

City of Cambridge

MASSACHUSETTS

In City Council

Oct. 17

1988

Burlford Transportation / North Point Petition as Amended

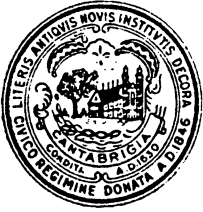
	YEA	NAY	ABSENT	PRESENT
Mr. Thomas W. Danehy	✓			
Mr. Francis H. Duehay	✓			
Ms. Sandra Graham	✓			
Mrs. Sheila T. Russell	✓			
Mr. David E. Sullivan	✓			
Mr. Walter J. Sullivan	✓			
Mr. William H. Walsh	✓			
Ms. Alice K. Wolf	✓			
Mayor Alfred E. Vellucci	✓			

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City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by inserting at the end of Article 13 a new section 13.70 entitled "Planned Unit Development in the North Point Residence, Office and Business District".

Also by adding at the end of Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Passed to be ordained at the City Council meeting held on October 17, 1988 by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:- Joseph E. Connarton
City Clerk

Robert W. Healy, City Manager.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Clerk,

Joseph E. Connarton,
City Clerk.

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT
RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls

specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

- 13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:
- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
 - (3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
 - (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.
- 13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.
- 13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.
- 13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 13.747 and 13.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of

85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2' below 85 feet x the difference between height-2' and 85 feet).

- 13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).
- 13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.
- 13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;
 - (b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other

buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

- (c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;
- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
- (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open

space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

- 13.76 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.
- 13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.
- 13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.
- 13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:
- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
 - (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
 - (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees

and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.
- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

XP-4165/c

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
 - 16.20 USE REGULATIONS
 - 16.30 DIMENSIONAL REGULATIONS
 - 16.40 PARKING AND LOADING REQUIREMENTS
 - 16.50 SIGNS
 - 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.

16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:

- (1) For lots located entirely within the Front Development Area; such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
- (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
- (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

- (4) As used herein, the following terms have the following meanings:
- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
 - (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
 - (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
 - (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

10/3/88

16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c

Text with all

Amendments incorporated 10/3/88

13.70 PLANNED UNIT DEVELOPMENT IN THE NORTH POINT RESIDENCE, OFFICE, AND BUSINESS DISTRICT.

13.71 Purpose. This Section 13.70 is intended to provide the opportunity for a transition from the existing industrial character of the North Point area to a highly active, moderate density commercial area with a mix of residential, office, and/or business uses having a street pattern and significant open space. It is also intended to encourage development which is substantially in accordance with the development policies outlined in the September 1988 North Point Policy Plan and consistent with the limits to development imposed by the restricted traffic capacity of streets providing access to the North Point Residence, Office, and Business District.

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

*CG & Russell
Amendment
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13.72 Applicability. A special permit for a Planned Unit Development may be granted by the Planning Board in the North Point Residence, Office, and Business District in accordance with the requirements of Sections 12.30 and 12.40, and the development controls

specified in Section 12.50 and this Section 13.70. All references to and requirements for a PUD district in those sections shall also apply to a Planned Unit Development in the North Point Residence, Office, and Business District.

13.73 Use Regulations. Any use permitted in Article 16.000-North Point Residence, Office, and Business District, may be allowed by the Planning Board.

13.74 Dimensional Requirements.

13.741 Floor Area Limitation. The maximum ratio of floor area to total area of the development parcel shall be 2.0, subject to the provisions of Sections 13.742 and 13.743. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Section 13.70) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

13.742 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased to a maximum of 2.5, but no increase in the number of parking spaces serving such uses shall be permitted beyond the number which would have been permitted if the applicable floor area ratio had been limited to 2.0.

*C. Mahone
C. Russell
Amendment*

- 13.743 Incentive for Residential Development. In order to promote housing uses within the District, increases in floor area ratio shall be permitted as follows:
- (1) The maximum permitted floor area ratio for a development in which at least 30% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The maximum permitted floor area ratio for a development in which at least 60% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.0.
 - (3) The maximum permitted floor area ratio for a development in which at least 90% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
 - (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.
- 13.744 Development Parcel and Lot Size. The minimum size of the development parcel shall be 20,000 square feet. There shall be no specified minimum lot size for lots located within a development parcel. The Planning Board shall approve all lot sizes located within a development parcel.
- 13.745 Other Dimensional Requirements. There shall be no minimum lot area per dwelling unit requirement, and there shall be no requirement with respect to frontage on any street for lots devoted to townhouse development. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. The Planning Board shall approve all such building setbacks.
- 13.746 Building Height Limitation. The maximum building height for all buildings shall be one hundred fifteen (115) feet, except as set forth in Sections 13.747 and 13.748, and except that notwithstanding anything to the contrary in this Section 13.746 or in Sections 13.747 or 13.748, the Planning Board may in its discretion permit the height of any building serving residential uses to exceed the limitations set forth in this Section 13.746 or in Sections 13.747 or 13.748, provided that the average height of all buildings on the lot where such building is located is not in excess of 85 feet (excluding any building or portion thereof devoted to parking which is not covered with building included in gross floor area). In order to achieve an average height not in excess of

85 feet, the heights of the several parts of the building or buildings shall be such that the volume of building exceeding 85 feet in height shall be equal to or less than the volume of space lying between the 85 foot height and portions of building less than 85 feet in height, as illustrated below:

Volume 1 (area of building at a single height-1 above 85 feet x the difference between height-1 and 85 feet) + Volume 2 (area of building at a single height-2 above 85 feet x the difference between height-2 and 85 feet) MUST EQUAL OR BE LESS THAN THE SUM OF Volume 1' (area of building at a single height-1' below 85 feet x the difference between height-1' and 85 feet) + Volume 2' (area of building at a single height-2' below 85 feet x the difference between height-2' and 85 feet).

- 13.747 A maximum building height of one hundred forty five (145) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).
- 13.748 Except as otherwise provided in Section 13.747, the maximum height of buildings located within 300 feet of the Reference Line described in Section 13.747 above shall be eighty five (85) feet.
- 13.749 In evaluating a development proposal providing for building height in excess of 85 feet, the Planning Board shall give consideration to evidence presented on the following:
- (a) that increased height is necessary to accommodate structured parking which cannot reasonably be located below grade due to concerns over the water table;
 - (b) that increased height will not cast shadows or alter air currents in ways that will unreasonably limit the amount of light and air reaching other

buildings in the vicinity to a significantly greater extent than if the building height did not exceed 85 feet;

- (c) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, and/or would enable the provision of open space, including roadways;
- (d) that increased height would not adversely affect and would result in increased sensitivity to the visual and physical characteristics of the particular location through more harmonious relationships to the terrain and to proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building, or would shield other buildings or areas from elevated roadways, railroad yards, or other detracting influences;
- (e) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area;
- (f) that the orientation and location of the proposed structure shall not otherwise diminish the health and safety of the North Point area; and/or
- (g) that the increased height will not derogate from the overall intent of the September 1988 North Point Policy Plan, including the Design Guidelines therein.

13.75 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 13.75 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias, gallerias, and parks which are open to public use and are located on land which is now (at the time of adoption of this Section 13.70) or hereafter privately owned, shall constitute public open space and/or publicly beneficial open space for purposes of this Section 13.75; provided, however, that interior space shall constitute such public open

space and/or publicly beneficial open space only if specifically approved by the Planning Board in its discretion.

The Planning Board may reduce the open space requirement if the development is located adjacent to a public open space and if the development is physically and functionally integrated with the open space by means of building orientation, location of building entrances, pedestrian linkages between major activity centers, or similar factors.

- 13.76 Perimeter and Transition. Any part of the perimeter of a planned unit development which fronts on a public open space for not less than 250 feet or is immediately adjacent to and within 300 feet of the Charles River shall be so designed as to complement and harmonize with adjacent land uses (existing or proposed) with respect to scale, density, setback, bulk, height, landscaping, and screening.
- 13.77 Parking and Loading Requirements. Off-street parking and loading requirements shall be the same as provided in Section 16.40; provided, however, that the Planning Board may, in its discretion, increase the maximum number of parking spaces permitted.
- 13.78 Public Benefits. All special permits granted under this Section 13.70 shall be subject to the provisions of Section 11.200.
- 13.781 Traffic Mitigation. Any special permit granted under this Section 13.70 may be conditioned upon compliance with any of the following traffic mitigation measures determined appropriate by the Planning Board and specified in its decision on the special permit:
- (a) Encourage staggered or flexible work hours for employees of all tenants enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
 - (b) Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office or other means of facilitating the use of commuter passes.
 - (c) Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees

and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

- (d) Reserve spaces at preferential locations for carpool and vanpool parking.
- (e) Establish reduced parking fees for carpool and vanpool parking.
- (f) In the case of any hotel, encourage the hotel operator to provide an airport motor vehicle shuttle.
- (g) Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
- (h) Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
- (i) Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
- (j) Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.
- (k) Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.
- (l) Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.
- (m) Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.
- (n) Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.
- (o) Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

- (p) Provide bicycle parking racks.
- (q) Cooperate with the East Cambridge Transportation Coordinator.

13.782 Design Review. Every development proposal approved by the Planning Board as a Planned Unit Development under this Section 13.70 shall be reviewed by the Planning Board for consistency with the Design Guidelines set forth in the September 1988 North Point Policy Plan adopted by the City as of the time of ordination of this Section 13.70, but the Planning Board may in its discretion approve any development proposal notwithstanding deviations from such Design Guidelines. In addition, the Planning Board may condition any special permit granted hereunder upon further design review insofar as the public health, safety, and welfare shall be concerned.

13.783 Inclusionary Housing Requirements. Any special permit granted under this Section 13.70 for the development of one or two family dwellings, multi-family dwellings, or townhouse development shall be conditioned upon the following:

- (a) A minimum of seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be Affordable Housing Units made available to Eligible Households as defined in Section 11.200 and shall conform to the Standards detailed in Section 11.200.
- (b) An additional seven and one half percent (7.5%) of the dwelling units authorized by such special permit shall be offered to the City of Cambridge at prevailing market rates for inclusion in any program available to and selected by the City for provision of affordable housing. Should the City fail to exercise its option within three months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
 - 16.20 USE REGULATIONS
 - 16.30 DIMENSIONAL REGULATIONS
 - 16.40 PARKING AND LOADING REQUIREMENTS
 - 16.50 SIGNS
 - 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

- 16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.
- 16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:
- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
 - (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
 - (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

- (4) As used herein, the following terms have the following meanings:
- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
 - (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
 - (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
 - (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c

North Point Policy Plan
Including Design Guidelines

Sasaki Associates, Inc.

September 1988

NORTH POINT POLICY PLAN

I. INTRODUCTION

1.01. Purpose and Intent. This document is and shall be considered a policy plan under Section 12.51 of the Cambridge Zoning Ordinance (the "Ordinance") with reference to the issuance of special permits under Section 13.70 of the Ordinance in the North Point residence, office, and business district (the "District"). This document sets forth the development policies which are to guide the development of the District anticipated to occur over the next twenty (20) years. It also sets forth Design Guidelines to be considered by the Planning Board in reviewing development proposals under Section 13.70 of the Ordinance.

1.02. Background. The District is located immediately north of Monsignor O'Brien Highway, bounded by the Charles River and parts of Boston to the east and by railroad lines and yards to the north and west. Although it is a large area, over 70 acres, relatively few people are aware of it. Indeed, the District is not commonly thought of as part of Cambridge - the elevated MBTA Green Line viaduct on the southern border of the District is often taken to mark the Cambridge boundary. Originally mostly tidelands, the District, as well as adjacent parts of Somerville and Boston, was first filled for use for heavy industrial purposes, including railroad yards and a gas works. Today, the predominant uses are warehouses, trucking, and rail use. Other uses include a garbage transfer station, a sewage pumping station, storage and various other industrial uses, as well as two small office buildings.

The area to the north of the District is the location of major rail uses, the Boston Sand and Gravel plant, and elevated Interstate 93. The elevated Gilmore Bridge to Charlestown (Charlestown Avenue) bisects the District, and the elevated MBTA Green Line tracks to Lechmere Station run along the District's southern boundary. Despite the District's lengthy frontage on the Charles River, there is no parkland or improved open space and no public access to the river. Some of the properties in the District are currently vacant and/or in substandard condition.

A number of these conditions are expected to continue for some period of time. In particular, some portions of the District and a large area north of the District will continue

to be used for transportation or other heavy industrial purposes in the future, because of the following:

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- (b) the reconstruction of the Interstate 93/Route 1 interchange immediately north of the District, including construction of an additional elevated ramp at or possibly across the boundary of the District;
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- (d) the continued presence of the garbage transfer station for another five (5) years under its lease agreement;
- (e) the importance to the Commonwealth of the rail corridor immediately north of the District; and
- (f) the right of existing industrial users to continue their activities.

Despite all of the foregoing, the District has considerable development potential because of its proximity to Boston, its frontage on the Charles River near the Museum of Science, its proximity and access to the MBTA Green Line stations at Lechmere and Science Park, the MBTA Orange Line station at Community College, and North Station in Boston, and the impending completion of the redevelopment of the East Cambridge Riverfront immediately to the south. Recognizing this potential, the City imposed a zoning moratorium on the North Point area generally in 1986 for planning purposes, an effort which has culminated in the creation of the District and this Policy Plan. The zoning for the District and this Policy Plan, including the Design Guidelines set forth below, reflect the concerns which have arisen in the course of this planning effort, particularly with respect to the mitigation of traffic impacts on Monsignor O'Brien Highway and the encouragement of the use of the very significant mass transportation resources available to the North Point area.

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Cambridge Riverfront. At the East Cambridge Riverfront, the City spearheaded redevelopment of the area by putting a master plan for the area through the environmental review process and providing from its own funds or obtaining from the state the very heavy roadway and other infrastructure improvements required for development of the area. As a result, in the East Cambridge Riverfront, the City was in effect a partner of the various private developers involved in transforming the area; the outstanding success of these efforts is due in large part to the strong role and heavy financial contribution made by the City or through its efforts.

North Point stands in sharp contrast to the East Cambridge Riverfront. North Point has none of the infrastructure and roads within the site necessary for revitalization, but at this time the City is not in the position to commit itself to funding those improvements (although it is hoped that funding may become available in the future for that purpose). Furthermore, it is advisable for the City to take a different role in view of the following:

- (a) the very substantial interest of the Commonwealth in the North Point area and area adjacent to it, as indicated in items (a), (b), (c), and (e) listed in Section 1.02 above;
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III. DEVELOPMENT POLICIES

3.01. General. North Point should be an urban environment that will ultimately be active during the day and evening. The site is located on the Charles River with spectacular views of Boston's skyline and it is adjacent to the Boston Museum of Science and East Cambridge. At this location the site is uniquely situated to provide a distinctive setting for a high quality urban development that will be a positive addition to the East Cambridge environment. This Policy Plan and the zoning for the District respond to pedestrian and automobile transportation, environmental and community constraints and concerns, and form the framework for creation of a highly imageable environment and strong sense of place.

The goal of North Point development is to create an urban district with a diversity of uses consisting of moderate scale buildings which frame a public open space system. The open space system should extend across the site, connecting it directly to East Cambridge and to the Charles River waterfront.

The streets and blocks at North Point should organize the buildings to form a natural extension of the nearby East Cambridge Riverfront city block grid. Within North Point, streets and blocks are to be a series of public spaces which shall be clearly defined as part of the public realm and shall be interconnected by a primary spine street. This primary street shall connect the District's pedestrian ways and open spaces to the Charles River, East Cambridge and MBTA Green Line Lechmere Station providing clarity and continuity to the area. The buildings at North Point are to create a framework for defining the streets and open spaces with consistent setbacks from public ways.

Single use precincts are to be avoided and the mix of uses within the same development zone is encouraged to create active environments throughout the day and evening. Subject to the need for at and above-grade structured parking as discussed in Section 4.02(a) below, flexibility for street level retail uses should be maintained in order to provide more activity along main thoroughfares.

The public open spaces and roadways at North Point should make connections between uses on the site and off of the site. The District's primary spine street should form a major new path for direct public access to the Charles River waterfront edge from the new Lechmere MBTA station and the East Street entrance, which is also the District's gateway to and from the East Cambridge neighborhood.

Major urban parks are proposed for North Point. A waterfront park is planned along the Charles River which will take advantage of the spectacular views to the city skyline and river. To the west of Charlestown Avenue a central public square should be established to create a focus for the district west of Charlestown Avenue.

3.02. Transition from Existing Heavy Industrial Character. The transition of the District from its existing primarily heavily industrial character to a mixed-use area is expected take several years. To the extent of existing and proposed rail transportation uses which remain in the area, some developments in the District will for the near future abut rail uses; it is expected that this will diminish in the future as some rail land becomes available for development. In this connection, it is recognized that a large area immediately north of the District will remain in heavy industrial use for transportation purposes and to accommodate the Boston Sand and Gravel plant for the foreseeable future. The persistence of the existing heavy industrial and transportation uses on a temporary or permanent basis may restrict the ability of portions of the District to accommodate housing uses. Although additions to Cambridge's housing stock, particularly of affordable housing, are to be encouraged, and the zoning contains incentives for housing development, is recognized that the character of the area into which housing uses would be introduced must be substantially changed from the present character of many parts of the District. The mechanism which should be used to promote housing uses within the District is that experienced at the East Cambridge Riverfront: commercial development of office, research/development or other uses should be permitted to establish a favorable atmosphere, including appropriate open space and roadway and circulation patterns, so that housing can be introduced as an enriching feature of the overall development of the District.

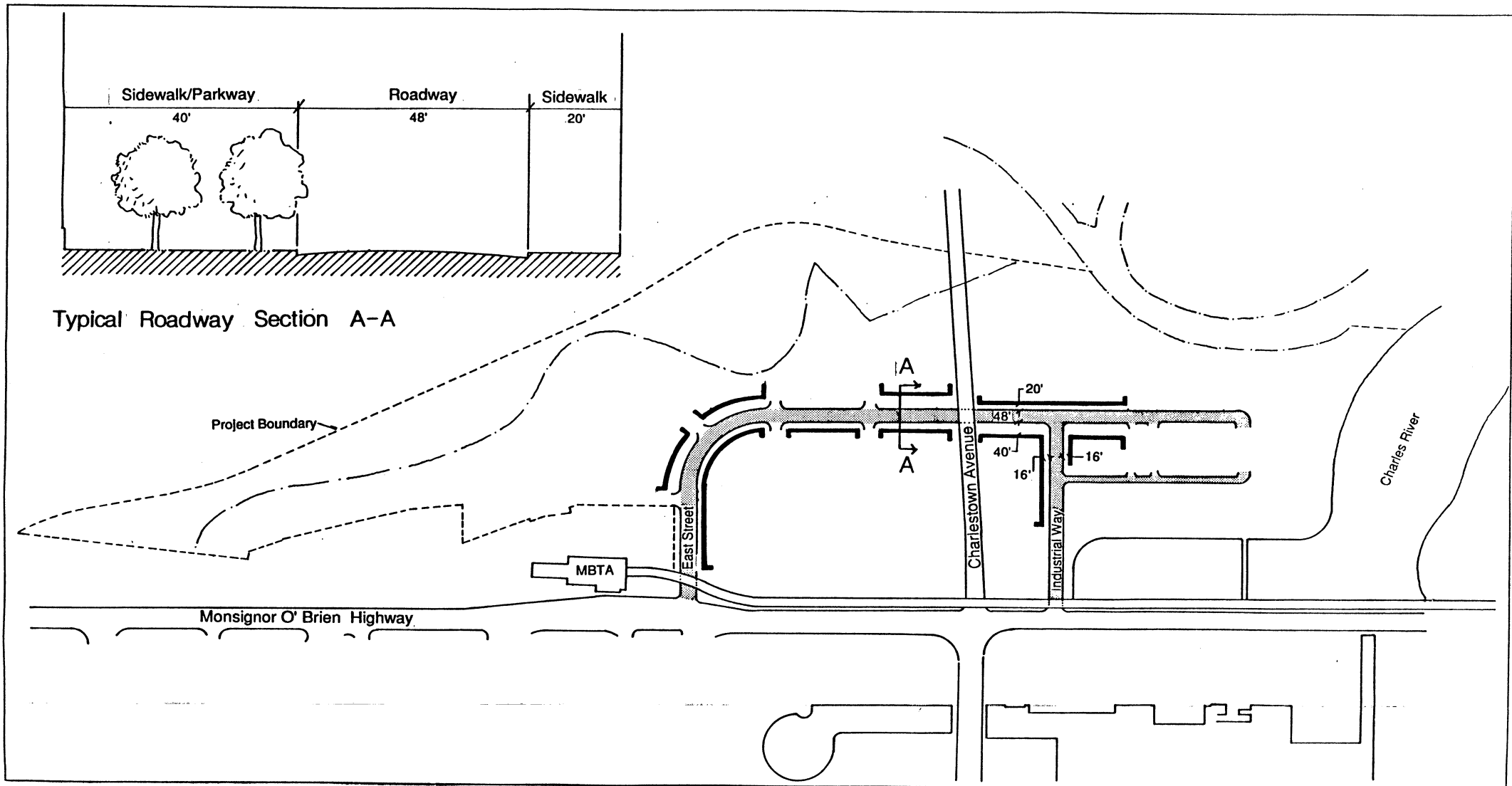
Accordingly, the desire for housing uses should not prevent commercial development but encourage it.

3.03. Roadway and Circulation Framework. The roadway plan for North Point (see illustration) proposes that the site will be serviced by a primary loop road which will provide access to the site from Monsignor O'Brien Highway at East Street and Industrial Way. The primary roadway should continue from this loop in an easterly direction towards the river's edge linking the projects open spaces to the riverfront. Connecting to the primary loop roadway should be a simple block pattern of secondary roadways which will provide each development parcel on the site with public access. As with the major spine road, these roads should be largely defined by the buildings at their edges. The provision of the primary loop roadway providing access at East Street and Industrial Way is a required part of the full development of the District, but the exact location of the roadway remains to be determined based on present and future property ownership lines, as well as engineering considerations. In particular, because of the unique configuration of the Ogden Realty Trust parcel, the primary loop roadway should not be located on or over that parcel without the agreement of Ogden Realty Trust or its successors in interest.

The primary roadways on the site should connect larger open spaces on the site and provide a continuity of urban landscape. The primary loop road should provide for up to four travel lanes with the possible addition of a fifth lane at the points of entry onto Monsignor O'Brien Highway. As shown on the open space plan (see illustration), significant portions of the north side of the roadway from the MBTA station to the water's edge should include a major pedestrian path and an allee of the trees.

3.04. Open Spaces. Two major public open spaces are proposed by the open space plan (see illustration): a waterfront park, and a central park square. These parks should be connected to each other and to the MBTA station by the site's roadways and linear park system. The detailed program for each park should be developed in cooperation with the MDC and the City of Cambridge.

The waterfront park should be a focus for the uses that face it. Buildings should be discouraged easterly of Industrial Way within 200 feet of the Charles River canal on the southeastern edge of the District so as to enable the waterfront park and abutting secondary roadway to run the full length of the canal. The waterfront park should function as a destination for North Point and Cambridge residents and workers who will arrive via North Point's open space system or the MDC's Charles River park system. The park should be largely lawn and trees and have sufficient area for passive recreation. Finger parks between buildings should extend from the waterfront park connecting it to the primary spine roadway,

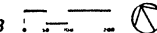


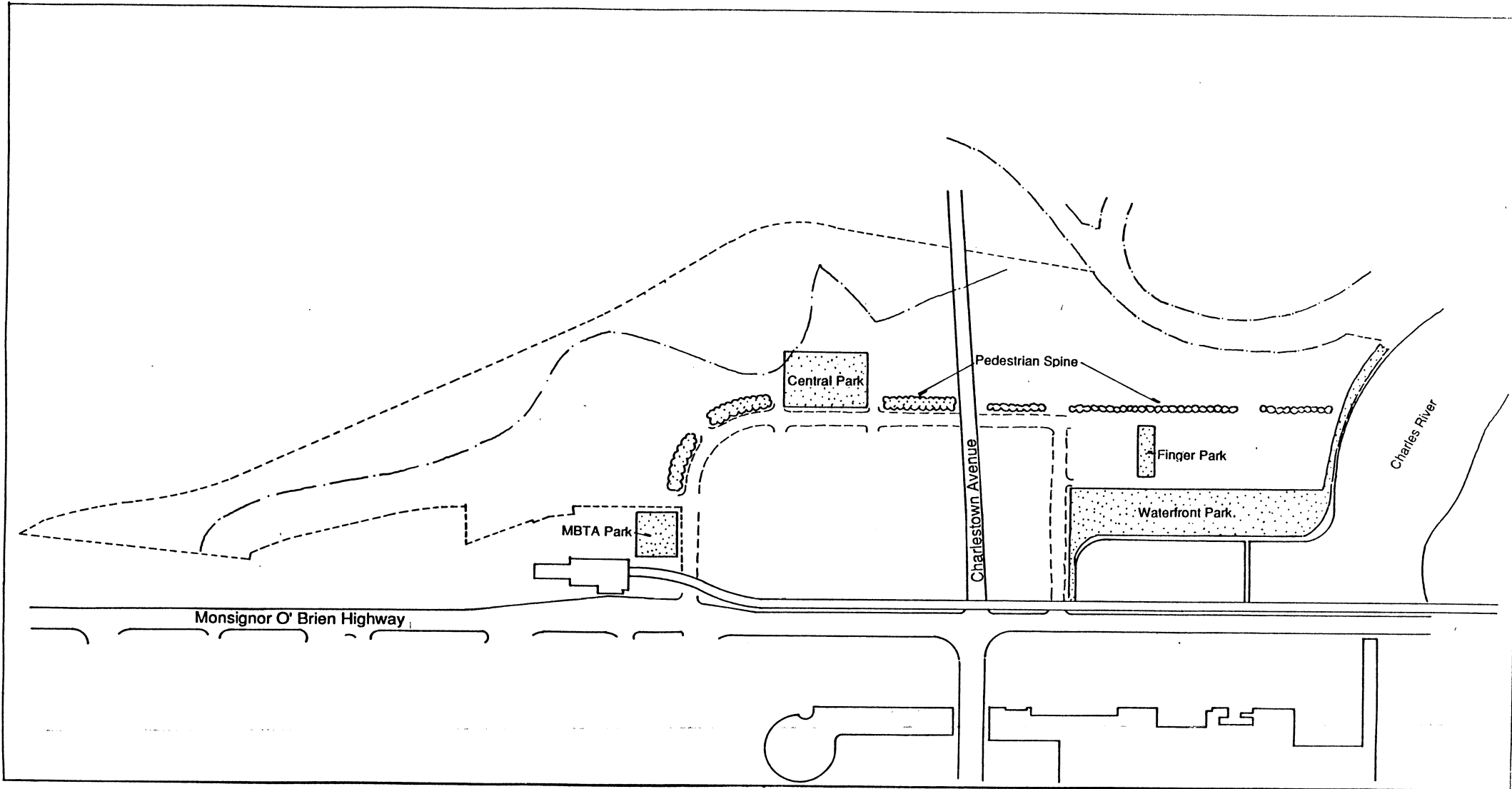
Typical Roadway Section A-A

North Point Policy Plan

Concept Plan-Major Roadways

September 1988

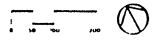




North Point Policy Plan

Concept Plan-Open Space

September 1988



Sasaki Associates, Inc.

providing direct waterfront access to the pedestrian system at North Point.

A major central park should be located in an appropriate site west of the Charlestown Avenue Bridge. This park should be the focus of the adjacent uses. The open space areas in this park should be largely trees and grass and provide a passive recreational amenity.

A smaller park is proposed adjacent to East Street at the new Lechmere MBTA station, on MBTA property. This park should be the beginning of the linked pedestrian open space system from East Cambridge and the Green Line station to the rest of North Point.

The major open space areas on the site should be connected to each other by a widening of the spine road right of way which should be planted to create a pedestrian walkway and visual connection between North Point's open spaces and the Charles River. This linear green space along the spine road should connect to the waterfront park via the finger parks described above.

A park with a minimum width of 50 feet of green space is proposed along the Charles River edge. This parkway should provide for public access and movement as part of the MDC system.

IV. DESIGN GUIDELINES

4.01. General. Development proposals under Section 13.70 of the Ordinance are to be reviewed by the Planning Board for consistency with the Design Guidelines set forth in this Section IV. Nothing in these Design Guidelines shall prevent the Planning Board from approving, in its discretion, a development proposal which deviates from specific language of this Section IV, but a deviation from the overall quality and character of development suggested here is strongly discouraged.

4.02. Elements of Form.

(a) Height:

The North Point project has been planned so that building height and bulk will relate compatibly to the building heights of the neighboring development at the Lechmere Triangle and help overcome the effects of the elevated roadway of Charlestown Avenue Bridge and the proposed I-93 ramp.

The highest buildings at North Point will be limited to a maximum height of 145 feet. These buildings will be located adjacent to the Charlestown Avenue Bridge and on the north side of the project site near the railyards. At these locations the buildings will provide North Point with a barrier from the visual and noise impacts of the elevated Charlestown Avenue Bridge and from the proposed ramp. These buildings will also take advantage of the views of Boston skyline, the Charles River and East Cambridge and they will maximize the amount of sunlight that will reach major open spaces.

Building heights will step down from the north side of the site to lower height zones at the south side of the project which are more compatible to neighboring development at Lechmere Canal and the Charles River edge. Beyond this, the long and substantial 85-foot height zone along Monsignor O'Brien Highway westerly of Charlestown Avenue provides an important transitional buffer zone to the residential East Cambridge neighborhood. A 115-foot zone and an 85-foot height zone achieve a gradual reduction in height across the site with the 85-foot zone being adjacent to and matching the building height limitation at Lechmere Canal.

The actual space available for commercial and residential uses in the District is much less than the full height envelope due to the City Engineer's determination that excavated parking will not be permitted in the District below 4.5 feet below grade, due to concerns over the water table. The effect of the City Engineer's determination is to require structured parking at and above grade, occupying a portion of the height envelope. This is in sharp contrast to the Lechmere Triangle, where largely excavated parking structures were encouraged. The effective height penalty imposed by the City Engineer's determination should be taken into account in reviewing the heights of proposed buildings in the District.

(b) Massing:

While North Point will be a new area, it should still be considered an extension of the Lechmere Development area and East Cambridge, with the pattern of urban streets of these areas being extended onto the site. The streets at North Point should be defined by buildings. Each building should have a clearly articulated base, middle and top, so as to create a streetscape that is at a human scale.

Each building should conform to the following general requirements which apply to building massing design:

1. Each Base should be composed of one to three floors, it is being understood that ordinarily some or all of the Base must necessarily accommodate structured parking.
2. Each Base should be clearly articulated from the rest of the building and should be designed to define an appropriate human scale at the street level.
3. As buildings increase in height, they should be broken down in scale toward the top. The top may be differentiated by a change in the window rhythm, change in apparent floor height setback, or use of alternate materials or a combination of these elements.
4. Rooftop elements such as mechanical penthouses and elevator overruns should be screened from view from above and below with roof or wall enclosures which, in their configuration, materials, coloration and surface design are compatible with roof and wall materials of the building.
5. Distinctive corner and entry treatments may differ from the Base, Middle, and Top guidelines of this section in order to enhance the building facades.

