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CITY OF CAMBRIDGE  
COMMUNITY DEVELOPMENT DEPARTMENT

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To: Planning Board  
From: Jeff Roberts, Senior Manager for Zoning and Development  
Swaathi Joseph, Associate Zoning Planner  
Date: January 9, 2018  
Re: **PB #243 Alexandria PUD Amendment #2 (Major) – First Hearing**

**Overview**

The Planning Board in 2010 approved a Planned Unit Development (PUD) for about 1.5 million square feet of commercial uses and about 220,000 square feet of residential uses on several sites along Binney Street (now called "Alexandria Center"). Currently, development on all but one of the approved sites is completed or in construction. The Board approved a minor amendment for this PUD in 2015 for parking reduction.

The Final Development Plan for the Alexandria PUD shows the arrangement of about 20,000 square feet of space devoted to "active uses," which is required in the zoning for the PUD district. Active uses mainly include retail, along with some other use categories, but do not include banks, which are classified as office uses. The approved Final Development Plan includes active uses at the northeast corner of 100 Binney Street and at the corner of Binney and Second Streets, in a new addition to the 41 Linskey Way building.

The proposed amendment would authorize a 2,700 square-foot bank use at the northeast corner of 100 Binney, and enable the relocation of the required active use from that location to the existing 41 Linskey Way building, at the corner of Second Street and Linskey Way.

The required findings for approval of a Major Amendment are summarized on the following page.

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

**Development Plan Amendment Procedure**

Though the overall amount of space in question is relatively small, the provision of active uses is a crucial element of the zoning for the district and the location of such uses is an important aspect of the Planning Board’s PUD review. The Special Permit Decision for this PUD explicitly approves the locations of active uses as depicted in the Final Development Plan, but allows active uses to be relocated within the project upon approval as a Minor Amendment. However, the decision does not authorize banks as an allowed use in the Final Development Plan. Normally, a permittee can seek a determination from the Planning Board of whether a proposed change is major or minor, but in this case the developer has directly applied for approval as a Major Amendment.

Approval of a Major Amendment follows the same two-hearing procedure as approval of a PUD Final Development Plan. At the first hearing, the Planning Board reviews the proposal in concept and makes a preliminary determination whether the proposal is generally consistent with the district objectives. If so, the proposal can proceed to be considered in further detail; if not, the Board can deny the application. If the proposal is allowed to proceed, the Board may request additional study or revisions to the plan. At the second hearing, the Planning Board reviews the proposal in detail and makes a final decision to grant or deny the special permit approving the Final Development Plan or Major Amendment.

Because this proposal is fairly limited in its scope, the two hearings have been scheduled at consecutive Planning Board meetings to streamline the review process. However, as with any special permit application, the Planning Board can choose to continue the hearing to a future date in order to request additional study or revision.

### **Banks and Retail**

The presence of banks within retail areas has been a subject of much discussion in recent years, both at the Planning Board and City Council, and in the community at large. The main concern has been the tendency for bank branches to occupy large storefront areas while generating relatively little foot traffic, thereby impacting the active retail character of an area. Zoning provisions limiting bank frontage have been adopted in areas including North Massachusetts Avenue, Central Square, and Kendall Square, and are currently under consideration in Harvard Square. A typical standard has been to limit the linear ground-floor frontage of bank uses to 25 feet, allowing the Planning Board to increase that frontage by special permit if there are mitigating factors. In other scenarios, banks are limited to 10% of ground floor area.

The current proposal would locate a bank within a prominent corner location. However, this outcome would accommodate the relocation of an existing bank that is currently near the center of Kendall Square. The presence of a bank at this location may be preferable to one that is located where active retail is a higher priority, providing a benefit when viewed in the larger area-wide context. Also, the proposal would relocate the required active use space to a nearby location along Second Street, which could be beneficial to activate that location and/or increase the size of the active space at the corner of Binney and Second Streets.

In order to assess the proposal more fully, it would be helpful to see more detail about how the frontage of both the bank space and the active uses along Second Street and Linskey Way would be designed. An idea that has been suggested as a mitigating factor when banks occupy significant ground-floor frontage is the provision of some public benefit, such as meeting space, community window displays, or public art, that would be compatible with the bank use while helping make the space feel more active and performing a broader community function.

## Approval of a PUD Major Amendment

- 12.37** *Amendments to Final Development Plan.* After approval of the Final Development Plan by the Planning Board, the developer may seek amendments to the Final Development Plan, only if he encounters difficulties in constructing the PUD which could not have reasonably been foreseen, such as with terrain or soil conditions or other complications.
- 12.37.1** Amendments to the Final Development Plan shall be considered major or minor. Minor amendments, as specified in Section 12.37.2 shall be authorized by written approval of the Planning Board. Major amendments, as specified in Section 12.37.3, shall be considered as an original application for a Special Permit to construct a PUD and shall be subject to procedures specified in Section 12.34 through 12.36. The Planning Board shall decide whether proposed changes are major or minor.
- 12.37.2** Minor amendments are changes which do not alter the concept of the PUD in terms of density, floor area ratio, land usage, height, provision of open space, or the physical relationship of elements of the development. Minor amendments shall include, but not be limited to, small changes in the location of buildings, open space, or parking; or realignment of minor streets.
- 12.37.3** Major amendments represent substantial deviations from the PUD concept approved by the Planning Board. Major amendments shall include, but not be limited to, large changes in floor space, mix of uses, density, lot coverage, height, setbacks, lot sizes, open space; changes in the location of buildings, open space, or parking; or changes in the circulation system.
- 12.36.4** The Planning Board shall make the decision to approve or disapprove the application for a Special Permit to construct a Planned Unit Development no later than ninety (90) days after the public hearing concerning the Development Proposal Approval of the Final Development Plan shall be granted only upon determination by the Planning Board that the Final Development Plan meets the evaluation criteria set forth in Section 12.35.3 and contains any revisions to the Development Proposal required by the Planning Board. If the Planning Board grants the Special Permit with conditions, the conditions must be agreed to in writing by the developer before the Special Permit is granted. The Planning Board shall make its final decision in writing and shall specify its reason for not granting a Special Permit to construct a PUD. If the Planning Board makes no decision within the specified time limit, then the Final Development Plan shall be considered approved and the Special Permit to construct a PUD shall be deemed granted.
- 12.35.3** Approval of the Development Proposal shall be granted only upon determination by the Planning Board that the Development Proposal:
- (1) conforms with the General Development Controls set forth in Section 12.50, and the development controls set forth for the specific PUD district in which the project is located;
  - (2) conforms with adopted policy plans or development guidelines for the portion of the city in which the PUD district is located;

- (3) provides benefits to the city which outweigh its adverse effects; in making this determination the Planning Board shall consider the following:
  - (a) quality of site design, including integration of a variety of land uses, building types, and densities; preservation of natural features; compatibility with adjacent land uses; provision and type of open space; provision of other amenities designed to benefit the general public;
  - (b) traffic flow and safety;
  - (c) adequacy of utilities and other public works;
  - (d) impact on existing public facilities within the city; and
  - (e) potential fiscal impact.