan submission. Further revisions to the Roadway Network Schematic Plans may be approved by the Planning Board as part of design review for specific buildings, provided that such revisions have been reviewed and approved by City staff in the Community Development Department (CDD), the Traffic, Parking and Transportation Department (TP&T), the Department of Public Works (DPW) and any other relevant departments. TP&T and DPW shall review and approve the final engineered plans for all roads, provided that the final plans are in substantial conformance with the Roadway Network Schematic Plans approved by the Planning Board.
 - a. From the beginning of construction within the Master Plan vehicles must be able to access the site without having to pass through the Gilmore Bridge/Land Boulevard and O'Brien Highway intersection unless destined to or from the Gilmore Bridge or Land Boulevard. To accomplish this Condition of the original Special Permit, the first segment of roadways has been constructed prior to this Major Amendment, which includes “North Point Boulevard” from East Street to the Gilmore Bridge. Before any building permit is issued for development on any block subsequent to development on Blocks S, T and N, the Planning Board shall approve the 100% plans for the next segments of roadways to be constructed, which shall include Water Street from O'Brien Highway to “North Point Boulevard” and “North Point Boulevard” from Water Street to East Street. The approved plans for these roadway segments shall be subject to modification prior to construction in response to changes that may occur in the MBTA planning for the Green Line Extension. The Planning Board is approving such plans in granting Major Amendment #6 to this Special Permit, subject to review and approval of final engineered roadway plans by TP&T and DPW as set forth above.
3. **Open Space.** As an element of the Master Plan, the Planning Board specifically approves the amount, location, and functional characteristics of the Public, Green Area, and Permeable Open Space as required in the Ordinance and such other open space as is illustrated in Exhibit H of the Revised Final Development Plan documents, attached to this Decision, and subject to the following conditions and limitations.
 - a. In the Master Plan, the Permittee shall develop no less than 392,000 square feet of Public, Green Area or Permeable Open Space (of which 381,000 square feet is generated by the

PUD in the North Point Residence District portion of the Master Plan area and 11,000 square feet on the existing Lechmere Station site south of Monsignor O'Brien Highway). Of that Open Space no less than 4.9 acres shall consist of the NorthPoint Common (referred to in the prior version of the Master Plan as the "Central Park," and which has been partially completed prior to this Major Amendment), the retail plaza on Parcel W and the approximately 30,000 square-foot open space on Parcel I, as illustrated in Exhibit H of the Revised Development Plan, attached to this Decision. In all events at least one contiguous portion of such Open Space of no less than 2.5 acres shall be dedicated as a public park as required by Section 13.75.11 of the Ordinance.

- b. All landscape and open space elements will be subject to the design review criteria set forth in Conditions #10 and #11 below. The NorthPoint Common, as its design is reviewed by the Planning Board in the future, shall accommodate a variety of passive and active uses to serve the general public as well as the residents of the Master Plan Area. The NorthPoint Common is not intended to serve as the location of formal playing fields. The Permittee shall work with the City departments responsible for programming open spaces in the city to determine the uses appropriate for this space. This coordination shall continue throughout the planning and design stages of the facility. The design of NorthPoint Common was approved and construction of the open space was completed prior to this Major Amendment #6.
- c. The Public Park portion of the required Open Space shall be secured by one or more of the following: dedication to and acceptance by the City of Cambridge or other public entity, easements or deed restrictions, lease agreements, dedications by covenant or comparable legal instrument enforceable by the City and binding on the owner, as determined by the City of Cambridge.
- d. The Permittee, or any successors in interest, shall be responsible for the cost of the design and installation of all Open Space facilities as approved in the Master Plan. The Permittee, or any successors in interest, shall be responsible for the maintenance of all Open Space facilities in perpetuity. The Permittee shall be required to maintain that facility in perpetuity in a manner to be agreed to by the City and the Permittee prior to its conveyance to the City of Cambridge, or other disposition allowed by paragraph (c) above.
- e. In the PUD-4A District portion of the Master Plan, the Permittee shall develop no less than 11,000 square feet of Useable, Publicly Beneficial, Public, Green Area or Permeable Open Space as indicated in the Master Plan documents. As the 11,000 square feet does not meet the minimum Open Space requirement in the PUD-4A District, the Planning Board waives the minimum Open Space required on the Development Parcel as permitted in Section 13.55.1, based on the Findings set forth above.
- f. Open Space in the Master Plan intended to serve all residents and commercial tenants in the Master Plan area shall be open to the general public during reasonable hours throughout the day.

- g. In the North Point portion of the Master Plan the required Open Space shall be developed, at a minimum, at a rate of one acre of fully functional open space for each 500,000 square feet of development granted an Occupancy Permit, up to the 381,000 square feet minimum required.

4. **Permitted Uses.** All uses permitted in Sections 13.50 and 13.70 shall be permitted in their respective districts subject to the limitations on the amount of nonresidential and retail uses as set forth in Appendix I of this Decision and as further limited below. The distribution of the permitted uses within the Master Plan area shall be as illustrated on Exhibit A of the Revised Final Development Plan and as set forth in Appendix I of this Decision.

- a. The maximum GFA devoted to nonresidential uses shall be limited to 2,185,062 square feet for the entire Master Plan, 1,779,287 square feet within the PUD in the North Point Residence District and 90,928 square feet in the PUD-4A district.
- b. The Planning Board waives the limitation on the amount of GFA permitted for retail uses established in Section 13.73.1. The maximum GFA devoted to retail uses shall be 300,000 square feet (approved in Major Amendment #4) within the PUD in the North Point Residence District portion of the Master Plan. The Board also waives the 10,000 square foot limitation on the size of any individual retail establishment to allow a grocery store to be established with a maximum of 50,000 square feet (approved in Major Amendment #4). As the Board reviews the design of individual buildings under the procedures set forth in Conditions #10 and 11 below, the retail component of those designs shall be subject to the following standards:
 - (i) Where it is proposed to locate retail uses in any location not depicted in Exhibit B of the Revised Final Development Plan, attached to this Decision, the Permittee shall enumerate for the Planning Board the reasons why, in the Permittee's view, the additional retail space is appropriate, the nature of the uses to be accommodated, the constituencies to be served and the demand for such activity, and the appropriateness of the location chosen. The final location for retail uses shall be determined as part of the design review for specific buildings pursuant to Condition #10 of this Decision.
 - (ii) The Planning Board waives the establishment size limitation of 10,000 square feet for a grocery store only. As a Minor Amendment to this Special Permit the Planning Board may waive the 10,000 square foot limitation for other uses. In all instances where it is proposed to exceed the 10,000 square foot limit, the Permittee shall demonstrate convincingly to the Board, at the time of the review of the design of the building containing such an establishment or when the Minor Amendment is requested, that the larger size is necessary for the financial health of the activity proposed, the activity clearly serves the needs of the North Point community, and that the additional size will not result in the encouragement of patrons to come to North Point by car to access the proposed use.
 - (iii) Retail GFA exceeding 300,000 square feet, or a grocery store exceeding 50,000 square feet, or any other individual establishment size exceeding 15,000 square feet

shall only be permitted after the granting of a Major Amendment to this Permit.

- c. The Planning Board specifically allows the hotel use on Parcel Q2, as depicted in Exhibit A attached to this Decision, in accordance with Section 13.73 and the Findings set forth above. Such use shall be required unless the Planning Board grants a Minor Amendment to this Permit to allow an alternate, permitted nonresidential use.
 - d. As the traffic generation of office uses other than Technical Offices for Research and Development (Section 4.34 (f) of this Ordinance) is greater than for R&D uses (as analyzed in the Traffic Study), the portion of the nonresidential component of the Gross Floor Area authorized by this Decision devoted to those office uses (Section 4.34 (a) - (e)) shall be held to a maximum of 1,413,394 square feet at all times. Exceeding that amount of Gross floor Area shall be considered a change of use and be permitted only after the issuance of a new Project Review Special Permit as required in Section 19.20 of the Zoning Ordinance. There shall be no limit on the amount of non R&D office uses that may be converted to R&D uses (Section 4.34 (f)).
 - e. The Permittee shall utilize the additional 0.26 nonresidential Gross Floor Area authorized in this Decision, amounting to 494,977 square feet for the entire Master Plan area and 420,559 square feet for the portion of the Master Plan in Cambridge, only when the new MBTA Green Line Station at Lechmere is constructed as indicated in the Master Plan.
5. **Phases.** The three Phases as depicted in Exhibit I of the Revised Final Development Plan and as set forth in Appendix I, both attached to this Decision, are approved by the Planning Board subject to the following limitations and conditions. It is the intention of the following conditions and limitations to ensure that at each stage of development of the Master Plan, a coherent and viable residential and commercial community is established that does not depend on future construction and improvements for its long-term success. However, the Phases as set forth in the application documents and herein approved may be changed and modified at any time as a Minor Amendment to this Decision as permitted in Condition #12 below.
- a. The use mix and distribution shall be as shown in the Revised Final Development Plan and in Appendix I.
 - b. Each Phase shall consist of the buildings, parks, streets, utilities, and other physical improvements set forth in the Revised Final Development Plan (except as they may be modified by this Decision) and the mitigation measures required in Condition #13 below.
 - c. No building permit may be issued for building construction in Phase 2 until all buildings and associated facilities are under construction in the preceding Phases. No Occupancy Permit may be issued for any building in Phase 2 until an Occupancy Permit has been issued for all buildings in the preceding Phases and all associated improvements in preceding Phases have been completed, except as may be specifically approved by the Planning Board as a Minor Amendment. However, a building permit may be issued at any time for buildings on Blocks Q2 and R to be constructed in conjunction with the

construction of the relocated Green Line T Station.

- d. In *Phase 1A* no additional Building Permit may be issued for any nonresidential Gross Floor Area in excess of 350,000 square feet, exclusive of retail uses, until plans have been approved by the Planning Board for vertical pedestrian and bicycle access to the Gilmore Bridge as part of the Design Review for development on Block N or Block H. No Occupancy Permit for any building containing nonresidential Gross Floor Area in excess of 350,000 square feet, exclusive of retail uses, may be issued until such approved vertical pedestrian and bicycle access to the Gilmore Bridge has been constructed and is fully operational. Such pedestrian and bicycle access has been completed at the time of granting Major Amendment #6.
- e. In *Phase 2* the following limitations with regard to the issuance of Building and Occupancy Permits shall apply:
- (i) No Building Permit may be issued for any building in *Phase 2* (including buildings on Blocks Q2 and R) until the design of the intersection of Cambridge Street, O'Brien Highway, and First Street (and its extension into the development) has been approved by the City.
 - (ii) No Building Permit may be issued for any building in *Phase 2* (except for buildings on Blocks Q2 and R associated with the relocation of the Green Line T Station) until:
 - (1) The Station has been relocated to the north side of Monsignor O'Brien Highway as indicated in the Master Plan, and
 - (2) Water Street extension has been regraded and paved within the Development Parcel at an alignment and grade that will accommodate the proposed Urban Ring Busway (a.k.a. Urban Ring Viaduct), which is anticipated to be constructed from the City of Somerville via West Boulevard and then to the Water Street extension at the northwesterly edge of the Development Parcel, unless the Busway is not yet under construction at such time, in which event the construction of the Water Street extension shall be completed no later than the completion of the construction of the Busway or the completion of the entire project, whichever occurs first. The Water Street extension was completed prior to this Major Amendment #6.
 - (iii) No Building Permit for any building other than those on Blocks Q2 and R may be issued until the reconstruction of the Cambridge Street/O'Brien Highway/First Street intersection has begun.
 - (iv) No Occupancy Permit may be issued for buildings on Blocks Q2 and R until demolition of the those portions of the existing Lechmere T Station that would impede the construction of the extension of First Street has substantially begun and the relocated T station and the extension of First Street are substantially complete. Block Q1, as depicted in Exhibit A attached to this Decision, has been moved to

Phase 1A and shall be exempt from the requirements of this Paragraph as the current Master Plan envisions it as a low-density development site that is separate from other development on Block Q2.

(v) No Occupancy Permit may be issued for any building, except as provided in (iv) above for Blocks Q2 and R, until the reconstructed intersection and extension of First Street into the Master Plan area is fully operational, including associated reconstruction of the intersections of First Street and Cambridge Street and Cambridge Street and O'Brien Highway.

f. Notwithstanding any modification in the mix of uses that may be approved in conformance with the limitations imposed in Condition #12 (c) below, the Gross Floor Area constructed at the end of *Phase 1A* shall not be less than thirty (30) percent residential. At the completion of *Phase 1B* residential uses shall constitute no less than fifty (50) percent of the entire Gross Floor Area constructed to that point.

6. **Required Infrastructure.** The Permittee shall be responsible for the design and installation of all necessary infrastructure and utility improvements both on and off the site (and shall undertake any study or analysis determined to be necessary by the City department having jurisdiction to ascertain the required extent of such improvements) needed to support the construction proposed for the entire development and its constituent approved Phases. Such improvements shall include water and sewer service, stormwater management systems, electrical and cable installation, streets and sidewalks (including lighting, signage, street furniture, and landscaping).