When possible, building massing for North Point should be arranged so that major open spaces at North Point maximize the hours of available sunlight. When buildings border the public domain they should form a common wall with adjacent buildings responding to their neighbors in an architecturally compatible manner. The creation of alleyways between buildings that are visible from the public realm is not encouraged.

(c) Building Edge:

The use of buildings to create a street edge is required. This may be accomplished by setbacks and cornice lines which are consistent between buildings along the spine road and on the same block. The consistent alignment of buildings with streets and open spaces will also help unify the entire North Point district.

Along the primary spine road west of Charlestown Avenue, building faces should be approximately 40 feet from the curb along the north side and approximately 20 feet along the south side. East of Charlestown Avenue, setbacks

from the curb should be approximately 20 feet on the north side and approximately 40 feet on the south side. Along a realigned Industrial Way, there should be approximately 16 feet from curb to face of building on both sides. Pedestrian paving along the other roads should generally be between 12 and 15 feet in width, inclusive of curbs and planting areas.

4.03. Architectural Detail:

(a) Materials:

All buildings should be faced predominantly with authentic brick and/or stone masonry. Stone masonry is defined as granite, limestone, marble or other natural stone or high-quality cast stone. String courses, lintels, sills and trim of complementary materials are encouraged to soften and refine these facades. The highest quality of materials should be used at the pedestrian level of all buildings.

(b) Windows:

Strip windows should be avoided. Glass curtain walls are permitted to be included as components of middle divisions where combined with major vertical masonry elements. Expansive glass and transparency at street level is encouraged, where possible given the need to provide structured parking at and above grade .

(c) Color:

The colors of materials should generally be compatible to the general palette of colors and materials that have been used for the Lechmere Canal development in East Cambridge.

(d) Signs:

Signage shall conform to relevant city ordinances. Bases should be designed to accommodate signage in an orderly and attractive manner.

(e) Parking Structures:

Facades of parking structures which face major streets, open space or residential uses should be designed with horizontal perimeter openings. Continuous horizontal strip openings are to be avoided; and in no case should openings exceed 45 feet in width.

4.04. Streetscape. The North Point streets consist of the primary loop roadway and the secondary streets that branch from it. Three design elements should be considered for these streets: pedestrian paving, street lighting, and street trees.

(a) Pedestrian Paving:

Pedestrian paving widths should be established based on pedestrian use, with differentiation among the primary loop roadway from the MBTA station to the river, secondary streets, streets bordering public open space, and the river edge promenade. The paving materials for pedestrian areas should provide a sense of continuity, with paving patterns being designed to reflect building modules and building entries, street crossings and other significant places. All pedestrian paving shall be separated from roadways by granite curbing.

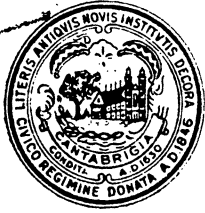
(b) Street Lighting:

Street lighting will help provide North Point with a unified network of streets and spaces as well as provide suitable light levels for safety. Lighting types should relate to the different uses of each vehicular and/or pedestrian way including the primary loop roadway, secondary streets, the riverfront promenade, and other public open spaces.

(c) Street Planting:

The three dimensional scale and impact of the tree lined streets and open spaces are important aspects of the North Point plan. The grid of tree rows formed by street plantings is intended to organize the open spaces of the project. Tree types and species should be chosen for use so that complementary species and appropriate scale of tree size are selected for each area.

XP-3975/c



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eighty

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled: "The Zoning Ordinances of the City of Cambridge is hereby amended by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District", as described as follows:

All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however:

1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map no. 7;
2. Lot 6 shown on Assessor's map no. 1-A;
3. That portion of such land north of the MBTA Fitchburg Main Line Track; and
4. That portion of such land heretofore taken in fee by The Commonwealth of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project.

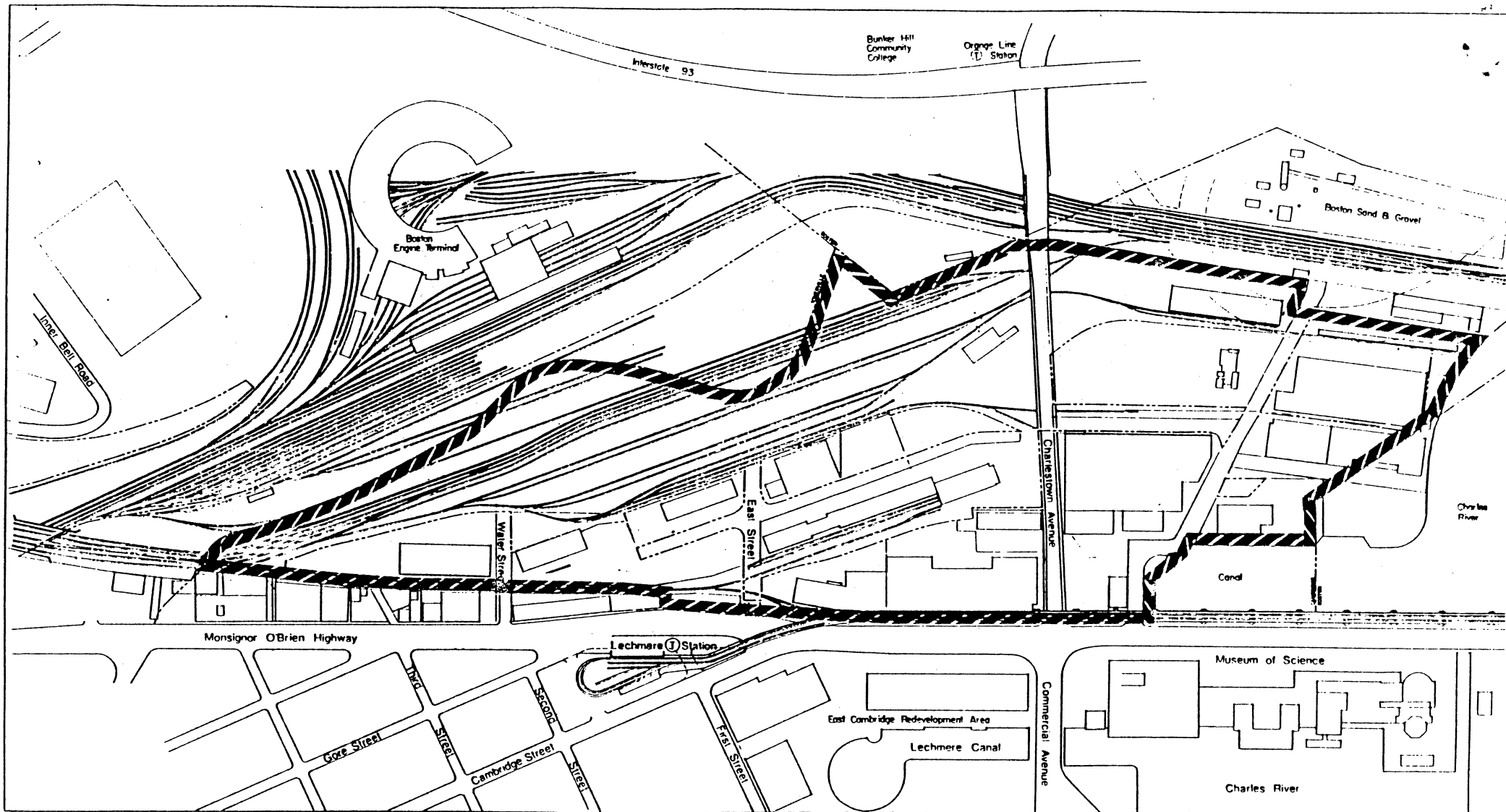
Passed to a second reading at the City Council meeting held on July 25, 1988 and on or after August 8, 1988 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Council,

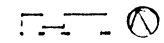
Joseph E. Connarton, City Clerk.



North Point
 Residence, Office, Business District

District Boundary

May 25, 1988



Scale Associates Inc.

North Point Policy Plan
Including Design Guidelines

Sasaki Associates, Inc.

September 1988

NORTH POINT POLICY PLAN

I. INTRODUCTION

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A number of these conditions are expected to continue for some period of time. In particular, some portions of the District and a large area north of the District will continue

to be used for transportation or other heavy industrial purposes in the future, because of the following:

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Single use precincts are to be avoided and the mix of uses within the same development zone is encouraged to create active environments throughout the day and evening. Subject to the need for at and above-grade structured parking as discussed in Section 4.02(a) below, flexibility for street level retail uses should be maintained in order to provide more activity along main thoroughfares.

The public open spaces and roadways at North Point should make connections between uses on the site and off of the site. The District's primary spine street should form a major new path for direct public access to the Charles River waterfront edge from the new Lechmere MBTA station and the East Street entrance, which is also the District's gateway to and from the East Cambridge neighborhood.

Major urban parks are proposed for North Point. A waterfront park is planned along the Charles River which will take advantage of the spectacular views to the city skyline and river. To the west of Charlestown Avenue a central public square should be established to create a focus for the district west of Charlestown Avenue.

3.02. Transition from Existing Heavy Industrial Character. The transition of the District from its existing primarily heavily industrial character to a mixed-use area is expected take several years. To the extent of existing and proposed rail transportation uses which remain in the area, some developments in the District will for the near future abut rail uses; it is expected that this will diminish in the future as some rail land becomes available for development. In this connection, it is recognized that a large area immediately north of the District will remain in heavy industrial use for transportation purposes and to accommodate the Boston Sand and Gravel plant for the foreseeable future. The persistence of the existing heavy industrial and transportation uses on a temporary or permanent basis may restrict the ability of portions of the District to accommodate housing uses. Although additions to Cambridge's housing stock, particularly of affordable housing, are to be encouraged, and the zoning contains incentives for housing development, it is recognized that the character of the area into which housing uses would be introduced must be substantially changed from the present character of many parts of the District. The mechanism which should be used to promote housing uses within the District is that experienced at the East Cambridge Riverfront: commercial development of office, research/development or other uses should be permitted to establish a favorable atmosphere, including appropriate open space and roadway and circulation patterns, so that housing can be introduced as an enriching feature of the overall development of the District.

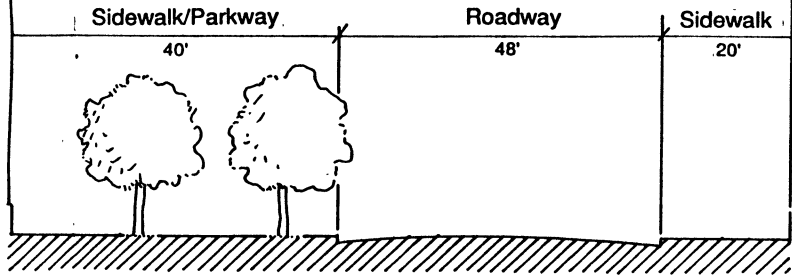
Accordingly, the desire for housing uses should not prevent commercial development but encourage it.

3.03. Roadway and Circulation Framework. The roadway plan for North Point (see illustration) proposes that the site will be serviced by a primary loop road which will provide access to the site from Monsignor O'Brien Highway at East Street and Industrial Way. The primary roadway should continue from this loop in an easterly direction towards the river's edge linking the projects open spaces to the riverfront. Connecting to the primary loop roadway should be a simple block pattern of secondary roadways which will provide each development parcel on the site with public access. As with the major spine road, these roads should be largely defined by the buildings at their edges. The provision of the primary loop roadway providing access at East Street and Industrial Way is a required part of the full development of the District, but the exact location of the roadway remains to be determined based on present and future property ownership lines, as well as engineering considerations. In particular, because of the unique configuration of the Ogden Realty Trust parcel, the primary loop roadway should not be located on or over that parcel without the agreement of Ogden Realty Trust or its successors in interest.

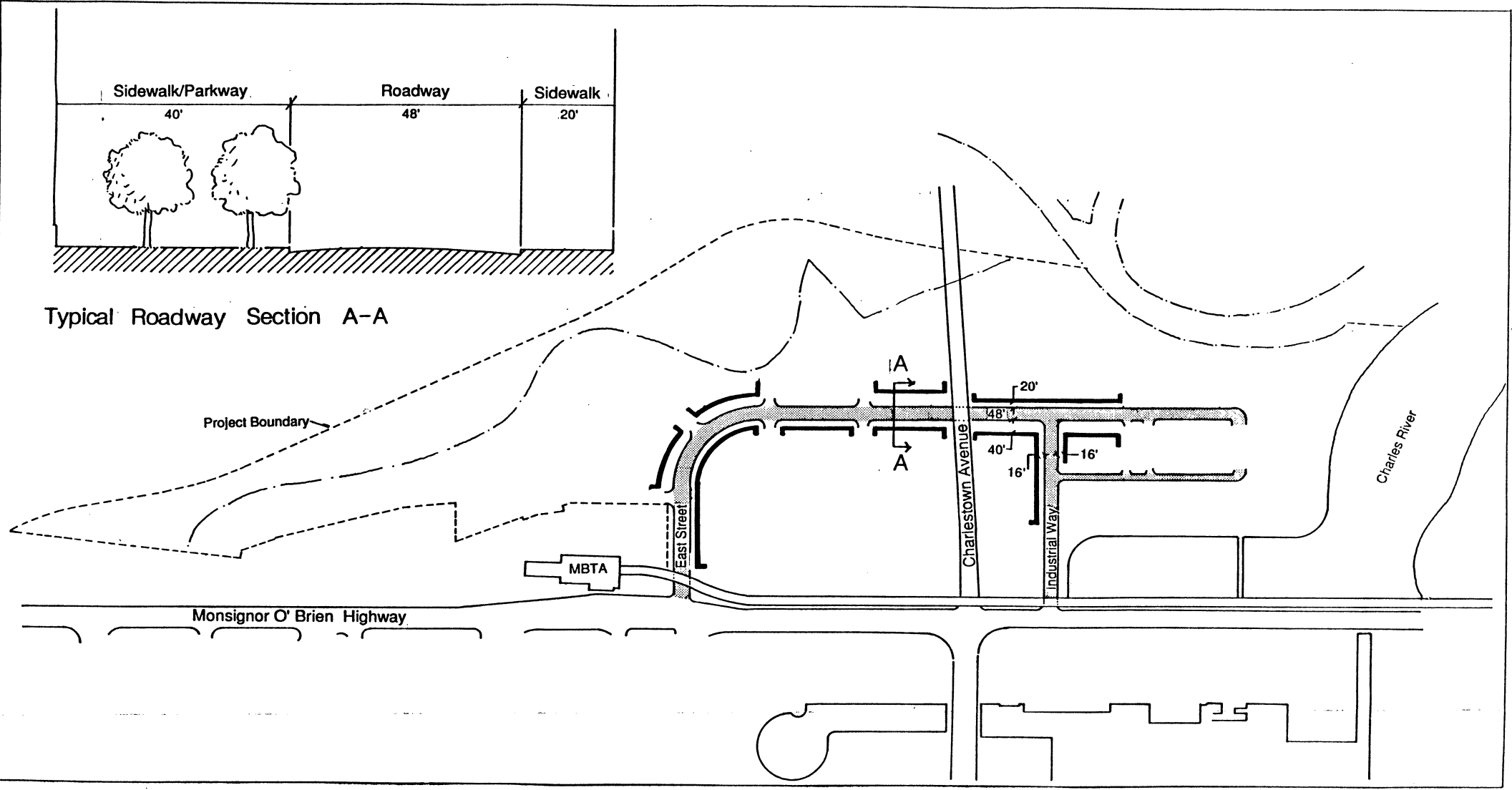
The primary roadways on the site should connect larger open spaces on the site and provide a continuity of urban landscape. The primary loop road should provide for up to four travel lanes with the possible addition of a fifth lane at the points of entry onto Monsignor O'Brien Highway. As shown on the open space plan (see illustration), significant portions of the north side of the roadway from the MBTA station to the water's edge should include a major pedestrian path and an alley of the trees.

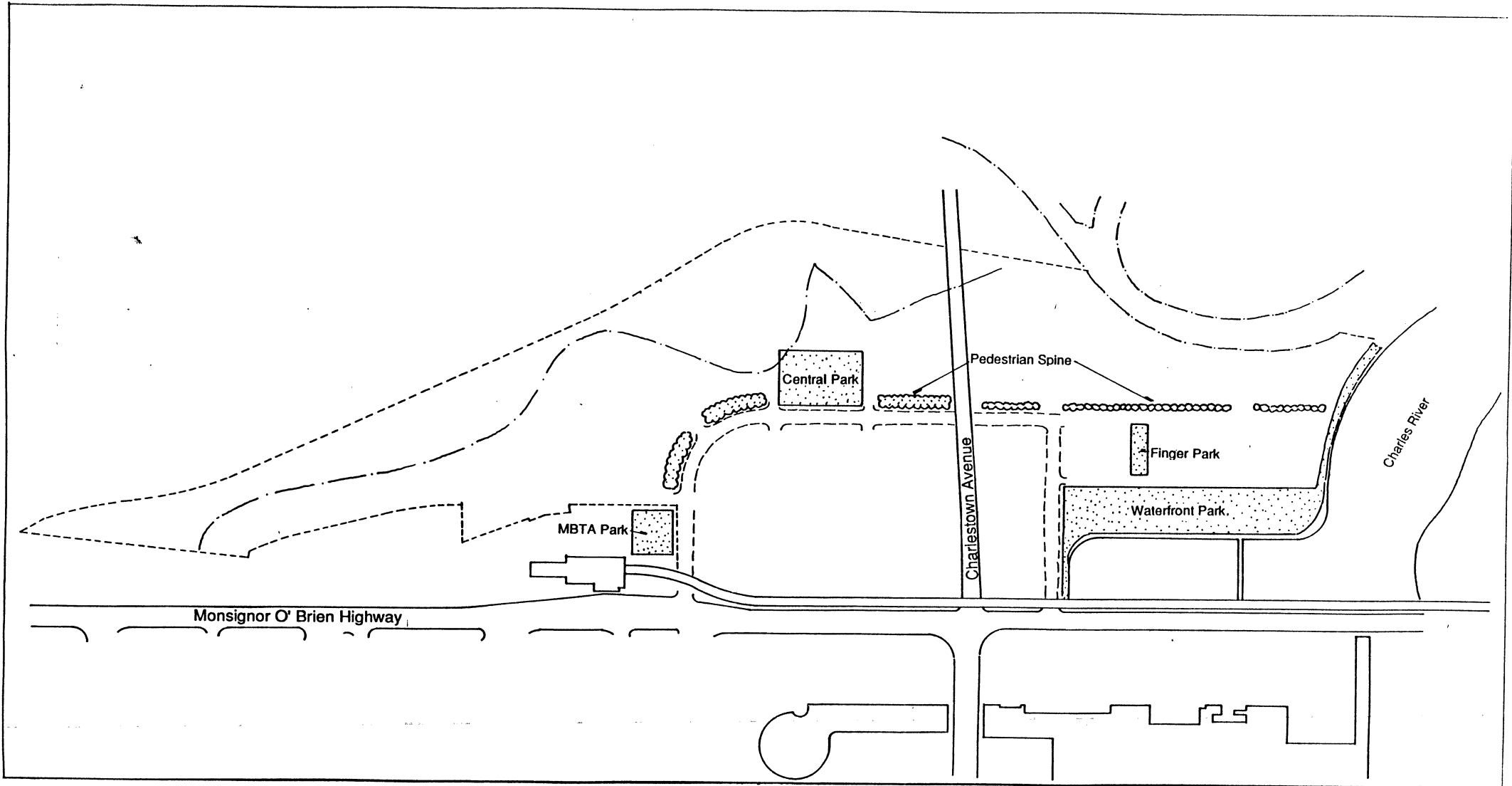
3.04. Open Spaces. Two major public open spaces are proposed by the open space plan (see illustration): a waterfront park, and a central park square. These parks should be connected to each other and to the MBTA station by the site's roadways and linear park system. The detailed program for each park should be developed in cooperation with the MDC and the City of Cambridge.

The waterfront park should be a focus for the uses that face it. Buildings should be discouraged easterly of Industrial Way within 200 feet of the Charles River canal on the southeastern edge of the District so as to enable the waterfront park and abutting secondary roadway to run the full length of the canal. The waterfront park should function as a destination for North Point and Cambridge residents and workers who will arrive via North Point's open space system or the MDC's Charles River park system. The park should be largely lawn and trees and have sufficient area for passive recreation. Finger parks between buildings should extend from the waterfront park connecting it to the primary spine roadway,



Typical Roadway Section A-A

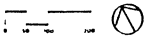




North Point Policy Plan

Concept Plan-Open Space

September 1988



Sasaki Associates Inc.

providing direct waterfront access to the pedestrian system at North Point.

A major central park should be located in an appropriate site west of the Charlestown Avenue Bridge. This park should be the focus of the adjacent uses. The open space areas in this park should be largely trees and grass and provide a passive recreational amenity.

A smaller park is proposed adjacent to East Street at the new Lechmere MBTA station, on MBTA property. This park should be the beginning of the linked pedestrian open space system from East Cambridge and the Green Line station to the rest of North Point.

The major open space areas on the site should be connected to each other by a widening of the spine road right of way which should be planted to create a pedestrian walkway and visual connection between North Point's open spaces and the Charles River. This linear green space along the spine road should connect to the waterfront park via the finger parks described above.

A park with a minimum width of 50 feet of green space is proposed along the Charles River edge. This parkway should provide for public access and movement as part of the MDC system.

IV. DESIGN GUIDELINES

4.01. General. Development proposals under Section 13.70 of the Ordinance are to be reviewed by the Planning Board for consistency with the Design Guidelines set forth in this Section IV. Nothing in these Design Guidelines shall prevent the Planning Board from approving, in its discretion, a development proposal which deviates from specific language of this Section IV, but a deviation from the overall quality and character of development suggested here is strongly discouraged.

4.02. Elements of Form.

(a) Height:

The North Point project has been planned so that building height and bulk will relate compatibly to the building heights of the neighboring development at the Lechmere Triangle and help overcome the effects of the elevated roadway of Charlestown Avenue Bridge and the proposed I-93 ramp.

The highest buildings at North Point will be limited to a maximum height of 145 feet. These buildings will be located adjacent to the Charlestown Avenue Bridge and on the north side of the project site near the railyards. At these locations the buildings will provide North Point with a barrier from the visual and noise impacts of the elevated Charlestown Avenue Bridge and from the proposed ramp. These buildings will also take advantage of the views of Boston skyline, the Charles River and East Cambridge and they will maximize the amount of sunlight that will reach major open spaces.

Building heights will step down from the north side of the site to lower height zones at the south side of the project which are more compatible to neighboring development at Lechmere Canal and the Charles River edge. Beyond this, the long and substantial 85-foot height zone along Monsignor O'Brien Highway westerly of Charlestown Avenue provides an important transitional buffer zone to the residential East Cambridge neighborhood. A 115-foot zone and an 85-foot height zone achieve a gradual reduction in height across the site with the 85-foot zone being adjacent to and matching the building height limitation at Lechmere Canal.

The actual space available for commercial and residential uses in the District is much less than the full height envelope due to the City Engineer's determination that excavated parking will not be permitted in the District below 4.5 feet below grade, due to concerns over the water table. The effect of the City Engineer's determination is to require structured parking at and above grade, occupying a portion of the height envelope. This is in sharp contrast to the Lechmere Triangle, where largely excavated parking structures were encouraged. The effective height penalty imposed by the City Engineer's determination should be taken into account in reviewing the heights of proposed buildings in the District.

(b) Massing:

While North Point will be a new area, it should still be considered an extension of the Lechmere Development area and East Cambridge, with the pattern of urban streets of these areas being extended onto the site. The streets at North Point should be defined by buildings. Each building should have a clearly articulated base, middle and top, so as to create a streetscape that is at a human scale.

Each building should conform to the following general requirements which apply to building massing design:

1. Each Base should be composed of one to three floors, it is being understood that ordinarily some or all of the Base must necessarily accommodate structured parking.
2. Each Base should be clearly articulated from the rest of the building and should be designed to define an appropriate human scale at the street level.
3. As buildings increase in height, they should be broken down in scale toward the top. The top may be differentiated by a change in the window rhythm, change in apparent floor height setback, or use of alternate materials or a combination of these elements.
4. Rooftop elements such as mechanical penthouses and elevator overruns should be screened from view from above and below with roof or wall enclosures which, in their configuration, materials, coloration and surface design are compatible with roof and wall materials of the building.
5. Distinctive corner and entry treatments may differ from the Base, Middle, and Top guidelines of this section in order to enhance the building facades.

When possible, building massing for North Point should be arranged so that major open spaces at North Point maximize the hours of available sunlight. When buildings border the public domain they should form a common wall with adjacent buildings responding to their neighbors in an architecturally compatible manner. The creation of alleyways between buildings that are visible from the public realm is not encouraged.

(c) Building Edge:

The use of buildings to create a street edge is required. This may be accomplished by setbacks and cornice lines which are consistent between buildings along the spine road and on the same block. The consistent alignment of buildings with streets and open spaces will also help unify the entire North Point district.

Along the primary spine road west of Charlestown Avenue, building faces should be approximately 40 feet from the curb along the north side and approximately 20 feet along the south side. East of Charlestown Avenue, setbacks

from the curb should be approximately 20 feet on the north side and approximately 40 feet on the south side. Along a realigned Industrial Way, there should be approximately 16 feet from curb to face of building on both sides. Pedestrian paving along the other roads should generally be between 12 and 15 feet in width, inclusive of curbs and planting areas.

4.03. Architectural Detail:

(a) Materials:

All buildings should be faced predominantly with authentic brick and/or stone masonry. Stone masonry is defined as granite, limestone, marble or other natural stone or high-quality cast stone. String courses, lintels, sills and trim of complementary materials are encouraged to soften and refine these facades. The highest quality of materials should be used at the pedestrian level of all buildings.

(b) Windows:

Strip windows should be avoided. Glass curtain walls are permitted to be included as components of middle divisions where combined with major vertical masonry elements. Expansive glass and transparency at street level is encouraged, where possible given the need to provide structured parking at and above grade .

(c) Color:

The colors of materials should generally be compatible to the general palette of colors and materials that have been used for the Lechmere Canal development in East Cambridge.

(d) Signs:

Signage shall conform to relevant city ordinances. Bases should be designed to accommodate signage in an orderly and attractive manner.

(e) Parking Structures:

Facades of parking structures which face major streets, open space or residential uses should be designed with horizontal perimeter openings. Continuous horizontal strip openings are to be avoided; and in no case should openings exceed 45 feet in width.

4.04. Streetscape. The North Point streets consist of the primary loop roadway and the secondary streets that branch from it. Three design elements should be considered for these streets: pedestrian paving, street lighting, and street trees.

(a) Pedestrian Paving:

Pedestrian paving widths should be established based on pedestrian use, with differentiation among the primary loop roadway from the MBTA station to the river, secondary streets, streets bordering public open space, and the river edge promenade. The paving materials for pedestrian areas should provide a sense of continuity, with paving patterns being designed to reflect building modules and building entries, street crossings and other significant places. All pedestrian paving shall be separated from roadways by granite curbing.

(b) Street Lighting:

Street lighting will help provide North Point with a unified network of streets and spaces as well as provide suitable light levels for safety. Lighting types should relate to the different uses of each vehicular and/or pedestrian way including the primary loop roadway, secondary streets, the riverfront promenade, and other public open spaces.

(c) Street Planting:

The three dimensional scale and impact of the tree lined streets and open spaces are important aspects of the North Point plan. The grid of tree rows formed by street plantings is intended to organize the open spaces of the project. Tree types and species should be chosen for use so that complementary species and appropriate scale of tree size are selected for each area.

XP-3975/c



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

To the Honorable, the City Council:

SUBJECT: Guilford, et al Petition to rezone the area in East Cambridge known as North Point.

Date: October 13, 1988

Final Recommendation

The Planning Board recommends approval of the Guilford, et al Petition, as amended on October 3, 1988.

Findings

The petition was filed in June, 1988 and heard by the Planning Board in August. In response to comments and recommendations by the Planning Board, the petitioners proposed a substantially revised petition that was discussed with the Planning Board on September 27, 1988. Based on that text, the Planning Board submitted a negative recommendation to City Council dated September 30, 1988. The fundamental issue in dispute was the amount of commercial development and the inadequacy of standards on traffic generation by which the Planning Board could control overdevelopment under the PUD process.

Additional revisions were made by the petitioners and submitted as an amended text to the City Council on October 3, 1988 and reviewed by the Planning Board on October 4. These revisions include discussion of the restricted traffic capacity in North Point and provide a limit on commercial development beyond which additional traffic capacity would have to be identified. Based on this revision, the Planning Board reviewed its previous decision and now recommends adoption of the amended October 3, petition.

The Guilford, et al Petition as amended October 3, represents a compromise between that proposed in the original petition and the Planning Board's separate petition. The issues identified by the Planning Board in the September 28 recommendation as problematic have been positively resolved. These include the following.

- * The amount of development permitted in North Point should be predicated on safe access for pedestrians and vehicles. By clearly identifying traffic as a criteria for limiting development and by providing a cap on commercial development, the petitioners have provided the necessary controls to prevent overdevelopment.

- * The Planning Board is strongly committed to the citywide linkage program adopted by the City Council. Under the amended petition, North Point development requiring a special permit would comply with the citywide program. In addition, the amended version establishes an inclusionary requirement for affordable housing.

- * The success of any Planned Unit Development process depends upon the policy plan and guidelines against which the proposed new development is measured. The petitioners have agreed to separate approval of the North Point policy plan and guidelines from adoption of the zoning text so that the necessary further work can be done to develop acceptable standards by which the Planning Board can review a development proposal in North Point in the future.

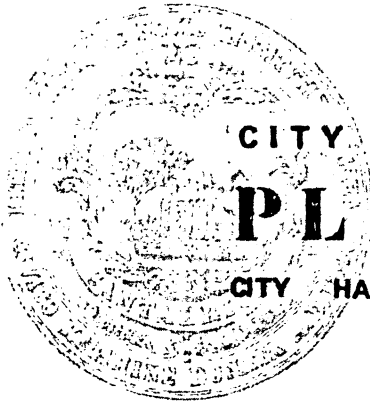
For these reasons, the Planning Board recommends approval of the Guilford, et al Petition with the text as submitted to City Council on October 3, 1988.

While the agreed text of the Guilford, et al Petition is an adequate substitute for the major land area in the Planning Board Petition, there are two additional areas in the Planning Board petition proposed to be rezoned which are not included in the Guilford, et al Petition. The Planning Board will submit recommendations on these areas in the near future.

Respectfully submitted for the Planning Board,



Paul Dietrich, Chairman



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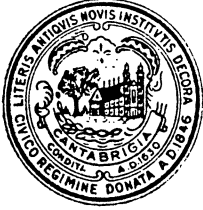
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City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by inserting at the end of Article 13 a new section 13.70 entitled "Planned Unit Development in the North Point Residence, Office and Business District".

