

City of Cambridge

MASSACHUSETTS

In City Council October 21 1991

C. Duehay - Moved unfinished Business # 4 As Amended
by City Manager Agenda Item 2a.

	YEA	NAY	ABSENT	PRESENT
Mr. Ed Cyr	✓			
Mr. Francis H. Duehay	✓			
Mr. Jonathan S. Myers	✓			
Mr. Kenneth E. Reeves	✓			
Mrs. Sheila T. Russell		✓		
Mr. Walter J. Sullivan		✓		
Mr. Timothy J. Toomey, Jr.	✓			
Mr. William H. Walsh		✓		
Mayor Alice K. Wolf	✓			

6 3 0 0

C. Duehay
MS
 Moved to Table

Failed of Ordination
 As Amended.

City of Cambridge



In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

FAILED OF ORDINATION 6-3-0.

RECONSIDERATION MOVED AND PREVAILED.

TABLED BY COUNCILLOR DUEHAY

10/22/91 PLACED ON FILE DUE TO EXPIRATION OF TIME LIMIT.

NOTE:

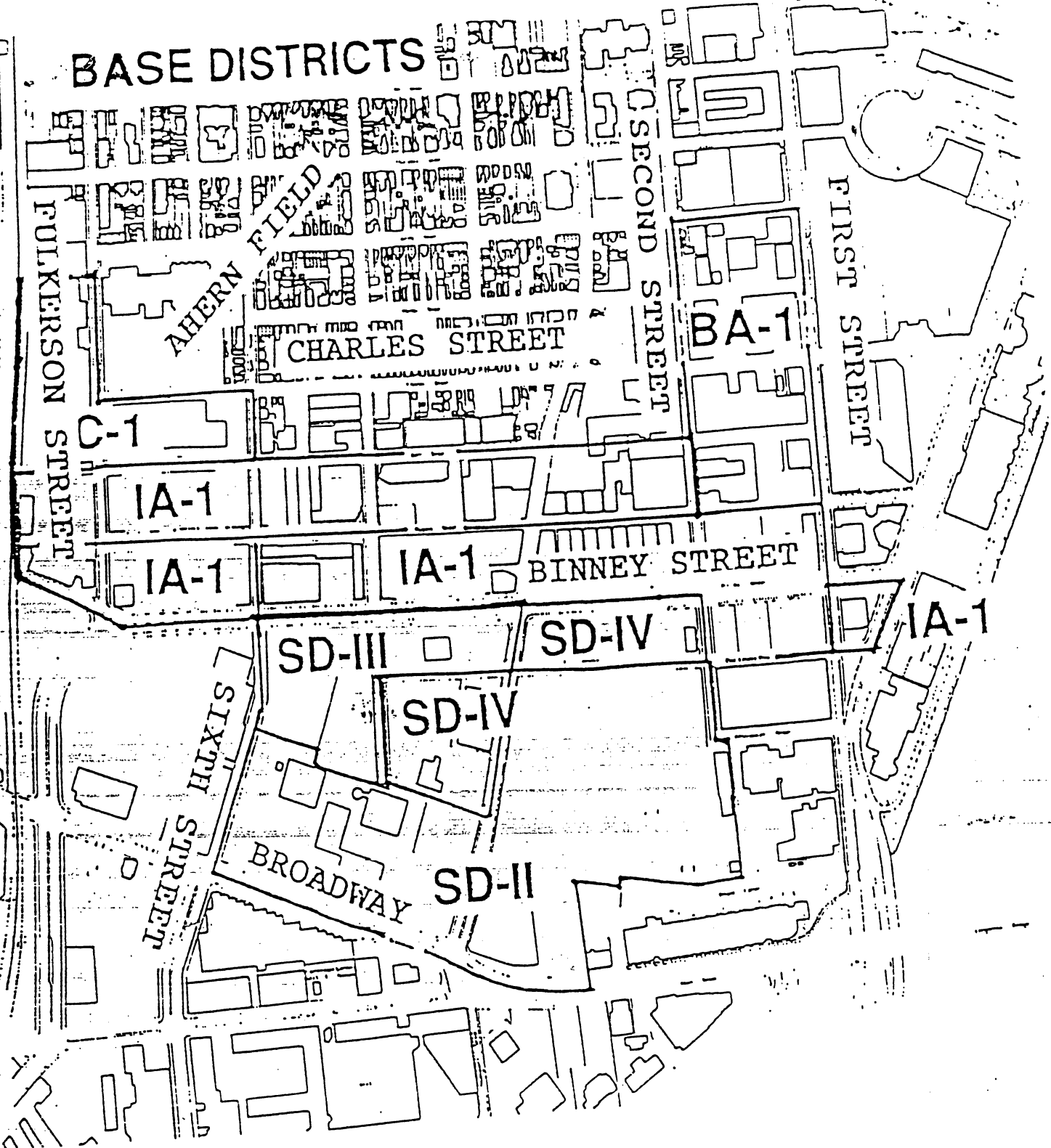
Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk

OVERLAY DISTRICTS



BASE DISTRICTS



City of Cambridge

The Committee on Ordinance conducted a public hearing on Tuesday, July 23, 1991 beginning at 5:40 P.M. in the Sullivan Chamber, City Hall. The purpose of the hearing was to discuss and receive public testimony relative to a proposed amendment to the Zoning Ordinance establishing East Cambridge Overlay Districts. Members present were Councillor Francis Duehay, Councillor Sheila Russell, Councillor Timothy Toomey, Mayor Alice Wolf, Councillor Ed Cyr, Councillor William Walsh, Councillor Jonathan Myers and City Clerk Joseph Connarton.

Councillor Duehay opened the hearing by outlining the procedure for receiving public testimony, with proponents being heard first and opponents being heard second. He further stated that this petition was refiled by him on May 20, 1991 and that the original petition was heard on February 20, 1991.

The Committee then heard from Mr. Michael Rosenberg, Assistant City Manager for Community Development who provided the Committee with a brief historical analysis of the planning process for the East Cambridge area, reminding the Committee that this same petition was heard on February 20, 1991. He stated that the proposal before the Committee is the product of two years of work and the recommendation of the Planning Board and the East Cambridge Rezoning Advisory Committee after much effort on the part of the neighborhood residents and property owner members of the Committee.

Councillor Russell questioned whether or not there was any change in the text or map from the original petition heard by the Committee, previously.

Mr. Rosenberg responded in the negative, stating this was exactly the same.

Councillor Duehay questioned whether or not the Planning Board report was ready.

Mr. Rosenberg responded by stating the Planning Board had held its public hearing on July 2, 1991 and were informed a citizens petition for this area was going to be filed soon and the Board would be interested in any neighborhood proposals which may be offered.

Mayor Wolf questioned whether or not any of the proposals being offered by the business community could be accepted by the Planning Board while still meeting the city's goals for the area.

Mr. Rosenberg responded by stating he was unsure because although he has not seen the actual petition, he understood there were a number of proposals to look at and he didn't know how the neighborhood would react.

At this time the Committee heard from Mr. Paul Casey, representing Com/Energy, who stated that a new petition had in fact been filed. Furthermore, he stated, that Com/Energy believed the public notice which was advertised for this hearing was flawed given the fact that the period for the interim overlay district expired as of February 28, 1991.

Councillor Duehay requested the City Clerk to confer with the City Solicitor on this issue and to report back as soon as possible.

Councillor Duehay requested those individuals wishing to speak in favor of this petition to come forward.

No one appeared to speak in favor.

Councillor Duehay requested those individuals wishing to speak in opposition to this petition to come forward.

The Committee heard from Mr. Paul Casey, Com/Energy, One Main Street, Cambridge, who again raised the issue of a flawed public notice and further stated that Com/Energy saw this petition as repetitive and abuse of process. He stated that the continuation of either an interim overlay district or zoning petition prevented the company from going forward with development plans.

Also speaking in opposition to this petition were: Chris Toomey, Esquire, Gadsby and Hannah, 125 Summer Street, Boston, representing Joseph O'Donnell, owner of property comprised of the entire block bounded by Sixth, Charles, Fulkerson and Bent Streets.

Mr. Maurice M. Cohen, 32 Countryside Road, Newton, MA, owner of property at First, Second, Charles and Binney Street.

Mr. John Kelly, 301 Binney Street, Cambridge, representing Thypin Steel; and

Timothy Cronin, Com/Energy, One Main Street, Cambridge.

Councillor Cyr moved that the petition be forwarded to the full City Council with a favorable recommendation.

Councillor Russell moved that the petition be referred to the full City Council without recommendation.