Such infrastructure improvements shall be designed to meet all requirements and standards of the City of Cambridge and its relevant departments (including the City Engineer, Department of Public Works, the Water Department, the Electrical Department, the Department of Traffic, Parking and Transportation, Fire Department, and the Community Development Department), and all other legal requirements with regard to the design and installation details of the improvements, as if such facilities were to be installed in City streets. Each department shall determine that all utility improvements on and off the site are sufficient to support the project, that all construction details are designed to city standards and that such improvements are installed, without cost to the City, in a satisfactory manner and at the appropriate time in the course of the completion of the authorized development.

Furthermore, given the unique multi-jurisdictional nature of this Master Plan, such determination on the part of any department shall include consideration of municipal jurisdiction, coordination of service and repair responsibilities, and sharing of costs.

As the project is proposed to be phased, each department shall determine that the improvements made in each phase are functionally adequate and capable of standing alone without further improvements.

Where the requirements of any department for the design and installation of any infrastructure improvement would result in significant changes to the Master Plan as herein

approved and illustrated in the application documents, the Planning Board shall be so advised and modifications to the approved Master Plan shall be requested by the Permittee in the manner set forth in Condition #12 below.

As set forth in the Revised Final Development Plan approved by Major Amendment #6, the Permittee is exploring an alternate route for a sewer connection to serve NorthPoint, which would provide a direct connection to the Massachusetts Water Resources Authority (MWRA) Prison Point Pump Station, subject to the approval of the DPW.

Additionally, at the request of the City, the Permittee has agreed to upgrade and replace several existing water lines in Monsignor O'Brien Highway as part of the reconstruction of Monsignor O'Brien Highway between Third Street and Museum Way.

7. **Other Ordinances.** All authorized development shall conform to all other requirements of Ordinances of the City of Cambridge, including but not limited to:
 - a. All construction shall comply with the provisions of the Noise Control Ordinance, Chapter 8.16 of the City Municipal Code.
 - b. All construction shall comply with the Asbestos Protection Ordinance, Chapter 8.61 of the City Municipal Code.
 - c. The application documents indicate, and the Permittee has specifically affirmed, that the Gross Floor Area bonuses permitted by the Inclusionary Housing provisions of Section 11.200 for residential construction will not be employed. Utilization of any such bonuses shall be permitted only after the granting of a Major Amendment to this Decision. Nevertheless all residential construction shall comply with the inclusionary housing provisions of Section 11.200. Certification to that effect by the Housing Director of the Community Development Department shall be deemed to be satisfaction of this requirement.
 - d. Nonresidential Development authorized in this Decision is subject to the Incentive Zoning provisions of Section 11.200. The incentive zoning payment, required in Section 11.200, shall be made for each building individually prior to the issuance of the first Occupancy Permit for that building. The payment shall be at that rate established by the Ordinance at the time of issuance of the Occupancy Permit, including any adjustments for inflation, and applied to the area of eligible uses in the building, which area shall be certified by a registered architect. In a mixed-use building containing non-subject uses, common areas shall be allocated proportionately.
8. **Conveyance.** Where any park, street, or utility is to be conveyed to the City of Cambridge, it shall be done in a manner acceptable to the City. Before acceptance by the City, such facility and the land upon which or within which it is located shall be certified by the Permittee and the City to meet all federal, state and local environmental and other standards as they are applied at the time of conveyance to other such parks, streets and utilities. The Permittee shall prepare all documents necessary to transfer these facilities to the City.

9. **Timing of Conveyance of Public Facilities.** All facilities constructed in *Phases 1A* and *1B* to be owned by the City of Cambridge shall be conveyed to the City at the completion of *Phase 1B*. All remaining facilities shall be conveyed to the City at the completion of *Phase 2*. In each case this condition shall be subject to delays by the City in accepting completed facilities.
10. **Design Review.** Each building, and its associated park, street segment cross-section, streetscape details, or other associated physical improvement, shall be subject to design approval by the Planning Board before the issuance of a building permit for that building. The design of the NorthPoint Common and its associated multi-use path shall be undertaken as an independent review following the same procedures applicable to a building. The design of the NorthPoint Common and its associated multi-use path was approved and construction was completed prior to Major Amendment #6.
- a. A schematic design shall be presented to the Planning Board for review at a regular meeting of the Board. In order to encourage participation in the review by interested and potentially affected persons and groups living in North Point and East Cambridge, the form of the application and the procedures for notice and review shall follow the Large Project Review Procedures outlined in Section 19.43 of the Zoning Ordinance, as modified with regard to the timeline for consideration by Article 15.000 of the Ordinance.

In addition to details of the submission set forth in Section 19.43 each plan shall

- (i) identify the location of any municipal boundary line occurring within the review area,
- (ii) provide updated information from Appendix I for the Block or Blocks under review,
- (iii) indicate the height bands permitted in Section 13.70 on the plans, and the extension of those height bands, also permitted in Section 13.70 to the extent that such extension is required to accommodate the height of buildings proposed, and (iv) indicate the uses proposed and note any change of use from those identified in the Master Plan as approved. If not otherwise required, the plans, elevations and renderings shall depict anticipated mechanical equipment and other appurtenances (including enclosures and screens) that will be carried above the roof of the building. Each plan shall also include, for each building, wind and shadow studies, an acoustical report and noise mitigation narrative, an exterior lighting plan depicting site, façade and rooftop lighting, and a preliminary signage plan depicting the approximate sizes and locations of anticipated freestanding and wall signage.

The final proposed cross-sections of all abutting streets shall be provided. Proposed changes to the layout of roads as shown on the 40-scale Roadway Network Schematic Plan shall be identified, and shall be reviewed and approved by City staff before submittal to the Planning Board for review.

- b. Approval of the final design by the Planning Board shall be at a regular Board meeting at which the possible approval has been placed on the agenda. No building permit for a building shall be issued until the Planning Board has voted to approve the final design. The applicant may choose to present or the Planning Board may require the presentation

of several stages of design development, as appropriate, before final approval is granted.

At final approval the metes and bounds of the block and the abutting streets shall be established and approved by the Planning Board. The street segments shall be presented as final, 100% plans including both sidewalks and the travel ways. The Schematic Plan for the entire Master Plan shall be updated if necessary to reflect the final approved street designs.

- c. Approval by the Planning Board of any building pursuant to the design review process shall act as certification that such building, if constructed in substantial conformance with such approval, complies with the terms of this Special Permit.

11. **Review Standards.** The review of each building or facility shall be guided by the findings in this Decision, the goals and objectives of the *Eastern Cambridge Planning Study*, the guidelines established in the *Eastern Cambridge Design Guidelines*, and the narrative discussion contained in the Revised Final Development Plan application documents, including the suggested variations of the city's adopted *Guidelines*. More specifically, the following shall apply:

- a. The *Eastern Cambridge Design Guidelines* shall be the primary source for guidance in reviewing the design of buildings and park facilities in the future. Variations from that document's provisions may be considered by the Planning Board, including the elaborations provided in the Revised Final Development Plan documents, but shall only be approved if there is a demonstration on the part of the Permittee, at the time of a building or site plan review, that the alternate approach serves as well or better the objectives of the PUD or creates positive design opportunities not envisioned in the *Guidelines*.
- b. To ensure that there is a clear and comprehensive guide to the Planning Board in the future, the prior Permittee has produced, in cooperation with the Community Development Department staff, a single *North Point Master Plan Design Review Guidelines* document that incorporates and integrates all North Point-related text of the City's adopted *Eastern Cambridge Design Guidelines* document with the Permittee's suggested elaborations on those *Guidelines*, accompanied by drawings, illustrations, and a "Catalogue of Images". Future development by the present Permittee shall continue to utilize this *Guidelines* document as a design reference. During the review process for Major Amendment #6, the Permittee has begun work on revising such document to reflect changes in the Master Plan, which shall be completed and approved by the Planning Board as set forth in Condition #23 of this Special Permit.
- c. To facilitate the Planning Board's understanding of the impact of the specific building and site design being proposed, a building and site model shall be provided for each design review required in Paragraphs (a) and (b) above. The detailed model shall be at a scale of one inch to forty feet and shall be inserted into a larger model encompassing the entire Development Parcel and any adjacent property outside the Development Parcel to O'Brien Highway and the Gilmore Bridge. Buildings and site elements yet to be

designed in detail may be represented in simple massing form. The facilities under review shall be shown in the detail appropriate to the level of review being conducted by the Planning Board. Additional model studies at a larger scale may be needed in order to fully understand specific proposed design details. The need for such studies will be determined at the time in consultation with the Community Development Department staff.

- d. As the Board reviews the detailed designs for all elements of the Master Plan, particular attention should be paid to the following issues and concerns:
- (i) For at least eleven of the Blocks in the Master Plan the accessory parking accommodated on them will in whole or in part be located in a parking level that rises four feet above grade, usually extending across the entire block, but in all cases fronting directly onto the planned abutting streets. The building plans submitted for design review shall illustrate how the Permittee intends to detail this building form so that it does not become a blighting element along the public streets in the new North Point neighborhood. The Planning Board has approved this aspect of the Master Plan, fully confident that the potentially negative consequences of such a parking arrangement can be fully avoided. Nevertheless, detailed attention must be paid to the specific design solutions proposed. Among the areas of focus will be:
 - (1) The extent to which the parking structure wall is both enlivened and made discontinuous through the introduction of numerous building entries and stoops to individual apartments.
 - (2) The actual elevation above grade of the parking level. Exposure of less than four feet may be necessary.
 - (3) The proximity of the garage wall to the street.
 - (4) The extent to which the wall is screened with landscaping or with occupied living space. The specific design details of the wall that might make it a visually interesting architectural feature.
 - (5) The extent and character of the openings in the wall that reveal (or hide) the auto use behind. The more light, glare, noise, and fumes are perceptible from outside the garage, the more intrusive the facility becomes; thus screening is essential.
 - (6) The extent to which the plane of the garage wall is modulated vertically and horizontally.
 - (ii) In the case of Blocks that have already been developed in accordance with this Special Permit, this Condition 11(d)(ii) shall apply only if significant design modifications are proposed to such Blocks in the future. In such a case, the design modifications should continue to assure an engaging, attractive and pedestrian friendly NorthPoint Boulevard, appropriate in use, character, and scale to the

residential buildings on the opposite side of NorthPoint Boulevard.

- (iii) The *Design Guidelines* suggest that upper floors of tall buildings be set back in order to celebrate a strong cornice line at lower levels of those buildings. That principle is strongly endorsed by the Planning Board. To the extent that the Permittee wishes to vary from those guideline provisions, the design rationale for any proposed variation should be clearly presented.
- (iv) Buildings along North Street, which is designated as a tight, narrow urban street, shall receive close attention. Each design will be asked to contribute to the creation of an intimate urban street; the concern is that without careful design of the details of the street itself and of the buildings fronting on it, it might have a crowded and oppressive feel.
- (v) Where Blocks are proposed to have mixed residential and office uses, the actual location of those uses on the Block can have important urban design implications. The Board generally does not encourage the housing component of a mixed use building to be established above many floors of office uses, removed and disassociated from the street below. The Permittee has indicated that on Blocks where the allocation of uses is split between residential and nonresidential uses, the preferred design solution is to establish separate housing and office buildings, each rising directly from the street edge. Block I is likely most suitable for that arrangement.
- (vi) The approved Master Plan includes an extended First Street that the Permittee hopes will provide a setting of vibrant pedestrian activity adjacent to the relocated transit station; further into the district a green park-like setting is envisioned having less hectic and less concentrated activities. The success of this First Street corridor will depend on many factors of design and use that can only be imagined at this conceptual stage. It is therefore desirable for both the Planning Board and the Permittee to be flexible in developing the specifics of the street's cross section and the use and design details of the adjacent buildings. It is understood that each party will be open to adjustments to the character and design of this street, as it is presently conceived, should actual experience with the development of North Point suggest appropriate refinements or new directions. For instance, the design for First Street as illustrated in the Revised Final Development Plan is planned to accommodate an expanded retail plaza to the north of the relocated Lechmere Station. The Planning Board will need to carefully consider the final design of this retail plaza since it will need to accommodate many different types of users, including retail patrons, hotel guests, residents, employees, transit riders, users of the multiuse bicycle/pedestrian path, visitors to NorthPoint Common, and vehicular traffic on First Street.