Also by adding at the end of Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Passed to be ordained at the City Council meeting held on October 17, 1988 by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:- Joseph E. Connarton
City Clerk

Robert W. Healy, City Manager.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

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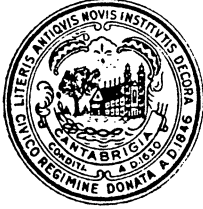
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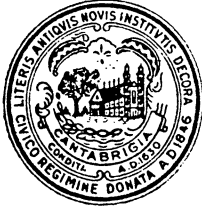
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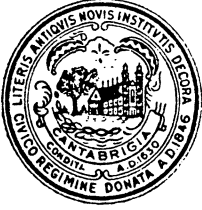
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Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled "The Zoning Ordinances of the City of Cambridge" is hereby amended by inserting at the end of Article 13 a new section 13.70 entitled "Planned Unit Development in the North Point Residence, Office and Business District".

Also by adding at the end of Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Passed to be ordained at the City Council meeting held on October 17, 1988 by a yeas and nays vote:- Yeas 9; Nays 0; Absent 0.

ATTEST:- Joseph E. Connarton
City Clerk

Robert W. Healy, City Manager.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Clerk,

Joseph E. Connarton,
City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eight

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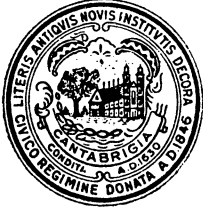
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Joseph E. Connarton,
City Clerk.



CONGRESS GROUP VENTURES

September 22, 1988

Mayor and City Council
City Hall
Cambridge, Massachusetts 02139

1988 SEP 22 PM 3:25

CAMBRIDGE MA.

The Honorable, The City Council,

On Monday evening, September 19, 1988, we presented to the East Cambridge Planning Team a set of substantial amendments to the Guilford et al Petition to rezone land at North Point. We believe that these amendments addressed important and legitimate criticisms of the original petition which were voiced by the neighborhood, the Planning Board and The City Council!

We were heartened by the fact that the East Cambridge Planning Team by a vote of 45 in favor, 1 against and 2 abstentions elected to endorse our petition as we will ask Council to amend it.

On Tuesday evening we presented these proposed amendments to the Cambridge Planning Board. After a full discussion, they felt another meeting was necessary in order to formulate a recommendation in that they had only a single day to consider these new amendments. The Planning Board has been kind enough to schedule another meeting next week in order to be better equipped to prepare a written recommendation.

We expect that Council as well as ourselves will want the benefit of a written recommendation from the Planning Board before taking action on our petition.

They have asked of us and we have agreed to request that Council take no action on this matter at the meeting of September 26, 1988.

We therefore respectfully now ask that Council postpone action on our petition until the meeting of October 3, 1988.

We again thank you for your time and attention.

Richard McKinnon
North Federal Limited Partnership
on behalf of Signatories
to the Guilford Petition

Cambridge Planning Board
Community Development Staff
East Cambridge Planning Team



CONGRESS GROUP VENTURES

RECEIVED BY
OFFICE OF CITY CLERK

September 22, 1988

1988 SEP 22 PM 3:23

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Cambridge, Massachusetts 02139

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Cambridge Planning Board
Community Development Staff
East Cambridge Planning Team

1.

Comm. from Richard McKinnon, North Federal
Ltd. Partnership, on behalf of the Guilford
petition signatories Re: requesting that the
City Council take no action on this zoning
petition until October 3, 1988.

In City Council,

September 26, 1988

Referred to the Petition



City of Cambridge

15.

IN CITY COUNCIL

October 3, 1988

COUNCILLOR GRAHAM
COUNCILLOR RUSSELL

ORDERED: That the petition submitted by Guilford Transportation Industries, et al to rezone the area known as "North Point" in East Cambridge be amended as follows:

Traffic/FAR Amendments

1. Add, at the end of Section 13.71, the following:

According to the traffic studies conducted in the course of the planning effort which preceded adoption of this Section 13.70, the North Point Residence, Office, and Business District will be able to accommodate an additional 1,500,000 square feet of private office development or the equivalent, in view of the need for an at-grade pedestrian crossing across Monsignor O'Brien Highway at East Street. According to these traffic studies, elimination of the at-grade pedestrian crossing at East Street would permit private development within the North Point Residence, Office, and Business District to reach 2,000,000 square feet of private office development or the equivalent; however, at this time that crossing is viewed as a necessity for reasons of public safety. Further traffic studies should be undertaken in future years and creative solutions to these traffic constraints should be explored in order to permit the Planning Board to review development proposals under this Section 13.70 on the basis of accurate and up-to-date traffic analyses. In reviewing development proposals under this Section 13.70 approaching the 1,500,000 square-foot threshold identified above (as that figure may increase or decrease in the course of future traffic studies and relevant improvements to Monsignor O'Brien Highway and other nearby roads and transit facilities), the Planning Board should be mindful of the traffic constraints affecting the area and should limit commercial development to the extent necessary to avoid unacceptable traffic congestion.

2. Add, at the end of Section 13.741, the following:

In the case of any development proposal providing for a floor area ratio in excess of 1.0, the Planning Board may in its discretion require the proponent to submit an analysis of existing traffic conditions and the traffic conditions anticipated following completion of the development proposed by such proponent. In evaluating such a development proposal, the Planning Board shall:

- (a) give consideration to such traffic analysis, including any deterioration in or amelioration of existing traffic conditions reasonably anticipated as a result of roadway and transit improvements or other factors; and
- (b) also consider the extent to which such development proposal observes the design guidelines for the North Point Residence, Office, and Business District established under the September 1988 North Point Policy Plan, as they may be amended from time to time.

In City Council October 3, 1988.
Adopted by the affirmative vote of 9 members.
Attest:- John E. Flynn, Deputy City Clerk.

A true copy;

ATTEST:-


John E. Flynn, Deputy City Clerk.



CITY OF CAMBRIDGE
OFFICE OF CITY CLERK
INTEROFFICE CORRESPONDENCE

1988 OCT 3 PM 3:52

CAMBRIDGE MA.

To Joseph E. Connarton
City Clerk

From Joan Lastovica
City Engineer *JL.*

Subject Guilford Petition

Date 3 Oct 88

Reference

I have the following findings on the above-mentioned petition:

There is only one protester and said protester is not the owner of record.

The land area within the bounds of the petition is:

27,233.50 square feet of privately owned land parcels
2,034.49 square feet of private ways of indeterminate status
with regard to ownership and rights to vote under the
conditions of a petition as such.

Please let me know if I can furnish you with any additional information.



CONGRESS GROUP VENTURES

RECEIVED BY
OFFICE OF CITY CLERK
1988 SEP 12 AM 10:34
CAMBRIDGE MA.

September 9, 1988

Mayor and City Council
City Hall
Cambridge, MA 02139

The Honorable, The City Council,

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During the Winter and Spring months of this year, a "Working Group" was formed which tried to reach a consensus zoning for the area. Although this effort was helpful and accounted for a substantial narrowing of differences, in the end it was unable to achieve that result. Consequently, two petitions have been filed, one by the Planning Board and one by us, the landowners.

Although we had hoped that our petition, The Guilford Petition, would be seen as fair, it seems clear to us now that acceptance of the petition in its present form is unlikely. Over the past few months, we have met twice with the East Cambridge neighborhood, twice with the Planning Board and once with Council at its Ordinance Committee hearing.

In each of these forums, several important issues have emerged which clearly require more attention from us.

Accordingly, we respectfully ask that Council take no action on our petition prior to September 26, 1988. During the intervening time, we will make another earnest effort in attempt to deal with these specific problem areas. We hope to then offer Council a series of changes in our petition which address the criticisms we have heard, yet leave us with a responsible zoning envelope that allows us to make economic sense of our properties.

Thank you for your consideration.

Very truly yours,

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Richard McKinnon

North Federal Properties
Limited Partnership
and
on behalf of the
signatories to the
Guilford Petition

cc: Cambridge Planning Board



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cc: Cambridge Planning Board

- ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT
- 16.10 SCOPE AND INTENT
- 16.20 USE REGULATIONS
- 16.30 DIMENSIONAL REGULATIONS
- 16.40 PARKING AND LOADING REQUIREMENTS
- 16.50 SIGNS
- 16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS
- 16.10 SCOPE AND INTENT
- 16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.
- 16.12 Intent. The purpose of the District is to limit as-of-right development due to constraints on the ability of the streets providing access to the District to accommodate additional traffic, and to provide for the development of the District into a mixed-use commercial area under the PUD process provided in Section 13.70.
- 16.20 USE REGULATIONS
- 16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.
- 16.211 Industrial Uses
- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
 - (2) Bottling of beverages, as permitted in Section 4.37c.
 - (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
 - (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
 - (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.

- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.
- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.

- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

Residential uses among those listed below, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70.

- (1) One and two family dwelling.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.

- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Subject to the limitation on the number of parking spaces provided under Section 16.40 or a special permit granted under Section 13.70, as applicable, automobile parking lot or parking garage for private passenger cars, as follows:
 - (a) as accessory parking for uses located on the same lot, without the need for any special permit.
 - (b) as accessory parking for uses located on another lot, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
 - (c) as a principal use, but only by special permit from the Planning Board pursuant to Section 10.40 or Section 13.70, as applicable.
- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

(6) Bus or railroad passenger station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.

- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 1.0 is hereby established for each lot, and shall not be exceeded. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way, private way open to public use, or public open space.

- 16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be fifty (50) feet.
- 16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 20% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All streets, plazas, sidewalks, decks, arcades, loggias and parks (excluding, however, all interior space) located on land which is now (at the time of adoption of this Article 16) or hereafter privately owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open spaces and/or publicly beneficial open space for purposes of this Section 16.33.
- 16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 PARKING AND LOADING REQUIREMENTS

- 16.41 Parking and Loading Requirements. Subject to Sections 16.411, 16.412, 16.413, and 16.414, off-street parking and loading requirements shall be the same as currently (at the time of the adoption of this Article 16.000) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.
- 16.411 The minimum requirement for off-street parking facilities for any use shall be one-half the requirement set forth in Article 6.000. The minimum requirement may be satisfied by parking located outside of the North Point Residence, Office, and Business District outside of the City of Cambridge, but only by special permit from the Planning Board

pursuant to Section 10.40 or Section 13.70. The need for a special permit under this Section 16.411 shall not in itself subject any aspect of a development other than its minimum parking requirement to a special permit requirement. There shall be no limitation of off-street parking facilities to the extent parking for the development parcel involved shall be provided outside of the City of Cambridge. There shall be no maximum number of compact car parking spaces, and a maximum of two parking spaces per dwelling unit shall apply.

- 16.412 Parking facilities may be located on the lot they serve or, by special permit from the Planning Board under Section 10.40 or Section 13.70, may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the North Point Residence, Office, and Business District. The Planning Board shall not withhold a special permit permitting such a pooled parking facility so long as the limitations on the maximum amount of parking provided in this Section 16.40 are observed with respect to all affected lots, in the aggregate, and so long as the intent of Section 16.413 to limit the number of commercial parking spaces which are accessible from Monsignor O'Brien Highway and available for private development is not subverted.
- 16.413 Subject to Section 16.414 below, the maximum number of parking spaces available for non-residential use (but including hotel and motel use) which are accessible from Monsignor O'Brien Highway on any lot in the North Point Residence, Office, and Residence District shall be as follows:
- (1) For lots located entirely within the Front Development Area, such maximum shall be 1.223 parking spaces per 500 square feet of lot area.
 - (2) For lots located entirely within the Back Development Area, such maximum shall be one parking space per 3,250 square feet of lot area.
 - (3) For lots located partly within the Front Development Area and partly within the Back Development Area, the calculations set forth in subsections (1) and (2) above shall be performed separately with respect to the portions of such lot located within the Front Development Area and the Back Development Area, respectively, and such maximum shall equal the sum of the maximum so calculated under subsection (1) and the maximum

so calculated under subsection (2); such parking spaces may be located anywhere within such lot.

- (4) As used herein, the following terms have the following meanings:
- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
 - (b) "Front Development Area" means that portion of the North Point Residence, Office, and Business District lying (a) within 600 feet of the Charles River, or (b) easterly of a line in the same plane as and extending northerly and southerly from the westerly sideline of East Street as currently (at the time of adoption of this Article 16.000) constituted and within 725 feet of the Reference Line (as defined below).
 - (c) "Back Development Area" means all portions of the North Point Residence, Office, and Business District lying outside the Front Development Area.
 - (d) "Reference Line" means a line in the same plane as and extending northerly and southerly from the southern face of the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway.

16.414 Wherever parking spaces are provided for residential use (other than hotel or motel use) on any lot, the number of parking spaces permitted to be made available to serve non-residential uses (but including hotel and motel use) on such lot under Section 16.413 above shall be reduced by one parking space for every 6.67 dwelling units served by any parking spaces provided for such residential use.

16.50 SIGNS

16.51 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

16.60 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.61 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

XP-4166/c

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CAMBRIDGE MA.

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September 9, 1988

Mayor and City Council
City Hall
Cambridge, MA 02139

The Honorable, The City Council,

As you know, for nearly two years now, development at Northpoint has been prohibited. The City Council has adopted two consecutive development moratoria and the landowners then accepted two additional extensions.

During the Winter and Spring months of this year, a "Working Group" was formed which tried to reach a consensus zoning for the area. Although this effort was helpful and accounted for a substantial narrowing of differences, in the end it was unable to achieve that result. Consequently, two petitions have been filed, one by the Planning Board and one by us, the landowners.

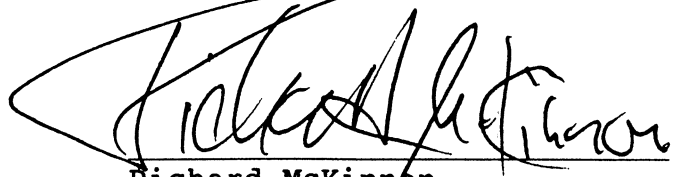
Although we had hoped that our petition, The Guilford Petition, would be seen as fair, it seems clear to us now that acceptance of the petition in its present form is unlikely. Over the past few months, we have met twice with the East Cambridge neighborhood, twice with the Planning Board and once with Council at its Ordinance Committee hearing.

In each of these forums, several important issues have emerged which clearly require more attention from us.

Accordingly, we respectfully ask that Council take no action on our petition prior to September 26, 1988. During the intervening time, we will make another earnest effort in attempt to deal with these specific problem areas. We hope to then offer Council a series of changes in our petition which address the criticisms we have heard, yet leave us with a responsible zoning envelope that allows us to make economic sense of our properties.

Thank you for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Richard McKinnon", is written over a horizontal line. The signature is stylized and somewhat cursive.

Richard McKinnon

North Federal Properties
Limited Partnership
and
on behalf of the
signatories to the
Guilford Petition

cc: Cambridge Planning Board

August 2, 1988

TO: Joseph E. Connarton
City Clerk *K*

FROM: Kevin T. McDevitt, Chairman
Board of Assessors

In reply to your memo of July 28, 1988, please be advised that we have, this day, forwarded to Joan Lastovica, City Engineer, the written protest to the Guilford Transportation Industries, Inc. zoning petition for the North Point area.

City of Cambridge

DATE: July 28, 1988

TO: Nancy Carney
Assessors Dept.

FROM: Joseph E. Connarton
City Clerk

SUBJECT: WRITTEN PROTEST NORTH POINT

Enclosed you will find two copies of the written protest to the Guilford Transportation Industries, Inc. zoning petition for the North Point area.

Would you kindly certify the ownership of the property and remit a copy to the Engineering Dept.

Your kind attention in this matter will be greatly appreciated.

NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

617 439-2000

TELEX: 94-0790 TELECOPIER: 617 973-9748

July 20, 1988
14944-4

Committee on Ordinances
Cambridge City Council
City of Cambridge
City Hall
Cambridge, MA 02139

Re: North Point Residence, Office and Business District
Public Hearing on 20 July 1988

Honorable Members:

We represent the owners of the property, known as the Altid Building, located at the intersection of Msgr. O'Brien Highway and Industrial Way (Cambridge Assessors Map 1A, Lot 70). Altid does not oppose the proposed rezoning of the North Point area, but wishes only to address the impropriety of including its parcel within the rezoned district.

The Altid parcel is located on the boundary of the area proposed for rezoning. The parcel, which Altid has owned for over 15 years, is small -- less than 1/2 acre. In 1984, Altid determined to relocate its corporate headquarters to Cambridge and constructed a first-class office building on the site. In addition to Altid's corporate offices, the building houses an art gallery and the offices of a title insurance company.

Altid's land and building stand in marked contrast to the remainder of the North Point area -- an area characterized by large parcels used for heavy industrial purposes. Planning studies of the North Point area indicate that, under the current IB zoning, the area has a full buildout potential of approximately 12,000,000 square feet. The proposed rezoning aims to limit this buildout by establishing new guidelines -- guidelines that make sense when applied to the large, underdeveloped parcels that comprise the overwhelming majority of North Point. These same guidelines, however, are unsuited to a small boundary parcel that shares none of the heavy industrial characteristics of its neighbors.

July 20, 1988

Were the proposed rezoning to be adopted, full buildout of the North Point area would still yield approximately 2,000,000 square feet of new floor area. In contrast, full buildout of the Altid parcel under the current zoning would yield only a maximum of 70,000 square feet. The City has legitimate concerns about the strains that 12,000,000, or even 2,000,000, square feet of new development would place on the infrastructure of North Point. These concerns -- and the proposed solution contained in the rezoning -- are inapposite, however, when applied to the Altid parcel. Altid believes that the proponents of the rezoning recognize the inappropriateness of their new scheme as applied to small parcels. The boundaries of the area proposed for rezoning carefully exclude a number of small parcels near Water Street. These parcels, like the Altid parcel, are adjacent to Msgr. O'Brien Highway, are located along the periphery of the North Point area and are developed in a manner that is fundamentally different from the heavy industrial character of most of North Point. Accordingly, Altid respectfully requests that its parcel be similarly excluded from the proposed rezoning.

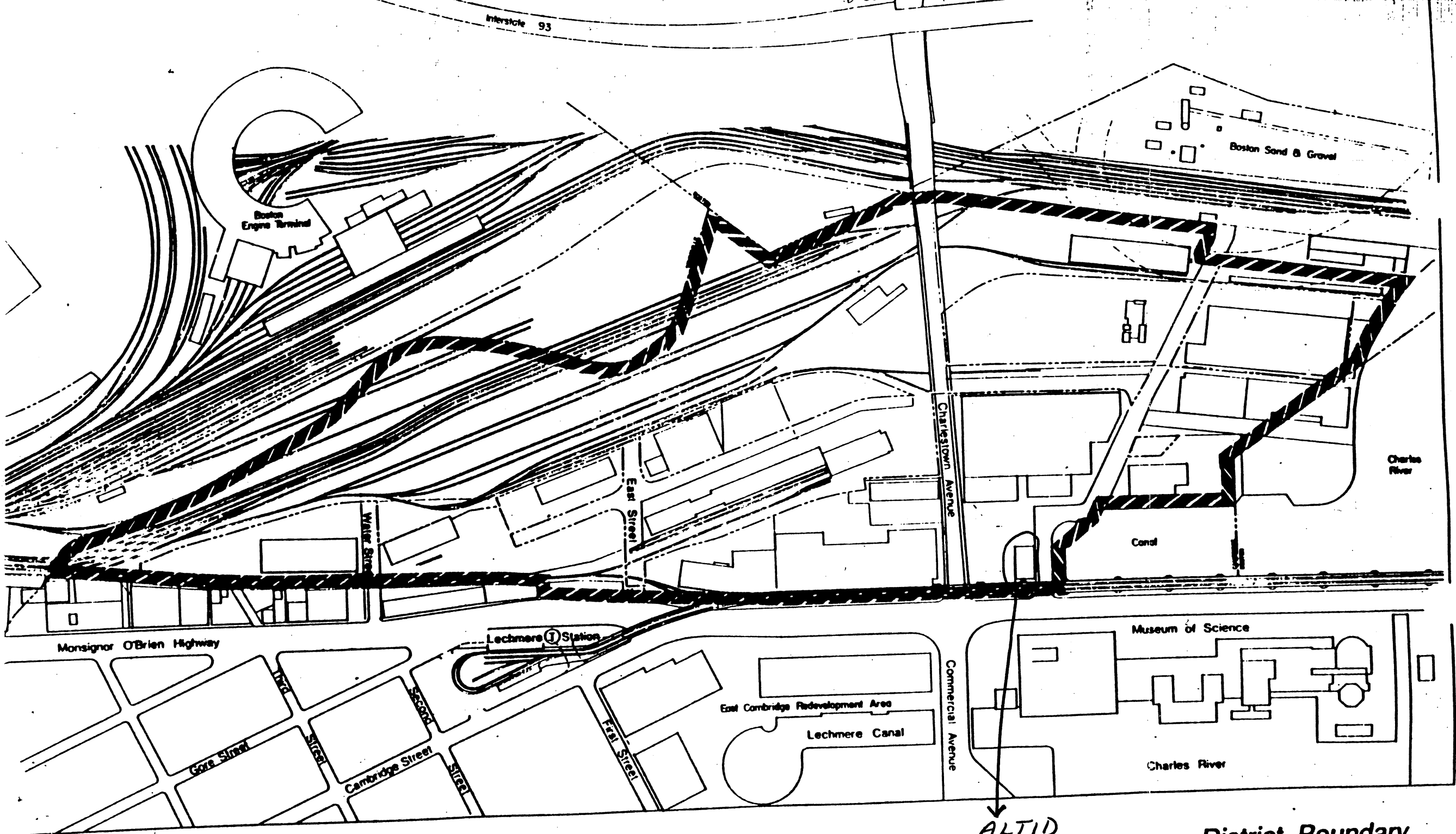
Very truly yours,


Marisa Lago

MLL:BJS

cc Mr. Raymond Carye
Mr. Edward Carye

14731



Interstate 93

Boston Engine Terminal

Boston Sand & Gravel

Charles River

Canal

Monsignor O'Brien Highway

Lechmere Station

Museum of Science

East Cambridge Redevelopment Area

Lechmere Canal

Charles River

ALTID
PARCEL

District Boundary

Gore Street

Cambridge Street

East Street

Commercial Avenue

Water Street

East Street

Charlestown Avenue

117A

117B

56202

117C

117D

**MASSACHUSETTS
BAY
TRANSPORTATION
AUTHORITY**

James F. O'Leary
General Manager
Transportation Building
Ten Park Plaza
Boston, Massachusetts 02116

1988 JUL 20 11 3 00

CAMBRIDGE MA.

July 20, 1988

Robert W. Healy
City Manager
Executive Department
Cambridge, MA 02139

Dear Mr. Healy:

I am writing in regard to the petition of Guilford Transportation Industries, Inc. et al to amend the City of Cambridge Zoning Ordinance as it relates to the North Point Section of Cambridge, which petition is scheduled for a public hearing on July 20, 1988.

Consistent with the MBTA's prior discussion with the City and the position of the Executive Office of Transportation and Construction on development of railroad property in the North Point Section the MBTA strongly opposes the rezoning of any railroad property currently being used for railroad purposes in the North Point Section.

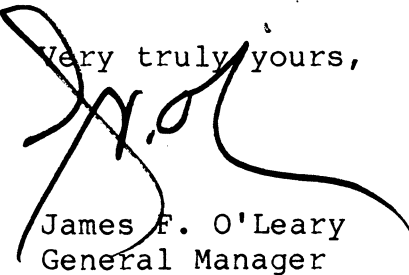
Any efforts to rezone railroad property in this area are inconsistent with the MBTA's transportation plans and need for continued use of this property for railroad and transportation purposes.

As you know the MBTA needs this property for the New Lechmere Station Project and related Green Line Facilities as well as to expand and improve existing commuter rail facilities and provide additional commuter rail facilities.

The MBTA has had several discussions with Guilford Industries, Inc. representatives relative to an acquisition of Guilford's property in this area. A meeting was held as recently as last Friday, July 15, to further define the extent of Guilford's property in this area and to discuss steps to accelerate the acquisition process.

If you need additional information please do not hesitate to contact me.

Very truly yours,

A handwritten signature in black ink, appearing to read 'J.F. O'Leary', written over the typed name below.

James F. O'Leary
General Manager

JFO/jlh



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

July 7, 1988

To Whom It May Concern:

Enclosed you will find a copy of hearing scheduled before the Committee on Ordinances for Wednesday, July 20, 1988 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition of Guilford Transportation Industries, Inc., et al to amend the map and text of the Zoning Ordinances by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,


Joseph E. Connarton
City Clerk.

JEC/mh

Enclosure

PUBLIC NOTICE
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 20, 1988 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Guilford Transportation Industries, Inc., et al to amend the map and text of the Zoning Ordinances by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District", as described as follows:

All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however:

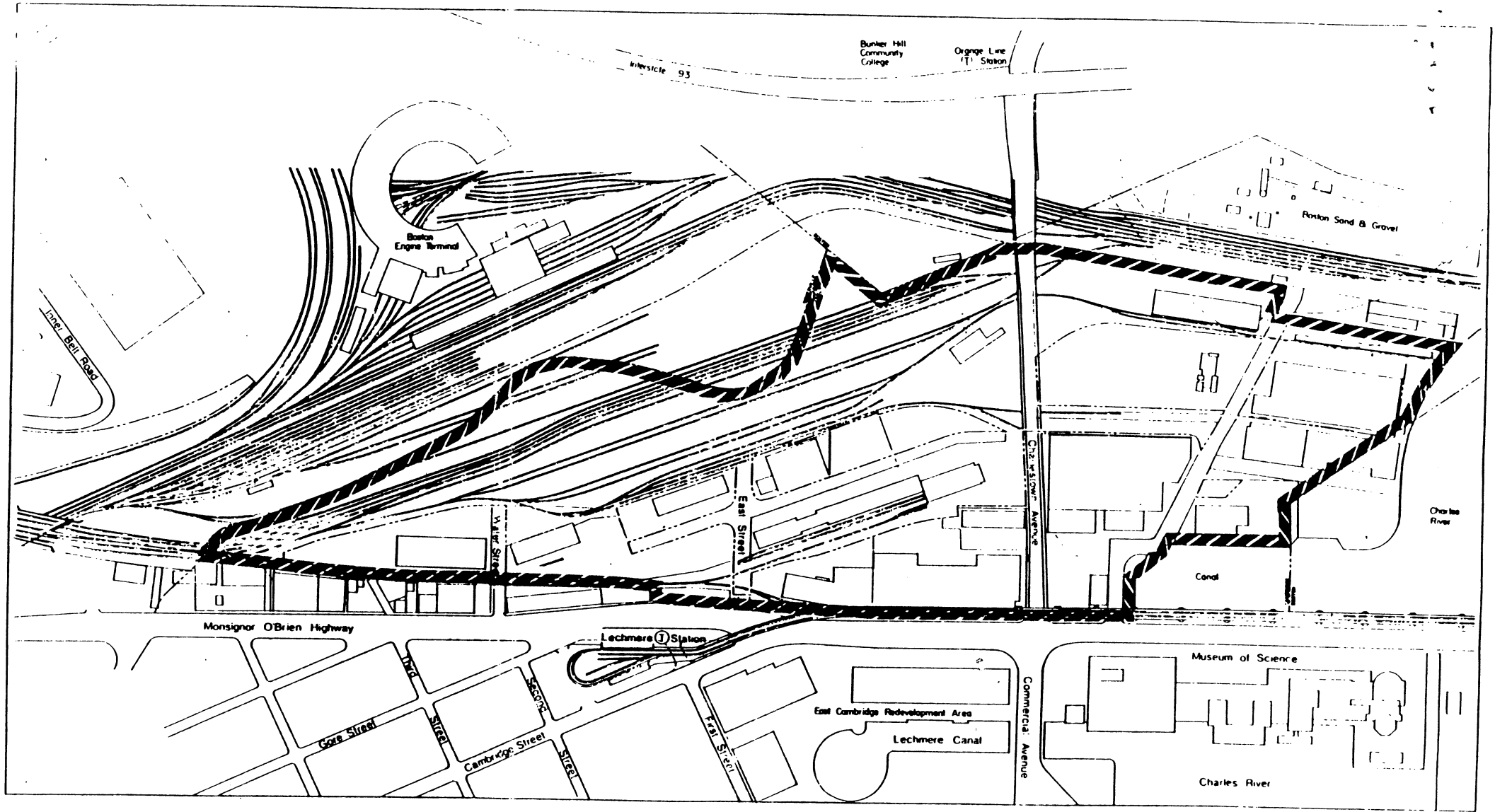
1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map no. 7;
2. Lot 6 shown on Assessor's map no. 1-A;
3. That portion of such land north of the MBTA Fitchburg Main Line Track; and
4. That portion of such land heretofore taken in fee by The Commonwealth of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,

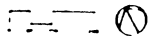
Councillor William H. Walsh,
Chairman



North Point
 Residence, Office, Business District

District Boundary

May 25, 1988



Scale: 1/8" = 1'-0"

City of Cambridge

In City Council.....July 25, 1988.....

The Ordinance

Committee

The Committee on Ordinances, comprised of the entire membership of the City Council conducted a public hearing on Wednesday, July 20, 1988 beginning at 6:56 p.m. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss the petition of Guilford Transportation Industries, Inc., creating a new Article 16 of the Zoning Ordinances entitled "North Point Residence, Office and Business District".

Councillor William Walsh, Chairman of the Committee, called the hearing to order and requested the petitioner to come forward.

At this time, Mr. Belnapp, a Consultant to Guilford Transportation, appeared before the Committee and outlined the work of his clients, other property owners and abutters during the past fourteen months on this petition. He further stated that hundreds of thousands of dollars had already been spent preparing this proposal, which he referred to as a "consensus plan".

Also speaking in favor of the petition was Mr. David M. Hirzel of Sasaki Associates, Inc., who outlined in detail the three major elements of the petition: zoning, traffic mitigation and design review. He further stated the proposal presented this evening is much less than what current zoning law provides, but this plan represents a compromise for all concerned. Furthermore, he stated that in developing the proposal, they used the East Cambridge/Riverfront and the Forest Cities process as their guide.

Councillor David Sullivan questioned what percentage of land was owned by the petitioners.

Mr. Belnapp responded by stating approximately 80%.

Councillor David Sullivan further questioned why a property owner would voluntarily downzone their property.

Mr. Belnapp responded by stating because it maximizes our own development.

Councillor David Sullivan further stated he was concerned that this petition is comprised solely of the four property owners within the area to be rezoned and does not have any input from residents or the City of Cambridge.

At this time, Mayor Alfred Vellucci voiced strong concern regarding the rodent problem which emanates from a trash transfer station within the North Point area and questioned whether or not the transfer station would be removed if the petition is adopted.

REPORT

Committee on Ordinances

Re: petition of Guilford Transportation to amend the Zoning Ordinances by creating a new Article 16 entitled "North Point Residence, Office and Business District".

*Passed to a second
reading*

In City Council,

July 25, 1988

Mr. Belnapp responded by stating the transfer station's lease runs out in less than five years and the facility would be removed at that time, should the petition be adopted.