Councillor Duehay requested a show of hands on the motion of Councillor Cyr,.

Councillors Cyr, Toomey and Mayor Wolf raised their hands.

Councillor Duehay requested a show of hands on the motion of Councillor Russell.

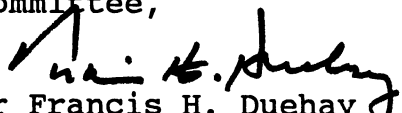
Councillor Russell raised her hand.

The motion of Councillor Cyr -

Carried.

The hearing was adjourned at 6:20 p. m. after a brief recess.

For the Committee,


Councillor Francis H. Duehay
Chairman

6.

COMMITTEE REPORTS

Report from the Ordinance Committee for a hearing held on Tuesday, July 23, 1991 relative to a proposed amendment to the Zoning Ordinances to establish the East Cambridge Overlay Districts.

In City Council,

August 7, 1991

Report accepted
Passed to a second
reading

CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

October 15, 1991

To The Honorable, the City Council:

SUBJECT: Planning Board Recommendation on the Planning Board
Petition Affecting the Area Covered by the East
Cambridge Interim Planning Overlay District, as
submitted by City Council

Recommendation

The Planning Board recommends adoption of the Planning Board Petition with several changes. This petition is identical to the one filed in December 1990, which was not adopted by City Council in June 1991. It was refiled the same evening by City Council and continues to be referred to as the Planning Board Petition.

In July, a second petition was filed by ComEnergy, et al which affects the same area in East Cambridge. The Planning Board will be reviewing it in the coming weeks and will give it full and complete consideration. If the Board finds that aspects of this second petition have merit, it will recommend to the City Council, at a later date, amendments to the Zoning Ordinance to reflect those favorable elements of the petition. Adoption of the Planning Board petition, now, will not preclude such action in the future.

The statutory time within which action must be taken is, however, running out for the Planning Board petition. The Board believes that the Planning Board petition best serves the interests of the City and the entire East Cambridge community and recommends its adoption with all the changes recommended in April, 1991 for the original Planning Board submission. In addition, a further change is recommended regarding nonresidential uses in the proposed residential district at Fulkerson and Charles Streets, reflecting the conclusions reached on this issue during consideration of the Cambridgeport rezoning proposals.

Some of the recommended changes clarify provisions which were ambiguous or unclear in the original text. They make no substantive change in the Ordinance as filed. Other changes, however, are more substantive in their effect and are for the most part in response to comments made at the initial public hearing. All changes recommended are consistent with the intent of the original petition. The following are the changes proposed by the Board. A revised text reflecting these changes is attached; modifications are underlined.

* **In Section 11.405.31 - Restrictions in Required or Provided Front Yard Setbacks.**

This section, which requires that the area between a building and the major street on which it fronts be landscaped and free from surface parking, was unworkable in its original language for lots fronting on more than one street. The changes correct the problem.

* **In Section 11.406.1 - Additional Height in the East Cambridge Overlay Districts.**

The intent of the provision is to require that any portion of a building higher than forty-five feet must be set back at least twenty feet from the street line. The original language seemed to imply that requirement could be waived. The new language makes it clear that such a setback is always required as was originally intended.

* **In Section 11.406.21 - Additional Gross Floor Area in the East Cambridge Overlay Districts**

An innovative feature of the East Cambridge petition is the provision found in the PUD Districts and all the Overlay Districts which grants additional development if a specified amount of housing is constructed. It has always been assumed that the additional development would be commercial space; changes are made to make it clear that the additional floor area can be used for residential uses as well.

* **In Section 11.406.22 - Construction of Housing in the East Cambridge Overlay Districts**

Property owners have indicated serious concern with the housing construction requirement contained in Section 11.406.21, suggesting that on some small sites it might not be feasible to construct the one, two or three units of housing required; on the larger sites the required housing might be an awkward proportion of the total development and might be mandated to be constructed despite a market in which no demand for the housing would exist. To respond to these concerns without eliminating the connection between

housing and additional commercial development the Planning Board is proposing two additional options to actual construction of the units: donation of the land, to the Affordable Housing Trust, upon which the required housing can be built, and for small lots a cash payment tied to the cost of acquisition of land, also to the Affordable Housing Trust. Similar flexibility is granted in the PUD Districts, Sections 13.80 and 13.90.