12. Procedures for Modification of the Master Plan. The Master Plan encompasses a large area of Cambridge and more than five million square feet of development to be constructed over a period of two decades. While the Planning Board has every confidence that the essential elements of the Master Plan as approved will result in a new urban neighborhood of

credit to the Permittee and the City, circumstances and priorities can change over time as a new environment of occupied buildings, new streets and active parks emerge from the current industrial backwater. The transportation context within which the Master Plan was shaped in 2003 will be different in ten years, or twenty. To respond to the change that can be expected to occur in the future, the following procedures and limitations shall apply:

- a. **Total Development.** The total amount of Gross Floor Area permitted and the proportion of residential and nonresidential Gross Floor Area approved shall be fixed and may not be changed except through a Major Amendment to the Special Permit after the issuance of a variance from the Board of Zoning Appeal or after a zoning amendment affecting the text of Sections 13.50 or 13.70 of the Zoning Ordinance, if needed.
- b. **Streets.** Changes to the width and character of streets as set forth in the Revised Final Development Plan application documents, and changes to the sequence of street segments to be designed and/or constructed, may be permitted by the Planning Board in the granting of final design review approval for each final building or facility plan. Such changes shall be reviewed and approved by City staff before submittal to the Planning Board for review. The elimination of any street segment shown on the Master Plan shall only be permitted as a Major Amendment to the Special Permit with the exception of streets which are one block in length, which may be relocated or eliminated if specifically approved by the Planning Board as part of the final design approval after having been reviewed and approved by City staff. Changes in the size or location of Parcels or the Public, Green Area or Permeable Open Space may be approved by the Planning Board in connection with approval of any change in the roadway network or final design approval for any building.
- c. **Quantity and Distribution of Uses.** Exhibit A of the Revised Final Development Plan and Appendix I, both attached to this Decision, establish the quantity of uses and their distribution within the twenty Blocks of the Master Plan. A major, positive aspect of the Master Plan is that it proposes a truly integrated mixed-use neighborhood in which office uses will provide a daytime injection of activity, which will help to support the retail component of the plan that is in turn essential to support the livability of the neighborhood for residents. Therefore, while additional housing is a strong Cambridge objective generally, in this instance it is the Planning Board's view that a significant retail, office and research and development component needs to remain as an element of the use mix. Therefore the following limitations and conditions shall apply where it is proposed to change the mix of uses that have otherwise been approved in this Permit (subject always to the maximum limit on non residential Gross Floor Area required by this Permit and Section 13.70 of the Zoning Ordinance).
 - (i) A variation of ten (10) percent or less from the Gross Floor Areas enumerated in Appendix I for each Block of the Master Plan shall be permitted as part of final design approval for any building or facility.
 - (ii) Nonresidential Gross Floor Area proposed for buildings to be constructed on Blocks H and Q1 and Q2 may not be converted to residential Gross Floor Area except as a

Major Amendment to the Permit. These locations are best suited to commercial use, least suited to residential uses at the lower floors of buildings, and are at critical locations where abundant pedestrian activity and pedestrian friendly uses are essential to integrate the North Point neighborhood with the larger community surrounding it.

- (iii) The nonresidential Gross Floor Area proposed for buildings to be constructed on Blocks G and U may be converted to residential Gross Floor Area with the granting of a Minor Amendment to the Permit.
 - (iv) The retail Gross Floor Area proposed for Blocks I, N, Q1, R and W, constituting the 75,000 square foot as of right quantity of retail use allowed in Section 13.70, may be eliminated or relocated only after the issuance of a Major Amendment to the permit. It is essential that the at-grade environment at these locations be attractive and lively and inviting to pedestrians from within and without the district.
 - (v) In all other locations identified in the Master Plan for non-residential use, the Planning Board may approve the conversion of some or the entire designated nonresidential Gross floor Area to residential Gross Floor Area through the design review process when final building plans are approved, as required in Condition #12 above. Such substitution is not specifically encouraged unless future transportation or market conditions might suggest such an action.
 - (vi) Within the limits permitted by the underlying zoning requirements of Section 13.50 and 13.70, and other limitations in this Condition #12, any proposed allocation of Gross Floor Area between residential and non-residential uses in the proposed mixed use Blocks C, D, I, JK and R may be approved by the Planning Board in the granting of final design approval for any building proposed.
 - (vii) Conversion of residential Gross Floor Area to non residential Gross Floor Area (with the exception of ground floor areas devoted to retail use) on Blocks A, B, L, M and V may be permitted by the Planning Board as a Minor Amendment to the Permit provided the Planning Board finds that there would be no significant increase of vehicular traffic above the levels anticipated for the applicable Phase in the TIS as a result and the nonresidential Gross Floor Area is well integrated into a predominantly residential environment.
 - (viii) Block T may be converted to nonresidential use only after the granting of a Major Amendment.
- d. **Development in Somerville and Boston.** In approving the Master Plan, the Planning Board is assuming the execution of the plan as approved in both the City of Somerville and in the City of Boston. Any alteration in the Master Plan in Somerville or Boston as a result of approvals granted or restrictions imposed in those cities that increases the total amount of Gross Floor Area permitted in the entire Master Plan, that increases the amount of non residential Gross Floor Area permitted in the entire Master Plan, that increases the total number of accessory parking spaces in the entire Master Plan, or that

introduces uses not permitted in Cambridge, including increases in the amount of non R&D office uses otherwise permitted in this Decision, shall require adjustments in the authorized development for that portion of the Master Plan in Cambridge for which no building permit has been issued.

To ensure that such adjustments are made, the following procedures and requirements shall apply.

- (i) At any time in the execution of the Master Plan, the Permittee shall, within 15 working days (but in no case less than three working days prior to any public hearing or the granting of a permit), notify the Planning Board of the following:
 - (1) Any change in the regulations affecting development in Somerville or Boston. The notification shall include an analysis of the effect of any altered regulation that would limit or prohibit the implementation of any portion of the Master Plan as approved by the Planning Board.
 - (2) Any application for permission to construct a building or street in Somerville or Boston.
 - (3) Notification of any public hearing required authorizing such construction in Somerville or Boston.
 - (4) A narrative summary of the details of the application, including uses and GFA proposed and an analysis of how it differs, if any, from the Master Plan as approved.
 - (5) Notification of any special permit approval of any building construction, or the issuance of a building permit for any building in Somerville or Boston. The notification shall be accompanied by a narrative detailing the specifics of the approved plans including its consistency with the Master Plan as approved.
 - (6) Any change of use of a building after initial occupancy, to any non R&D office use.
- (ii) Before any building permit is issued for construction of any building on Blocks G and H, or for the equivalent in nonresidential Gross Floor Area anywhere in *Phase 1B* of the project, the Planning Board must find with reasonable certainty that all approvals have been secured for construction in Somerville and Boston as approved in the Master Plan (as to uses or total Gross Floor Area), either as an element in an approved master plan document equivalent to this Decision or through the issuance of a building permit.

Where such permits or authorization have not been granted in Somerville and Boston; or where the permits have been granted but the approved development is, in use or amount of Gross Floor Area, at variance from the approved Master Plan; or where the

use and floor area character of future development is still not determined, the Permittee shall be subject to the requirements of Paragraph (iii).

- (iii) Where the circumstances in Paragraph (ii) are operative, nonresidential construction on Blocks G and H, or the equivalent nonresidential Gross Floor Area anywhere in *Phase 1B*, shall not be permitted until the approved Master Plan has been modified by a Major Amendment to this Decision submitted for consideration to the Planning Board by the Permittee, or the Planning Board specifically votes by a majority otherwise necessary to approve a Major Amendment not to modify the Decision after having heard public testimony at the public hearing required for the Major Amendment.

The Major Amendment may establish a new mix of uses, a reduction in the total amount of Gross Floor Area permitted in the Cambridge portion of the Master Plan, impose additional mitigation requirements, or otherwise adjust the elements of the Master Plan and the requirements of this Decision such that the Planning Board is satisfied that the original Findings of this Decision and the intent and effect of its original Conditions can continue in the altered circumstances presented. The Board may consider, but is not limited to, the following options:

- (1) Where more nonresidential development is authorized in Somerville and Boston than that which is approved by the Planning Board in Appendix I, an equivalent amount of nonresidential Gross floor Area within Cambridge is converted to residential Gross Floor Area, and/or
 - (2) The Permittee demonstrates to the satisfaction of the Planning Board that the additional residential or nonresidential Gross Floor Area will result in no increase in traffic over the previously authorized amount of Gross Floor Area as a result of additional mitigation measures instituted, beyond those already required by this Decision, and/or
 - (3) Residential or nonresidential Gross Floor Area in an equivalent amount is eliminated from *Phase 1B* or *Phase 2* in Cambridge.
- e. **Modification of Phases.** The Phases of development approved in Condition #5 above may be modified as a Minor Amendment from the Planning Board. In requesting such a Minor Amendment the Permittee shall submit the following information:
- (i) A revised Appendix I reflecting the proposed reallocation of Gross Floor Area and uses.
 - (ii) A revised Appendix II.
 - (iii) A narrative description of the purpose of the requested change, its impact on other Conditions of this Decision, and an analysis of the implications of the change on traffic, on the rate at which residential Gross floor Area will be constructed, on the

provision of parks, roadways and utilities, and on the viability of the resulting urban environment should subsequent phases not be built or delayed for a significant period of time.

In approving the revised Phasing Plan, the Planning Board shall find that the alternate arrangement of uses and Gross Floor Area continues to provide for a viable and coherent residential and commercial community at each stage of the Master Plan's development, continues to bring adequate park and other infrastructure on-line at appropriate times, including necessary traffic mitigation measures, and will otherwise continue to advance the intent and objectives of this Decision in approving the original Phasing plan.

- f. Any adjustment to the amount of the project site governed by this Special Permit as a result of any municipal boundary line adjustments among Cambridge, Somerville, and Boston, and any corresponding adjustments to the terms of this Special Permit resulting from municipal boundary line changes, shall be permitted as a Minor Amendment to this Decision.

13. Traffic and Transportation Mitigation. The Permittee shall be responsible for the timely implementation of all project mitigation measures as outlined in the application documents and as summarized in Appendix II of This Decision. The Transportation Demand Management measures set forth in Appendix II shall apply to all buildings in the Master Plan, including buildings partially or wholly located in Boston or Somerville, as access to these buildings is via roadways in the City of Cambridge.

14. Traffic Monitoring Provisions. In order to be assured that the development as it unfolds is meeting the traffic generation targets that are the basis for approval of the entire Master Plan, the Permittee shall be required to monitor yearly the traffic generated and mode splits achieved as buildings are built and occupied. The traffic monitoring required under this Special Permit shall include all buildings in the Master Plan, including buildings partially or wholly located in Boston or Somerville, as access to these buildings is via roadways in the City of Cambridge. Such monitoring shall be conducted, and necessary adjustments to the Master Plan made, as set forth in Appendix III of this Decision.

15. Construction Management Plan. Before issuance of the first building permit for construction within the Development Parcel, the Permittee shall prepare a Construction Management Plan consistent with the requirements of Section 18.20 of the Zoning Ordinance, which Plan shall be submitted to the Planning Board for review and approval. The Plan shall address the following issues in addition to those set forth in Section 18.20: Contaminated soil management to prevent dust and odors, transport of airborne contaminants, and deposition of contaminated soil on public streets; dewatering procedures that prevent polluted discharges and soil subsidence; and erosion and sedimentation controls.

Prior to the preparation of the Plan, the Permittee shall develop a scope for the Plan for review by the Community Development Department, the Department of Public Works, the Water Department, the Traffic, Parking and Transportation Department, the Inspectional Services Department, and other departments as deemed appropriate by the City. The draft

Plan shall be submitted to said departments for review prior to submittal to the Planning Board for approval.

16. **Sustainable Environmental Strategies.** Since the issuance of the original Special Permit and prior to granting this Major Amendment, the City has adopted Green Building Requirements as set forth in Section 22.20 of the Zoning Ordinance. Therefore, the requirements of Section 22.20 shall apply to all development in the Master Plan in place of the requirements in Article 16 of the original Special Permit Decision. The materials required to be submitted with a Special Permit Application under Section 22.20 shall be included with the submission to the Planning Board for design review of a building or site pursuant to Condition #10 above.
17. **Subdivision of the Development Parcel.** The Planning Board approves the subdivision of the Development Parcel into the Blocks as approved in the Revised Final Development Plan and illustrated in Exhibit A, attached to this Decision, or as their dimensions may be established after final design approval, and as may be necessary to create the public street rights of way and public parks authorized. The Planning Board shall approve all setbacks of buildings and any further subdivision of Blocks into smaller lots (should they be proposed) at the time of final design approval.
18. **Procedures for Granting Minor and Major Amendments to this Decision.** A Minor Amendment to this Decision shall be adopted by an affirmative vote of at least five members of the Planning Board after consideration of the proposed change, enumerated on the Agenda, at an appropriately noticed meeting of the Planning Board.

Notwithstanding the provisions of Article 12.000, any Major Amendment required explicitly in this Decision shall only be adopted after an affirmative vote of at least five members of the Planning Board and only after the proposed change has been advertised as a new Special Permit subject to the procedural requirements of Section 10.40 of the Zoning Ordinance. The Planning Board shall consider the substance of the change as presented in the amendment application documents and shall not be reviewing this Decision in its entirety.

Where the Board finds that a requested Major Amendment to this Decision constitutes a substantial alteration to the intent, purpose and substance of this Decision, such Major Amendment shall be considered under the procedures established in Article 12.000 as if it were a new Planned Unit Development Special Permit.

19. **Miscellaneous Conditions.**

- a. The Permittee shall install short-term bicycle racks near each primary building entrance, for use by visitors, customers & couriers. Longer-term convenient, secure & covered bicycle storage for residents shall also be provided in conformance with the requirements for such facilities in Article 6.000. A bicycle center, consisting of a Public Bicycle-Sharing Station (Hubway) and facilities for bicycle repairs and long-term bicycle storage, shall be provided by the Permittee in one of the buildings constructed on Blocks Q1, Q2, R and/or V, or in another location approved by the Planning Board, and shall be

operational when the relocated MBTA station is operational. The Permittee shall also continue to provide space for the existing public bicycle-sharing station (Hubway) located at Cambridge Street and First Street.