The Mayor further stated he would support this petition because it is creative and he has not heard from anyone in City government willing to relocate the transfer station; a matter he has spoken about before in the City Council.

Councillor Sheila Russell questioned whether or not access to this area could be gained from Charlestown.

Mr. Belnapp responded in the negative.

Councillor Francis Duehay stated he was concerned with the fact the Community Development Department has informed the Council that the Planning Board will file a petition to amend the Zoning Ordinances relative to this area at the City Council meeting scheduled for July 25, 1988. He further stated that he would hope the petitioners could get together with the Planning Board and the Community Development Department to resolve any differences which may exist and find some common ground.

Speaking in opposition to the petition were: Marisa Lago, Esquire, representing the Altid Building, which she stated would be adversely affected by the adoption of the petition. She further stated that the real objection of her client was not to rezoning per se, but the fact that her client's property was included within the rezoned district.

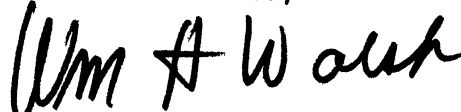
Also speaking in opposition was Mr. Hugo Salemme, "a neighbor", Mr. Manuel Rogers of 376 Cambridge Street, Mr. Paul Dodds of 82 Third Street and Ms. Patricia Lomans of 65 Otis Street. These individuals stated they were concerned with the density of the Guilford Transportation and urged the Council to wait for the Planning Board's petition before taking any action of this whole matter.

Councillor David Sullivan agreed with this statement and urged the Committee not to move hastily on this petition until a full hearing can be held on the petition of the Planning Board.

At this time, Councillor Duehay moved the petition be referred to the full City Council without recommendation. The motion - prevailed.

The hearing was adjourned at 8:36 p.m.

For the Committee,



Councillor William H. Walsh
Chairman.



City of Cambridge

In the Year One Thousand, Nine Hundred Eighty-Eighty

AN ORDINANCE

In amendment to an ordinance entitled: "The Zoning Ordinances of the City of Cambridge".

Be it ordained by the City Council of the City of Cambridge as follows:

The Zone Map accompanying ordinance passed to be ordained September 26, 1979 entitled: "The Zoning Ordinances of the City of Cambridge is hereby amended by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District", as described as follows:

All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however:

1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map no. 7;
2. Lot 6 shown on Assessor's map no. 1-A;
3. That portion of such land north of the MBTA Fitchburg Main Line Track; and
4. That portion of such land heretofore taken in fee by The Commonwealth of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project.

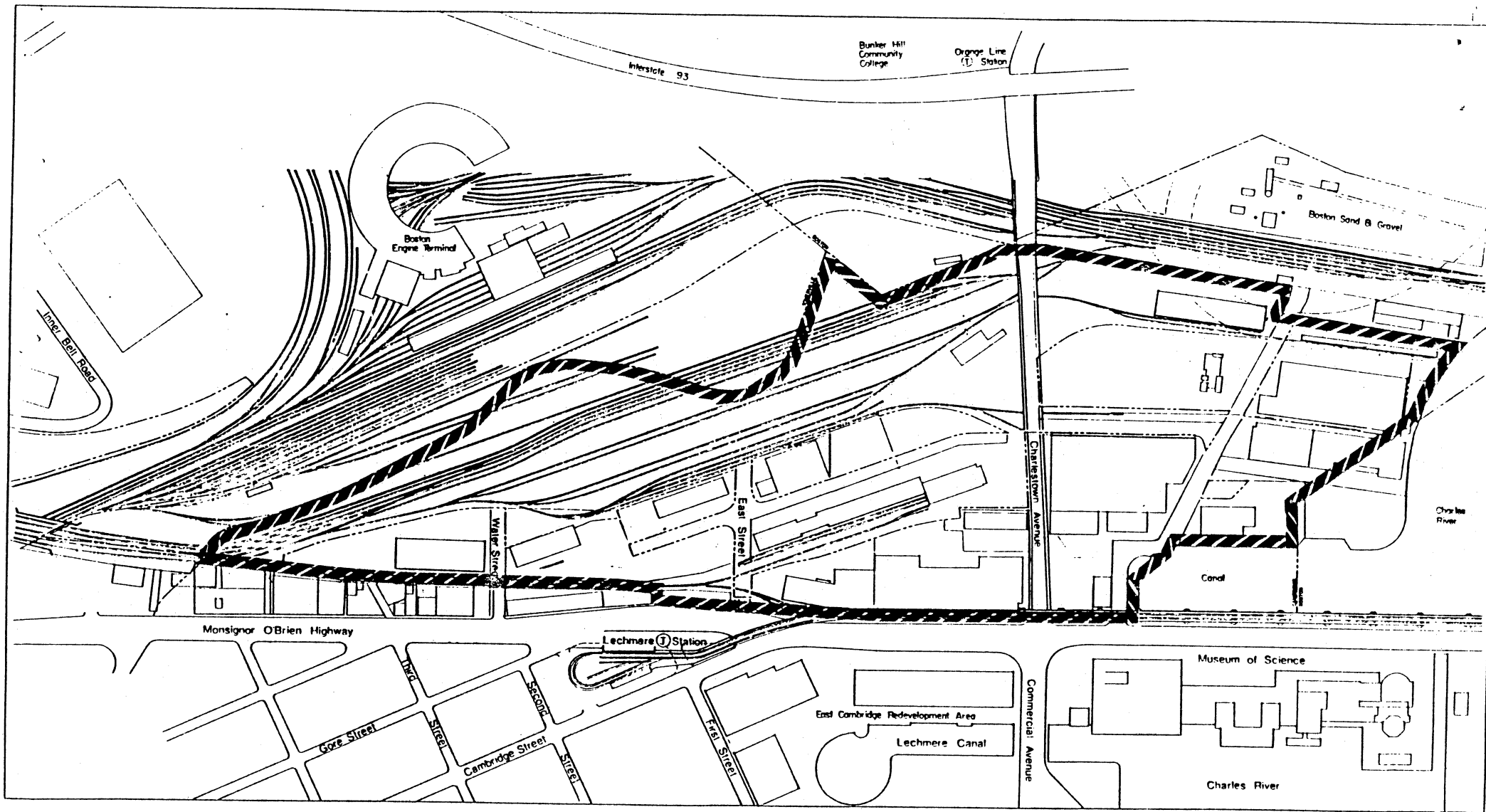
Passed to a second reading at the City Council meeting held on July 25, 1988 and on or after August 8, 1988 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 43, Section 23, Tercentenary Edition, being a part of the City Charter, the Ordinance as aforesaid, which exceeds in length eight octavo pages of ordinary book print may be examined at the Office of the City Clerk in the form of a printed pamphlet during office hours on or after July 26, 1988.

By order of the City Council,

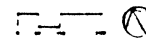
Joseph E. Connarton, City Clerk.



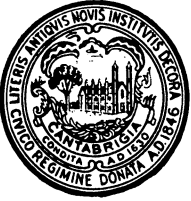
North Point
 Residence, Office, Business District

District Boundary

May 25, 1988



Scale Associates Inc.



CITY OF CAMBRIDGE

COMMUNITY DEVELOPMENT DEPARTMENT

City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

To: William Walsh, Chairman
Committee on Ordinances, Cambridge City Council

From: Michael H. Rosenberg *MHR*
Assistant City Manager for Community Development

Re: The Guilford et al Petition

Date: July 20, 1988

As chairman of The "Working Group" established by the City Manager to develop a plan and rezoning for North Point, I want to present my concerns in regard to the Guilford et al petition, especially as it relates to the process undertaken by the Working Group, and the separate submittals by the Guilford group and next week by the Planning Board for rezoning of North Point. With two rezoning petitions coming out of the Working Group process, I respectfully request that the Ordinance Committee delay any action until they have had an opportunity to review both proposals.

The Working Group. In November of 1986, the City Council recognized that development in North Point under the existing industrial zoning with a 4.0 FAR and no height limit could be disastrous and voted a temporary building moratorium. This led in November of 1987 to the establishment by the City Manager of the "Working Group" and a voluntary building moratorium. The Group was composed of North Point landowners and representatives from the East Cambridge residential neighborhood, the Planning Board, and the Community Development Department. The group was formed with the objective of working together to develop a rezoning proposal for North Point that would be acceptable to the landowners, neighborhood residents, and to the City. After seven months of meeting at least once a month, with substantive discussions and new information brought to the table, there remained significant differences. In June, a number of landowners decided to proceed with their own zoning petition, the Guilford et al petition. A second petition, by the Planning Board, will be submitted to City Council on Monday.

The major problems with the Guilford Petition lie in the following areas:

- o Traffic and parking.
- o Height and densities.
- o Open Space
- o Zoning procedures for public review and control.
- o State transportation objectives.
- o Affordable housing.

Traffic. Traffic generation has been recognized as a major factor in determining appropriate levels of development. Two separate traffic studies have been conducted - one by Sasaki, Inc. for the landowners and the other by Vanasse Hangen Brustlin, Inc. for the Community Development Department. These studies recommended 2 million and 1.5 million square feet respectively as appropriate levels of development for office use. The Sasaki analysis would permit the extra development through construction of a pedestrian bridge at the intersection of Msgr. O'Brien Highway and the extension of First Street and the elimination of the exclusive pedestrian light. We agree that a pedestrian bridge is needed but do not agree that having the bridge would make the pedestrian light unnecessary. In fact, the Traffic and Parking Department and the Community Development Department maintain that the exclusive pedestrian light should be retained as a matter of public safety. Therefore, the maximum allowed development should not exceed 1.5 million square feet.

A more complete discussion of the traffic and parking issues is given in the attached memo from our transportation planner, Richard Easler.

Parking. The proposal to limit development through a cap on parking spaces is a positive solution. However, the cap of 3,000 spaces in the Guilford petition allows too much parking and would generate too much traffic for the roadway system. According to the traffic consultants, it would be twice what the system could handle. In addition, the proposal does not consider development by other landowners, which could result in 1000 to 1500 additional parking spaces.

Height and Density. The allowed build-out far exceeds what is responsible considering the overall land area and limited access. With close to 3 million square feet of land area in North Point, build-out at the allowed FAR of 2.0 with incentives to 3.0 could reach 6 million to 9 million square feet of office development. With only two access roads into the site, our traffic consultants have recommended a maximum of 1.5 million square feet of office development. With development of 3.0 to 3.5 FAR and heights to 160 feet, the resulting buildings would be far too massive, especially in comparison to the adjacent East Cambridge Riverfront area.

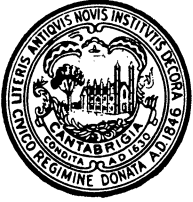
Open Space. The Guilford petition proposes 10% open space, which is less than what is required in most residential and office districts and half what is required under a PUD. In addition, that 10% would include the streets and sidewalks which become public ways. For many sites this could mean no open space other than streets and sidewalks.

Zoning Process. The procedures established under this petition provide less review and less control than we find in other rezoning proposals adopted by the City in recent years. In particular, we are concerned about (1) lack of public review, (2) design review that is non-binding and (3) control of the number of parking spaces included in a side agreement and not part of the zoning.

State Transportation Objectives. The State's Executive Office of Transportation and Construction has made it very clear that they want the transportation corridor to remain in transportation uses and they have requested that any rezoning of the North Point area be compatible with the planned transportation uses of this area. They have indicated their interest in the piggy-back yards for expansion of public transportation facilities including the Green Line and the commuter rail.

Affordable Housing. We commend the inclusion of an affordable housing contribution. However, it should be recognized that there is no requirement that affordable housing be built within North Point.

While all these issues should be considered the two fundamental concerns with the Guilford et al petition are the potential for too much development and the inadequacy of provisions in the zoning for public review and oversight of development in the district. The Planning Board is submitting a zoning petition which we believe addresses these concerns in a more responsible manner. I therefore recommend that the City Council delay decision on the Guilford et al petition until you have an opportunity to consider the Planning Board's recommendations for North Point.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

To: Michael H. Rosenberg
Assistant City Manager for Community Development

From: Richard Easler *RER*
Transportation Coordinator

Subject: Traffic and Parking Issues related to the Rezoning Proposals
for the Northpoint Area

Date: July 14, 1988

During this past year, two traffic studies were conducted for the Northpoint Area, one by Sasaki Associates, Inc., for the Northpoint Landowners and the other by Vanasse Hangen Brustlin, Inc. (VHB), for the Community Development Department. In both studies, the Environmental Impact Report prepared for the Galleria at Riverside Place Project was used to determine background traffic and percent auto usage which in this case was 50%. Trip generation rates were updated to reflect the new ITE Trip Generation Manual, (1987 Edition). Since these rates are lower than the 1982 rates, use of the new figures results in a larger allowable project.

The result of the individual studies was that Sasaki Associates reported that based upon traffic considerations 2,000,000 square feet of general office space could be accommodated on the site where as VHB showed that general office space development would be limited to 1,500,000 square feet. Subsequently several meetings were held among the professionals involved in the work for each firm and representatives of the property owners and the City in order to resolve the differences between the two reports. Based upon this joint review the differences boil down to the following issues.

A.M. Traffic Capacity at East Street

This issue revolves around the treatment of pedestrians at Lechmere Square. In order to accommodate pedestrian traffic across Msgr. O'Brien Highway the signal timing must include an exclusive pedestrian phase of 26 seconds (approximately 22% of the time available for each

120 second signal cycle). Sasaki Associates and the property owners agree that this condition would limit office development to approximately 1.5 million square feet as calculated by VHB. However, they maintain that the construction of a pedestrian bridge over Msgr. O'Brien Highway at this location would eliminate the need for the exclusive pedestrian phase in the signal cycle and result in the higher 2 million square feet of site capacity. Both the Traffic and Parking Department and myself feel this is a public safety issue. Pedestrians are going to cross Msgr. O'Brien Highway at grade with or without a pedestrian bridge. Therefore, the pedestrian phase of 26 seconds must remain in order to protect people from potential serious injury.

P.M. Traffic Capacity at Industrial Park Road

This issue revolves around the assumptions used to calculate the capacity of this intersection. The Sasaki analysis assumed that capacity at this location should be calculated as a "stand-alone" intersection resulting in a P.M. exit capacity in excess of 1400 vehicles. They did note that their analysis did not include the effects of the Msgr. O'Brien Highway/Commercial Street/Charlestown Avenue intersection, which was identified in every traffic study of the area as significantly over capacity. VHB suggested, and in my opinion correctly, that the two signals should be interconnected so that the exit capacity of Industrial Park Road would be controlled by the traffic flow needs of the O'Brien/Commercial/Charlestown intersection. This reduces the exit capacity by 60% to only 600 vehicles, which again would restrict the development potential of the Northpoint area to 1.5 million square feet of office. Moreover, even if the signal timing could be adjusted thereby increasing the exit capacity, the control on development would still be the A.M. capacity at East Street. This also means that allowing a large amount of traffic to back-up on the site in the afternoon would not be a solution given the A.M. capacity problems.

Other Demand Reduction Methods

Sasaki has suggested that the capacity issue could be resolved by further identifying demand reduction methods such as shuttle service, transit subsidies, etc. Both studies already assumed a very low auto use factor of only 50%. The above demand reduction methods and many more will have to be implemented just to reach this 50% assumption. For comparison purposes, the office development auto use factor projected for Alewife Center is 66%, University Park 65% and Cambridge Park 70%. Even for the Harvard Square Area as a whole with the best transit use potential in the City, the work trip auto case factor was still as high as 40% (1980 U.S. Census Journey to Work Data).

Sasaki has also suggested the provision of site-related parking on Guilford land via Somerville access with a shuttle or footbridge between the parking and the developed Northpoint area as a means to reduce auto vehicle trips on Cambridge streets. This suggestion could be a way of increasing the sites development potential provided that traffic to and from Cambridge Streets is limited to the equivalent amount generated by 1.5 million square feet. One way to accomplish this would be to limit the amount of parking as discussed later in this memo.

The final issue raised by Sasaki is related to background traffic. They feel that the background traffic in the area has been overstated because the auto use factor was assumed to be 75%. Even if they are correct, I must point out that the projection of background development did not include the North Station Area which will have a significant traffic impact on Msgr. O'Brien Highway and the rest of East Cambridge. As a result, background traffic is probably understated rather than overstated.

Controlling Traffic Through Parking Restrictions

One of the best ways to control auto use for work trips is to limit the amount of parking available at the work place. As indicated in my memo to you of June 8, 1988 (attached) I have calculated parking needs for Northpoint two different ways which resulted in a need for 1.2 spaces per 1,000 square feet of general office use. This means that for 1.5 million square feet of office 1800 spaces would be required. Since traffic forecasting is not an exact science, I would suggest a parking ratio of 1.25 spaces per 1,000 square feet or a total of 1875 spaces. Thus, the new zoning should be structured to allow a maximum of 1875 parking spaces for non-residential uses. As an incentive to building housing, I suggest that housing be exempt from this parking cap. This should not severely impact traffic circulation since most residential traffic flow is in the reverse direction from that of the office development.



CITY OF CAMBRIDGE
COMMUNITY DEVELOPMENT DEPARTMENT
City Hall Annex - Inman & Broadway - Cambridge, Mass. 02139

498-9034

To: Michael Rosenberg
From: Richard Easler *RER*
Subject: Parking Requirements for the North Point Area
Date: June 8, 1988

The traffic analysis undertaken for the North Point Area last January by Vanasse Hangen Brustlin, Inc. was based on the ITE Trip Generation Manual, 1987 Edition. By using these ITE trip generation rates modified by the assumption of only 50% auto use results in 0.65 car per 1,000 sq ft entering the site in the morning peak hour (1.50 two-way trips 50% auto use x .87% entering the site). With traffic capacity limiting development to 1.4 million sq ft of office uses, this results in a need for 910 parking spaces for the mornings peak hour demand ($1,400 \times 0.65 = 910$). Since about 60% of the total demand occurs in the peak hour, the total parking demand for employees would be 1,520 parking spaces (910 divided by 0.60 = 1,517). Adding to this 0.10 space per 1,000 sq ft or 140 spaces for visitors produces a total parking demand of 1,660 spaces or a ratio of 1.18 space per 1,000 sq ft of office use.

A similar parking demand results by using another approach. The ITE data indicates that 3.5 employees will occupy each 1,000 sq ft of office spaces. For the 1.4 million sq ft allowed by traffic considerations in North Point, the resulting figure is 4,900 employees. One half or 2,450 will arrive by automobile. Current vehicle occupancy is about 1.2 people per vehicle. Since a strong car and van pooling effort will be implemented for this project, this ratio can be increased to 1.6 for the future. This means that 1,530 parking spaces will be required for employees (2,450 divided by 1.6 = 1,531). Adding the same 140 spaces for visitors results in a total parking demand of 1,670 spaces or a ratio of 1.19 spaces per 1,000 sq ft of office use.

For comparison purposes, I have added up the total square footage of new office space either completed or under construction in the East Cambridge Riverfront Area and the parking provided for these uses. The result is a total of 2,409,000 sq ft of office space

with 3,214 parking spaces. This results in a parking ratio of 1.34 spaces per 1,000 sq ft of office space. Thus the figures calculated above seem reasonable given the need to constrain automobile use in that area.

I am therefore recommending that for the base case in North Point, parking be restricted to 1.0 spaces per 1,000 sq ft of office use. Under a Special Permit Process, this could be increased to a maximum of 1.25 if guarantees for a proper traffic mitigation plan are secured.

FIRST PUBLICATION NO. 2413 CITY OF CAMBRIDGE In the Year One Thousand, Nine Hundred Eighty-Eight AN ORDINANCE

An amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge." Be it ordained by the City Council of the City of Cambridge as follows: Amend the text of the Zoning Ordinance of the City of Cambridge by adding the following new Subsection 10.40:

- Special Permits 10.48 As expressly authorized in Section 9 of the Zoning Act, M.G.L. Ch. 40A, the following special permits, which authorize increases in the permissible density of population or intensity of a particular use in a proposed development, shall be subject to the provisions of Section 11.200 of this Ordinance. Section 6.35 Reduction of required parking for non-residential development. Section 11.108 Divergence from dimensional requirements - Massachusetts Avenue Overlay District. Additional Height, Harvard Square Overlay District. Waiver of parking and loading requirements, Harvard Square Overlay District. Section 11.542 (b) Section 11.544 (b) Section 11.635 Parkway Overlay District. Divergence from dimensional requirements, Parkway Overlay District. Section 11.637 PLD Districts, all permits. II. Delete the existing Section 11.200 and substitute thereof the following:

11.200 Incentive Zoning Provisions Purpose - The purpose of this Section 11.200 is to promote the public health, safety and welfare by encouraging the expansion and upgrading of the City's housing stock and expressly its affordable housing stock while accommodating the expansion of housing and commercial opportunities in the City, to provide for a full range of housing choices for households of all incomes, ages, and sizes, to mitigate the impacts of commercial development on the availability and cost of housing and especially affordable housing, to increase the production of affordable housing units to meet existing and anticipated employment needs within the city, to provide a mechanism by which commercial development can contribute in a direct way to increasing the supply of affordable housing in exchange for a greater density or intensity of development than that permitted as a matter of right, and to establish standards and guidelines for the use of such contributions.

11.201 Definitions Affordable Housing Trust shall mean the entity defined in Section 11.207. Affordable Unit shall mean any dwelling unit whose rent (including utilities) does not exceed thirty percent of the income of the renter household or whose mortgage payment (including insurance, utilities and real estate taxes) does not exceed thirty percent of the income of the purchasing household or other standards as may be established pursuant to any city, state or federal established program to any city, state or federal housing program designed to assist low and moderate income households. Covered Project shall mean that portion of projects containing uses listed in Section 4.34 and 4.35 subject to the provisions of the special permits listed in Section 11.202.

11.202 Applicability Where a developer chooses to use a special permit pursuant to the sections listed below, which special permit authorizes an increase in the permissible density of population or intensity of a particular use in the proposed development, the developer shall be subject to the provisions of this Section 11.200 and any other applicable provisions of the City's zoning ordinance, including but not limited to the addition of uses that result in an increase in density or intensity of use.

11.203 Incentive Zoning Contributions A Covered Project shall either make a Housing Contribution in accordance with this Section 11.203 Subsection (a) or shall create or cause to be created housing, in accordance with this Section 11.203 Subsection (b): (a) Housing Contribution. Where a Covered Project of less than thirty thousand square feet (30,000 s.f.) of gross floor area, no contribution shall be required.

For a Covered Project of more than thirty thousand square feet (30,000 s.f.) of gross floor area, the developer shall contribute two dollars (\$2) for every square foot of gross floor area over thirty thousand square feet authorized by the Special Permit. Before the Superintendent of Buildings issues the first occupancy permit for the Covered Project the developer of the Covered Project shall file with the Housing Contribution to the then managing Trustee of the Affordable Housing Trust or its designee.

The amount of the Housing Contribution shall be subject to review and recalculation three (3) years after the effective date of this provision and every three (3) years thereafter by the Board of Trustees of the Affordable Housing Trust based on a consideration of current economic trends including but not limited to development activity, commercial rents per square foot, employment growth and inflation rates and housing trends measured in Cambridge, including but not limited to, vacancy rates, production statistics, and prices for new dwelling units.

(c) Housing Creation Option. The Developer of a Covered Project which make a Housing Contribution in Subsection 11.203 (a) above may elect to opt for an option exclusively by eligible households, or may donate land, these units or land donation, may be of equivalent benefit to the housing contributions otherwise required. When this option is chosen a Developer shall choose a special permit application and shall advise the special permit granting authority as to whether the proposed Housing Creation conforms to the intent and purposes of this Section 11.200 (a).

The report shall also recommend such conditions, if any, as the Trustee may find appropriate to the issuance of the special permit to assure full compliance with the intent of this Section 11.200. The special permit granting authority shall give due consideration to the report of the Board of Trustees in granting any special permit subject to this Section 11.200 (a).

11.204 Standards for Construction and Occupancy of Affordable Housing Unit. The following standards are intended to provide guidance to the Developer in complying with the report of the Board of Trustees. Construction Option is chosen to meet the requirements of this Section 11.200 and to the Board of Trustees in making any report it may make to the special permit granting authority or in authorizing the expansion of any Housing Contribution funds, in granting any special permit the special permit granting authority may allow for deviations from, or further define, these standards consistent with the purposes of this Section 11.200.

(a) Affordable Housing Units shall be comparable in services and size to dwelling units in the neighborhood where the units are to be located. Units shall generally be designed and intended for families with children. Where the Affordable Housing Units are for elderly, handicapped, or other special needs households the units shall be designed to meet the special needs of the intended occupants. (b) The Affordable Housing Units shall, to a reasonable extent, serve eligible households of diverse incomes, including very low income, and sizes.

(c) The Affordable Housing Units shall be subject to restrictions providing that they shall: (1) be occupied by eligible households, (2) be conveyed subject to restrictions, which to the extent legally possible shall guarantee the permanent availability of the affordable housing units to eligible households. Such restrictions shall include but not be limited to limited equity deed restrictions, (3) to the extent possible, give preference to eligible household who are Cambridge residents, (4) be occupied by Eligible Households as defined by the Community Development Department from among Eligible Households who may have the opportunity to rent or purchase an Affordable Housing Unit, using guidelines established by the Department in selecting tenant and homeowners households under other City or Federal housing assistance programs, (5) before a building is occupied, the permit of a special permit for a Covered Project shall have been submitted to the Superintendent of Buildings a report from the Community Development Department certifying that final development of the units is in conformance with the plan approved pursuant to any special permit process and that the conditions of the special permit have been met.

11.205 Establishment of an Affordable Housing Trust. To facilitate the implementation of the provisions of this Section 11.200 the City Manager is directed to establish an Affordable Housing Trust Fund into which funds generated by this Section 11.200 and specifically Section 11.203 (a) shall be deposited. 11.205.1 Uses of the Affordable Housing Trust. The Trust property may be made available for, but shall not be limited to, the following:

- (1) Creation of Affordable Housing Units. To encourage the development of affordable housing units through a variety of means, including but not limited to, the provision of favorable financing terms and direct write-down of costs for either non-profit or for profit developers or to subsidize the purchase of sites, existing structures or affordable units within a larger development. (2) Multi-family Rehabilitation Programs. To finance the substantial rehabilitation of deteriorated properties in a manner that preserves the affordability of units through interest rate subsidies, loan guarantees or write-down of project costs. Multi-family housing owned by non-profit entities that ensure maximum long-term affordability shall receive priority funding consideration. (3) Limited Equity Cooperative Conversion. For acquisition and rehabilitation of potential cooperatives through low interest blanket loans, share loans or direct cost write down. 11.205.2 Administration of the Affordable Housing Trust and its Activities. The Trust property may be made available to fund responsible administrative expenses necessary to support Trust activities, including but not limited to consulting services such as legal, appraising or engineering, as well as other related expenses. The Community Development Department shall provide the Board of Trustees with technical and administrative assistance. 11.205.3 Establishment of a Board of Trustees of the Affordable Housing Trust. The City Manager shall establish and chair a nine-member Board of Trustees of the Affordable Housing Trust. The Board of Trustees shall be composed of representatives from different sectors of the community concerned with housing policy, and may include members of City boards and agencies, non-profit housing organizations and community representatives. The Trustee, with concurrence of the City Manager, shall establish regulations for the operations of the Trust and Board of Trustees, and procedures for the implementation of this Subsection 11.205. (1) The Board of Trustees shall manage and administer the Affordable Housing Trust Fund including the disposal of all funds, units, and land in the City of Cambridge. (2) The Board of Trustees shall review and approve or disapprove proposals submitted for use of the Housing Trust Fund. The Board shall develop policies and standards appropriate for affordable housing units pursuant to the Incentive Zoning Provisions, Section 11.200. These standards shall be consistent with those included in the Incentive Zoning Provisions Section 11.200. (3) The Board shall serve as the Advisory Committee for the purpose of the Massachusetts Housing Partnership (MHP). The Board shall review and make recommendations on housing proposals to be submitted to the MHP. (4) The Board shall explore the feasibility and assist in establishment of new programs designed to meet Cambridge's affordable housing needs. These programs include a City-wide Land Bank Program and Home Mortgage Pool. (5) The Board of Trustees shall provide assistance and necessary reports where appropriate to any special permit granting authority authorized to issue a special permit for any development making use of funds from the Affordable Housing Trust. 11.205.4 Special Requirements Applicable to the Residence C District. Where it is proposed to employ the provisions of Section 5.31, footnote (c), paragraph (2), applicable to the Residence C District, the following requirements shall apply in lieu of the requirements of Section 11.202 above: A minimum of 50% of the additional dwelling units permitted under the provision of footnote (c) above the maximum number of dwelling units otherwise permitted in the Residence C District, rounded to the higher number of units in case of an odd number of additional units, shall be provided on site as part of the approved special permit development. The characteristics of these units shall be as outlined in Section 11.204 above. Passed to a second reading at City Council meeting held on June 20, 1988 and on or after July 4, 1988 the question comes on passing to be ordained. Joseph E. Conant City Clerk

FIRST PUBLICATION NO. 2412 CITY OF CAMBRIDGE In the Year One Thousand, Nine Hundred Eighty-Eight AN ORDINANCE

In amendment to an ordinance entitled "The Zoning Ordinances of the City of Cambridge." Be it ordained by the City Council of the City of Cambridge as follows: The Zoning Map accompanying Ordinance passed to be Ordained September 16, 1979 entitled "The Zoning Ordinances of the City of Cambridge," is hereby amended by deleting the existing Section 3.14 - 2001 Temporary Building Moratorium and substituting therefor a new Section 3.14 - The Cambridgeport Interim Planning Overlay District in the area of Cambridgeport as shown on the accompanying map, having the following requirements:

- Section 3.14 1. All requirements of the existing base zoning districts shall apply except as modified and limited by the requirements of these paragraphs 2-4 below. 2. The Floor Area Ratio applicable on any lot shall be limited to 1.0. 3. The maximum height of any building shall be 45 feet. 4. Notwithstanding the limitations in paragraphs 2 and 3 above, any building existing at the time of adoption of this Section may be renovated or restored, changes made to the uses contained therein or additions may be made hereto provided the following conditions are met: a. Any additions shall not exceed 10% of the gross floor area of the existing building on such gross square feet, which ever is greater and b. All regulations and limitations of the base district shall be met. 5. This Section 3.14 shall be in effect through March 31, 1989.

II. Amend the Zoning Map of the City of Cambridge by creating the Cambridgeport Interim Planning Overlay District in an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerlines of Henry Street and Brookline Street. 1.1 Proceeding in a southerly direction along the centerline of Brookline Street to the centerline of Memorial Drive for a distance of approximately 815 feet. 1.2 Thence turning and proceeding in an easterly direction along the centerline of Memorial Drive to the southeasterly extension of the centerline of Brookline Street for a distance of approximately 1,100 feet. 1.3 Thence turning and proceeding in a northerly direction along the southeasterly extension of the centerline of Memorial Drive to the centerline of Amesbury Street. 1.4 Thence turning and proceeding in a northerly direction along the centerline of Amesbury Street to the centerline of Vassar Street for a distance of approximately 3,340 feet. 1.5 Thence turning and proceeding in a southerly direction along the centerline of Massachusetts Avenue to the centerline of Blanchard Street for a distance of approximately 1,425 feet.