* **In Section 13.90 - PUD 3B and Special District III**

These districts were originally designed to regulate private development in these areas (for housing principally) should they be declared surplus by the Federal government. The areas may, however, not be declared surplus and may instead be used for expansion of the federal Volpe National Transportation Systems Center which currently controls and uses the affected sites. Language is added to make clear that the housing objectives of the districts are intended to reflect public policy only if the sites are developed privately. Otherwise, the added language makes clear that the Transportation Center is a valuable resource for the City and that should it expand it would continue to be an asset to Cambridge. In such a circumstance the districts would act as policy guides to the Center with regard to City objectives relating to scale, height, and general development pattern on the sites.

* **In Section 11.406.4 - Special Regulations for the First to Second Street Corridor.**

Because of the potential stimulus the East Cambridge mall might provide to retail development along First Street in the years ahead, the Board considers it appropriate that specific building design and site development requirements be imposed on development in this area to assure that even if constructed as of right the public interest in a quality pedestrian environment along this street be minimally assured. Additional building requirements are therefore recommended by the Planning Board.

* **Modifications in the boundary line between Overlay District C, an industrial and office district, and Overlay District A, a residential District.**

A small adjustment in the boundary is proposed, by moving the District C line about fifty feet north, which would ease the operations of the Metropolitan Pipe Company, owners of the affected property. The adjusted line would actually revert to the residential/industrial boundary line which now exists on the zoning map. The change minimally affects the

residentially zoned Overlay District A or its development potential as a residential district.

- * **An additional provision is added which would delete all reference to the East Cambridge Interim Planning Overlay District in the Zoning Ordinance.**
- * **Add a new Section 11.406.5 - Additional Uses In District A**

Reflecting the conclusions reached during the discussion of the comprehensive rezoning proposals for Cambridgeport, new language is inserted, which was developed for the Cambridgeport petitions, which will permitted certain nonresidential uses in the Overlay District A, which is an exclusive residential district otherwise. All other regulations in that district would remain in force, including the dimensional requirements of the base Residence C-1 District.

FINDINGS

1. This petition is identical with the Planning Board Petition filed in December 1990 which was an outgrowth of a review of the zoning regulations affecting the East Cambridge industrial area that was recommended by the East Cambridge Neighborhood Study, published in 1988 .
2. The petition is intended to address directly the concerns expressed in the Neighborhood Study, namely: limitations on the traffic generated by new development in East Cambridge; reduction in the total amount of new development permitted in the future; provision of new housing construction to ameliorate the impact of additional demand on the existing housing stock; increased opportunities for public review of development.
3. Housing will be encouraged throughout the area, providing the potential for more than 1000 dwelling units. More significantly, for the first time in a zoning district applicable to many property owners, housing is required to be provided before the last increment of commercial development is allowed. The University Park zoning district in Cambridgeport first introduced this concept but that district applies to a single owner. In East Cambridge many owners over a much larger area will be responsible for providing housing.
4. The potential non-residential development is reduced approximately 25% from that currently allowed. Should the mandated component of housing not be provided, the permitted amount of commercial development is reduced more

significantly.


5. As a result of a variety of aspects of the rezoning proposal the traffic generated from future development in the affected area show an even greater reduction: a reduction in a.m. peak hour trips of over 50%. The reduction has been achieved by decreasing the amount of development, by encouraging housing which is the smallest traffic generator, and most importantly through a strict limitation of accessory parking: one space per 1000 square feet of non-residential development.
6. Development and implementation of traffic mitigation measures are required of all development for which a special permit is sought to secure additional gross floor area. New traffic mitigation and construction mitigation guidelines are established as a separate article in the Zoning Ordinance which makes it possible to mandate such measures for other special permits in other areas of the city in future rezonings.
7. The development that is allowed is more carefully controlled with greater refinement in permitted heights, FAR, and mandatory site development requirements as well as being subject to carefully articulated designed guidelines when a special permit is required from the Planning Board.
8. The recommended rezoning is an equitable proposal addressing the concerns of the East Cambridge residential community while permitting a reasonable amount of development in the interest of the property owners in the affected area.
9. The proposal also reasonably balances the interests of the East Cambridge community which is most directly impacted by new development in the area and the city as a whole which has an interest in protecting existing and generating additional employment in the city and securing the maximum income from commercial areas consistent with other policy objectives relating to land use and development.
10. The changes enumerated above, which the Planning Board is recommending to the City Council, respond to deficiencies in the petition as originally filed while maintaining the essential features of that document.