- b. The Permittee shall build the multiuse path in phases as described in the Revised Final Development Plan. The path shall be designed to be at least fourteen (14) feet wide with two (2) foot buffer spaces along each edge, and the path design shall be subject to ongoing review and approval by the Community Development Department (CDD) and the Traffic, Parking and Transportation Department (TPT). The path shall meet AASHTO standards and be able to structurally support maintenance vehicles. The multiuse path shall have a 14-foot wide paved dimension except that, as previously approved in Minor Amendment #2 approved November 18, 2008, the as-built width is approved for the portion of the multi-use path within the NorthPoint Common (formerly called “Central Park”) that has already been constructed. *Phase 1A* shall include a seamless connection between the multiuse path and the bicycle and pedestrian components of North Point Boulevard currently under construction in conjunction with the New Charles River Basin Master Plan to facilitate a connection between the Somerville Community Path, North Point Park, the North Bank Bridge, the Bascule Bridge, Boston, the Inlet Bridge, McGrath/O’Brien Highway, and the Dr. Paul Dudley White Bike Path. The Permittee shall work with the City of Cambridge to appropriately provide easements on its property, as necessary, for the Somerville Community Path Extension and Grand Junction Trail to extend onto and traverse the Development Parcel to provide for reasonable at-grade connections on its property to allow connection with the proposed NorthPoint Community path which will be constructed to the end of West Boulevard. Furthermore, the Permittee shall implement an interim functional connection to the Somerville Community Path in the event that it arrives at the boundary of the Development Parcel site prior to the initiation of any construction in *Phase 2*. At the completion of *Phase 1A* and again at the completion of *Phase 1B* the Permittee shall demonstrate to the Planning Board that the relevant requirements of this condition have been met.

Bicyclists will need to be able to navigate from Cambridge Street onto First Street and into North Point. The Permittee must consider all design options (e.g., bicycle specific signals, special markings such as blue lanes, etc.) in order to make this difficult transition accessible for cyclists in all Phases of the development. The Permittee shall periodically report to the Planning Board, as individual buildings, streets and parks are presented to the Board for final design approval, as to the options that have been considered to address the concerns expressed herein.

- c. The vertical connection to the Gilmore Bridge and the widened sidewalk along the bridge as proposed by the Permittee are necessary to increase transit accessibility by substantially reducing the walk distance and comfort of the connection to the Community College Orange Line MBTA station. The Permittee shall develop the vertical connection to the bridge in conjunction with the construction of Buildings H and/or N. The proposed elevator links between the multi-use path and the Gilmore Bridge will require careful attention. Bicycles should be accommodated thoughtfully so they are not perceived to be a disruptive element to the vertical connector. The Permittee shall make improvements

to ensure that it is safer and easier to walk or bicycle; options include adding bicycle lanes or widening the sidewalk on the west side of the Gilmore Bridge as approved by the City of Cambridge and any applicable state agencies. The requirements and objectives of this Condition shall be reviewed by the Planning Board as part of the Board's review of the design of Buildings H and N. Such pedestrian and bicycle access has been completed at the time of granting Major Amendment #6.

- d. When a building is presented to the Planning Board for design approval, as required in Condition #10 above, the Permittee shall accompany the design review application with a report that shall contain the following:
 - (i) A statistical review of the amount of development showing uses and buildings constructed, under construction, and granted a building permit;
 - (ii) A similar statistical summary of the dwelling units constructed, including their size by square feet and number of bedrooms and housing type (townhouses, flats, group quarters, SRO units, etc); the number of inclusionary units and the number of moderate income units provided and the efforts made to develop such moderate income units (serving households between 80% and 120% of the median income for households in the Boston metropolitan area); and the selling prices or rental rates for dwelling units currently available.
- e. The Permittee shall provide, or contribute the cost of, a changing room facility or accessory parking for sports teams at the recreation site that may be developed on land owned by the Commonwealth east of the Gilmore Bridge, or an equivalent space within one of the buildings to be constructed adjacent to the Gilmore Bridge within the Development Parcel. Payment shall be made or the space made available so that the facility is operational when the recreation facility is opened. Should a formal sports facility not be planned for the recreation area, the Permittee shall contribute an equivalent in alternate facilities or cash toward improvements on the park site. The City in coordination with the Permittee shall determine the means by which this condition is satisfied.

20. Implementation of the Special Permit.

This Special Permit shall be governed by the provisions of Chapter 40A and Section 10.46 of the Cambridge Zoning Ordinance, which establish the time within which construction authorized by the Special Permit must commence. With respect to the requirements of Section 12.40 of the Zoning Ordinance, the Planning Board grants to the Permittee the right to start construction on *Phase IA* of the Master Plan within two years of the date of filing of this Decision with the City Clerk, hereby granting the extension permitted under Section 12.41 for good cause, such good cause having been demonstrated by the Permittee because of the unusually large size and scope of the Master Plan. Pursuant to the provisions of Section 12.42, for the purpose of this Special Permit, construction shall be deemed to include the environmental remediation required for *Phase IA* by the Massachusetts Contingency Plan and the utilities, streets, sidewalks, and other infrastructure required to

support building construction in *Phase 1A* provided such remediation activity or infrastructure construction is carried on continuously through the commencement of construction, within two years from the date of filing of this Decision with the City Clerk, of at least one building or parking garage having a GFA of 100,000 square feet or more.

The extraordinary size and scope of the Master Plan, and its anticipated duration of construction, suggests that the execution of the Master Plan over time, in Phases as approved herein by the Planning Board, cannot be defined precisely with regard to the time that any one building or facility will commence construction. Therefore the Final Development Plan has not established specific time limits within which specific building construction or phases will commence. Nor does the Planning Board believe that a precise schedule of construction can be established with any confidence at the time of the granting of the Special Permit.

Therefore, in the absence of a detailed schedule of construction to which the Permittee shall be bound over the life of the execution of the Master Plan, the Planning Board establishes the following conditions and limitations.

- a. All authorized construction of buildings and required facilities, infrastructure and mitigation measures shall be constructed or under construction (or authorized by the issuance of a Building Permit), installed, or put into operation on or before December 31, 2030. Extension of this completion date shall be permitted only for good cause by Major Amendment.
- b. Should the Permittee not seek design approval for a building for a period of two years from the last design approval, the Permittee shall make a report to the Planning Board at the end of that two year period updating the Board on the anticipated schedule for future construction, difficulties encountered in executing the Master Plan, anticipated schedule of construction in the future, and whether the Permittee believes that the entire Master Plan can be fully constructed within the term provided, and if not how much additional time might be required.

21. Additional Conditions as Part of Major Amendment #3. The following provisions, which were not included the original Special Permit Decision, were established by the Planning Board with the granting of a Major Amendment on November 16, 2012 and shall remain in effect, except as amended.

- a. **Parking.** The Permittee shall meet with the City staff to discuss opportunities for smaller parking ratios and/or shared parking as well as challenges of managing an MBTA commuter lot and possible need for retail parking. During the design review for development on any block subsequent to development on Blocks S, T and N, the Permittee shall report to the Planning Board on the status of these discussions and any recommended changes as appropriate. Parking ratios were addressed and adjustments to required parking ratios were approved by the Planning Board in granting Major Amendment #4 to this PUD Special Permit on February 13, 2015.
- b. **Bicycle Signage.** The Permittee shall work with the City of Cambridge to provide an

appropriate on-site bicycle signage system to facilitate the use of on-site bicycle pathways and connections to off-site bicycle routes.

- c. **Exemption of Above Ground Structured Parking.** In accordance with Subsection 13.79.2 of the Zoning Ordinance, as amended by the City Council in July, 2012, the Planning Board approves the additional Gross Floor Area allowed for above ground structured parking adjacent to the Somerville municipal boundary line, the Boston municipal boundary line and Charlestown Avenue (the Gilmore Bridge), and authorizes that such facilities may have a height greater than twenty-five (25) feet. The Planning Board shall approve the final height of such exempted parking facilities upon reviewing and approving the design of individual development blocks pursuant to Condition #10 above.
22. **Additional Conditions as Part of Major Amendment #4.** The following provisions, which were not included in the original Special Permit Decision, were established by the Planning Board with the granting of a Major Amendment on February 13, 2015 and shall remain in effect.
- a. The recommendations set forth in the Memorandum from Monica R. Lamboy, Interim Director, Traffic, Parking and Transportation Department, dated January 13, 2015 and attached to this Decision, shall be incorporated as Conditions of this Special Permit Decision applicable in addition to conditions set forth in the original PUD Special Permit PB #179, as modified by previous amendments. Prior to issuance of any Building Permit or Certificate of Occupancy for development authorized by PUD Special Permit PB #179, the Traffic, Parking and Transportation Department shall certify that all conditions applicable at that phase of the project have been met.
23. **Additional Conditions as Part of Major Amendment #6.** The following provisions, which were not included in the original Special Permit Decision, are established by the Planning Board with the granting of this Major Amendment.
- a. By the date of the Permittee next submitting a particular building or site for Design Review approval in accordance with Condition #10 of this Special Permit, the Permittee shall submit a complete revised version of the North Point Design Guidelines document referred to in Condition #11, Paragraph (b) of this Special Permit to the Planning Board for its review and approval as matter of general business at a regular Planning Board meeting at which possible approval has been placed upon the agenda.
 - b. The Permittee shall provide evidence to CDD that it possesses the title insurance policy referred to above in the Findings of this Special Permit.

Voting in the affirmative to grant the requested Major Amendment to the Planned Unit Development Special Permit and Project Review Special Permit were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Mary Flynn, Hugh Russell, and Associate Members Ahmed Nur and Thacher Tiffany, 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,



H Theodore Cohen, Chair.

Pursuant to Section 12.36.4 of the City of Cambridge Zoning Ordinance, DW NP Property, LLC agrees to the conditions attached to this Decision approving the granting of a Major Amendment to PUD Special Permit #179.



Name: *Tom Sullivan*
Authorized Representative, DW NP Property, LLC.

SD
9/1/2016

A copy of this decision #179 Amendment #6 (Major) 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.

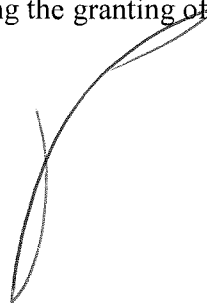
Voting in the affirmative to grant the requested Major Amendment to the Planned Unit Development Special Permit and Project Review Special Permit were Planning Board Members Louis Bacci, H Theodore Cohen, Steven Cohen, Mary Flynn, Hugh Russell, and Associate Members Ahmed Nur and Thacher Tiffany, appointed 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,~~

H Theodore Cohen, Chair.

Pursuant to Section 12.36.4 of the City of Cambridge Zoning Ordinance, DW NP Property, LLC agrees to the conditions attached to this Decision approving the granting of a Major Amendment to PUD Special Permit #179.

Name: *Michael Carp*
Authorized Representative, DW NP Property, LLC.



A copy of this decision #179 Amendment #6 (Major) 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 September 2, 2016, by Swaathi Joseph, 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: Revised Statistical Summary of the Approved Master Plan

I. Project as a Whole

A. Three City Summary

a. Parcel Area	Total Area in Acres (Square Feet):	45.37 acres (1,976,501 square feet)
b. Floor Area	FAR at North Point:	2.66
	FAR at Lechmere	2.5
	Total GFA	5,245,854 square feet
c. Non-Residential	Maximum FAR	1.10
	Approved GFA	2,185,062 square feet for all non-residential uses
	Retail GFA:	300,000 square feet at North Point Amount TBD at Lechmere
d. Residential	Maximum FAR:	1.55
	GFA:	3,060,792 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	392,000 square feet
	Other/Common Open Space in Square feet:	TBD
f. Parking Spaces	Maximum Permitted:	3,807 spaces +300 replacement MBTA spaces
	Maximum non-residential:	See Special Permit
	Minimum residential:	0.5-1.0 spaces/unit for each building Average of 0.75/unit for the entire project at full build-out
g. Dwelling Units	Proposed Number:	3,177 units

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

B. Development in Cambridge

a. Parcel Area	Total Area in Acres:	38.77 acres
	Square Feet:	1,690,276 square feet
	Area at North Point in Acres:	37.1 acres
	Square Feet:	1,617,534 square feet
	Area at Lechmere in Acres:	1.67 acres
	Square Feet:	72,742 square feet
b. Floor Area	FAR at North Point:	2.51
	FAR at Lechmere:	2.75
	GFA at North Point:	4,058,997 square feet
	GFA at Lechmere:	199,855 square feet
	Total GFA:	4,258,852 square feet
c. Non-Residential	Maximum FAR at North Point:	TBD
	Maximum FAR at Lechmere:	TBD
	Approved GFA at North Point:	1,399,613 square feet
	Approved GFA at Lechmere:	TBD (Retail Only)
d. Residential	Minimum FAR at North Point:	TBD
	Minimum FAR at Lechmere:	TBD
	Approved GFA at North Point:	2,652,304 square feet
	Approved GFA at Lechmere:	181,855 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided at North Point:	323,507 square feet
	at Lechmere:	11,000 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential at North Point:	See Special Permit
	at Lechmere:	See Special Permit
	Minimum residential:	TBD 0.5 – 1.0 spaces/unit for each building - Average of 0.75/unit at full build-out for all municipalities
g. Dwelling Units	Proposed Number:	TBD