1.6 Thence turning and proceeding in a southerly direction along northeasterly extension of the centerline of Blanchard Street and the centerline of Blanchard Street to the centerline of Green Street for a distance of approximately 285 feet. 1.7 Thence turning and proceeding in a southerly direction along the centerline of Green Street for a distance of approximately 400 feet. 1.8 Thence turning and proceeding in a southerly direction along the centerline of Lansdowne Street for a distance of approximately 800 feet. 1.9 Thence turning and proceeding in a southerly direction along the centerline of Cross Street for a distance of approximately 90 feet. 1.10 Thence turning and proceeding in a southerly direction along the northerly extension of the centerline of Cross Street and the centerline of Cross Street to the northeasterly extension of the centerline of Purinton Street for a distance of approximately 250 feet. 1.11 Thence turning and proceeding in a southerly direction along the northeasterly extension of the centerline of Purinton Street and the centerline of Purinton Street to the centerline of Pacific Street for a distance of approximately 400 feet. 1.12 Thence turning and proceeding in a northerly direction along the centerline of Pacific Street to a point 100 feet distant from the easterly side of Brookline Street for a distance of approximately 80 feet. 1.13 Thence turning and proceeding in a southerly direction along a line 100 feet distant from and parallel to the easterly side of Brookline Street to a point 100 feet distant from the northerly side of the centerline of Purinton Street for a distance of approximately 250 feet.

1.14 Thence turning and proceeding in a southerly direction along the centerline of Vassary Street to the centerline of Henry Street for a distance of approximately 110 feet. 1.15 Proceeding in a southerly direction along the centerline of Henry Street to the point of intersection of the centerline of approximately 940 feet. 1.16 Thence turning and proceeding in a southerly direction along the centerline of Henry Street for a distance of approximately 162, 161, 162, 101, 109, 114, 115, 116, 117, 143, 163, 149, 103, 102, 101, 100, and 99, even numbers 266-234 Massachusetts Avenue, even numbers 4-20 Branch Street, odd and even 10-43 Green Street, and 15 Lansdowne Street. 1.17 Premises as shown on Assessor's Plat numbered 69: all or parts of lots numbered 161, 162, 113, 111, 109, 114, 115, 116, 117, 143, 163, 149, 103, 102, 101, 100, and 99, even numbers 266-234 Massachusetts Avenue, even numbers 4-20 Branch Street, odd and even 10-43 Green Street, and 15 Lansdowne Street. 1.18 Premises as shown on Assessor's Plat numbered 68: all or parts of lots numbered 32, 30, 26, 25, 21, 1, 59, 36, and 37, odd numbers 293-17 Vassar Street. 1.19 Premises as shown on Assessor's Plat numbered 67: all or parts of lots numbered 60, 59, 57, 56, 37, 34, 24, 19, 51, 50, and 47, odd numbers 115-20 Albany Street, even numbers 2-22 Cross Street, 123, 125, 127, 129, 131, 133, 135, 137, 139, 141, 143, 145, 147, 149, 151, 153, 155, 157, 159, 161, 163, 165, 167, 169, 171, 173, 175, 177, 179, 181, 183, 185, 187, 189, 191, 193, 195, 197, 199, 201, 203, 205, 207, 209, 211, 213, 215, 217, 219, 221, 223, 225, 227, 229, 231, 233, 235, 237, 239, 241, 243, 245, 247, 249, 251, 253, 255, 257, 259, 261, 263, 265, 267, 269, 271, 273, 275, 277, 279, 281, 283, 285, 287, 289, 291, 293, 295, 297, 299, 301, 303, 305, 307, 309, 311, 313, 315, 317, 319, 321, 323, 325, 327, 329, 331, 333, 335, 337, 339, 341, 343, 345, 347, 349, 351, 353, 355, 357, 359, 361, 363, 365, 367, 369, 371, 373, 375, 377, 379, 381, 383, 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1485, 1487, 1489, 1491, 1493, 1495, 1497, 1499, 1501, 1503, 1505, 1507, 1509, 1511, 1513, 1515, 1517, 1519, 1521, 1523, 1525, 1527, 1529, 1531, 1533, 1535, 1537, 1539, 1541, 1543, 1545, 1547, 1549, 1551, 1553, 1555, 1557, 1559, 1561, 1563, 1565, 1567, 1569, 1571, 1573, 1575, 1577, 1579, 1581, 1583, 1585, 1587, 1589, 1591, 1593, 1595, 1597, 1599, 1601, 1603, 1605, 1607, 1609, 1611, 1613, 1615, 1617, 1619, 1621, 1623, 1625, 1627, 1629, 1631, 1633, 1635, 1637, 1639, 1641, 1643, 1645, 1647, 1649, 1651, 1653, 1655, 1657, 1659, 1661, 1663, 1665, 1667, 1669, 1671, 1673, 1675, 1677, 1679, 1681, 1683, 1685, 1687, 1689, 1691, 1693, 1695, 1697, 1699, 1701, 1703, 1705, 1707, 1709, 1711, 1713, 1715, 1717, 1719, 1721, 1723, 1725, 1727, 1729, 1731, 1733, 1735, 1737, 1739, 1741, 1743, 1745, 1747, 1749, 1751, 1753, 1755, 1757, 1759, 1761, 1763, 1765, 1767, 1769, 1771, 1773, 1775, 1777, 1779, 1781, 1783, 1785, 1787, 1789, 1791, 1793, 1795, 1797, 1799, 1801, 1803, 1805, 1807, 1809, 1811, 1813, 1815, 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2481, 2483, 2485, 2487, 2489, 2491, 2493, 2495, 2497, 2499, 2501, 2503, 2505, 2507, 2509, 2511, 2513, 2515, 2517, 2519, 2521, 2523, 2525, 2527, 2529, 2531, 2533, 2535, 2537, 2539, 2541, 2543, 2545, 2547, 2549, 2551, 2553, 2555, 2557, 2559, 2561, 2563, 2565, 2567, 2569, 2571, 2573, 2575, 2577, 2579, 2581, 2583, 2585, 2587, 2589, 2591, 2593, 2595, 2597, 2599, 2601, 2603, 2605, 2607, 2609, 2611, 2613, 2615, 2617, 2619, 2621, 2623, 2625, 2627, 2629, 2631, 2633, 2635, 2637, 2639, 2641, 2643, 2645, 2647, 2649, 2651, 2653, 2655, 2657, 2659, 2661, 2663, 2665, 2667, 2669, 2671, 2673, 2675, 2677, 2679, 2681, 2683, 2685, 2687, 2689, 2691, 2693, 2695, 2697, 2699, 2701, 2703, 2705, 2707, 2709, 2711, 2713, 2715, 2717, 2719, 2721, 2723, 2725, 2727, 2729, 2731, 2733, 2735, 2737, 2739, 2741, 2743

Deran's, Vellucci take East; battle for Mayor's Cup

For the first time in East Division Little League history, the same two teams have won the Majors and Minors for the third year in row.

Deran's captured the Majors, and Vellucci Insurance the Minors. Members of Deran's team are: manager Warren McManus, coach Ken McManus, Helio Cabral, Willie Carter, Steve Coutinho, Jason DaSilva, Ken DeAngelo, Jamie Harvey, Ian Lavalie, Kevin McManus, Fernando Ortiz, Rui Pereira, Bobby Scott and Hector Torres.

Members of Vellucci's team are managers John, Georgianne and

Dawn Zagarella, Jomer Benzan, Lenny Benzan, Joseph Braga, Paul Cacciola, Stephen Gardner, Jose Gonzalez, Sean Hope, Stella Madison, Paul Martins, Paulo Melo, Brian Owens, Guido Reyes, Kevin Sencion, Kevin Soares and Amanda Swartz.

Both Deran's and Vellucci will represent the East Division in this weekend's annual city championship for the Mayor's Cup.

On Saturday at 10 am, Vellucci will face the winner of the West Division Minor League, and at 2 pm, Deran's will meet the winner of the West Division Major League.

Dodgers take Majors, Cardinals Minors in West

The West Division of the Cambridge Little League finished its 1988 season over the weekend as the Dodgers won the Majors with a 10-5 record and the Cardinals won the Minors with a 14-1 record.

The Cardinals lost their last game of the season to the Red Sox, 16-15.

In the Minor League playoffs, the Cardinals will play the Reds, and the Rangers, who finished second with a 10-4 record, will play the Padres. The winners of this two out of three series will face off on Monday, June 27, after the Mayor's Cup on Saturday at Lindstrom Field.

The Cardinals, who defeated the Rangers, 14-13, in a nine-inning game last Wednesday, also qualified for the Mayor's Cup.

Members of the championship Cardinals are Grant Garrison, Jonathan

Hartnett, Sean McLaughlin, Niki Haigh, George Hutchinson, Gary Nims, Danny Schablein, Julia Pafumi, Alan Miller, Mandy Ward, Ezra Feinberg, manager Bob Orlando, and coaches Jack Hartnett and George Hutchinson.

In Major League action, the Dodgers defeated the Pirates, 12-6, with Donald Fowler striking out 12 and allowing only one hit.

But the Dodgers lost a real tough game to the Yankees, 2-1. Josh Cox was the winning pitcher, striking out nine, with the save going to Caber Chester. Sasa Cook pitched well for the Dodgers, striking out 10.

The Dodgers will face the second-place Yankees this week in the two out of three playoff series for the East Division Championship.



SPECIAL AWARD — Environmental Protection Agency regional administrator Paul Keough, left, and US Sen. Edward Kennedy present Morse School kindergarten students Alexander Valdivia and Darcie Toland with a gold plaque for an ecological poem written by their class. The poem was considered among the best in New England in an EPA contest.

Red Cross to hold blood drive

The Cambridge Red Cross will hold its annual community blood drive on Tuesday, June 28, from 10 am to 2 pm, at the Sheraton Commander Hotel, 16 Garden St.

The July 4th holiday weekend is a

particularly difficult time to maintain an adequate blood supply, so the Red Cross encourages the public to make donations now.

To make an appointment, call 354-7800.

Johnson's teams defeat Walsh's in East all-stars

In this year's East Division Little League All-Star games, Johnson's teams in both the Majors and Minors posted big victories over Walsh's, thus avenging the losses to Walsh last year.

In the Majors, Johnson scored in every inning to defeat Walsh, 14-4. After Walsh forged ahead 3-2 in the second inning, the Johnson nine broke loose with five runs in the third to lead 7-3 on a Brian Hussey walk, a Kevin McManus double, a Javier Benzan walk, a Helio Cabral double, a Joey Cabral walk and a timely hit by Alfreid Baldasaro.

Johnson followed up with three more runs in the fourth on walks to Hussey and McManus and hits by Benzan and Ken DeAngelo. Another three runs crossed the plate in the fifth on Hussey's walk, hits by McManus and Benzan, and a Walsh error.

Hussey, Benzan and McManus pitched effectively for the winners,

allowing only seven hits. Pitching for Walsh were Gary Witham, Tevis Colan and Mark Perdomeno.

In the minors, Johnson defeated Walsh, 9-6. Johnson overcame a two-run Walsh lead by scoring five runs in the third inning, highlighted by Paul Martins' inside-the-park homer and hits by Eddie Parker, Joseph Braga, Jomar and Lenny Benzan and Tony Puzyn.

Walsh rallied and tied the score at five all in the fourth on hits by Curt Swartz, Reynolds Griffith, Mike Tauro and Jason McManus.

Johnson's sixth run was scored on Lenny Benzan's walk and an error, and the team wrapped it up with three runs in the sixth on walks to Phung Lee and Jomar Benzan, followed by hits by Braga, Martins and Scott McGovern.

For the winners, Paul Martins, Eddie Parker and Jomar Benzan did the hurling, while Mike Tauro, Reynolds Griffith and Jason McManus pitched for the losers.

Margaret Fuller track club trials

The Margaret Fuller House Cambridge Eagle Track Club will sponsor trials for the 1988 Hershey's National Track and Field Youth Program on July 5, beginning at 9 am, at the Massachusetts Institute of Technology. (The rain date will be

July 7.) Events are open to boys and girls who will be between the ages of 9 and 14 in 1988.

For more information, contact the Margaret Fuller House at 547-4680.

We're Fighting For Your Life.



REAL ESTATE WEEKLY

By Dan and Joetta Silva Century 21 Silva Realty Associates



SHOPPING FOR A MORTGAGE LOAN

The most important thing to look for when you're shopping for the best mortgage is the interest rate, right? Not necessarily. There are many other factors to consider, including the lender's charges for making the loan, the terms under which the loan will be approved, and the lender's reputation for completing its processing of loan applications in time for settlement deadlines set forth in customers' purchase agreements.

When Realtors are involved in sales transactions, we don't tell buyers which mortgage companies to use. We can, however, provide names and telephone numbers of established lenders that have provided good service to past customers. We can also explain the options that are available and the differences in that various mortgages being offered. Using a low interest rate as the main criteria for choosing a mortgage can cost you money, and maybe the home you want to buy, if the company can't deliver the promised great deal.

For solid advice on buying or selling real estate, consult the professionals at Century 21 - Silva Realty Associates. Just Call 661-2525 in Cambridge.

Discover Boston's Bible Exhibit

You can spend minutes (or hours) in this nondenominational exhibit on the Bible, and take new thoughts and feelings away with you.

You might begin at the Time-Line. It carries you through the Bible, from Genesis to Revelation, in twenty minutes—with recorded narration and beautiful art.

Then there's the sculpted acrylic map that fills a wall, telling of twelve "Journeys of Light" by great Bible characters... the Bible storybooks and recordings on headsets that children love... Bible questions for all ages... the Bible Exploring Center, with over 300 helpful volumes and cassettes... and more. And, in the theater, the half-hour film and multi-image slide program which people have found so moving.

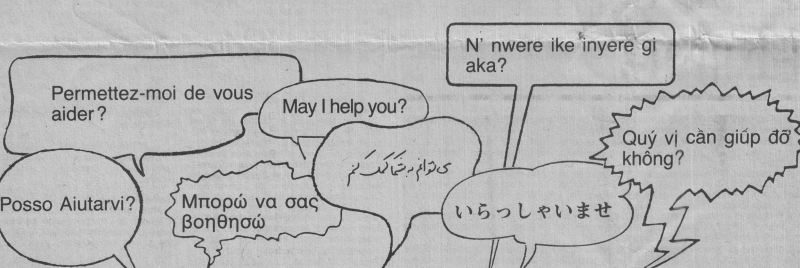
People from all over the world have enjoyed the Bible exhibit. Some have called it a gift—a gift of hope, and of new understanding... a gift you may want to share, too.

"A Light Unto My Path"

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Lodg

By J. Barry Mothes Staff writer

On any recent 95 small crew of paid plumbers and carpenters seen at work on the board building on next to St. Paul Ab

Inside, a young woman from a make face, occasionally the building to talk w check on drying pain the front porch.

Today, half of the board known as the Outreach Center is parish social service

By next week, it w two homeless families, bridge, families who welfare hotels and mo city. By this fall, it w ambitious project to fi city's displaced familie

Through a joint effort AME Church, the city, agencies and individual unit transitional lodg Cambridge homeless

open on St. Paul property. The six new units an ongoing effort by city en vice officials to get home back to Cambridge and porary quarters to help t permanent housing in

The families are expected longer than 18 months. Along with five units th the Cambridge Y

December, and five mo opened at 5 Bigelow February, the new projec

Student on visi

John Priest Special to the Chronicle

For many children, poetry is a task they wou wish on their worst enem youngsters have a hard e time relating to simple p alone the poetry of a diffi and era.

But it is at the Longfel in Cambridge where the ition for reading and writi comes alive.

And it is here that a lot o bridge elementary school have enjoyed some of their rewarding lessons this year with providing tours of the renowned poet's historic hou Brattle Street, the National Service offers lectures and workshops on Henry Wadsw Longfellow's poetry to local elementary school students.


Park ranger Janice Killacke initiated the program three year ago and says it has had a posi effect on many of the children, is opening the doors for the kid. Writing can give them a chance express themselves," she said it

Continued on page 6



MARKET BASKET

Jennie-o Turkey Breast



White Meat **1.29** lb.

London Broil



Boneless Shoulder Steak **1.89** lb.

Chicken Leg Quarters



Plump Meaty **59¢** lb.

MARKET BASKET **1.59** lb. **Italian Sausage**

KRAKUS IMPORTED **3.59** LB. CAN **Polish Ham**


COLONIAL **1.39** 1-LB. PKG. **Franks** EXTRA MILD

BONELESS SIRLOIN **4.29** lb. **Strip Steak** LEAN BEEF

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2.99 lb.

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Land O Lakes **1.99** lb.

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4.99 lb.

KAYEM SKINLESS **1.99** lb. **Frankfurts** OF OLD NEIGHBORHOOD

DEUTSCHMACHER **2.39** lb. **German Bologna**

LEAN •Cooked to Perfection **3.99** lb. **Roast Beef**

DELUXE RED SKIN **1.69** lb. **Potato Salad**

OCEAN FRESH **1.59** lb. **Pollock Fillets**

FRESH SHRIMP **99¢** 6 oz. 17.99 **Cocktail** SAU SEA 4 oz. PKG.

Large Calif. Cantaloupe



15 Count **99¢** ea. Save 30¢

Vine Ripened Tomatoes



For Slicing **59¢** lb. Pkgd.

Fresh Juicy Limes



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LARGE JUICY **69¢** lb. **Peaches** Pick Your Own

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NEW ZEALAND U.S. NO. 1 - 2 1/4" MIN. **59¢** lb. **Apples** Granny Smith Pkgd.

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DeMoulas & Market Basket **1.69** HALF GAL. 12 Flavors

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Save 40¢ **99¢** 24 oz. BTL.

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Save 30¢ **69¢** IN WATER 6 1/2 oz. CAN

MARKET BASKET **3 \$1** 12 oz. CANS **Lemonade** •Pink •White


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PENAL TYPE LAVATORY & TOILETS (NO INSTALLATION) Sealed proposals will be received by the Middlesex County Commissioners, through the Central Purchasing Office, Superior Court House, E. Cambridge, MA, until 3:00 P.M. Monday, August 1, 1988. Proposals will be opened for Penal Type Lavatory & Toilets (no installation) for the Middlesex County Capital Facilities Dept. at 3:00 P.M. Monday, August 1, 1988 at the Leonard J. Russell Hearing Room, Level 3, 40 Thornehill St., Cambridge, MA. The said Commissioners reserve the right to reject any or all bids or part thereof and waive any informalities they may deem in the best interest of Middlesex County, or accept any bid or part thereof they may deem in the best interest of Middlesex County. Specifications may be obtained at the Central Purchasing Office, 3rd floor, Superior Court House, 40 Thornehill St., E. Cambridge, MA, (646-4186). Middlesex County Commissioners Office Carole Kelley, Purchasing Agent (C)July7

CITY OF CAMBRIDGE NOTICE OF RENT CONTROL BOARD VACANCY Tenant Representative, Cambridge Rent Control Board. The City seeks a Cambridge tenant with knowledge and interest in housing and rent control for September 1, 1988 appointment to the Cambridge Rent Control Board. The five member board administers the Rent Control Act, Chapter 38 of the Acts of 1976 and the Removal Permit Ordinance (Ord. 966, as amended). It adjudicates cases, and develops policies, rules and regulations to further the provisions of the Act and Ordinance. The five member Board meets every Wednesday evening at 6:00 p.m. Duties of all members include review of cases and public policy materials prior to the Board meeting and presence at all Board meetings to vote on policies, regulations and cases. Interested persons should submit a resume to Robert Healy, City Manager, Cambridge City Hall, Cambridge, MA, 02139. (C)June23,30July7/14

COMMONWEALTH OF MASSACHUSETTS Middlesex, ss. Probate and Family Court No. 88P0951E NOTICE OF PROBATE OF WILL Estate of Allan Bernard MacGillivray also known as Allan B. MacGillivray of Cambridge in the County of Middlesex NOTICE A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Rita MacGillivray of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond. If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 22, 1988. In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16. Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the Twentieth third day of June in the year of our Lord one thousand nine hundred and eighty-eight. Paul J. Cavanaugh Register of Probate (C)July7

COMMONWEALTH OF MASSACHUSETTS Middlesex, ss. Probate Court No. 88P0270E NOTICE OF FIDUCIARY'S ACCOUNT To all persons interested in the estate of Joan Flanagan also known as Joan E. Flanagan late of Cambridge, in said County, deceased: If you are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of James B. DeLencastre as Executor of the fiduciary of the will of said deceased has been presented to said Court for allowance. If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 25th day of July, 1988, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to an attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 72. Witness, Sheila E. McGovern, Esquire, First Judge of said Court, 21st day of June, 1988. Paul J. Cavanaugh Register (C)July7

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PUBLIC NOTICE RELATIVE TO ZONING CITY OF CAMBRIDGE MASSACHUSETTS Office of the City Clerk. Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 20, 1988 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from Guilford Transportation Industries, Inc., et al to amend the map and text of the Zoning Ordinances by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District," as described as follows: All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however: 1. Lots 35, 36, 37, 40, 42, 29, 19, 15, 14, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map No. 7; 2. Lot 6 shown on Assessor's map No. 1-A; 3. That portion of such land north of the MBTA Rte. 1A Rte. 1A and south of the Mainline of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project. Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard. For the Committee, Councillor William H. Walsh, Chairman

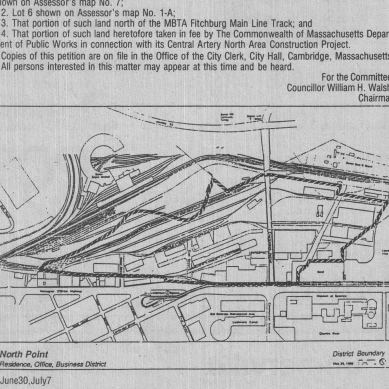
COMMONWEALTH OF MASSACHUSETTS Middlesex, ss. Probate and Family Court No. 88P0951E NOTICE OF PROBATE OF WILL Estate of Allan Bernard MacGillivray also known as Allan B. MacGillivray of Cambridge in the County of Middlesex NOTICE A petition has been presented in the above-captioned matter praying that a certain instrument purporting to be the last will of said deceased may be proved and allowed and that Rita MacGillivray of Cambridge in the County of Middlesex be appointed executrix without giving surety on her bond. If you desire to object to the allowance of said petition, you or your attorney must file a written appearance in said Court at Cambridge on or before 10:00 in the forenoon on July 22, 1988. In addition you must file a written affidavit of objections to the petition, stating the specific facts and grounds upon which the objection is based, within (30) days after the return day (or such other time as the Court, on motion with notice to the petitioner, may allow) in accordance with Probate Rule 16. Witness, Sheila E. McGovern, Esquire, First Judge of said Court at Cambridge, the Twentieth third day of June in the year of our Lord one thousand nine hundred and eighty-eight. Paul J. Cavanaugh Register of Probate (C)July7

COMMONWEALTH OF MASSACHUSETTS Middlesex, ss. Probate Court No. 88P0270E NOTICE OF FIDUCIARY'S ACCOUNT To all persons interested in the estate of Joan Flanagan also known as Joan E. Flanagan late of Cambridge, in said County, deceased: If you are hereby notified pursuant to Mass. R.Civ.P. Rule 72 that the 1st and final account of James B. DeLencastre as Executor of the fiduciary of the will of said deceased has been presented to said Court for allowance. If you desire to preserve your right to file an objection to said account, you or your attorney must file a written appearance in said Court at Cambridge on or before the 25th day of July, 1988, the return day of this citation. You may upon written request by registered or certified mail to the fiduciary, or to an attorney for the fiduciary, obtain without cost a copy of said account. If you desire to object to any item of said account, you must, in addition to filing a written appearance as aforesaid, file within thirty days after said return day or within such other time as the Court upon motion may order a written statement of each such item together with the grounds for each objection thereto, a copy to be served upon the fiduciary pursuant to Mass. R.Civ.P. Rule 72. Witness, Sheila E. McGovern, Esquire, First Judge of said Court, 21st day of June, 1988. Paul J. Cavanaugh Register of Probate (C)July7

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**PUBLIC NOTICE
RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk.**

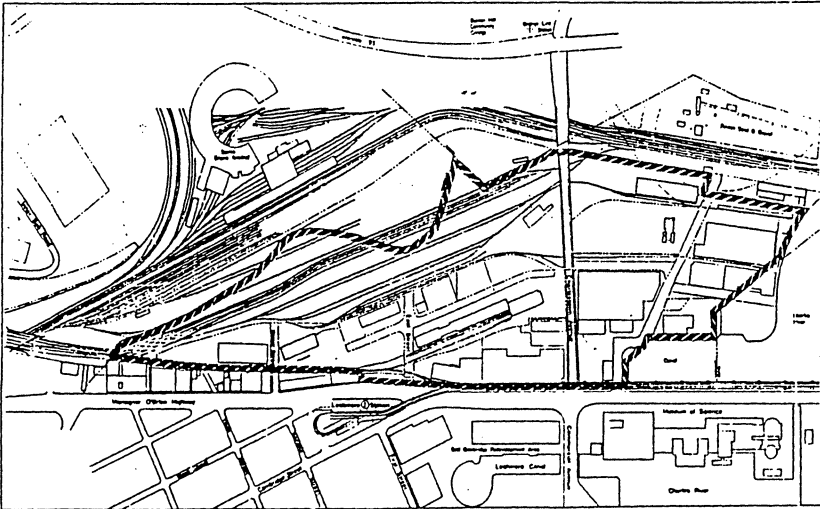
Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition and amendments thereto that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Wednesday, July 20, 1988 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition from **Guilford Transportation Industries, Inc.**, et al to amend the map and text of the Zoning Ordinances by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District," as described as follows:

All of that land within the City of Cambridge and north of Monsignor O'Brien Highway shown on Assessor's maps numbered 7 and 1-A, excluding however:

1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31, and 9, and the way between Lots 18 and 41, shown on Assessor's map No. 7;
2. Lot 6 shown on Assessor's map No. 1-A;
3. That portion of such land north of the MBTA Fitchburg Main Line Track; and
4. That portion of such land heretofore taken in fee by The Commonwealth of Massachusetts Department of Public Works in connection with its Central Artery North Area Construction Project.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts. All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor William H. Walsh,
Chairman



North Point
Residence, Office, Business District

District Boundary
Map No. 7A, 1988

(C) June 30, July 7



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RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
Office of the City Clerk.**

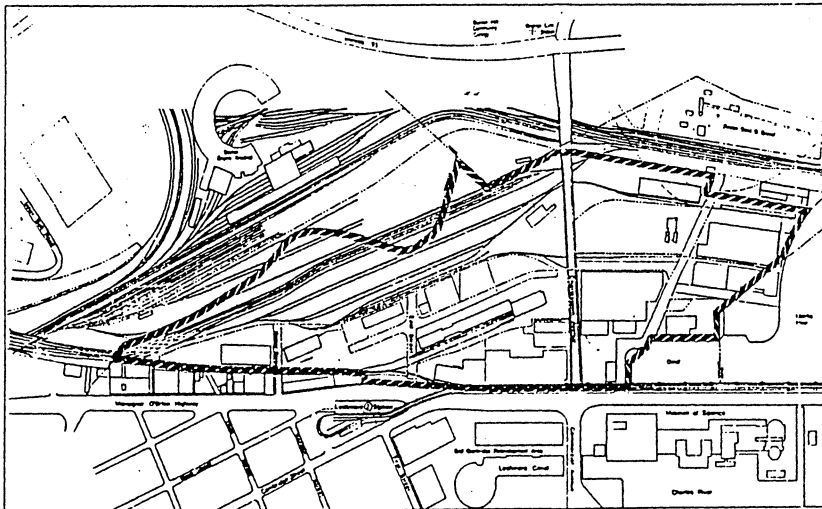
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Councillor William H. Walsh,
Chairman



North Point
Residence, Office, Business District

District Boundary
Map No. 7A, 1988

(C) June 30, July 7



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RELATIVE TO ZONING
CITY OF CAMBRIDGE
MASSACHUSETTS
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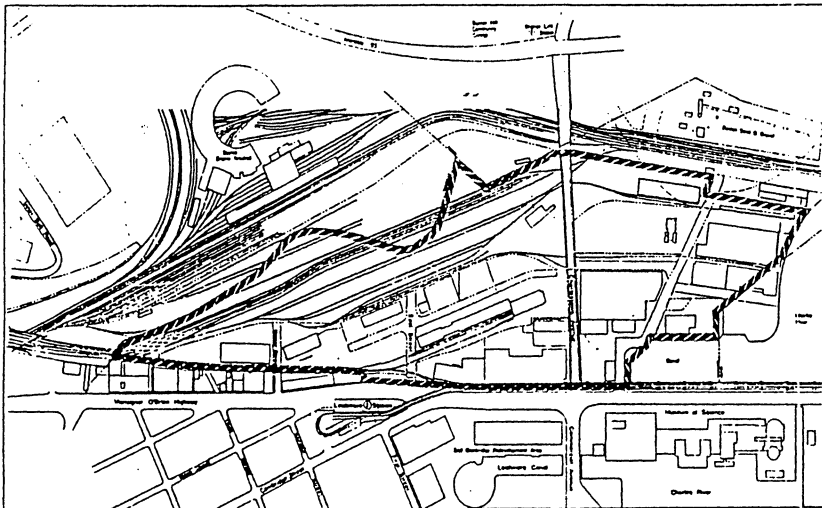
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For the Committee,
Councillor William H. Walsh,
Chairman



North Point
Residence, Office, Business District

District Boundary
May 25, 1988

(C) June 30, July 7

PUBLIC NOTICE
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

Office of the City Clerk.