Respectfully submitted for the
Planning Board,


Paul Dietrich, Chairman

CITY OF CAMBRIDGE
ASSESSING DEPARTMENT
INTEROFFICE CORRESPONDENCE

1991 SEP -3 AM 9:47

TO: Joseph E. Connarton, City Clerk
FROM: Sally Powers, Director of Assessment 
SUBJECT: Written protest to the permanent E. Cambridge Rezoning
Petition
DATE: August 29, 1991

In reply to your memo dated August 20, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

August 26, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOHN E. FLYNN *JEF*
DEPUTY CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE PERMANENT EAST CAMBRIDGE REZONING
PETITION.

Enclosed you will find two copies of the written protest received by this office regarding the permanent rezoning petition for the East Cambridge area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention to this matter will be greatly appreciated.

JEF/pmc



1991 AUG 26 AM 11:02

THE ATHENAEUM GROUP

Athenaeum House
215 First Street
Cambridge, Massachusetts 02142
617-492-2155

August 23, 1991

Mr. Joseph R. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, MA 02139

CERTIFIED MAIL/RETURN RECEIPT REQUESTED

Dear Mr. Connarton:

The Cambridge land owners listed below oppose the petition submitted by Councilor Francis Duehay relative to the permanent rezoning of the East Cambridge Interim Planning Overlay District Area.

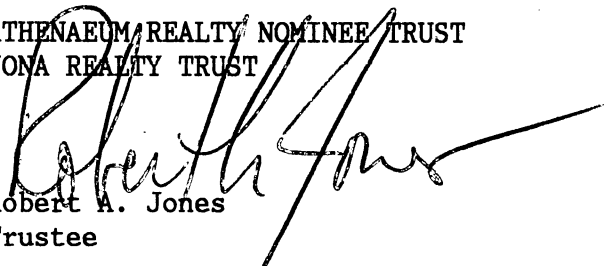
As such, we do hereby respectfully file a written protest pursuant to Chapter 40A, Section 5 of the Massachusetts General Laws. Massachusetts General Laws Chapter 40A, Section 5, states generally that no zoning ordinance can be adopted except by a two-thirds vote of the City Council. For Cambridge, this would mean six (6) councillors. However, the statute further provides that if a written protest is filed prior to final approval of a change to the ordinance, stating the reasons for the protest, signed by the owners of twenty percent (20%) or more of the land proposed to be included in such change, or of the area of the land immediately adjacent extending three hundred feet (300') therefrom, then a three-fourths vote (7 councillors) would be necessary for the ordinance to be enacted. As land owners of real estate which will be affected by the proposed changes, we now so file such a protest.

We do not believe the mandating of housing developments acknowledges the realities of the day, and in fact will work to prevent any development at all.

Please place this written protest into the office records of the City.

Sincerely,

ATHENAEUM REALTY NOMINEE TRUST
JONA REALTY TRUST


Robert A. Jones
Trustee

RAJ:emg

Enclosure



LAND SCHEDULE

**ATHENAEUM REALTY NOMINEE TRUST
JONA REALTY TRUST**

**Cambridge Land Holdings Impacted
by the
Proposed Zoning Petition**

Land parcels located within the Proposed Zoning Petition Area.


<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
195 First Street	Jona Realty Trust	63,829
77 William Linsky Way	Athenaeum Realty Nominee Trust	<u>24,058</u>
<u>SUBTOTAL</u>		<u>87,887</u>

Land parcels located in the immediate area of the Proposed Zoning Petition Area (within 300 feet).

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
215 First Street	Athenaeum Realty Nominee Trust	<u>79,943</u>
<u>SUBTOTAL</u>		<u>79,943</u>

TOTAL AFFECTED LAND HOLDINGS **167,830**

CITY OF CAMBRIDGE
ASSESSING DEPARTMENT
INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk
FROM: Sally Powers, Director of Assessment 
SUBJECT: Written protest to the permanent E. Cambridge Rezoning
Petition
DATE: August 20, 1991

In reply to your memo dated August 20, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.

1991 AUG 22 PM 4:39



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

August 20, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK


SUBJECT: WRITTEN PROTEST TO THE PERMANENT EAST CAMBRIDGE REZONING
PETITION.