C. Development in Somerville

a. Parcel Area	Total Area in Acres:	5.28 acres
	Square Feet:	229,856 square feet

D. Development in Boston

a. Parcel Area	Total Area in Acres:	1.29 acres
	Square Feet:	56,369 square feet

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

E. Development in Boston + Somerville

a. Parcel Area	Total Area in Acres:	6.57 acres
	Square Feet:	286,225 square feet
b. Floor Area	Total FAR	3.44
	Total GFA	987,000 square feet
c. Non-Residential	Maximum FAR	2.66
	GFA	761,000 square feet
d. Residential	FAR	0.79
	GFA	226,000 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	TBD
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum permitted:	TBD
g. Dwelling Units	Proposed Number:	TBD

II. PHASES

A. Statistical Summary - Phase 1A

1. Overall Dimensional Limits

a. Parcel Areas	Total Phase 1A in Square Feet:	454,406 square feet
b. Floor Area	Total GFA	2,064,992 square feet
	GFA	484,000 square feet
c. Non-Residential	Retail GFA	TBD
	GFA	1,580,992 square feet
e. Open Space	Public, Green Area or Permeable Open Space Provided:	4.12 acres or 179,902 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Non-residential:	See Special Permit
	Residential:	TBD - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

2. Dimensional Limits on Individual Parcels

Parcel H	a. Total Parcel Area:	79,430 square feet
	b. Total GFA:	30,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	30,000 square feet
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel I	a. Total Parcel Area:	100,837 square feet
	b. Total GFA:	390,000 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	TBD
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel N (completed prior to this Major Amendment)	a. Total Parcel Area:	49,284 square feet
	b. Total GFA:	394,000 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	8,600 square feet
	e. Retail:	8,600 square feet
	f. Residential GFA:	385,400 square feet
	g. Total Parking Spaces:	184
	h. Associated Public, Green Area or Permeable Open Space:	8,760 square feet
Parcel JK	a. Total Parcel Area:	62,502 square feet
	b. Total GFA:	370,000 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	370,000 square feet
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel T (completed prior to this Major Amendment)	a. Total Parcel Area:	38,986 square feet
	b. Total GFA:	242,194 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	Retail not proposed

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

	f. Residential GFA:	242,194 square feet
	g. Total Parking Spaces:	151 spaces in garage, 79 spaces at other locations on NorthPoint
	h. Associated Public, Green Area or Permeable Open Space:	13,861 square feet
Parcel S (completed prior to this Major Amendment)	a. Total Parcel Area:	30,090 square feet
	b. Total GFA:	112,398 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	None
	f. Residential GFA:	112,398 square feet
	g. Total Parking Spaces:	51 spaces in garage, 49 spaces at other locations on NorthPoint
	h. Associated Public, Green Area or Permeable Open Space:	11,255 square feet
Parcel L	a. Total Parcel Area:	30,475 square feet
	b. Total GFA:	286,000 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	286,000 square feet
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel M	a. Total Parcel Area:	30,475 square feet
	b. Total GFA:	208,400 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	TBD
	e. Retail:	Required, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel Q1	a. Total Parcel Area:	11,584 square feet
	b. Total GFA:	14,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	14,000 square feet
	e. Retail:	Required, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel W	a. Total Parcel Area:	20,743 square feet

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

b. Total GFA:	18,000 square feet
c. Use:	Commercial
d. Non-Residential GFA:	18,000 square feet
e. Retail:	Required, amount TBD
f. Residential GFA:	None
g. Total Parking Spaces:	TBD
h. Associated Public, Green Area or Permeable Open Space:	TBD

B. Statistical Summary - Phase 1B

1. Overall Dimensional Limits

a. Parcel Areas	Total Phase 1B in Square Feet:	383,237 square feet
b. Floor Area	Total GFA:	1,823,000 square feet
c. Non-Residential	GFA:	1,475,000 square feet
	Retail GFA:	TBD
d. Residential	GFA:	348,000 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	3.6 acres or 158,820 square feet
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential:	See Special Permit
	Minimum residential:	TBD 0.5 – 1.0 spaces/unit for each building - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

2. Dimensional Limits on Individual Parcels – Phase 1B

Parcel C	a. Total Parcel Area:	69,003 square feet
	b. Total GFA:	348,000 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	TBD
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel EF	a. Total Parcel Area:	87,225 square feet
	b. Total GFA:	400,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	400,000 square feet
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel G	a. Total Parcel Area:	101,610 square feet
	b. Total GFA:	410,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	410,000 square feet
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel H	a. Total Parcel Area:	79,430 square feet
	b. Total GFA:	345,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	345,000 square feet
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel U	a. Total Parcel Area:	45,969 square feet
	b. Total GFA:	320,000 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	320,000 square feet
	e. Retail:	Retail not proposed
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

C. Statistical Summary - Phase 2

1. Overall Dimensional Limits

a. Parcel Areas	Total Phase 2 in Square Feet:	426,813 square feet
b. Floor Area	Total GFA:	1,387,862 square feet
c. Non-Residential	Maximum GFA:	256,062 square feet
	Retail GFA:	76,000 square feet
d. Residential	Minimum GFA:	1,131,800 square feet
e. Open Space	Minimum Public, Green Area or Permeable Open Space Provided:	Balance of 11 acres
	Other Open Space in Square feet:	TBD
f. Parking Spaces	Maximum non-residential:	See Special Permit
	Minimum residential:	TBD 0.5 – 1.0 spaces/unit for each building - Average of 0.75/unit at full build-out for all phases
g. Dwelling Units	Proposed Number:	TBD

2. Dimensional Limits on Individual Parcels – Phase 2

Parcel A	a. Total Parcel Area:	65,373 square feet
	b. Total GFA:	231,610 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	None
	e. Retail:	Retail not proposed
	f. Residential GFA:	231,610 square feet
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel B	a. Total Parcel Area:	80,325 square feet
	b. Total GFA:	316,390 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	TBD
	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel D	a. Total Parcel Area:	59,838 square feet
	b. Total GFA:	340,000 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	TBD

Application for Amendments to PUD Development Plan and Project Review Special Permits
 Final Development Plan
 NorthPoint
 Cambridge, Massachusetts

	e. Retail:	Allowed, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel Q2	a. Total Parcel Area:	114,928 square feet
	b. Total GFA:	151,062 square feet
	c. Use:	Commercial
	d. Non-Residential GFA:	151,062 square feet
	e. Retail:	Required, amount TBD
	f. Residential GFA:	None
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel R	a. Total Parcel Area:	46,343 square feet
	b. Total GFA:	148,945 square feet
	c. Use:	Mixed-use
	d. Non-Residential GFA:	TBD
	e. Retail:	Required, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD
Parcel V	a. Total Parcel Area:	60,006 square feet
	b. Total GFA:	199,855 square feet
	c. Use:	Residential
	d. Non-Residential GFA:	TBD
	e. Retail:	Required, amount TBD
	f. Residential GFA:	TBD
	g. Total Parking Spaces:	TBD
	h. Associated Public, Green Area or Permeable Open Space:	TBD

Appendix II: Traffic and Transportation Mitigation Requirements

The Permittee has committed to an extensive list of Travel Demand Management (TDM) measures, transportation infrastructure improvements, and off-site roadway mitigation measures that are all designed to minimize the transportation impacts of the proposed development by reducing reliance on automobile travel and increasing the capacity of key intersections. All of these measures must be in place before completion of the project. The following schedule shall apply.

1. Prior to the issuance of the first building permit the Permittee and City staff (staff of the Traffic, Parking and Transportation and Community Development Departments, except as noted) shall thoroughly investigate all reasonable measures that will improve the environment and attractiveness of the Gilmore Bridge for pedestrians and bicycles in order to ensure an attractive connection for them between the Community College station on the Orange Line and the buildings within North Point. The items to be investigated will include the widening of the sidewalk, ways to reduce the adverse impact of wind on the pedestrians, options to support bicycle use, and the appropriate timing of the improvements that are agreed upon.
2. Before the first Certificate of Occupancy for the first building is issued the following measures must be operational:
 - a. Transportation infrastructure improvements, including:
 - (i) A surface roadway connection between East Street and North Point Boulevard as approved by City staff.
 - b. In addition, should the first building contain non-residential uses (exclusive of accessory retail uses) the following non-residential TDM measures:
 - (i) TDM measures shall be implemented for any non-residential uses as detailed in the approved PTDM Final Decision, #F-30, dated February 21, 2003 (herein after the PTDM Plan), and. all subsequent amendments for the project.
 - c. In addition, before the first Certificate of Occupancy for the first residential building, the following residential TDM measures, including:
 - (i) A transportation coordinator, responsible for implementing and/or administering all TDM programs.
 - (ii) At least one car-sharing space made available to a car-sharing program.
 - (iii) A program that will: (1) permit residents to forgo parking privileges in the parking garage and have that choice reflected in a downward adjustment to their rent, and (2) require increased parking fees for residents choosing more than one space per unit. This program must be approved by City staff and the Permittee shall report to the City annually on the operation of the program.

- (iv) Membership in the Charles River TMA and provision of shuttle service. Plans for operations of a shuttle to the Red Line must be approved by City Staff prior to obtaining the first Certificate of Occupancy. Revised plans for operations should be submitted with each application for a building. Revisions to operations at any time shall require approval by City Staff.
3. Prior to the issuance of a building permit for the first building commenced on a Parcel other than Parcels S, T and N, install a Hubway station near the base of the vertical connection to the Gilmore Bridge.
 4. Prior to the issuance of an Occupancy Permit for the first building commenced on a Parcel other than Parcels S, T and N, complete a feasibility study for design of other improvements to the environment along the Gilmore Bridge to encourage pedestrian and bicycle access to the Orange Line and bicycle access enhancements for use of the Gilmore Bridge, and present feasibility study to City staff and MassDOT.
 5. Before the issuance of an Occupancy Permit which brings the total non-residential space to more than 350,000 sq. ft., the following measures must be operational:
 - a. Transportation infrastructure improvements, including:
 - (i) All of the above infrastructure improvements.
 - (ii) A surface roadway connection between East Street and Water Street as approved by City staff, provided that the City staff shall work with the Permittee to modify the location of the connection if necessary to coordinate with the schedule of the MBTA for construction or property conveyances.
 - (iii) A vertical, handicap-accessible, pedestrian and bicycle connection to the Gilmore Bridge north of the park.
 - b. TDM measures, including:
 - (i) All of the above TDM measures.
 - (ii) Provision of car-sharing spaces to meet demand.
 6. Before the first Certificate of Occupancy is issued for a building in *Phase 1B* the following measures must be operational:
 - a. Transportation infrastructure improvements, including:
 - (i) All of the above infrastructure improvements.

(ii) Sub-paragraphs (ii) and (iii) of this section in the original Special Permit relate to the plans for a vertical pedestrian and bicycle connection to the Gilmore Bridge adjacent to Block H and Block N. Those sub-paragraphs are superseded in this Major Amendment by the Permittee's approved plan to create an open-air vertical park connection with accessible elevator as a component of the development of Block H or Block N.

(iii) See above.

(iv) A temporary multi-use path connection from North Point Boulevard to Water Street when the intersection of O'Brien Hwy and Water Street has been improved, with an extension to the Somerville Community Bike Path as soon as it exists, as approved by City staff, provided that the City staff shall work with the Permittee to modify the location of the connection if necessary to coordinate with the schedule of the MBTA for construction or property conveyances.

b. All of the above TDM measures.

c. Off-site roadway mitigation measures, including:

(i) Proposed improvements to Land Boulevard and O'Brien Highway developed in coordination with City staff and approved by the State as necessary.

(ii) [Intentionally deleted – The proposed new mid-block crossing of O'Brien Highway has been determined by the City staff and MassDOT not to be desirable.]

(iii) Other off-site intersection improvements, developed in coordination with City staff, including:

(a) Pavement marking improvements and signal timing changes with equipment improvements where deemed necessary by City staff at the intersections of O'Brien Highway and Twin City Plaza, O'Brien Highway Museum Way, Cambridge Street Hampshire Street, Cambridge Street and Prospect Street, Cambridge Street and Columbia Street, Cambridge Street and Sixth Street, Cambridge Street and Third Street, Cambridge Street and Second Street, Charles Street and Third Street, Charles Street and First Street, Binney Street and First Street, Binney Street and Land Street, Broadway & Galilei Way, Broadway & Third Street, and Cambridgeside Place and Land boulevard.

(b) Intersection reconstruction including cross-section changes, sidewalk modifications, pavement markings, new asphalt, and signal timing changes, with equipment improvements where necessary, at the intersections of: O'Brien Highway and Third Street and O'Brien Highway and Water Street.