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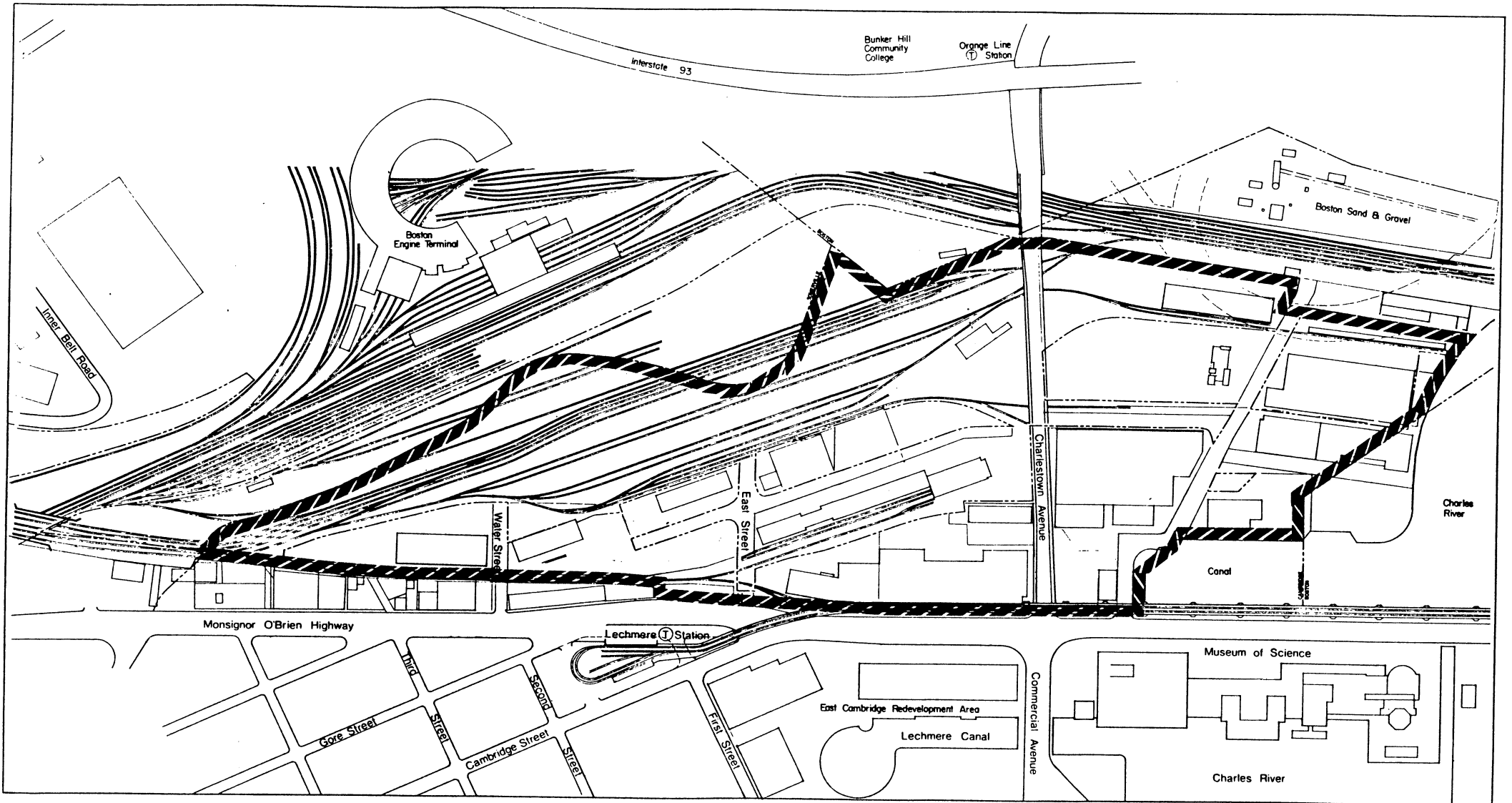
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For the Committee,

Councillor William H. Walsh,
Chairman

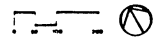


North Point

Residence, Office, Business District

District Boundary

May 25, 1988



Sasaki Associates, Inc.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

(617) 498-9017

JOSEPH E. CONNARTON
CITY CLERK

JOHN E. FLYNN
DEPUTY CITY CLERK

July 7, 1988

To Whom It May Concern:

Enclosed you will find a copy of hearing scheduled before the Committee on Ordinances for Wednesday, July 20, 1988 at 6:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on the petition of Guilford Transportation Industries, Inc., et al to amend the map and text of the Zoning Ordinances by inserting after Article 15 a new Article 16 entitled "North Point Residence, Office and Business District".

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,


Joseph E. Connarton
City Clerk.

JEC/mh

Enclosure

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MASSACHUSETTS

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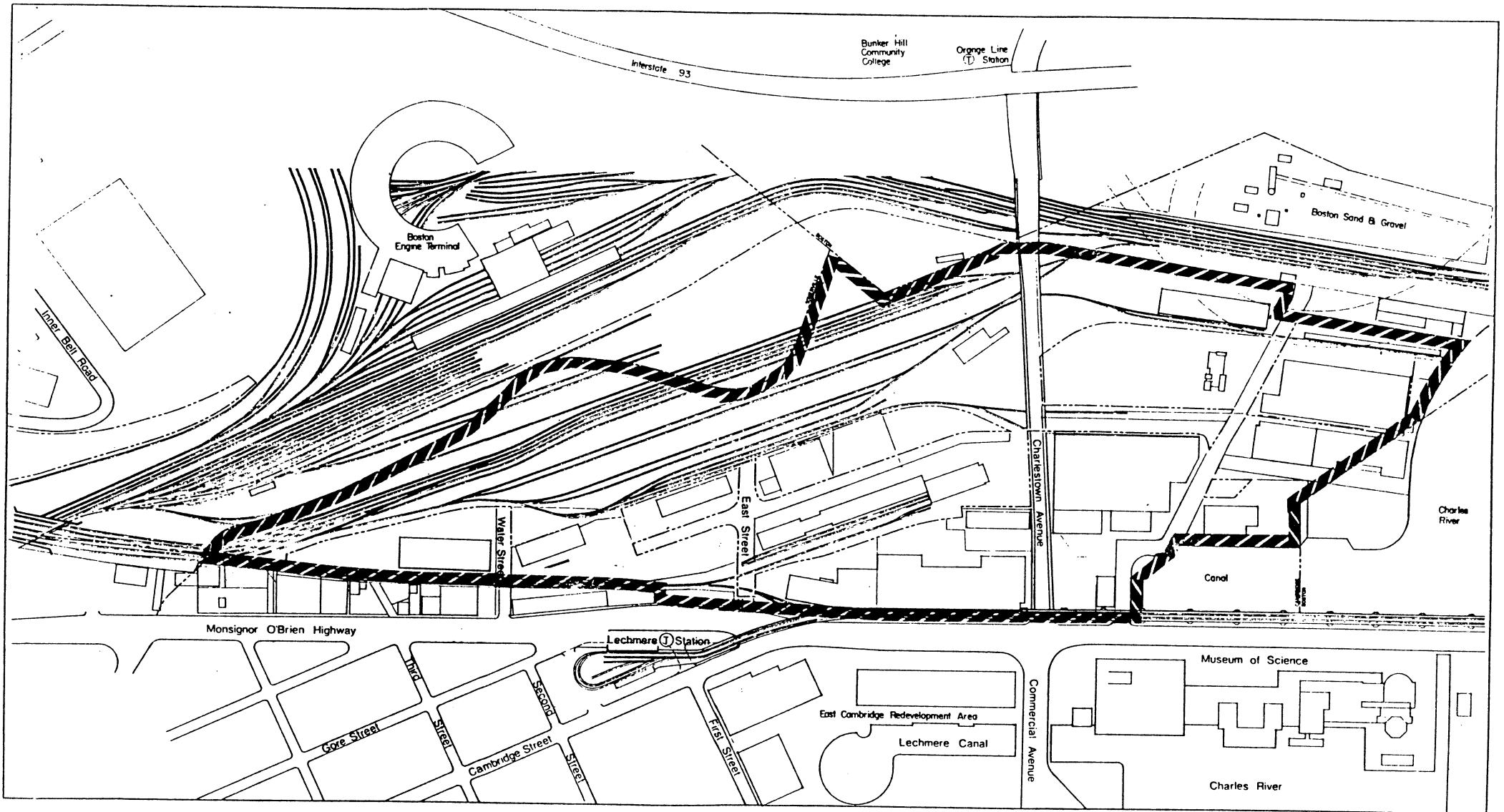
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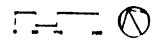
Councillor William H. Walsh,
Chairman



North Point
 Residence, Office, Business District

District Boundary

May 25, 1988



Sasaki Associates Inc.

PUBLIC NOTICE
RELATIVE TO ZONING**City of Cambridge**

MASSACHUSETTS

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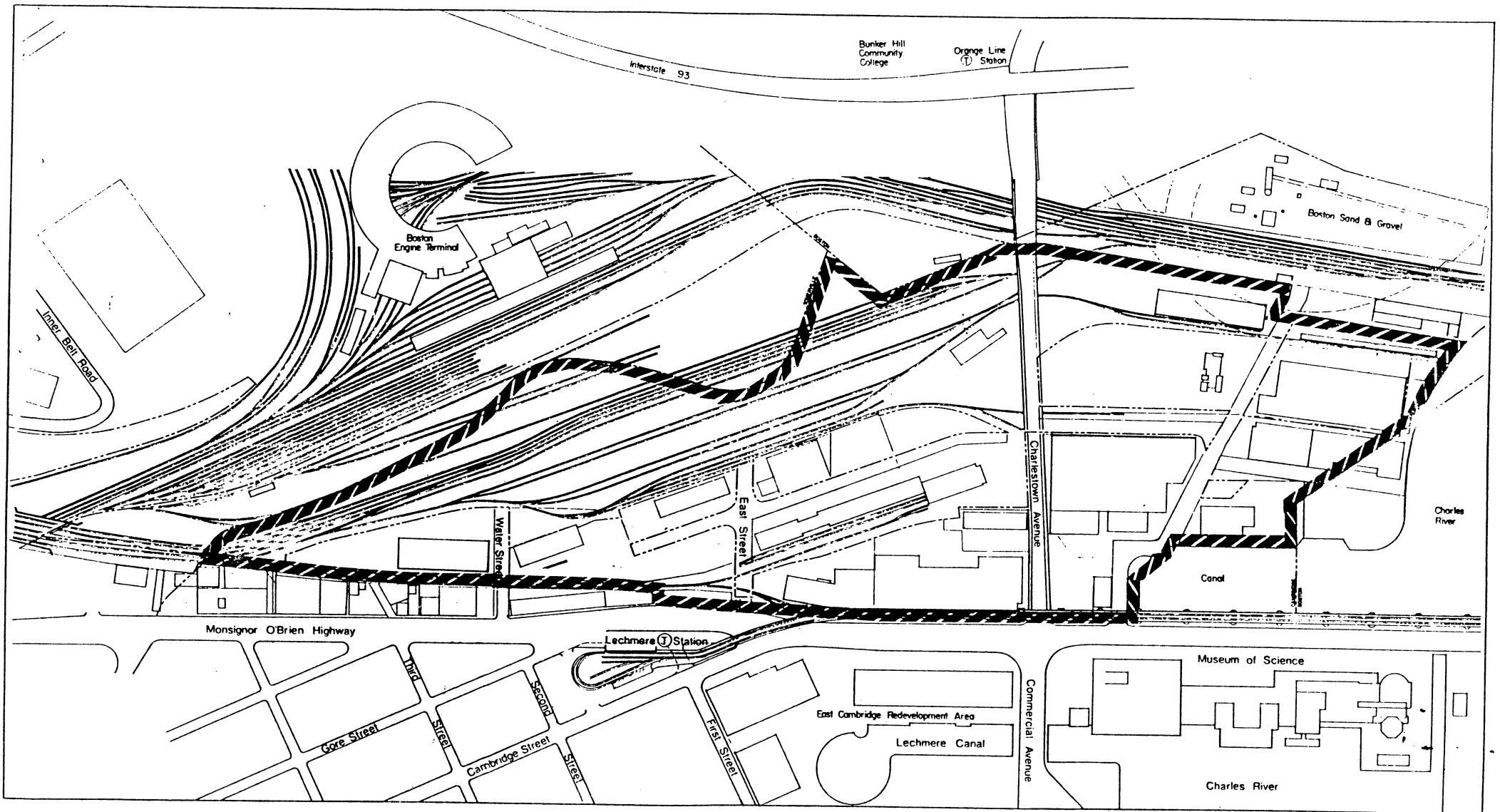
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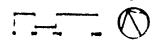
Councillor William H. Walsh,
Chairman



North Point
 Residence, Office, Business District

District Boundary

May 25, 1988



Sasaki Associates Inc.

NUTTER, McCLENNEN & FISH

ONE INTERNATIONAL PLACE
BOSTON, MASSACHUSETTS 02110-2699

617 439-2000

TELEX: 94-0790 TELECOPIER: 617 973-9748

July 20, 1988
14944-4

Committee on Ordinances
Cambridge City Council
City of Cambridge
City Hall
Cambridge, MA 02139

Re: North Point Residence, Office and Business District
Public Hearing on 20 July 1988

Honorable Members:

We represent the owners of the property, known as the Altid Building, located at the intersection of Msgr. O'Brien Highway and Industrial Way (Cambridge Assessors Map 1A, Lot 70). Altid does not oppose the proposed rezoning of the North Point area, but wishes only to address the impropriety of including its parcel within the rezoned district.

The Altid parcel is located on the boundary of the area proposed for rezoning. The parcel, which Altid has owned for over 15 years, is small -- less than 1/2 acre. In 1984, Altid determined to relocate its corporate headquarters to Cambridge and constructed a first-class office building on the site. In addition to Altid's corporate offices, the building houses an art gallery and the offices of a title insurance company.

Altid's land and building stand in marked contrast to the remainder of the North Point area -- an area characterized by large parcels used for heavy industrial purposes. Planning studies of the North Point area indicate that, under the current IB zoning, the area has a full buildout potential of approximately 12,000,000 square feet. The proposed rezoning aims to limit this buildout by establishing new guidelines -- guidelines that make sense when applied to the large, underdeveloped parcels that comprise the overwhelming majority of North Point. These same guidelines, however, are unsuited to a small boundary parcel that shares none of the heavy industrial characteristics of its neighbors.

July 20, 1988

Were the proposed rezoning to be adopted, full buildout of the North Point area would still yield approximately 2,000,000 square feet of new floor area. In contrast, full buildout of the Altid parcel under the current zoning would yield only a maximum of 70,000 square feet. The City has legitimate concerns about the strains that 12,000,000, or even 2,000,000, square feet of new development would place on the infrastructure of North Point. These concerns -- and the proposed solution contained in the rezoning -- are inapposite, however, when applied to the Altid parcel. Altid believes that the proponents of the rezoning recognize the inappropriateness of their new scheme as applied to small parcels. The boundaries of the area proposed for rezoning carefully exclude a number of small parcels near Water Street. These parcels, like the Altid parcel, are adjacent to Msgr. O'Brien Highway, are located along the periphery of the North Point area and are developed in a manner that is fundamentally different from the heavy industrial character of most of North Point. Accordingly, Altid respectfully requests that its parcel be similarly excluded from the proposed rezoning.

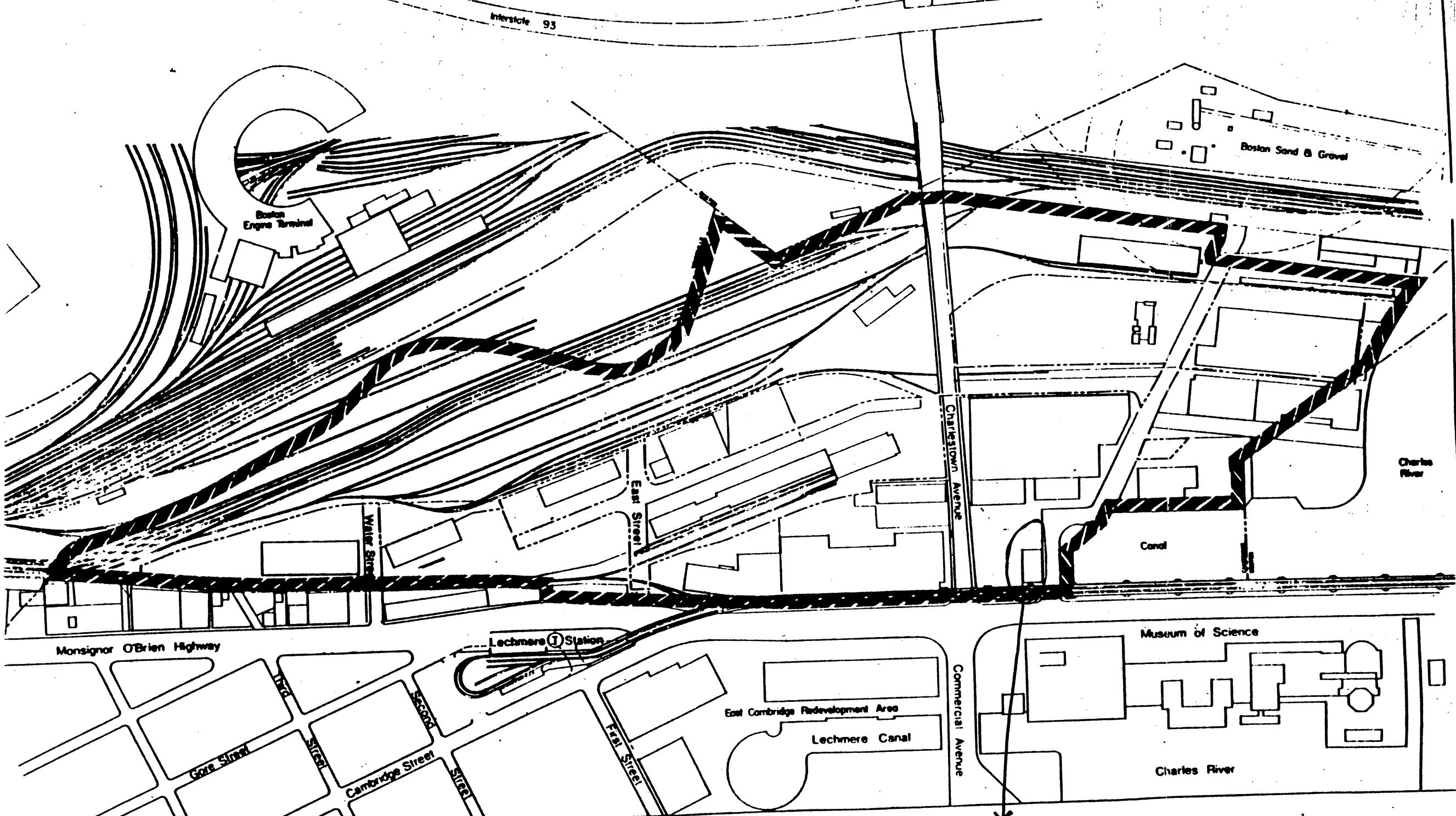
Very truly yours,


Marisa Lago

MLL:BJS

cc Mr. Raymond Carye
Mr. Edward Carye

1473I



Interstate 93

Boston Engine Terminal

Boston Sand & Gravel

Charles River

Canal

Monsignor O'Brien Highway

Lechmere Station

Museum of Science

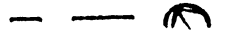
East Cambridge Redevelopment Area

Lechmere Canal

Charles River

ALTID
PARCEL

District Boundary



RECEIVED BY
OFFICE OF CITY CLERK

1988 JUN 20 AM 10:42

June 17, 1988 CAMBRIDGE MA.

To the Honorable, the City Council of the City of Cambridge,

Pursuant to Mass. Gen. Laws c.40A, §5, the undersigned owners of land in that portion of the City known as North Point hereby respectfully pray:

1. That you amend the Cambridge Zoning Ordinance by inserting therein, immediately following Article 15 thereof, a new Article 16 in the form attached.

2. That you amend the City of Cambridge Zoning Map to show a new North Point Residence, Office and Business District consisting of the land identified in the attached description of such District.

In addition to the proposed amendment and description of the District, we also enclose a plan of the District and drafts of two agreements that would be signed with the City upon adoption of the amendment, one regulating traffic and the other regulating design. We also enclose a memorandum which explains the proposal and its organization and compares it to the existing zoning.

Respectfully submitted,

GUILFORD TRANSPORTATION
INDUSTRIES, INC.

By: 
Agent

NORTH FEDERAL PROPERTIES
LIMITED PARTNERSHIP

By: Congress Group Ventures,
Inc., general partner

By: 

Original

UNIHAB/NORTH POINT, INC.

By: Jeffrey Barze (As)

OGDEN REALTY TRUST

By: Louise S. Weber, trustee

XP:2683/c

16.211 Industrial Uses

- (1) Manufacturing, processing, assembly, and packaging as permitted in Section 4.37 a and b.
- (2) Bottling of beverages, as permitted in Section 4.37c.
- (3) Distribution center, parcel delivery center, delivery warehouse, as permitted in Section 4.37d.
- (4) Laundry, dry cleaning plant, as permitted in Section 4.37e.
- (5) Printing, binding, publishing, and related arts and trades, as permitted in Section 4.37f.
- (6) Automotive repair garage as permitted in Section 4.37h, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (7) Food commissary, as permitted in Section 4.37i.
- (8) Wholesale business and storage in roofed structures, as permitted in Section 4.37j.
- (9) Storage warehouse, cold storage plant, storage building, as permitted in Section 4.37k.
- (10) Open-lot storage as permitted in Section 4.37 l and m, subject to the provisions of Section 16.23.
- (11) Heavy industry as permitted in Section 4.38, subject to the provisions of Section 16.23.

16.212 Office and Laboratory Uses

- (1) Office of a physician, dentist or other medical practitioner not located in a clinic listed in Subsection 4.33d, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (2) Office of an accountant, attorney, or other non-medical professional person.

DRAFT

ARTICLE 16.000 NORTH POINT RESIDENCE, OFFICE AND BUSINESS DISTRICT

16.10 SCOPE AND INTENT

16.20 USE REGULATIONS

16.30 DIMENSIONAL REGULATIONS

16.40 AREA OF SPECIAL PLANNING CONCERN; PUBLIC BENEFITS

16.50 PARKING AND LOADING REQUIREMENTS

16.60 SIGNS

16.70 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

16.10 SCOPE AND INTENT

16.11 Scope. This Article regulates development within the North Point Residence, Office and Business District (the "District"), located as shown on the Zoning Map, as amended.

16.12 Intent. The purpose of the District is to allow an industrial area on the northern boundary of Cambridge, which will contain an MBTA Green Line Station, to be redeveloped for office, housing, and other uses consistent with high land costs prevalent in the area; to allow a diversity of land uses in close proximity within a limited area; and to encourage interaction among activities located within the District.

16.13 Approach. This Article is designed to fulfill the above purposes of the District by establishing controls which will facilitate development while protecting the public interest; by setting regulations which limit the amount of development within the District and encourage traffic mitigation and housing development by means of density incentives; and by allowing mixed uses within the District.

16.20 USE REGULATIONS

16.21 Permitted Uses. The following uses are allowed in the District. All uses not listed within one of the use groups in this section shall be prohibited. All uses within the District shall comply with the environmental protection standards of Section 16.24. The provisions of Section 4.50 et seq. shall not apply to institutional uses permitted within the District pursuant to Section 16.217.

- (3) Real estate, insurance or other agency office.
- (4) General office use.
- (5) Bank, trust company or similar financial institution not located on the first floor of a building.
- (6) Technical office for research and development, laboratory and research facility, including (without limit) manufacturing facilities incident thereto.

16.213 Retail and Consumer Service Establishments

- (1) Store for retail sale of merchandise.
- (2) Eating and/or drinking establishment, whether or not liquor is sold or consumed, including restaurant, bar, lunchroom, cafeteria and food commissary.
- (3) Fast order food establishment subject to the Special Permit requirements of Section 11.30, unless such use is enclosed in a structure principally containing other uses and is included in a "food court" or similar specialized area (in which case no Special Permit shall be required).
- (4) Consumer service establishment, including but not limited to hairdresser, barber shop, laundry or dry-cleaning pick-up establishment, self-service laundry, shoe repair or tailoring shop, or photography studio.
- (5) Rental agency for autos or other products, but not including taxi companies. Such agencies shall be operated entirely within a building and no major automobile repairs shall be made on the premises.
- (6) Automobile service stations where no major repairs are made.
- (7) Bank, trust company or similar financial institution located on the first floor of a building.

16.214 Residential Uses

- (1) One and two family dwelling, but only by special permit from the Planning Board pursuant to Section 10.40.
- (2) Townhouse development.
- (3) Elderly oriented congregate housing.
- (4) Multi-family dwelling.
- (5) Hotel or motel.

16.215 Entertainment and Recreational Uses

- (1) Indoor commercial entertainment establishments not open to the public on weekdays prior to 7:30 p.m. including but not limited to cinema, theater, concert hall, cabaret and night club.
- (2) Recreation facility, health club, as an accessory use occupying not more than twenty-five percent (25%) of the aggregate gross floor area of all buildings on a lot.
- (3) Non-accessory recreation facilities including bowling alley, indoor or outdoor tennis courts, public recreation building, or skating rink, but only by special permit from the Planning Board pursuant to Section 10.40.
- (4) Halls, auditoriums and similar spaces used for public gatherings, as an accessory use occupying not more than twenty-five (25%) of the aggregate gross floor area of all buildings on a lot.
- (5) Non-accessory halls, auditorium and similar spaces used for public gatherings, but only by special permit from the Planning Board pursuant to Section 10.40.
- (6) Park or playground.

16.216 Transportation, Communication and Utility Uses

- (1) Automobile parking lot or parking garage for private passenger cars, but only for the purpose of providing accessory parking under Section 16.40.

- (2) Railroad freight terminal, railroad yard and shops.
- (3) Truck or bus terminal, yard or building for storage or servicing of trucks, trailers or buses, parking lot for trucks.
- (4) Radio and television studio.
- (5) Telephone exchange, transformer station, substation, gas regulating station, or pumping station.

16.217 Institutional Uses

- (1) All uses permitted in Sections 4.33a, b, c, d, e, f, and g.
- (2) All uses permitted in Section 4.33h.1 or .2.
- (3) Any institutional use not referred to in subparagraphs (1) and (2) above, but only by special permit from the Planning Board pursuant to Section 10.40.

16.22 Multiple Uses in the Same Structure. Except as set forth in Section 16.221 below, within the District there shall be no restriction on combining different categories of use within the same building other than those imposed by the State Building Code or other federal, state or local regulations other than this Ordinance.

16.221 Limitation on Retail and Consumer Service Establishments. Retail and consumer service establishments permitted under Section 16.213 shall occupy an aggregate in any building, of not more than twenty five percent (25%) (or, if less, 30,000 square feet) of the gross floor area of such building. Such uses shall be located only on the first and/or any second floor, except that eating and/or drinking establishments permitted under Section 16.213(2) may be located on any floor or floors.

16.23 Limitation on Certain Industrial Uses. Uses referred to in Section 16.211(10) and (11) shall be prohibited within the District except as provided in Sections 16.231 and 16.232 below. Such prohibition shall not apply to any use referred to in Section 16.211(10) or (11) which is a pre-existing non-conforming use under Article 8 by virtue of the

adoption of this Article 16 or any prior amendment of this Ordinance (hereinafter referred to as a "Nonconforming Use"), except to the extent set forth in such Article 8.

- 16.231 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(10) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Sections 16.211(10) and (11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.232 Notwithstanding anything to the contrary in this Article 16, any use referred to in Section 16.211(11) shall be permitted within 800 feet of a lot which is the location of a Nonconforming Use included among those uses referred to in Section 16.211(11), but only for the period during which such Nonconforming Use shall be permitted under Article 8, plus ten (10) years.
- 16.233 The allowance of a use under Section 16.231 or Section 16.232 does not and shall not be deemed to confer the protections of Article 8 upon any use referred to in Section 16.211(10) or (11) which is not a pre-existing non-conforming use under Article 8 by virtue of the adoption of this Article 16 or any prior amendment of this Ordinance.
- 16.24 Environmental Protection Standards. No activity shall be permitted in the District unless it shall be in conformity with the following standards for environmental protection:
- 16.241 All dust, fumes, odors, smoke or vapor shall be effectively confined to the premises or disposed of in compliance with applicable environmental laws.
- 16.242 Any noise, vibration or flashing shall not be normally perceptible without instruments at a distance of one hundred feet from the premises.
- 16.243 All development proposals shall comply with Federal and State air pollution and water pollution control regulations, the City of Cambridge Ordinances, and other applicable environmental laws.
- 16.244 Except during construction activity on the lot, all refuse and other waste materials shall be stored within buildings prior to collection and disposal.

16.30 DIMENSIONAL REGULATIONS

- 16.31 Lot Density Limitation. For each lot within the District, a permitted floor area ratio (as defined in Article 2.000) of 2.0 is hereby established for each lot, and shall not be exceeded, except as provided in Sections 16.311 and 16.312. The area of the lot to be counted in determining the floor area ratio shall include land dedicated (after adoption of this Article 16) by the owner or former owner of the lot, whether in fee or by easement, deed restriction, covenant or comparable legal instrument enforceable by the City of Cambridge or other public entity, as a public way or public open space.
- 16.311 Traffic Mitigation Incentive. The floor area ratio of any building used for other than residential uses (but including hotel and motel uses) may be increased by the percentage by which the number of square feet of gross floor area per parking space provided for such building shall exceed the number of square feet of gross floor area per parking space permitted under the maximum amount of parking stipulated for the use or uses to which such building is put in the Schedule of Parking and Loading Requirements applicable to Industry B, Residence C-3, Office 3, and Business B Districts set forth in Section 6.36, as currently (at the time of the adoption of this Article 16) constituted. In no event, however, shall the floor ratio for any lot exceed 3.0 by reason of the application of this Section 16.311. (Example: for a general office use in an Office 3 District, Section 6.364d specifies a maximum of one space per 670 square feet of gross floor area. If parking is instead provided at a ratio of one space per 1,000 square feet of gross floor area, the floor area ratio is increased by 49.25%, from 2.0 to 2.985 [1,000/670=1.4925, an increase of 49.25%.])
- 16.312 Incentive for Residential Development. In order to promote housing uses within the District, increases above the base floor area ratio of 2.0 shall be permitted as follows:
- (1) The permitted floor ratio in the case of a development in which at least 25% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 2.5.
 - (2) The permitted floor area ratio for a development in which at least 50% of the gross floor area is

devoted to residential use (other than hotel or motel use) shall be 3.0.

- (3) The permitted floor area ratio for a development in which at least 75% of the total gross floor area is devoted to residential use (other than hotel or motel use) shall be 3.5.
- (4) As used herein, the term "development" shall mean one or more buildings located on the same lot.

16.32 Building Height Limitation. The maximum building height for all buildings within the District shall be one hundred twenty five (125) feet, except as set forth in Sections 16.321 and 16.322.

16.321 A maximum building height of one hundred sixty (160) feet shall apply: (a) in that portion of the District lying within 620 feet westerly of a line perpendicular to, and at the midpoint of, the span carrying the MBTA Green Line tracks between the piers supporting the same located on each side and nearest to Industrial Way at its intersection with Monsignor O'Brien Highway (excluding from such portion, however, any part thereof lying within 240 feet of a line in the same plane as and extending easterly and westerly from the southern face of such span [the "Reference Line"]), and (b) in that portion of the District lying more than 685 feet from the Reference Line (excluding from such portion, however, any part thereof lying within 350 feet of the Charles River).

16.322 Except as otherwise provided in Section 16.321, the maximum height of buildings located within 300 feet of the Reference Line described in Section 16.321 above shall be eighty five (85) feet.

16.33 Open Space. Public open space and/or publicly beneficial open space shall be provided on every lot and shall in the aggregate equal at least 10% of the area of such lot, provided, however, that owners of adjacent lots may collectively provide such open space by dedication, easement, deed restriction, covenant, or comparable legal instrument enforceable by the City of Cambridge or other public entity, in which event each such lot shall for purposes of this Section 16.33 be deemed to include such portion of such open space as such owners shall allocate to it in such legal instrument. All public streets, plazas, sidewalks, and parks located on land which is now (at the time of adoption of this Article 16) or hereafter privately

owned, whether dedicated to such public use in fee or by easement, deed restriction, covenant, or comparable legal instrument, shall constitute public open space for purposes of this Section 16.33.