Enclosed you will find two copies of the written protest received by this office regarding the permanent rezoning petition for the East Cambridge area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.

CITY OF CAMBRIDGE
ASSESSING DEPARTMENT
INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk
FROM: Sally Powers, Director of Assessment 
SUBJECT: Written protest to the permanent E. Cambridge Rezoning
Petition
DATE: August 20, 1991

In reply to your memo dated August 20, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.

1991 AUG 22 PM 4:39



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

August 20, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON
CITY CLERK

JEL

SUBJECT: WRITTEN PROTEST TO THE PERMANENT EAST CAMBRIDGE REZONING
PETITION.

Enclosed you will find two copies of the written protest received by this office regarding the permanent rezoning petition for the East Cambridge area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.

Canal Realty Trust

1991 AUG 19 AM 9:53

303 BINNEY STREET
CAMBRIDGE, MA 02142
617/492-6400

August 15, 1991

Mr. Joseph E. Connarton, City Clerk
City of Cambridge
City Hall
795 Massachusetts Avenue
Cambridge, Massachusetts 02139

SUBJECT: Planning Board's Refiled Petition to
Permanently Rezone East Cambridge

Dear Mr. Connarton:

Enclosed for filing please find the written protest of Canal Realty Trust, the real estate entity of Metropolitan Pipe & Supply Co., to the refiled petition of the Planning Board for the permanent rezoning of East Cambridge which petition is presently before the Committee on Ordinances of the Cambridge City Council. This is the same petition that was previously filed by the Planning Board, and that was voted down by the City Council on May 20th.

Very truly yours,

CANAL REALTY TRUST



Albert W. Brown, Trustee

AWB/jh
cc: Committee on Ordinances

Canal Realty Trust

1991 AUG 19 AM 9:53

303 BINNEY STREET
CAMBRIDGE, MA 02142
617/492-6400

WRITTEN PROTEST AND STATEMENT OF REASONS
RE: PLANNING BOARD'S REFILED PETITION TO
PERMANENTLY REZONE EAST CAMBRIDGE

The rezoning proposal drastically reduces density and requires residential development in areas previously zoned exclusively for commercial and industrial use. This imposes an unfair burden upon property owners within the areas proposed to be rezoned by destroying the economic incentives to redevelop the commercial and industrial portions of the district. The purported goals of the rezoning, reducing traffic and increasing the stock of affordable housing are in fact not realistically advanced by the rezoning proposal; these interests are more properly addressed by the parking freeze and the linkage program. Instead, incompatible residential use is being proposed in areas where existing commercial and industrial development has long been established and where Cambridge has a unique potential for developing intensive commercial and research and development uses to support its tax base. This proposal is unsound as a matter of city planning and will reduce both the real value and the tax base of the land it downzones. The undersigned oppose this proposal for the following additional reasons:

(1) Little consideration is given to the creation of a sound and thriving commercial zone around the Oakbridge Center properties nor to providing expansion space for the research and development and office growth around Broadway. Nor is much attention given to integrating the existing First Street commercial properties into the renovated Lechmere Riverfront commercial and residential developments. In light of the capital investment, the tax base gains and the potential for creating a critical mass of office, research and development and commercial spaces in these areas, the proposed rezoning is clearly inadequate.

(2) The proposed rezoning will drastically reduce allowable densities from those allowed under the current zoning (in some cases, by 50%.) This reduction is proposed as a solution to traffic concerns, concerns which already are effectively addressed by the Parking Freeze Ordinance passed in November and codified at Chapter 10.16 of the Cambridge Municipal Code. Furthermore, the traffic mitigation package included in the rezoning will appropriately address remaining traffic concerns caused by new development.

(3) The proposed rezoning addresses concerns of the residential portions of the neighborhood but ignores the legitimate concerns of commercial and office property owners and the remaining owners of industrial and light industrial property. No consensus was formed among the Rezoning-Advisory Committee on what uses are most appropriate for East Cambridge. Despite this, the proposed rezoning reorients significant portions of the District to residential use despite the clear lack of a market for new housing, especially given the existing commercial industrial use of the southern half of the District. The rezoning's overlay provisions allowing modest increases in density contingent on building new housing (in addition to housing contributions under the City's linkage system) are in fact illusory.


The undersigned landowners therefore protest the proposed rezoning and call for a 3/4 vote of the City Council pursuant to C. 40A.55.