7. Before the initiation of Phase 2, except as permitted in Condition 5(e) of this Decision:

- (i) The following improvements to the intersections of Cambridge Street and First Street, Cambridge Street and O'Brien Highway, and at the new intersection of First Street Extension and O'Brien Highway shall be completed based on a plan approved by City staff and the State as necessary:
 - (a) All necessary cross-section and alignment changes;
 - (b) New roadbeds and pavement;
 - (c) New sidewalks and lighting;
 - (d) New pavement markings; and
 - (e) All signal timing changes and new signal equipment.
 - (ii) Completion of improvements to the environment along the Gilmore Bridge to encourage pedestrian and bicycle access to the Orange Line and bicycle access enhancements for use of the Gilmore Bridge, as determined by the Permittee and City staff, subject to any required state agency approval.
8. The Permittee shall contribute \$100,000 (adjusted for inflation) to fund the City's design and installation of traffic calming improvements on Cardinal Medeiros Avenue. This contribution will not be required prior to the issuance of the third Certificate of Occupancy for the project. The City will provide six months written notification of need to make this contribution.
9. As soon as the hotel is opened, the Permittee must provide a transportation service to/from Logan Airport in order to reduce SOV travel between the airport and hotel. Plans for provision of this service must be approved by City staff prior to obtaining the hotel Certificate of Occupancy. Revisions to operations at any time shall require approval by City Staff. The Permittee is encouraged to explore opportunities for providing this service free of charge in cooperation with other area hotels.

Appendix III: Traffic Monitoring Provisions

In order to determine whether the traffic associated with this project is significantly different than that which was forecast in the Traffic Study (TIS), the project shall be required to undertake annual monitoring as set forth below.

All required surveys and counts shall be designed and conducted in a manner approved by the Community Development and Traffic, Parking and Transportation Departments. Approval of the form of any survey instrument or monitoring method for the non-residential portion of the project shall be required before it is used for the first building with a non-residential component. Approval of the form of any survey instrument or monitoring method for the residential portion of the project shall be required before it is used for the first building with a residential component. Approval of the form of the method for perimeter monitoring shall be required before it is used for the first building.

1. For non-residential portions of the project, this monitoring shall consist of:
 - a. Determination of mode split for all trips for employees, patrons, visitors, etc. annually.
 - b. Garage driveway counts. Peak hour (AM and PM) and 24 hour counts for one week shall be conducted every two years.
 - c. Parking space utilization counts. Counts shall be taken for two 24-hour weekday periods at 15-minute intervals during one week every two years.
2. For the residential portion of the project, this monitoring shall consist of:
 - a. Determination of mode split for residential peak hour (AM and PM) trips annually.
 - b. Garage driveway counts. Peak hour (AM and PM) and 24 hour counts for one week shall be conducted every two years.
 - c. Parking space utilization counts. Counts shall be taken for two 24 hours weekday periods at hourly intervals during one week every two years.
3. In addition, perimeter monitoring shall be conducted for this project every two years. Peak hour (Weekday AM and PM, Saturday Midday) turning movement counts and 24 hour ATR Volume counts shall be recorded at the intersections of O'Brien Highway with Water Street, with East Street, with "A Drive", with Museum Way and with First Street Extension (when open), as well as on North Point Boulevard under the Gilmore Bridge.
4. Monitoring and surveying shall begin within one year of the date of the issuance of the first Certificate of Occupancy in the development. Mode split monitoring, driveway counts (when applicable) and parking utilization, counts (when applicable) shall be conducted for all buildings during the same one-week period, as determined by the date of the Certificate of Occupancy of the first building. If the Certificate of Occupancy is issued between September 1 and February 29, the monitoring shall take place during the months of September or October (during a week with no holidays) and be reported to the City no later than November

30. If the Certificate of Occupancy is issued between March 1 and August 31, monitoring shall take place during the months of April or May (during a week with no holidays) and be reported to the City no later than June 30.
5. Frequency of monitoring may be changed upon approval by City staff. Monitoring frequency may only be reduced if the monitored mode splits for the residential and non-residential portions of the project are less than or equal to those projected in the Traffic Impact Study and have been consistently maintained in survey validated by City staff for a period of not less than 5 years. More frequent monitoring may be re-instituted by City staff if mode splits exhibit a trend towards more automobile use or if 5% or more of the non-residential square feet changes use or tenant, or any residential use is converted to non-residential use.
 6. The Permittee shall submit an annual monitoring report to the Community Development and Traffic, Parking & Transportation Departments to include summary tables of trip generation and percentage by mode for each building and/or block, with subtotals by use, as well as projections by phase and building and/or block for all un-occupied build-out in the full-build development. Final report format to be developed in cooperation with Community Development and Traffic, Parking & Transportation Department staff after submission of the first draft report. As part of each report the Permittee shall provide an assessment, to the extent that such assessment can be reasonably made from the information collected or otherwise available, of the general accuracy of the assumptions made in the initial Traffic Study. The Permittee shall include a summary approved by City staff of the most recent report in submissions to the Planning Board for each new building review.
 7. If any monitoring report submitted during the build-out of *Phase 1A* or *Phase 1B* determines that trip generation as determined by driveway counts for existing occupied GFA plus projections for all un-occupied *Phase 1A* and *1B* GFA (based on monitored trip rates and mode splits) exceeds 1,450 pm or 10,500 daily trips before the First Street Extension is operational, additional TDM and infrastructure improvements as described in Paragraph 9 below must be implemented to keep trips at or below the levels projected in the 2002 TIS.
 8. If any monitoring report submitted during the build-out of *Phase 2* determines that trip generation as determined by driveway counts for existing occupied GFA plus projections for all un-occupied *Phase 1A*, *1B*, and *Phase 2* GFA (based on monitored trip rates and mode splits) exceeds 1,900 pm or 16,100 daily trips before the First Street Extension is operational, additional TDM and infrastructure improvements as described in Paragraph 9 below must be implemented to keep trips at or below the levels projected in the 2002 TIS.
 9. If monitoring indicates trip generation in excess of the, thresholds described in 7 and 8 above the proponent will work with the City staff to identify and implement additional mitigation measures intended to reduce auto mode share or peak hour vehicle trip generation. The TDM measures the proponent will consider include the following items or others than may have similar or better results and will be determined in consultation with the City of Cambridge. The proponent will commit to implement a package of measures whose effectiveness is commensurate with the exceedence. Possible TDM Measures, include but are not limited to the following:

- Reductions to commercial and/or residential parking supply
- Increases to commercial and/or residential parking rates
- Financial incentive for residents to leave their car in the garage for multiple days
- Additional off-site bicycle and pedestrian connections, such as Somerville Community Path, bridges from North Point to O'Brien Hwy, Boston or across the Charles River behind the Museum of Science. Build bike/pedestrian connections from North Point Park to Boston.
- Provide bicycle facilities along O'Brien Hwy.
- Discount/Free ZIPCAR (or similar car-share) membership for residents
- MBTA pass subsidies for residents
- Larger financial incentives for formation of vanpools/additional carpools
- Telecommuting program for commercial tenants
- Operate or provide funding for improved bus connections to under-served transit facilities/employment centers.
- Financial incentives for walking and biking
- Acceleration of implementation of planned transit, bike infrastructure or TDM programs.
- Free bikes as rewards for not driving, multiple years of tenancy, etc.
- Create a transit pass for private and public transit that facilitates transfers
- Provide on-site amenities or encourage services to reduce trip making - grocery deliveries, on-site day care, dry cleaners, etc.
- Create a para transit system to serve children's travel needs - school, after school, sports, art, music, etc.
- Participation in the cost of the design and installation of a Third Street to Main Street bus way connection at Broadway, developed in coordination with City staff
- Additional, reasonable measures as agreed upon by the proponent and the City
- Provide free or discounted public bicycle-sharing program (Hubway) membership for residents or employees



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


www.cambridgema.gov/traffic

Monica R. Lamboy, Interim Director
Brad Gerratt, Deputy Director

Phone: (617) 349-4700
Fax: (617) 349-4747

MEMORANDUM

To: Cambridge Planning Board

From: Monica R. Lamboy, Interim Director 

Date: January 13, 2015

Re: NorthPoint Application for Amendments to PUD Development Plan and Project Review Special Permits (PB#179)

The Cambridge Traffic, Parking and Transportation Department (TP&T) reviewed NorthPoint's Application for Amendments to PUD Development Plan and Project Review Special Permits, dated June 24, 2014, for Planning Board Special Permit #179. TP&T submitted comments to the Planning Board on August 19, 2014 (attached). Below is a summary of TP&T's August 19, 2014 memo along with additional comments and recommendations related to retail parking that were not discussed in the previous memo:

1. Reduction in parking from 4,980 spaces to 3,807 spaces.

TP&T supports the proposed parking reduction from a maximum of 4,980 spaces to a maximum of 3,807 spaces (not including 300 MBTA park and ride spaces) for the NorthPoint PUD (a reduction of 1,173 spaces). The parking spaces should be sufficient to meet NorthPoint's needs based on the parking ratios and mode share goals (i.e. percent driving, walking, bicycling and transit). Furthermore, parking utilization will be monitored by the City as part of the Applicants Parking and Transportation Demand Management (PTDM) plan (see Part 6 of this memo). TP&T supports the reduced parking cap as a way to more strongly mitigate potential traffic impacts of the project. If it is determined that additional parking is needed in the future, the Applicant can go back to the Planning Board to seek an Amendment.

2. Updated parking ratios.

TP&T supports the Applicant's proposed parking ratios shown below, which are also consistent with the Kendall Square – Central Square (K2C2) planning study.

- Office: Maximum 0.9 spaces/1,000 s.f.;
- Lab/R&D: Maximum 0.8 spaces/1,000 s.f.;
- Residential: Minimum 0.5 spaces/unit and maximum 1 space/unit, but not to exceed 0.75 spaces/unit upon completion of the development. (This will permit the Twenty/20 Apartments currently under construction on parcel N to not need a temporary surface parking lot on Parcels L and M);
- Hotel: Maximum 1 per 2 sleeping rooms; and,
- Retail: Maximum 0.5 spaces/1,000 s.f.

3. Shared Parking.

A detailed shared parking analysis dated March 24, 2014 was completed by Vanasse Hangen Brustlin, Inc. (VHB), and was included in the Proponent's Application for Amendments to the PUD Development Plan

and Project Review Special Permit as Exhibit E. TP&T was comfortable with the level and quality of analysis and supports NorthPoint's shared parking plan with the following conditions:

- A. All land uses shall be permitted to use no more than the maximum parking ratios listed above at any one time (i.e. Office use shall have access to no more than 0.9 spaces/1,000 s.f.);
- B. NorthPoint shall accommodate parking for residents and visitors of residents in NorthPoint's off-street parking facilities (Visitors to residents shall be told where visitor parking is available);
- C. The Applicant should provide detailed parking reports to the City annually, as part of their PTDM monitoring requirement in a form approved by TP&T and CDD; and,
- D. Because NorthPoint will be built in phases over time, some parking facilities may be constructed before the buildings to which they will serve are constructed. Any parking spaces above the maximum parking ratios shall be made unavailable (i.e. physically inaccessible) until the buildings they will serve are constructed and occupied. This is a standard TP&T process.

4. Retail Parking.

NorthPoint is seeking an increase in retail square footage from 150,000 to 300,000 s.f., including a supermarket up to 50,000 s.f. They are also seeking a maximum of 0.5 parking spaces/1,000 s.f. for retail use. This would provide a maximum build-out of 150 retail parking spaces. TP&T believes some parking will be needed to support retail uses, and this amount of retail parking is low enough that it would not generate more trips than projected in the project's prior traffic studies. NorthPoint's overall parking reduction will also help off-set the potential traffic impacts of additional retail. Below are TP&T's comments:

- A. A maximum of 150 spaces should be allowed for retail use;
- B. As North Point is built-out, the retail parking spaces may be made available only up to 0.5 spaces/1,000 sf of retail use that is in existence at the time;
- C. Off-street retail parking should be located proximate to the Retail Square, as identified in the master plan;
- D. Off-street retail parking should have appropriate fees to support turnover of spaces, with fee structures to be determined during the PTDM process (see Point 6 below); and,
- E. TP&T has been in contact with the Applicant and both have a common goal of seeing on-street parking meters installed and enforced as soon as possible. TP&T will work with the Applicant to have an agreement regarding parking meters on NorthPoint streets, before North Point Boulevard is fully constructed.

5. MBTA Park and Ride Lot.

In the future, the City would like the MBTA park-and-ride lot to be eliminated or substantially reduced in size. With the completion of the Green Line Extension project, Lechmere will no longer be the terminus of the Green Line. TP&T is concerned that the parking will be used for purposes other than park-and-ride parking because it is not strictly enforced.

TP&T continues to urge NorthPoint to work with the MBTA to find alternate solutions that will result in the phasing out of the MBTA lot when the Green Line Extension is completed. Possible interim solutions include offering the MBTA revenue instead of the parking spaces, or to charging parking rates in the lot equal to rates charged elsewhere in NorthPoint, which could potentially reduce demand. TP&T recommends the following:

- A. The 300 MBTA parking spaces are for MBTA park and ride users only. The Applicant shall notify NorthPoint tenants that the parking does not serve NorthPoint (i.e. it is not additional ancillary parking for NorthPoint uses).
- B. Any reduction of spaces in the MBTA lot cannot be reallocated to serve other NorthPoint parking.

6. Parking and Transportation Demand Management (PTDM).

The NorthPoint PTDM plan must be amended if retail parking is created.

July 6, 2016
GSP Project Memo
North Point Retail Vision

I. Summary

Graffito SP (“GSP”) has been engaged by DivcoWest to develop a retail planning and leasing approach for NorthPoint (the “Project” or the “Site”) that embraces the values and goals described in this memo. The overarching objective of the NorthPoint retail plan is to develop a neighborhood-serving retail district that incorporates locally-owned small-format merchants, community-oriented spaces, creative programming, and integration with the project’s open spaces to create an active, vibrant, and unique public realm. Execution of this retail plan will be an essential investment in the success of NorthPoint as a place and of the Project as a whole.