16.34 Other Dimensional Requirements. There shall be no minimum lot size or minimum lot area per dwelling unit requirement in the District. There shall be no requirement with respect to minimum lot widths or minimum front, side or rear yards in the District. There shall be no requirement with respect to frontage on any street for lots devoted to townhouse development.

16.40 AREA OF SPECIAL PLANNING CONCERN; PUBLIC BENEFITS

16.41 Area of Special Planning Concern. The District shall be considered an area of special planning concern. All development within the District must comply with the Development Consultation Procedure as currently (at the time of the adoption of this Article 16) specified in Section 11.40, subject to the following modifications:

- (1) The Large Project Procedure (Section 11.44) shall be modified so that the Planning Board shall conduct the required review in lieu of the Community Development Department, the Planning Board (in lieu of the Community Development Department) shall hold the required consultation session within fourteen (14) days of submission of the required documents, and the Planning Board (in lieu of the Community Development Department) shall issue the required written comments and consultation compliance certificate within fourteen (14) days of that session.
- (2) The provisions of Section 16.42 below shall apply in the case of any Covered Project, as defined in Section 16.42, but not in the case of any other project.
- (3) Nothing herein shall require compliance with the Development Consultation Procedure pursuant to this Section 16.41 as a precondition to the issuance of a building permit prior to the adoption of this Article 16 or render invalid or ineffective any building permit so issued without compliance with such Development Consultation Procedure, but any development project or development proposal for which a building permit

shall have been issued prior to the adoption of this Article 16 and for which no certificate of occupancy shall have been issued prior to such adoption shall comply with the Development Consultation Procedure pursuant to this Section 16.41 within six (6) months after such adoption, as such period may be extended by the Planning Board in its discretion.

16.42 Affordable Housing Fund Contribution. In the case of any Covered Project (as defined below), no certificate of compliance with the Development Consultation Procedure shall be issued pursuant to Section 11.41 et seq. unless the owner of the lot on which the Covered Project would be located shall have agreed, by binding legal instrument (running with the land and enforceable against the owner's successors and assigns, but without personal liability), to pay into a North Point Affordable Housing Fund to be established by the Board of Trustees of the Affordable Housing Trust under Section 11.200 et seq. the contribution(s) specified in Section 16.421 below, such payments to be made as set forth in Section 16.422 below.

As used herein, the term "Covered Project" shall mean any proposed project within the District which contains more than 30,000 square feet of gross floor area devoted to any use, excluding, however, any proposed project devoted to residential use (other than hotel or motel use) and containing dwelling units at least ten percent (10%) of which are Affordable Units, as defined in Section 11.201. In the case of a proposed mixed-use project, all portions of the project devoted to uses other than residential uses (but including hotel and motel use) shall be consolidated and treated as a single proposed project for purposes of this Section 16.42, and all portions of the project devoted to residential uses other than hotel or motel use shall also be consolidated and treated as another single proposed project for purposes of this Section 16.42.

16.421 The contributions required to be paid into the North Point Affordable Housing Fund in the case of Covered Projects are as follows:

A contribution shall be required for any Covered Project containing more than 30,000 square feet of gross floor area devoted to uses other than residential uses (but including hotel and motel uses)

in an amount equal to the sum of one dollar and fifty cents (\$1.50) for every square foot of gross floor area in excess of 30,000 square feet of gross floor area devoted to such uses.

A contribution shall be required for any Covered Project containing more than 30,000 square feet of gross floor area devoted to market-rate dwelling units in an amount equal to the sum of twenty-five cents (\$.25) for every square foot of gross floor area devoted to market-rate dwelling units in excess of 30,000 square feet of gross floor area devoted to such use.

The amount of the contributions required to be paid hereunder may be increased not more frequently than every three (3) years by amendment of this Section 16.421 upon recommendation of the Board of Trustees of the Affordable Housing Trust based upon documented increases in hard construction costs and commercial rents experienced generally in Cambridge, but no increase shall be applied to increase the contribution(s) required of the owner of any Covered Project for which submissions have been made under the Development Consultation Procedure prior to adoption of such amendment beyond the contribution(s) required of it under Section 16.42 as in effect prior to such amendment.

16.422 The contribution(s) required to be made under Section 16.42 shall be paid in ten equal annual installments, without interest, the first of which shall be payable upon issuance of one or more unconditional certificate(s) of occupancy covering not less than fifty percent (50%) of the gross floor area of the relevant Covered Project. At the owner's election made at any time, such payment (or the then remaining installments thereof, as applicable) may be made in a single installment equalling the present value of such remaining equal annual installments, discounted at a rate equal to the then applicable prime rate (or equivalent) established by a major commercial bank in Boston plus two percentage points (2%).

16.423 All amounts in the North Point Affordable Housing Fund shall be made available for development of affordable housing within the District; provided, however, that any funds not allocated following the development of all housing permitted to be constructed within the District may be applied to construction of affordable

housing in the East Cambridge residential neighborhood. Such funds shall be administered by the Board of Trustees of the Affordable Housing Trust.

- 16.43 Public Benefits. The obligations of the owners of land within the District to provide open space as required in Section 16.33 and of the owners of Covered Projects to agree as is set forth in Section 16.42 shall be deemed to satisfy all obligations to provide public benefits, linkage payments or similar requirements currently existing or hereafter required in the City of Cambridge, including but not limited to those required pursuant to Section 11.200 et seq. No project or building located within the District shall be subject to the provisions of Section 11.200 et seq. regardless of any requirement for the issuance of any special permit provided for in this Article 16.

16.50 PARKING AND LOADING REQUIREMENTS

- 16.51 Parking and Loading Requirements. Subject to Section 16.311 and Sections 16.511 and 16.512, off-street parking and loading requirements for the District shall be the same as currently (at the time of the adoption of this Article 16) specified in Article 6.000 and in the Schedule of Parking and Loading Requirements applicable to Residence C-3, Office 3, Business B and Industry B Districts.

- 16.511 Within the District, there shall be no minimum requirement for off-street parking facilities for any use and no maximum number of compact car parking spaces.

- 16.512 Parking facilities may be located on the lot they serve or may be located in whole or in part in one or more pooled private or public parking facilities located anywhere within the District.

16.60 SIGNS

- 16.61 The sign regulations of Article 7.000 applicable to Office and Industrial Districts shall be applicable in the District.

16.70 INAPPLICABILITY OF CERTAIN OTHER REGULATIONS

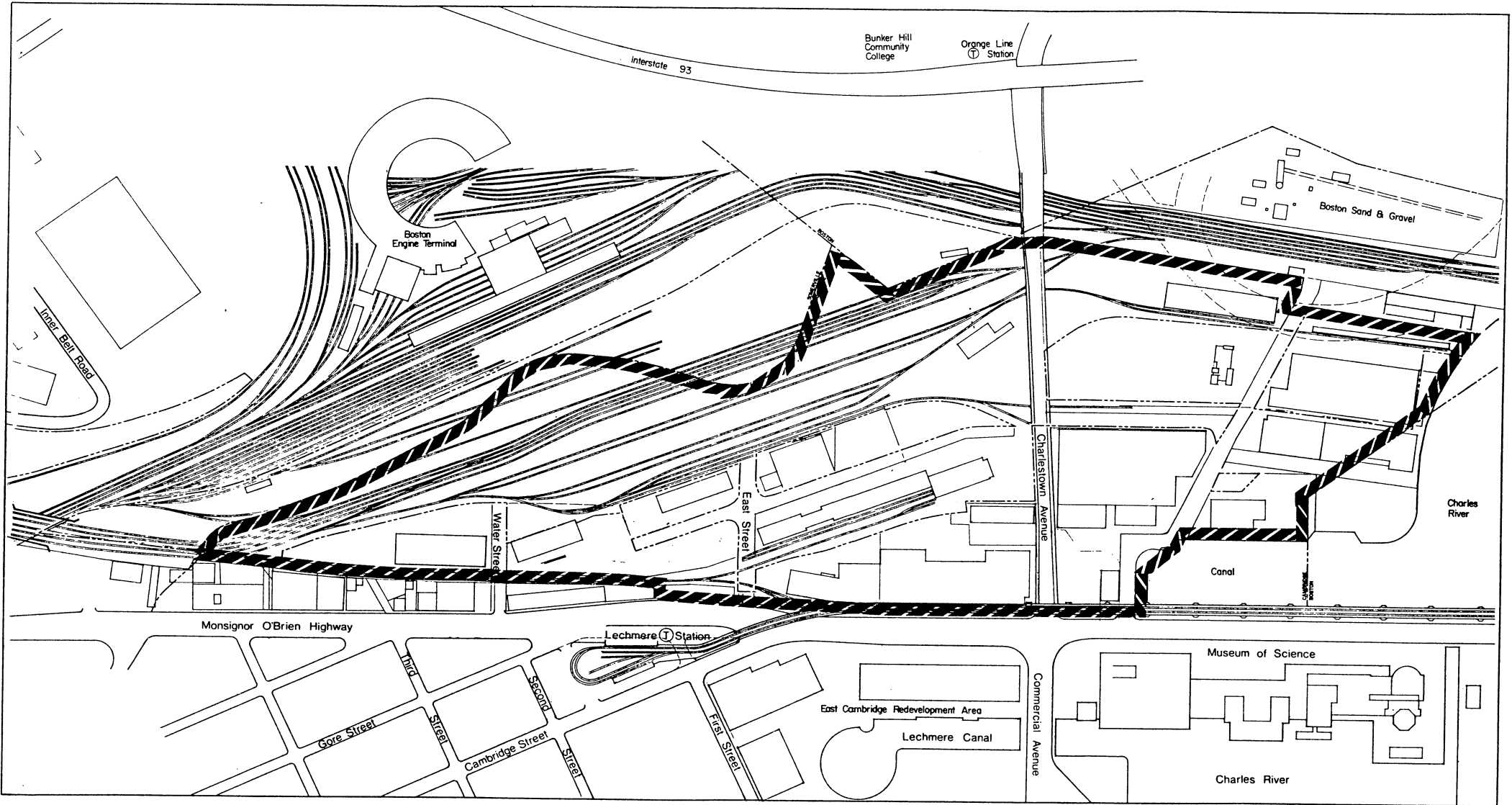
- 16.71 Where this Article 16.000 specifies some standard or establishes some other requirement contrary to or inconsistent with a requirement elsewhere in this Ordinance, the provisions of this Article 16.000 shall control.

Description of Land Within the North Point
Residence, Office and Business District

All of that land within the City of Cambridge and north of
Monsignor O'Brien Highway shown on Assessor's maps numbered 7
and 1-A, excluding however:

1. Lots 35, 39, 37, 40, 27, 29, 19, 18, 41, 42, 34, 31,
and 9, and the way between Lots 18 and 41, shown on
Assessor's map no. 7;
2. Lot 6 shown on Assessor's map no. 1-A;
3. That portion of such land north of the MBTA Fitchburg
Main Line Track; and
4. That portion of such land heretofore taken in fee by
The Commonwealth of Massachusetts Department of Public
Works in connection with its Central Artery North Area
Construction Project.

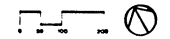
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North Point
Residence, Office, Business District

District Boundary

May 25, 1988



AGREEMENT FOR TRAFFIC MITIGATION

This Agreement for Traffic Mitigation for the North Point Traffic and Parking District is made as of the ____ day of _____, 1988 (this "Agreement"), by and among the City of Cambridge, Massachusetts acting by and through its Community Development Department ("C.D.D.") and the undersigned owners of land in the North Point Traffic and Parking District (the "Owners").

WHEREAS, with the creation of the North Point Residential, Office and Business District through proposed Article 16.000 of the Cambridge Zoning Ordinance (the "Ordinance"), the City is implementing a downzoning proposal for that part of the City of Cambridge known as North Point, which proposal is primarily based upon discussions among representatives of C.D.D., the Owners, neighborhood groups, and the Cambridge Planning Board (the "Working Group");

WHEREAS, a major focus of the Working Group's efforts has been traffic studies conducted by consultants to each of C.D.D. and the Owners;

WHEREAS, the traffic consultants have determined that traffic in the North Point area can be properly managed by a limitation on the number of parking spaces in an area delineated on Exhibit A attached hereto (herein referred to as the "North Point Traffic and Parking District") which are accessible from Monsignor O'Brien Highway, as set forth below;

WHEREAS, the MBTA Green Line Lechmere Station is being relocated to a location within the North Point area and is expected to carry significant commuter traffic;

WHEREAS, the North Point area affords good access to the MBTA Orange Line Community College Station, the MBTA Green Line Science Park Station, and North Station;

WHEREAS, the Ordinance represents a significant downzoning of the North Point area yet maintains a degree of flexibility which is appropriate in view of multiplicity of ownership within the North Point area, uncertainty with respect to the continuation of certain uses now present within the North Point area, and the consequent lack of an overall plan for development within the North Point area;

WHEREAS, the parties desire to permit development within the North Point Residential, Office and Business District to take place within the limitations of the Ordinance, but subject to the traffic management requirements set forth below;

WHEREAS, C.D.D. and the Owners are executing this Agreement in reliance upon their respective rights, undertakings and obligations hereunder;

NOW, THEREFORE, in consideration of the mutual promises hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby severally acknowledged, the parties agree as follows:

1. Definitions. As used in this Agreement, the following terms shall have the meanings indicated below in this Paragraph 1:

- (a) "accessible" means having access and egress in the ordinary course of business, without regard to emergency access and egress or access and egress for maintenance purposes.
- (b) "Housing Spaces" means parking spaces within the North Point Traffic and Parking District accessible from Monsignor O'Brien Highway and used solely in connection with Housing Uses.
- (c) "Housing Unit" means a facility for Housing Uses or portion thereof having separate kitchen facilities, suitable for occupancy by a single household, and served by one or two Housing Spaces. "Housing Units" shall mean more than one Housing Unit. Dwellings or portions thereof not served by Housing Spaces shall not be deemed Housing Units for purposes of this Agreement.
- (d) "Housing Uses" means any or all of the following: one and two-family dwellings, townhouse developments, elderly-oriented congregate housing, or multi-family dwellings.
- (e) "Regulated Spaces" means parking spaces within the North Point Traffic and Parking District accessible from Monsignor O'Brien Highway other than Housing Spaces.

2. Limitation on Parking Spaces. C.D.D. and the Owners hereby agree that, subject to the provisions of Paragraph 3 below, the total number of Regulated Spaces shall be not more than 3,000. These Regulated Spaces shall be allocated across the North Point Traffic and Parking District as indicated on Exhibit A attached hereto, subject to reallocation by agreement of those of the Owners as shall own land within the portion(s) of the North Point Traffic and Parking District shown on Exhibit A to which such reallocation relates. In the event of any such reallocation, the Owners involved shall provide C.D.D. and each Owner with a revised Exhibit A.

3. Trade-Off of Regulated Spaces in the Case of Housing Uses for which Parking is Provided. In recognition of the fact that Housing Uses generate less traffic than do other uses, Housing Spaces shall be excluded from the limitation of 3,000 parking spaces provided in Paragraph 2 above, provided, however that there shall be constructed no more than two Housing Spaces per Housing Unit and provided further that the number of Regulated Spaces permitted under this Agreement shall be reduced at the ratio of one Regulated Space for each 6.67 Housing Units.

4. Use of Parking Spaces. There shall be no restriction on the use of Regulated Spaces, and such spaces may be shared by any number of uses. Housing Spaces may be used only in connection with Housing Uses, and shall not be used in connection with any other use.

5. Additional Traffic Mitigation Measures. In addition to the aforesaid limitation on parking spaces, the Owners agree to form an Owners' Association which shall use reasonable efforts to implement the traffic mitigation measures listed on Exhibit B attached hereto.

6. Access between East Street and Industrial Way. In recognition that the traffic management measures required hereunder depend upon access being maintained between East Street and Industrial Way (as either or both may be relocated) adequate to permit two-way traffic, the Owners severally agree to enter into and record such reasonable easement agreements as shall be necessary or useful to assure such access for the benefit of the land of every Owner until such time, if any, as a public road is constructed for such purposes and accepted by the City of Cambridge. Nothing in this Agreement or in any such easement agreement shall limit, reduce, make conditional, or otherwise affect any right of access to which any Owner may currently be entitled.

7. Scope of Agreement. This Agreement relates solely to management of traffic having access to the North Point Traffic and Parking District from Monsignor O'Brien Highway, and nothing herein shall affect or limit the number of parking spaces within the North Point Traffic and Parking District which are accessible from present or future roadways from the adjoining parts of Somerville or Boston, so long as such parking spaces are not accessible from Monsignor O'Brien Highway.

8. Enforcement; Remedies. No Owner shall apply to the Cambridge Inspectional Services Department for a building permit to construct Regulated Spaces or Housing Spaces unless and until an allocation or, if applicable, a reallocation of

Regulated Spaces to the parcel of land upon which such Regulated Spaces or Housing Spaces are proposed to be located shall have been established pursuant to Paragraph 2 above (and a revised Exhibit A provided to C.D.D. as provided therein) which permits under this Agreement the construction of such Regulated Spaces or Housing Spaces. Each Owner hereby agrees that any building permit issued to it shall be deemed invalid (and hereby waives any claim of validity of such building permit), to the extent (and only to the extent) such building permit allows the construction of parking spaces not permitted to be constructed under this Agreement. Each Owner agrees to permit Cambridge Traffic and Parking Department employees to inspect at all reasonable times the parking spaces located on such Owner's land to monitor such Owner's compliance with the requirements of this Agreement as to the number and use of such parking spaces.

Each of the Owners and C.D.D. shall have the right to specific enforcement of this Agreement, to the restraint by injunction of the covenants, conditions or provisions of this Agreement, and/or to a decree compelling performance of or compliance with any of such covenants, conditions or provisions; provided, however, that the liability of any Owner hereunder shall be limited to such matters as relate specifically to land owned by it, and each of the Owners shall have no liability except for its own violations of this Agreement, in which event its liability shall not be personal but shall be limited to its interest in the land affected by this Agreement to which such violation relates. Each Owner shall be deemed to be in compliance with this Agreement except to the extent of its own violations of it. The obligations of the Owners hereunder are several and not joint.

The specific remedies to which any party may resort under the terms of this Agreement are cumulative and are not intended to be exclusive of any other remedies or means of redress to which such party may be lawfully entitled under this Agreement or otherwise. The failure of any party to insist in any one or more cases upon the strict performance of any of the covenants of this Agreement shall not be construed as a waiver or relinquishment of such covenant for the future .

9. Severability; Term; Modification; Successors and Assigns. If any term of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement and any other application of such term shall not be affected thereby. Unless extended by written agreement of all parties, this Agreement shall expire and be of no further force and effect upon the earlier of (a) thirty (30) years from the date of this Agreement, or (b) the adoption by the City of Cambridge or any body or instrumentality thereof of any zoning

amendment affecting land within the North Point Traffic and Parking District or any other law or regulation, however styled, exercising zoning or related powers of such City, affecting such land. This Agreement may be changed, waived, discharged or terminated only by an instrument in writing signed by the party against which enforcement of such change, waiver, discharge or termination is sought. This Agreement shall be binding upon and inure to the benefit of and be enforceable by the respective heirs, executors, administrators, successors and assigns of the parties hereto. Nothing in this Agreement shall be deemed to release or modify existing easements or property rights or to grant new easements or property rights.

WITNESS the execution hereof under seal on or as of the day first above written.

Attest: (Seal) COMMUNITY DEVELOPMENT DEPARTMENT
CITY OF CAMBRIDGE

By: Robert Healy, City Manager

Attest: (Seal)

By: Michael H. Rosenberg,
Assistant City Manager
for Community Development

Attest: (seal)

By: George Teso, Director
of Traffic and Parking

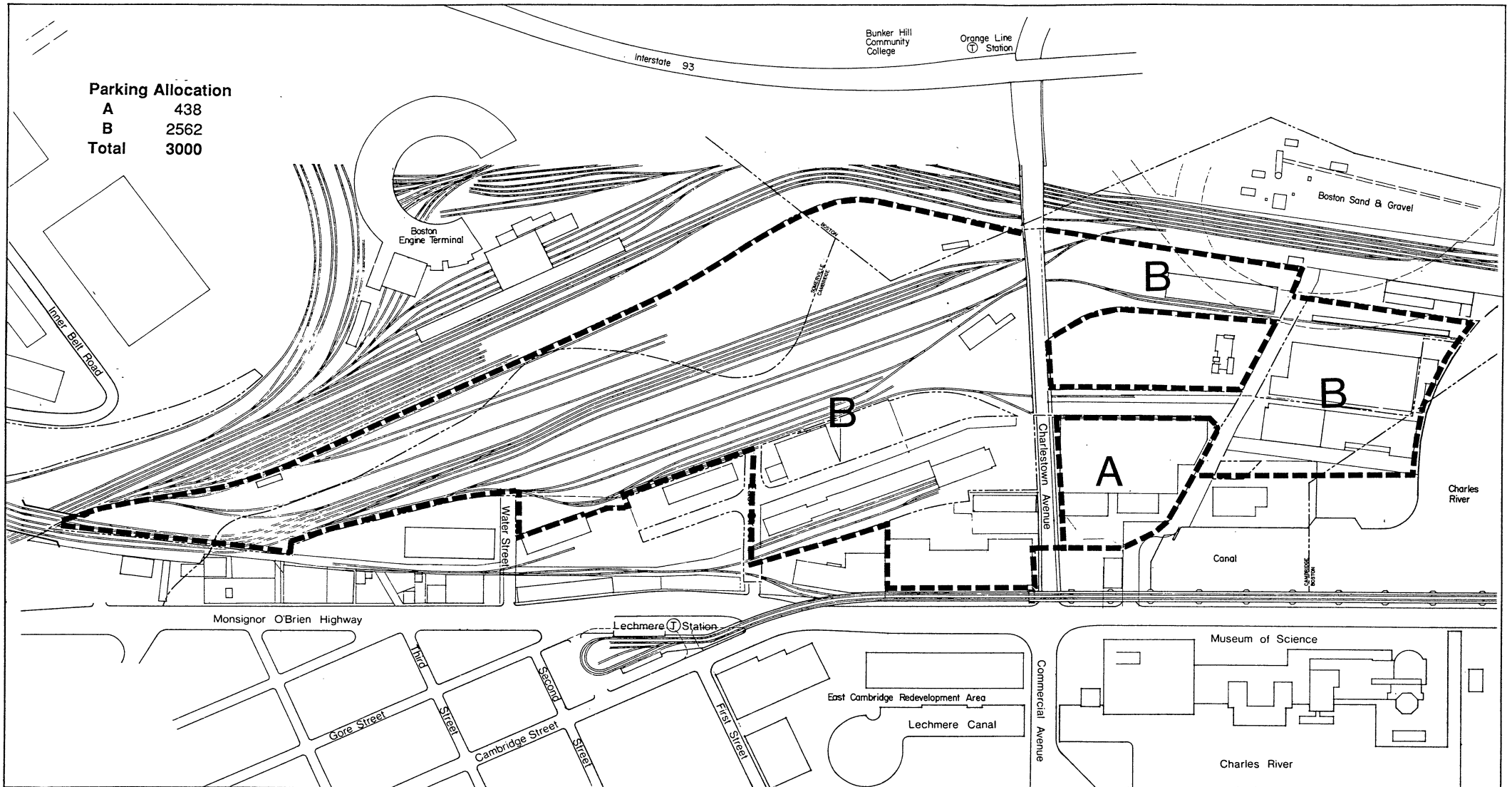
[OWNERS]

By: _____

By: _____

By: _____

EXHIBIT A



North Point
Traffic and Parking District

June 14, 1988

Sasaki Associates, Inc.

EXHIBIT B

Mitigation Methods

1. Encourage staggered or flexible work hours for employees of all tenants in the North Point Traffic and Parking District enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.
2. Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office within the North Point Traffic and Parking District or other means of facilitating the use of commuter passes.
3. Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees and cooperate with other landowners in the East Cambridge Riverfront District in this regard.
4. Reserve spaces at preferential locations for carpool and vanpool parking.
5. Establish reduced parking fees for carpool and vanpool parking.
6. In the case of any hotel within the North Point Traffic and Parking District, encourage the hotel operator to provide an airport motor vehicle shuttle.
7. Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.
8. Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.
9. Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.
10. Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.

11. Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.

12. Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.

13. Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.

14. Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.

15. Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

16. Provide bicycle parking racks.

17. Cooperate with the East Cambridge Transportation Coordinator.

XP:2082/c

AGREEMENT FOR DESIGN REVIEW GUIDELINES

This Agreement for Design Guidelines ("Agreement") for the North Point Residential, Office, and Business District (the "District"), Cambridge, Massachusetts, is made as of the _____ day of _____, 1988, by and among the City of Cambridge, Massachusetts (the "City") and the undersigned owners of land within the District (each, an "Owner," and collectively, the "Owners").

WHEREAS, with the creation of the District through proposed Article 16.000 of the Cambridge Zoning Ordinance (the "Ordinance"), the City is implementing a downzoning of the land within the District;

WHEREAS, Section 16.41 of the Ordinance requires that development in the District to be reviewed by the Cambridge Planning Board (the "Board") under the Development Consultation Procedure as defined in Section 11.40 of the Ordinance, as modified in such Section 16.41; and

WHEREAS, design guidelines have been established by mutual agreement among the City and the Owners as requirements for, and to give general direction to, development in the District and for the Development Consultation Procedure under Section 16.41 of the Ordinance; and

WHEREAS, the City and the Owners are executing this Agreement in reliance upon their respective rights, undertakings and obligations hereunder;

NOW, THEREFORE, in consideration of the mutual promises hereinafter contained and for other good and valuable consideration, the receipt and sufficiency of which are hereby severally acknowledged, the parties agree as follows:

1. Exhibit A hereto contains the design guidelines agreed to among the City and the Owners (the "Design Guidelines"). The Design Guidelines set forth in boldface type in said Exhibit A (the "Requirements") shall be deemed requirements for development in the District and are binding on the City and the Owners pursuant to this Agreement. Additional materials, including all drawings and plans, are included in Exhibit A for explanatory purposes and to give general direction to the design of buildings within the District, but are non-binding (regardless of any reference, express or implied, to them in the Requirements).

2. The Design Guidelines and this Agreement may be amended from time to time only by mutual, written agreement by and among the City and all of the Owners, a copy of which the City's Community Development Department ("C.D.D.") shall file promptly with the records of the Board.

3. The following design review process shall apply in the District: the Owners shall construct in the District only such improvements as are in accordance with the Requirements (as the same may be amended from time to time by amendments to the Design Guidelines in accordance with the foregoing), and for which plans and specifications have been or are to be reviewed pursuant to the terms of the following design review process:

(a) All submissions shall be made to C.D.D. in writing, and C.D.D. shall issue receipts for all such submissions upon the making thereof. Each Owner may rely upon any communication received from the Board as being duly approved and executed on behalf of the Board so long as the same has been given by the Chair of the Board.

(b) The Owner proposing an improvement within the District to which the Development Consultation Procedure applies shall submit to C.D.D. all plans and documents necessary for design review by the Board at the following stages:

Preliminary Design Development
Final Design Development
40% Working Drawings
90% Working Drawings
Final Working Drawings

The information submitted at the Preliminary Design Development stage shall conform to the requirements set forth in Section 11.45 of the Ordinance. Furthermore, the architectural and landscape design sections of the three sets of Working Drawings referred to in this Section 3(b) (40%, 90% and Final) shall be reviewed by the Board for consistency with the Design Guidelines, and the Preliminary and Final Design Development submittals referred to above. At the end of review of Final Working Drawings, the Board will certify in writing as to the compliance of the appropriate Owner with this Agreement.

(c) At the Preliminary Design Development stage, the Board shall follow the "Large Project Procedures" of the Development Consultation Procedure, as specified in Sections 11.40 and 11.44 of the Ordinance and at said stage, the Owner proposing the improvement involved shall give at least five (5) working days' written notice of its intention to submit the required plans and documents.

(d) In connection with the design review process, the Board shall advise the Owner proposing such improvements of all respects in which it finds such Owner's submissions to violate the Requirements, as follows: As expeditiously as possible, but in any event not later than fifteen (15) working days after submission by such Owner of any materials which require review in accordance with the Development Consultation Procedure, the Board shall notify such Owner in writing either that such materials comply with the Requirements or of the specific respects in which it finds such materials to violate the Requirements. To the extent the Board does not notify such Owner in writing within said fifteen (15) working day period of all specific respects in which it finds such materials to violate the Requirements, such materials shall be deemed to be in compliance with the Requirements. With respect to any specific material which the Board notifies such Owner is in violation of the Requirements, such Owner shall either resubmit appropriate material, altered in an effort to remove such violation, or initiate the Dispute Resolution Procedure set forth in Section 4 below. Subject to such Dispute Resolution Procedure, all resubmissions and subsequent responses thereto shall be made and given in accordance with the procedure hereinabove provided for the original submission, until the relevant materials shall be found to comply, or shall be deemed to be in compliance, with the Requirements, as set forth above.

(e) In connection with the foregoing, the Board and each Owner (collectively, the "parties" and each "party") contemplate and agree that submission and review of design material will be a continuing process, with the parties working cooperatively and expeditiously in good faith with respect to the design of the development in the District.

(f) Either party may notify the other that it deems any action of submission or response unreasonable or in bad faith, describing the consequences of such action and requesting accelerated review of the submission to ameliorate such consequences. Failure to give written notice within fifteen (15) working days of any such action shall be deemed acknowledgment of the reasonableness thereof. Failure to make written protest of any notice within ten (10) working days thereof shall constitute acquiescence to the requested relief.

4. With respect to each proposed improvement in the District, either the Board or the Owner proposing such improvement may request that any matter in dispute arising under this Agreement be resolved by the dispute resolution procedure (the "Dispute Resolution Procedure") specified in this Section.

(a) The party desiring to initiate the Dispute Resolution Procedure shall give written notice to that effect to

the other party and shall in such notice appoint a panelist on its behalf. Within three (3) days after receipt of such notice, the other party shall by written notice to the original party appoint a panelist on its behalf. The panelists thus appointed shall appoint a third panelist, and such three panelists shall determine as promptly as possible such matter, provided, however, that

(i) if only one party appoints a panelist as aforesaid, that panelist shall proceed to determine such matter; and

(ii) if the two panelists appointed by the parties shall be unable to agree, within three (3) days after both panelists have been appointed, upon the appointment of a third panelist, they shall give written notice of such failure to agree to the parties, and if the parties fail to agree upon the selection of such third panelist within three (3) days after the panelists appointed by the parties give notice as aforesaid, then within three (3) days thereafter either of the parties hereto may request the most senior official of the Boston Society of Architects to appoint the third panelist.

(b) Each panelist appointed pursuant to this Section shall be a disinterested person with at least ten years of professional design experience with respect to the matter to be determined.

(c) The Board and the Owner proposing such improvement shall be entitled to present evidence and argument to the panelists who shall make every effort to reach a determination within fifteen (15) working days after presentation of evidence and argument.

(d) The determination of the majority of the panelists, or of the sole panelist, as the case may be, shall be conclusive upon the parties with respect to the specific proposed improvements being reviewed by the panelists as well as all further design and development within the District. The panelists, or the sole panelist, as the case may be, shall give written notice to the parties stating their or his determination, and shall furnish to each party a signed copy of such determination. A copy of such determination shall be filed by the Board with the official records of the City and of the Board and shall be conclusively binding on the Board and the Owner.

(e) Each party shall pay the fees and expenses of the panelist appointed by such party and one-half of the fees and expenses of the third panelist, if any.

(f) The parties agree to use reasonable efforts in good faith to resolve by agreement between them any dispute which is capable of submission to the Dispute Resolution Procedure prior to initiating such procedure. The parties further agree to use reasonable efforts to maintain lists of potential panelists for the Dispute Resolution Procedure.

5. Each of the Owners and the Board shall have the right to specific enforcement of this Agreement, to the restraint by injunction of the covenants, conditions or provisions of this Agreement, and/or to a decree compelling performance of or compliance with any of such covenants, conditions or provisions; provided, however, that the liability of any Owner hereunder shall be limited to such matters as relate specifically to land owned by it, and each of the Owners shall have no liability except for its own violations of this Agreement, in which event its liability shall not be personal but shall be limited to its interest in the land affected by this Agreement to which such violation relates. Each Owner shall be deemed to be in compliance with this Agreement and the Requirements except to the extent of its own violations of this Agreement or the Requirements. The obligations of the Owners hereunder are several and not joint.

The specific remedies to which any party may resort under the terms of this Agreement are cumulative and are not intended to be exclusive of any other remedies or means of redress to which such party may be lawfully entitled under this Agreement or otherwise. The failure of any party to insist in any one or more cases upon the strict performance of any of the covenants of this Agreement shall not be construed as a waiver or relinquishment of such covenant for the future .

6. As used herein, the term "working days" shall mean all days other than Saturdays, Sundays and legal holidays in the City of Cambridge. If any term of this Agreement or any application thereof shall be invalid or unenforceable, the remainder of this Agreement and any other application of such term shall not be affected thereby. Unless extended by written agreement of all parties, this Agreement shall expire and be of no further force and effect upon the earlier of (a) thirty (30) years from the date of this Agreement, or (b) the adoption by the City of Cambridge or any body or instrumentality thereof of any zoning amendment affecting land within the North Point Residence, Office and Business District or any other law or regulation, however styled, exercising zoning or related powers of such City, affecting such land. This Agreement may be changed, waived, discharged or terminated only by an instrument in writing signed by the party against which enforcement of such change, waiver, discharge or termination is sought. This Agreement shall be binding upon and inure to the benefit of and

be enforceable by the respective heirs, executors, administrators, successors and assigns of the parties hereto. Nothing in this Agreement shall be deemed to release or modify existing easements or property rights or to grant new easements or property rights.

WITNESS the execution hereof under seal on or as of the day and year first above written.

Attest: (Seal)

CITY OF CAMBRIDGE

By: _____
Robert W. Healy, City Manager

Attest: (Seal)

By: _____
Michael H. Rosenberg, Assistant
City Manager for Community
Development

Attest: (Seal)

By: CAMBRIDGE PLANNING BOARD

By: _____
Paul Dietrich, Chairman

[OWNERS]

By: _____

By: _____

By: _____

XP:2279/c

North Point

Residence, Office and Business District

Design Guidelines

June 20, 1988

Sasaki Associates, Inc.

Watertown, Ma.

INTRODUCTION:

This document describes the design principles for the North Point project and it is divided into four sections: Design Principles, Roadway and Circulation Framework, Open Spaces and Elements of Form.

The North Point project is planned to be an urban environment that will be active during the day and evening with residential and office uses. The site is located on the Charles River with spectacular views of Boston's skyline and it is adjacent to the Boston Museum of Science and East Cambridge. At this location the site is uniquely situated to provide a distinctive setting for a high quality urban development.

The North Point Owners Association has established a development concept for the site that will be a positive addition to the East Cambridge environment. The project has been planned to respond to pedestrian and automobile transportation, environmental and community constraints and concerns; and to create a highly imageable environment and strong sense of place.

A. DESIGN PRINCIPLES

The goal of the North Point plan is to create an urban district with a diversity of uses consisting of moderate scale building which frame a public open space system. The open space system will extend across the site connecting it directly to East Cambridge and the Charles Riverfront.

The streets and blocks at North Point will organize the buildings to form a natural extension of the nearby East Cambridge Riverfront city block grid. Within North Point streets and blocks are a series of public spaces which are clearly defined as part of the public realm and are interconnected by the primary spine street. This primary street will connect the districts pedestrian ways and open spaces to the Charles River, East Cambridge and the Greenline MBTA station providing clarity and continuity to the plan. The buildings at North Point will create a framework for defining the streets and open spaces with consistent setbacks from public ways.

The North Point plan avoids single use precincts and encourages the mix of office and residential uses within the same development zone to create active environments throughout the day and evening. The plan also has the flexibility for street level retail uses which will provide more activity along the main thoroughfare.

The public open spaces and roadways at North Point make connections between uses on the site and off of the site. The plan proposes a major new path for direct public access to the riverfront from the new Lechmere MBTA station. The district's primary spine street forms this link from the Charles River waterfront edge to the MBTA station and to the East Street entrance which is also the district's gateway to and from East Cambridge.

Major urban parks are planned at North Point. A waterfront park is planned along the Charles River which will take advantage of the spectacular views to the city skyline and river. To the west of Charlestown Avenue a central public square is planned which will create a focus for the district west of Charlestown Avenue.

B. ROADWAY AND CIRCULATION FRAMEWORK

The roadway plan for North Point proposes that the site will be serviced by a primary loop road which will provide access to the site from Monsignor O'Brien Highway at East Street and Industrial Way. The primary roadway will continue from this loop in a easterly direction towards the River's edge linking the projects open spaces to the riverfront. Connecting to the primary loop roadway will be a simple block pattern of secondary roadways which will provide each development parcel on the site with public access. As with the major spine road, these roads will be largely defined by the buildings at their edges.

The primary roadways on the site will connect larger open spaces on the site and they will provide a continuity of urban landscape. The primary loop road will provide for up to four travel lanes with the potential for five at the points of entry onto Monsignor O'Brien Highway. As shown on the open space plan, significant portions of the north side of the roadway from the MBTA station to the water's edge will include a major pedestrian path and allee of trees.

C. OPEN SPACES

Two major public open spaces are proposed by the plan; a waterfront park, and a central park square. These parks will be connected to each other and to the MBTA station by the site's roadways and linear park system. The detailed program for each park will be developed in cooperation with the MDC and the City of Cambridge.

The waterfront park will be a focus for the office and residential uses that face it. This park will also function as a destination for North Point and Cambridge residents and workers who will arrive via North Point's open space system or the MDC's Charles River park system. The park will be largely lawn and trees and have sufficient area for passive recreation. Finger parks will extend from the waterfront park connecting it to the major roadway, providing direct waterfront access to the pedestrian system at North Point.

A major central park is located west of the Charlestown Avenue Bridge. This park will be the focus of the adjacent office and residential uses. The open space areas in this park will be largely trees and grass and provide a passive recreational amenity.

A smaller park is proposed adjacent to East Street at the new Lechmere MBTA station on the MBTA property. This park will be the beginning of the linked pedestrian open space system from East Cambridge and the Green Line station.

The major open space areas on the site will be connected to each other by a widening of the spine road right of way which will be planted to create a pedestrian walkway and visual connection between North Point's open spaces and the Charles River. This linear green space along the spine road will connect to the waterfront park with small open spaces between the blocks.

A park with a minimum width of 50 feet of green space is planned along the Charles River edge. This parkway will provide for public access and movement as part of the MDC system.

D. ELEMENTS OF FORM

Height:

The North Point project has been planned so that building height and bulk will relate compatibly to the building heights of the neighboring development at Lechmere Canal and help overcome the effects of the elevated roadway of Charlestown Avenue Bridge and the proposed I-93 ramp.

The highest buildings at North Point will be limited to a maximum height of 160 feet. These buildings will be located adjacent to the Charlestown Avenue Bridge and on the north side of the project site near the railyards. At these locations the buildings will provide North Point with a barrier from the visual and noise impacts of the elevated Charlestown Avenue Bridge and from the proposed ramp. These buildings will also take advantage of the views of Boston skyline, the Charles River and East Cambridge and they will maximize the amount of sunlight that will reach major open spaces.

Building heights will step down from the north side of the site to lower height zones at the south side of the project which are more compatible to neighboring development at Lechmere Canal and the Charles River edge. A 125-foot zone and an 85-foot height zone achieve this gradual reduction in height across the site with the 85-foot zone being adjacent to and matching the building height limitation at Lechmere Canal.

Massing:

While North Point will be a new area, it is still considered an extension of the Lechmere Canal Development area and East Cambridge, with the pattern of urban streets of these areas being extended onto the site. The streets at North Point will be defined by buildings. Each building will have a clearly articulated base, middle and top, so as to create a streetscape that is at a human scale.

Each building will conform to the following general requirements which apply to building massing design:

1. **Each Base will be composed of one to three floors.**
2. **Each Base will be clearly articulated from the rest of the building and it will be designed to define an appropriate human scale at the street level.**
3. **As buildings increase in height, they should be broken down in scale toward the top. The top may be differentiated by a change in the window rhythm, change in apparent floor height, setback, or use of alternate materials or a combination of these elements.**
4. **Rooftop elements such as mechanical penthouses and elevator overruns will be screened from views from above and below with roof or wall enclosures which, in their configuration, materials, coloration and surface design are compatible with roof and wall materials of the building.**
5. **Distinctive corner and entry treatments may differ from the Base, Middle, and Top guidelines of this section in order to enhance the building facades.**

When possible, building massing for North Point should be arranged so that major open spaces at North Point maximize the hours of available sunlight. When buildings border the public domain they should form a common wall with adjacent buildings responding to their neighbors in an architecturally compatible manner. **The creation of alleyways between buildings that are visible from the public realm is not encouraged.**

Building Edge:

The use of buildings to create a street edge is required. This may be accomplished by setbacks and cornice lines which are consistent between buildings along the spine road and on the same block. The consistent alignment of buildings with streets and open spaces will also help unify the entire North Point district.

Along the spine road west of Charlestown Avenue, building faces will be approximately 40 feet from the curb along the north side and approximately 20 feet along the south side. East of Charlestown Avenue, setbacks from the curb are 20 feet on the north side and 40 feet on the south. Along a realigned Industrial Way, there is 16 feet from curb to face of building on both sides. Pedestrian paving along the other roads will generally be between 12 and 15 feet in width inclusive of curb and planting areas.

ARCHITECTURAL DETAIL:

Materials:

All buildings should be faced predominantly with authentic brick and/or stone masonry. Stone masonry is defined as granite, limestone, marble or other natural stone or high-quality cast stone. String courses, lintels, sills and trim of complimentary materials are encouraged to soften and refine these facades. The highest quality of materials should be used at the pedestrian level of all buildings.

Windows:

Strip windows will be avoided. Glass curtain walls are permitted to be included as components of middle divisions where combined with major vertical masonry elements. Expansive glass and transparency at street level is encouraged.

Color:

The colors must be compatible to the general palette of colors and materials that have been used for the Lechmere Canal Development in East Cambridge.

Signs:

Signage will conform to relevant city ordinances. Bases should be designed to accommodate signage in an orderly and attractive manner.

Parking Structures:

Facades of parking structures which face major streets, open space or residential uses will be designed with horizontal perimeter openings. Continuous horizontal strip openings are to be avoided; and in no case should opening exceed 45 feet in width.

STREETSCAPE

The North Point streets consist of the main spine road and the secondary streets that branch from it. Three design elements should be considered for these streets; pedestrian paving, street lighting and street trees.

Pedestrian Paving:

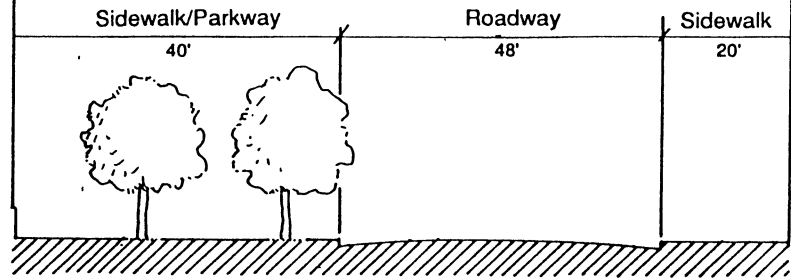
The pedestrian paving widths will be established based on pedestrian use. A range of pedestrian way types will be developed including the main spine from the MBTA station to the river, secondary streets, streets bordering public open space, and the river edge promenade. The paving materials for the pedestrian areas shall be established to provide a sense of continuity, with paving patterns being designed to reflect building modules and building entries, street crossings and other significant places. All pedestrian paving will be separated from roadways by granite curbing.

Street Lighting:

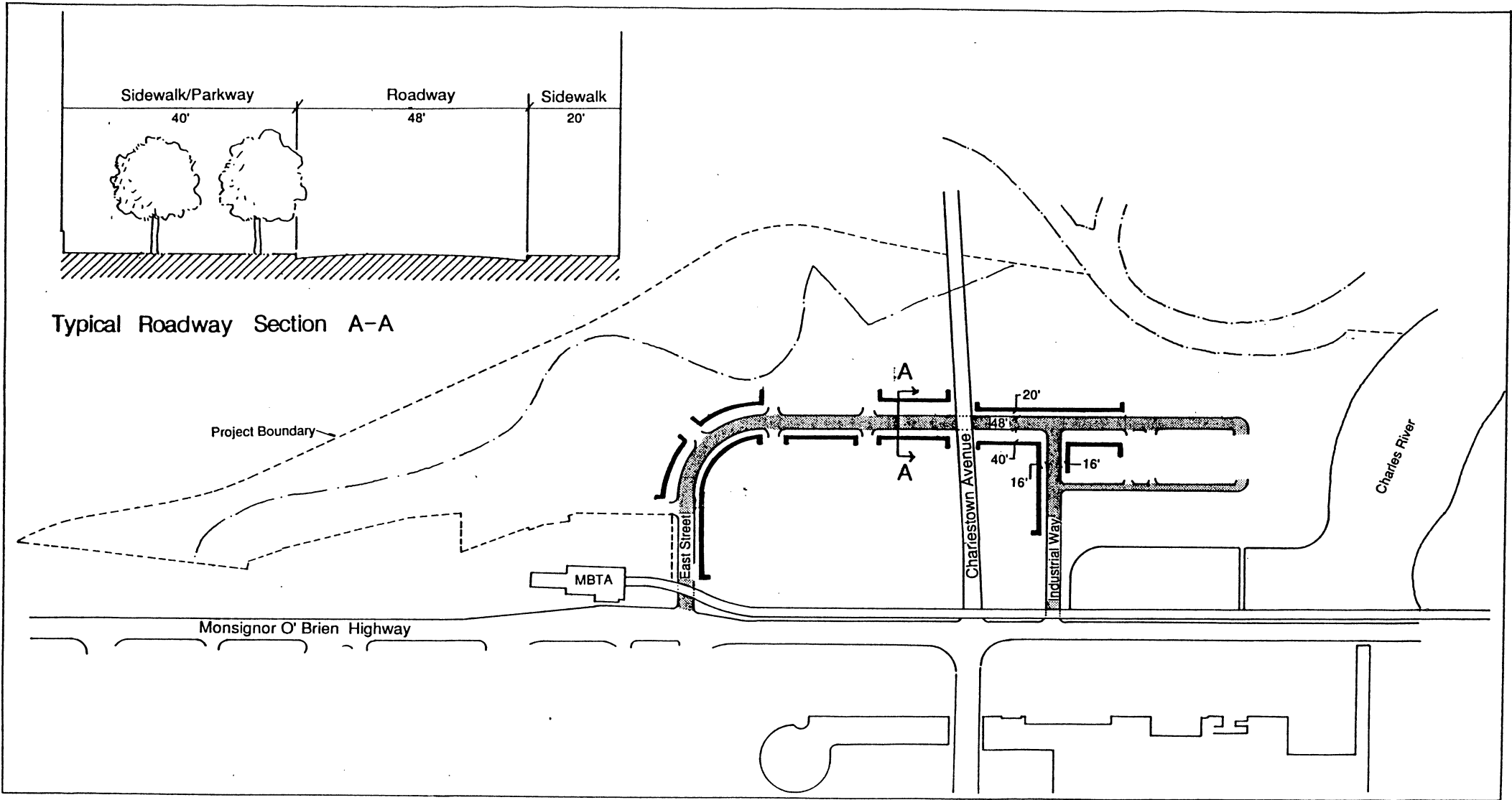
Street lighting will help provide North Point with a unified network of streets and spaces as well as provide suitable light levels for safety. **Lighting types will relate to the different uses of each vehicular and/or pedestrian way including the main street, secondary streets, the riverfront promenade and other public open spaces.**

Street Planting:

The three dimensional scale and impact of the tree lined streets and open spaces are important aspects of the North Point plan. **The grid of tree rows formed by street plantings is intended to organize the open spaces of the project. Tree types and species will be chosen for use so that complimentary species and appropriate scale of tree size are selected for each area.**



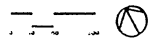
Typical Roadway Section A-A



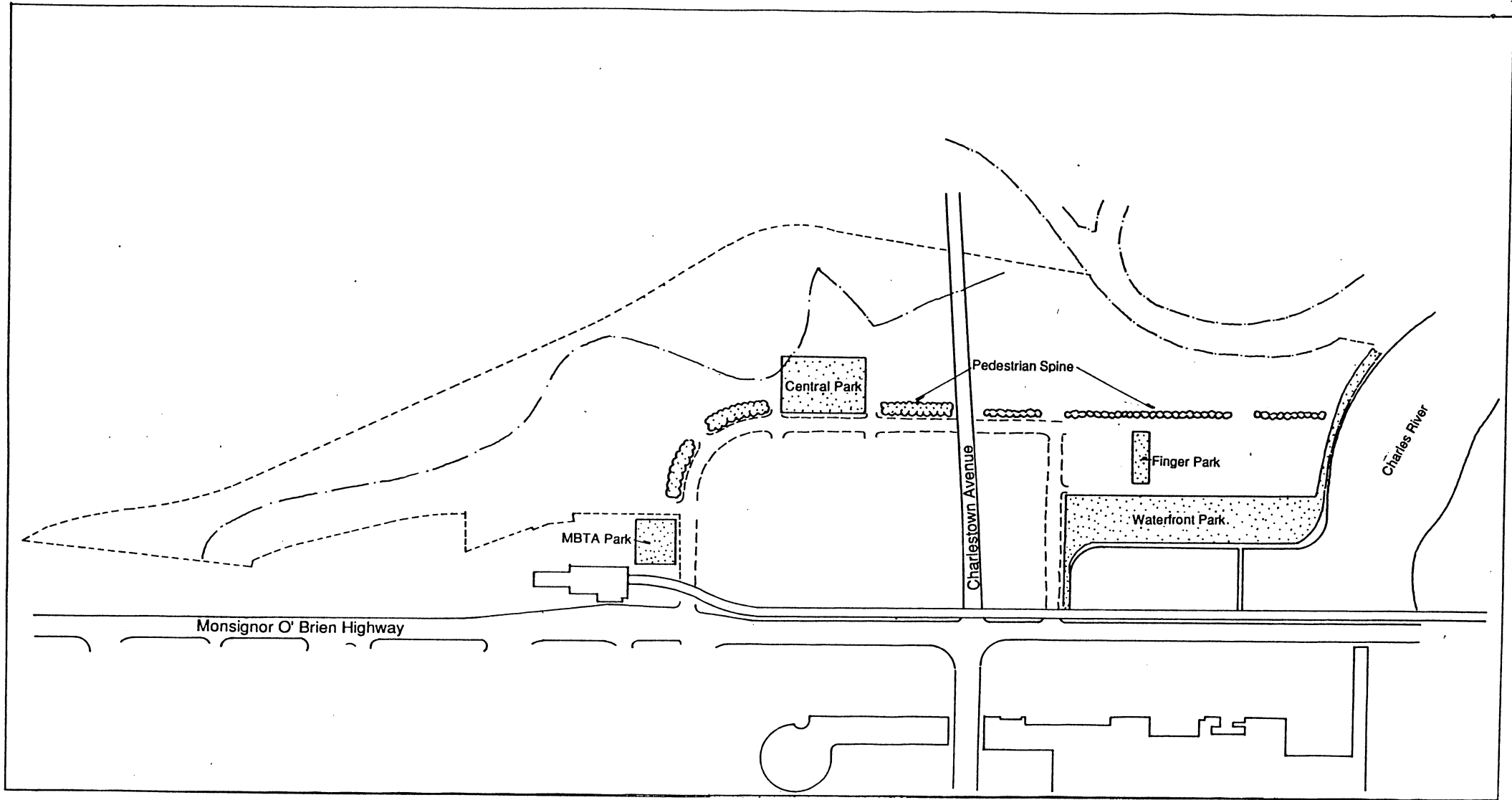
North Point
 Residence, Office, Business District

CONCEPT PLAN - Major Roadways

May 25, 1988



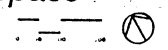
Sasaki Associates, Inc.



North Point
 Residence, Office, Business District

CONCEPT PLAN - *Open Space*

May 25, 1988



Sasaki Associates Inc.

North Point Office, Residence, and Business District
Explanation of Zoning Proposal and
Comparison with Existing Zoning

The North Point Owners' proposal has grown out of the meetings the North Point Owners have had with the Community Development Department, a representative from the Planning Board, and neighborhood representatives, as the so-called North Point Working Group. Although the proposal was not generated by the Working Group, it reflects concerns raised there and attempts to resolve the significant issues in a constructive and straightforward fashion.

The North Point Owners' proposal consists of three documents:

1. A zoning amendment which would add Article 16 to the Cambridge Zoning Ordinance, significantly and in every respect downzoning the North Point area;
2. A Traffic Mitigation Agreement enforceable by the City of Cambridge which would: (a) limit the traffic impacts of development in the North Point area (including development in adjacent parts of Somerville and Boston outside the jurisdiction of the City of Cambridge's zoning powers) in a direct fashion, by limiting the number of parking spaces within the North Point area which are accessible from Monsignor O'Brien Highway, and (b) require specific traffic mitigation measures; and
3. Design Guidelines which will guide development in the North Point area, under a contract enforceable by the City of Cambridge through the Planning Board.

The zoning amendment itself follows the traditional mode of establishing controls on use, dimensions, and density on a lot-by-lot basis, but it also requires linkage. The traffic mitigation agreement imposes the overall limit on development, while the zoning and the design guidelines together provide for public review of development proposals. Each part of the proposal is explained in more detail below.

I. Zoning Amendment

The zoning amendment represents a significant downzoning from the existing Industry B designation, as the following chart illustrates:

	<u>Existing Zoning</u> <u>Industry B District</u>	<u>Proposed Rezoning</u> <u>New District</u>
FAR:	4.0	2.0, with incentives to 3.5 for housing, 3.0 for other uses
Height Limitation:	- none -	160, 125, and 85 feet
Parking and Loading Requirements:	- specified minimums and maximums	same, figures, but maximums only - no minimums
Open Space:	- none required -	10% of all parcels; neighbors can combine to provide in aggregate.
Uses:	nearly everything except housing	nearly everything except open lot storage and heavy industry, which are permitted only on a limited basis next to existing like uses
Limitations on extent of permitted uses:	- none -	retail (including first floor banks) is limited to 25% of gross floor area or 30,000 and is allowed only on first or second floors (except that eating and drinking establishments can be on any floor); cinemas and theatres, etc. are permitted to be open to the public on weekdays only after 7:30 p.m.; and certain traffic-intensive uses, such as doctors' offices, health clubs, and

		auditoriums are permitted as accessory uses and limited to 25% of gross floor area.
Environmental Protection Standards:	- none -	specified. Note trash must be kept inside.
Development Review:	- none -	Development Consultation Procedure (before Planning Board)
Linkage:	- none -	\$1.50 for office, \$.25 for housing, to be spent primarily within North Point.

It should be noted that the linkage provisions of the proposed zoning amendment are based on those set forth in the linkage proposal recently introduced by the City, except that the North Point proposal requires linkage (at a reduced rate) for residential developments containing less than 10% affordable units. In addition it permits installment payments and makes clear that changes in the linkage rate would be made in accordance with Chapter 40A.

II. Traffic Mitigation

The Traffic Mitigation Agreement does two things: first, it imposes an overall limit on additional development accessible from Monsignor O'Brien Highway; and second, it requires the North Point Owners to take a number of measures to mitigate traffic generated within the North Point area. The Agreement deals with the traffic issue directly by limiting parking spaces. The two functions of the Traffic Mitigation Agreement are discussed below.

1. Development Limits. The concern for an overall limitation on development arose from the traffic studies performed by Vanasse Hangen Brustlin for the City, and relates to the traffic carrying capacities of Monsignor O'Brien Highway. Accordingly, it seemed appropriate to address that concern directly from a traffic standpoint, which is what the Traffic Mitigation Agreement will do. Sasaki Associates, as planning and traffic consultant for the North Point Owners, has determined that the appropriate scale of

additional development accessible from Monsignor O'Brien Highway is 2,000,000 square feet of office use, or the equivalent. The Traffic Mitigation Agreement would limit new development within the North Point area which is accessible from Monsignor O'Brien Highway to that level, by means of limiting the number of parking spaces. Sasaki generated a figure of 3,000 parking spaces for additional office use by applying to the 2,000,000 square foot figure a parking ratio of 1.5 spaces per 1,000 square feet of office space. This 3,000 parking space limitation is the basis of the Traffic Mitigation Agreement.

All uses other than housing are treated the same as office use for purposes of the 3,000 parking space limitation. Housing uses do not generate equivalent traffic (because the parking spaces are more typically used for storing cars rather than enabling commuter use), and so are permitted a greater number of parking spaces than are other uses. Vanasse Hangen Brustlin, the City's traffic consultants, calculated that one housing unit generated as much traffic as 100 square feet of office, which results in a trade-off of one office parking space for every 6.67 housing units (if one housing unit equals 100 square feet, ten housing units equals 1,000 square feet, and applying the parking ratio of 1.5 parking spaces per 1,000 square feet, 1.5 parking spaces is equivalent to ten housing units and therefore one office parking space is equivalent to 6.67 housing units). According to Sasaki, this trade-off remains accurate so long as there are not more than two cars per housing unit, and for that reason we have limited the number of parking spaces for housing units to a maximum of two each. There is no impact on housing units for which no parking is provided.

It should be recognized that the Traffic Mitigation Agreement would restrict the number of commercial parking spaces, not commercial gross square feet; thus the developers are free to try to market more commercial space with the same (limited) amount of parking. Traffic mitigation thus becomes a self-fulfilling prophecy.

It should also be noted that the Traffic Mitigation Agreement is concerned solely with traffic impacts on Monsignor O'Brien Highway. If access is provided other than via Monsignor O'Brien Highway (i.e., by means of a bridge across the railroad tracks from Somerville), additional development using that means of access would be permitted, within the envelope permitted under the zoning amendment.

2. Traffic Mitigation Measures. The Traffic Mitigation Agreement also requires the landowners to form an Owner's Association and for that Association to implement certain traffic mitigation measures which are listed in Exhibit B to the Traffic Mitigation Agreement (copy attached for reference). These are a composite of mitigation measures required at Simplex and other developments as well as items specific to North Point.

III. Design Guidelines

Sasaki has prepared design guidelines which incorporate several of the design principles enunciated in the East Cambridge design guidelines which have been applied to development within the Lechmere Triangle, as well as set out a roadway and open space plan for the North Point area. The plan calls for a primary spine roadway running from East Street to the Charles River, intersecting with a straightened Industrial Way, as well as connecting secondary roadways, a large waterfront park, a major open space westerly of Charlestown Avenue, and a high level of landscaping and tree planting. Design review would be conducted by the Planning Board under the same procedure followed at Simplex.

XP-2679/c

EXHIBIT B

Mitigation Methods

1. Encourage staggered or flexible work hours for employees of all tenants in the North Point Traffic and Parking District enjoying access from Monsignor O'Brien Highway through the provision of utilities during off-peak hours and other appropriate means.

2. Promote the use of public transportation by providing transit information and participation in the MBTA commuter pass program including the establishment of a commuter pass sales office within the North Point Traffic and Parking District or other means of facilitating the use of commuter passes.

3. Operate or coordinate with a computer-based ride-sharing information bank and collect and disseminate ride-sharing information to employees and cooperate with other landowners in the East Cambridge Riverfront District in this regard.

4. Reserve spaces at preferential locations for carpool and vanpool parking.

5. Establish reduced parking fees for carpool and vanpool parking.

6. In the case of any hotel within the North Point Traffic and Parking District, encourage the hotel operator to provide an airport motor vehicle shuttle.

7. Provide reduced parking fees on the site for monthly and daily parking spaces not available on working days until after 9:30 A.M.

8. Sensitize tenants to the issue of reducing or eliminating subsidized parking spaces for employees.

9. Make reference to the availability of mass transit facilities in marketing and advertising materials produced for new development projects.

10. Cooperate with the MDC, the MBTA, the City of Cambridge, and neighborhood groups to provide a pedestrian overpass across Monsignor O'Brien Highway serving the relocated MBTA Green Line Lechmere Station.

11. Cooperate with the MDC to provide pedestrian access to Charlestown Avenue for access to the MBTA Orange Line Community College Station from the North Point area.

12. Cooperate with the MDC, the MBTA, and the City of Boston to provide pedestrian access to North Station from the North Point area, to the extent feasible.

13. Cooperate with the MDC, the MBTA, and the City of Cambridge, and the City of Boston to improve pedestrian access to the MBTA Green Line Science Park Station from the North Point area.

14. Cooperate with Riverside Galleria Associates Trust to coordinate service to the North Point area with the Galleria shuttle bus system.

15. Cooperate with the MDC, the City of Cambridge, and the City of Boston to establish bicycle paths.

16. Provide bicycle parking racks.

17. Cooperate with the East Cambridge Transportation Coordinator.

XP-2679/c

Petition of Guilford Transportation Industries, inc., et al, property owners in the North Point Area, pursuant to MGL, Ch. 40A, Subsection 5 to amend the Zoning Ordinances by inserting a new Article 16 entitled "North Point Residence, Office and Business District" & by amending the Zoning Map to show same.

10/3/88 Original petition amended & all amendments carried
no action taken on amended text

10/17/88 Passed to be Ordained

9-0-0

10/20/88 - Published - Chronicle

In City Council,

June 20, 1988

6-20-88

Referred to the Planning Board + Ordinance Committee

Copy sent to Leo Barber, Planning Board 6/22/88
Copy to Committee Watch, Ordinance Committee Chair 6/24/88