North First Street is the primary retail corridor within NorthPoint because it is the point at which the greatest number of connections are made. The new Lechmere station will be on First Street; it will be the only street in Project that extends directly into the existing street grid in East Cambridge, and, by connecting to Cambridge Street just across Monsignor O’Brien, it will create a linkage to the Cambridge Street retail corridor that will strengthen both that existing retail zone and the new one in NorthPoint. The retail zone on North First Street, already incorporated in the existing NorthPoint Special Permit, is the right strategy for retail at the Site, and the new design strengthens the concept significantly.

The largest portion of the retail space in the NorthPoint plan is in the ground floor of mixed-use buildings. A smaller, but critical, portion has been designed in small retail buildings that help accomplish several essential objectives:

- They will allow the retail to be integrated into the public realm in a way that is not possible with large buildings alone. We believe this integration is a key element of differentiation for the NorthPoint retail district, and essential to inspire retailers to commit to a pioneering location.
- It allows delivery of a minimum critical mass of retail space in the initial phase, when there will likely be only a single commercial building at the Site. This minimum critical mass is crucial from a retail tenant perspective.
- The small buildings will allow DivcoWest to design a place that has a human scale and sense of place, with a variety of architecture and storefronts.

Specific leasing and activation strategies will include:

- Actively recruit and prioritize deals with small, local, owner-operated businesses;
- Deliver rentable premises within the Project of varying shapes and sizes in an effort to foster (i) texture on the ground floor and (ii) maximum flexibility in tenant recruitment;
- Think about ground floor activation as far more than just traditional retail leasing by incorporating into planning and tenanting programmatic and temporary uses; and

- Implement certain best practices from a design/architecture perspective that enhance the ground floor throughout the Project.

II. Updated Retail Master Planning Principles

In order to accomplish the above goals, certain changes have been made to the original master plan from 2002 and 2003. Specifically, (i) First Street has been straightened, (ii) the updated master plan concentrates some retail at the center of the Site on First Street, consistent with the Retail Square concept in the 2003 master plan amendment, and (iii) more retail is moved to phase 1A and 1B to enable early site activation. **Creating a central node of retail along a better-connected First Street corridor is crucial for several key reasons:**

- Concentrating the retail in areas adjacent to the Site's open space and parks will make both the open space and the retail more dynamic. We have embraced a belief that the park and open space is the Site's true anchor and retail merchandizing and planning must show deference to such.
- The Project's retail should fit into the context of (and be inspired by) Cambridge's most successful mixed-use neighborhoods, which means there shall be (i) a compression of stores along and within a few key corridors and (ii) a lack of dependency on the automobile and parking. As such, bringing the retail to locations more proximate to the Green Line is crucial.
- Retailers need concentration and adjacencies to be successful. Building isolated retail premises throughout the Site will be challenging to lease and present the risk of creating spaces that sit vacant for long periods of time, which is a pattern we've seen historically in Cambridge and other locations.

Further, as related to those potential retail uses (and sizes) that were detailed in the original Permittee's application of 2003, while many of those uses and retail targets remain relevant and desirable in the present (*i.e.*, childcare, multiple food uses, florist and fitness), there are certain changes that must be made given the realities of today's market, as follows:

- Travel agencies, large format book stores (5,000 SF+) and video stores are no longer viable, desirable or available uses for the Project;
- There is no need for both a 5,000 SF convenience store and a small grocery store (a small-format grocery store will still though be targeted);
- The Project will be able to accommodate far more than just one full-service restaurant; and
- The Project will benefit from additional recreational and active-lifestyle uses to enhance connection to (and cultural alignment with) open space, the community path, skate-park and the Charles River.

A revised list of potential retail uses is attached.

III. Core Retail Design Principles

As follows is an overview of certain threshold design practices that will be incorporated into written guidelines for the Project:

- Operable windows and storefront features that enhance actual and visual permeability vis-à-vis the public realm will be encouraged, specifically including guidelines regarding use of clear glazing, storefront lighting and entry locations;
- Building facades shall be constructed to properly frame and distinguish the first story of all buildings (canopies, lighting, signage, color and material variation, etc.);
- Outdoor seating to be utilized and encouraged whenever and wherever possible;
- All buildings within the Project shall have centralized loading, trash and back-of-house functions that can be efficiently shared by multiple retail tenants;
- Unique, attractive and functional retail signage and way-finding (and combination thereof) shall be encouraged; and
- Higher than industry standard floor-to-floor clearances will be encouraged at all new ground floor retail spaces.

GSP Contact:

Jesse Baerkahn, President

jesse@graffitosp.com

+1 (617) 669 - 6171



One Broadway 14th FL, Cambridge, MA 02142
108 Lincoln Street, Loft 1A, Boston, MA 02111
info@graffitosp.com || graffitosp.com

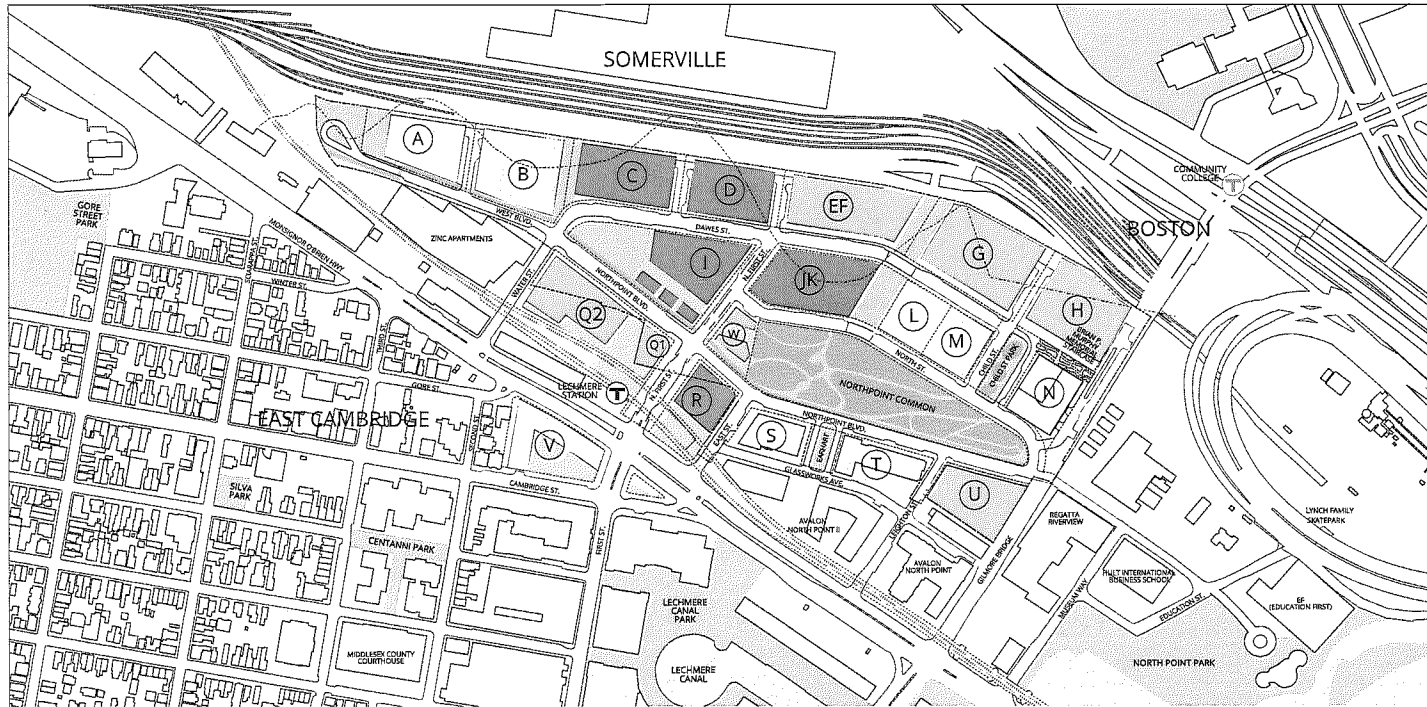
Potential Retail Uses

Northpoint

July 6, 2016

Neighborhood Market/Grocer	5,000 - 10,000 sf
ATM	200 - 500 sf
Fitness & Recreation Uses	2,000 - 15,000 sf
Childcare Center	3,000 - 10,000 sf
Coffee Shop	500 - 3,000 sf
Brewpub	1,000 - 5,000 sf
Bakery	500 - 5,000 sf
Juice & Health Foods	500 - 1,000 sf
Bistro	2,000 - 5,000 sf
Quick Service Restaurants	1,000 - 2,500 sf
Full Service Restaurants	3,000 - 6,000 sf
Dry Cleaner	500 - 1,000 sf
Florist	500 - 1,000 sf
Bike Shop	500 - 2,000 sf
Specialty fitness	500 - 2,000 sf
Salon / Barber	500 - 3,000 sf

NORTHPOINT



LEGEND

- Residential
- Commercial
- Residential, Commercial or Mixed-Use

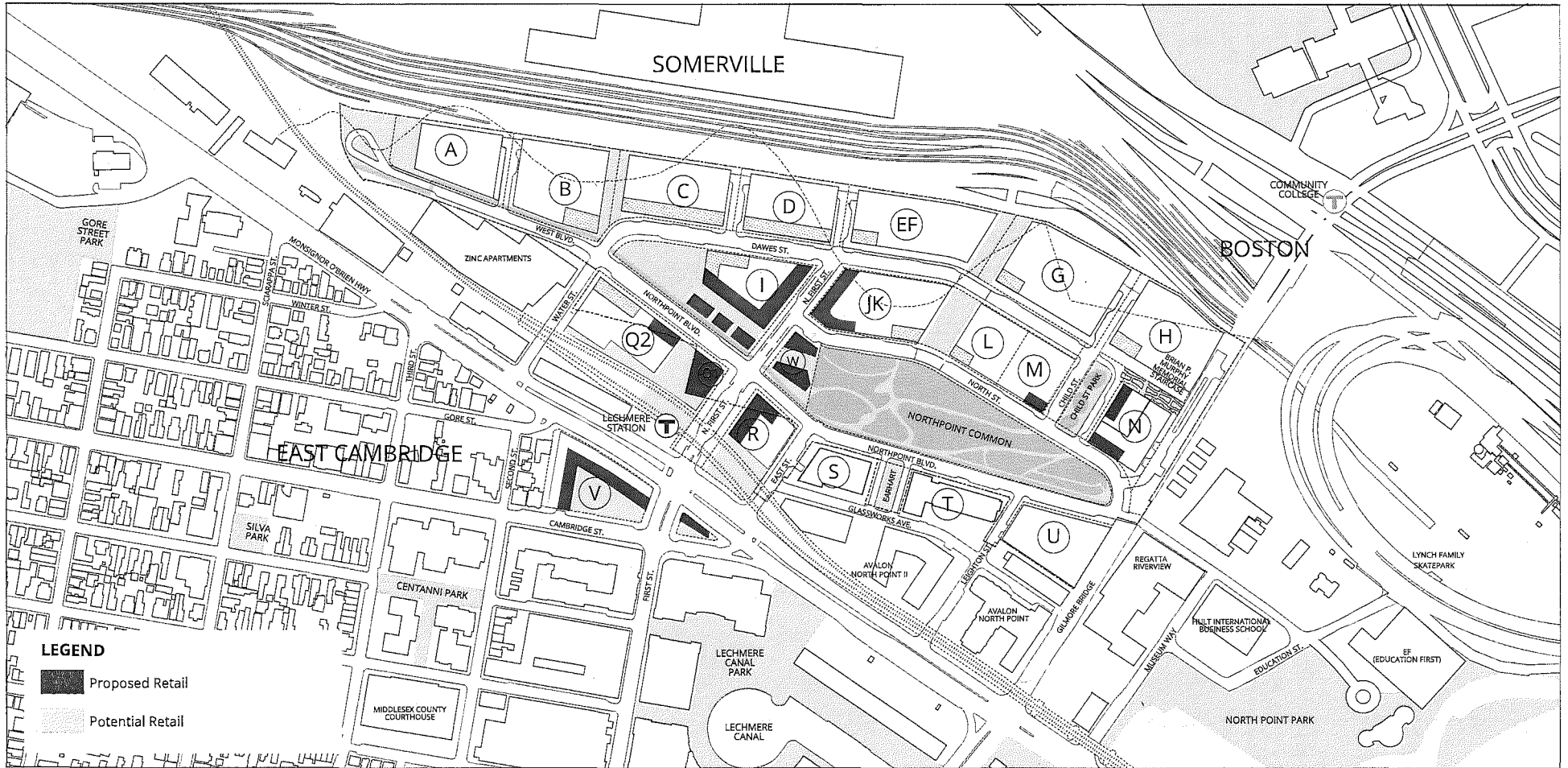
Table 1:
GFA by Block

	GFA	USE
A	175,000 gsf	RESIDENTIAL
B	373,000 gsf	RESIDENTIAL
C	348,000 gsf	MIXED-USE
D	340,000 gsf	MIXED-USE
EF	400,000 gsf	COMMERCIAL
G	410,000 gsf	COMMERCIAL
H	345,000 gsf	COMMERCIAL
I	390,000 gsf	MIXED-USE
JK	370,000 gsf	MIXED-USE
L	286,000 gsf	RESIDENTIAL
M	208,400 gsf	RESIDENTIAL
N	394,000 gsf	RESIDENTIAL
Q1	14,000 gsf	COMMERCIAL
Q2	151,062 gsf	COMMERCIAL
R	148,945 gsf	MIXED-USE
S	112,398 gsf	RESIDENTIAL
T	242,194 gsf	RESIDENTIAL
U	320,000 gsf	COMMERCIAL
V	199,855 gsf	RESIDENTIAL
W	18,000 gsf	COMMERCIAL
	5,245,854 gsf	

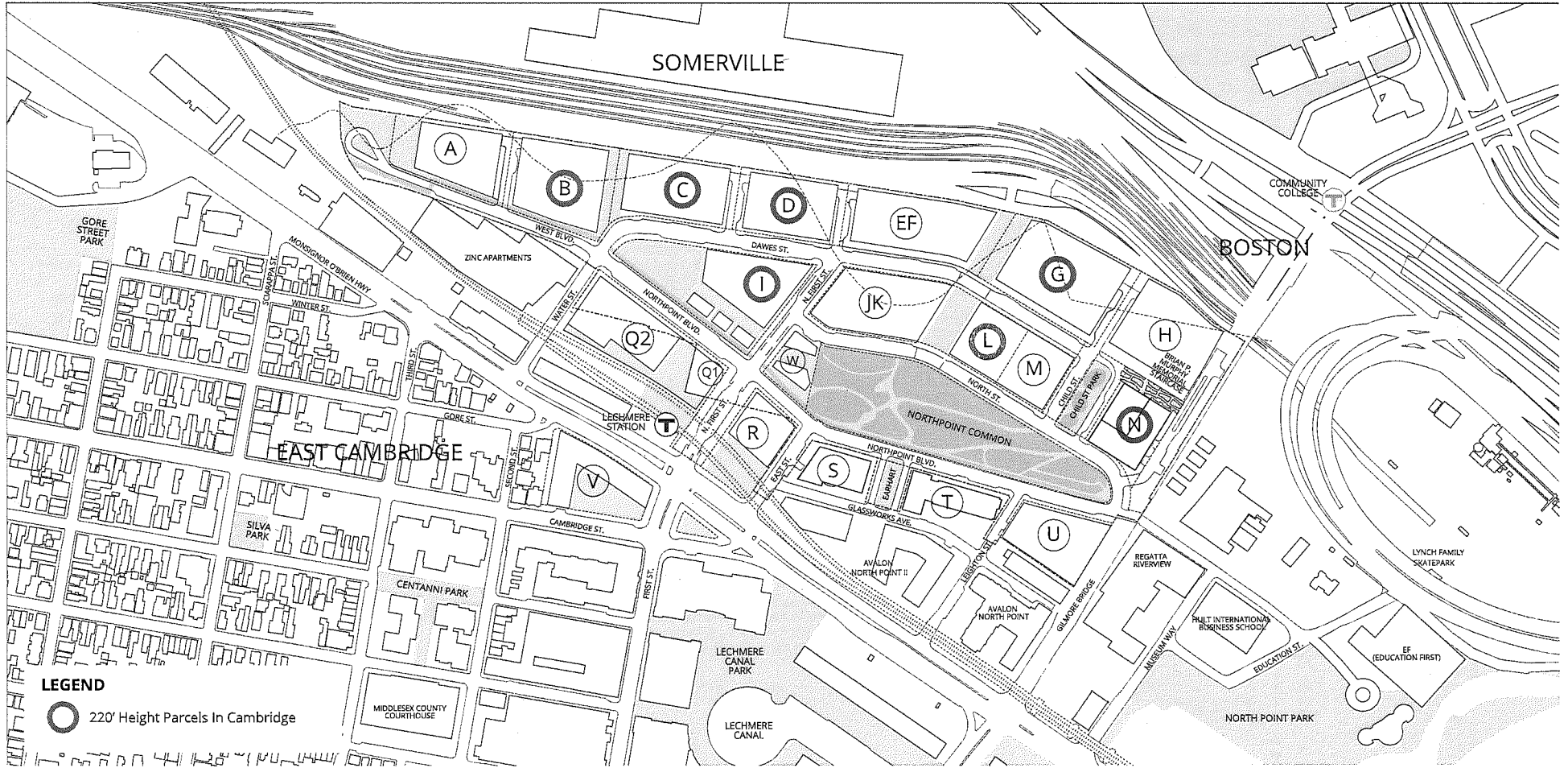
Table 2:
Special Permit Approved GFA (Entire Master Plan)

Maximum Non Residential:	2,185,062 gsf
Minimum Residential:	3,060,792 gsf
Maximum Total:	5,245,854 gsf

NORTHPOINT



NORTHPOINT



LEGEND
 ○ 220' Height Parcels In Cambridge

NORTHPOINT

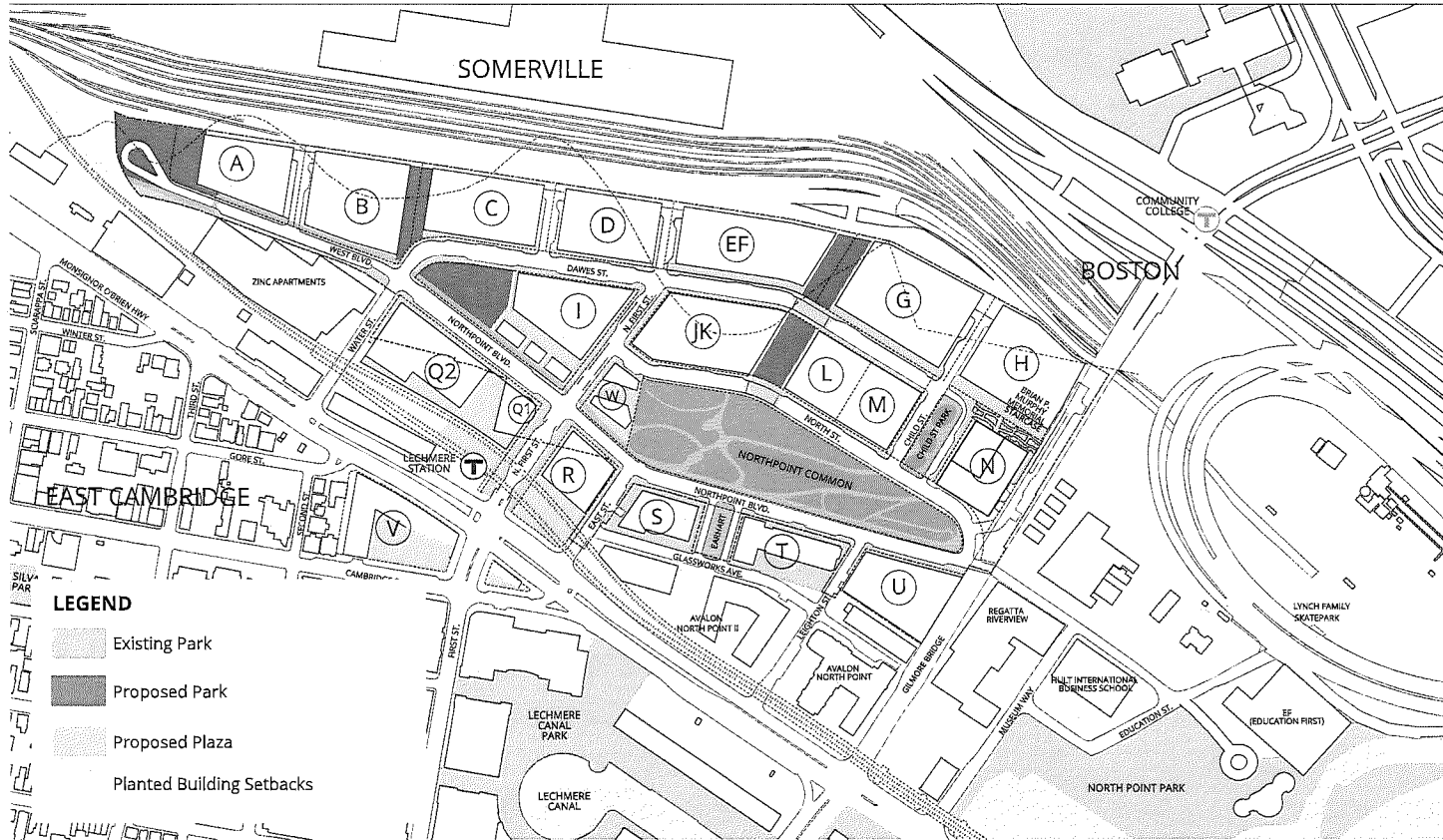
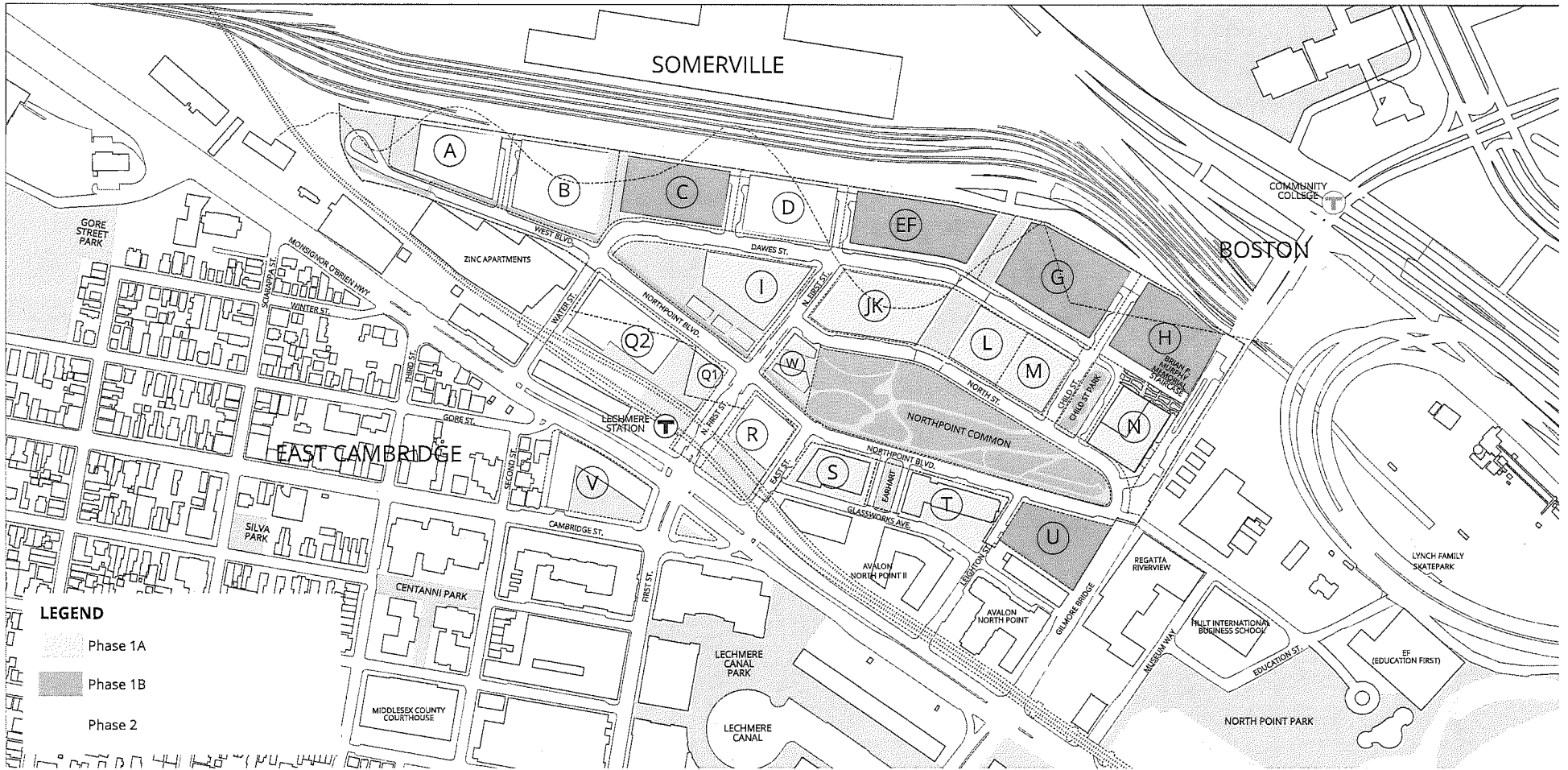


Table 1:
Open Space Summary - July 2016




	Acres
Approved Open Space	11.00
Completed Open Spaces	
Northpoint Common	4.33
Earhart Park	0.19
Child St. Park	0.35
Brian P. Murphy Memorial Stair	0.18
Parcel S	0.26
Parcel T	0.32
Total Completed Open Space	5.63
Proposed Additional Open Space	5.37

Note:
Planted building setbacks and landscaped areas outside of parcels are provided in addition to required open space.

NORTHPOINT



LEGEND

-  Phase 1A
-  Phase 1B
-  Phase 2