Name

Address of Property

CANAL REALTY TRUST

by:



Albert W. Brown, Trustee

Fulkerson & Binney

AWB/jh

Albert W. Brown, Trustee

CITY OF CAMBRIDGE
ASSESSING DEPARTMENT
INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk
FROM: Sally Powers, Director of Assessment 
SUBJECT: Written protest - East Camb. Interim Overlay Dist.
Date: July 17, 1991

In reply to your memo dated July 17, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.

1991 JUL 17 PM 4:31



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

JULY 17, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON *JEL*
CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE EAST CAMBRIDGE INTERIM
OVERLAY DISTRICT

Enclosed you will find two copies of the written protest received by this office regarding the rezoning petition for the East Cambridge area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention to this matter will be greatly appreciated.

GADSBY & HANNAH

BOSTON

125 SUMMER STREET
BOSTON, MASSACHUSETTS 02110

(617) 345-7000

TELEFAX: (617) 345-7050

TELEX: 681751Z GADHAN BSN

1747 PENNSYLVANIA AVENUE, N.W.
WASHINGTON, D.C. 20006

(202) 429-9500

TELEFAX: (202) 429-9894

TELEX: 681751Z GADHAN BSN

Direct Line
(617) 345-7041

1991 JUL 15 AM 2:38
July 12, 1991

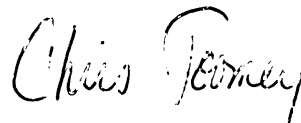
Joseph E. Connarton, City Clerk
Office of the City Clerk
City of Cambridge, City Hall
Cambridge, MA 02139

RE: PROPOSED AMENDMENT TO CAMBRIDGE ZONING ORDINANCE

Dear Mr. Connarton:

This firm represents Joseph J. O'Donnell, the owner of premises situated at 111 Sixth Street, Cambridge, Massachusetts, which premises consists of the entire block bounded by Sixth, Charles, Fulkerson and Bent Streets, Cambridge, Massachusetts. Pursuant to Massachusetts General Laws, chapter 40A, § 5, please allow this letter to serve as written protest by Mr. O'Donnell of the currently pending rezoning proposal for East Cambridge, which proposal was the subject of a hearing before the City of Cambridge Planning Board on July 2, 1991. The reasons for protesting the adoption of the currently pending rezoning proposal is that such proposal would change the zoning classification for Mr. O'Donnell's property, and would make the current use thereof and the improvements thereto non-conforming. Such non-conforming status would have serious adverse legal and financial consequences for our client.

Sincerely,



Patrick C. Toomey

PCT/kdb

cc: Joseph Armstrong, Vice President
Boston Concessions Group, Inc.
111 Sixth Street
Cambridge, MA 02140

Joseph J. O'Donnell, President
Boston Concessions Group, Inc.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

August 12, 1991

Mr. Russell B. Higley
City Solicitor
City Hall
Cambridge, MA 02139

Dear Sir:

Enclosed you will find a copy of a proposed amendment to the Municipal Code regarding the membership of the Health Policy Board which was passed to a second reading at the City Council meeting held on August 7, 1991.

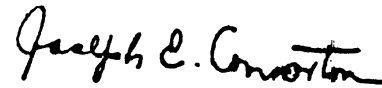
Enclosed also you will find copies of three proposed amendments to the Zoning Ordinances of the City of Cambridge which were also passed to a second reading at the City Council meeting held on August 7, 1991 as follows:

1. Cambridgeport Overlay District
2. South Cambridgeport
3. East Cambridge Overlay District

Would you kindly review these amendments and indicate your approval or disapproval on the bottom and return to this office.

Your kind attention in this matter will be greatly appreciated.

Sincerely yours,

A handwritten signature in cursive script that reads "Joseph E. Connorton".

Joseph E. Connorton
City Clerk

JEC/dl

Encs. First publication numbers 2548, 2547, 2549 & 2550.

c.c. Councillor Duehay, Chairman, Committee on Ordinances
Joseph Cellucci, Inspectional Services Commissioner
Birge Albright, Law Dept.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

In amendment to an ordinance entitled the "Cambridge Municipal Code."

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

That section 2.72.010 of the Cambridge Municipal Code, dealing with the Cambridge Health Policy Board, is hereby amended by striking out the word "fifteen" and substituting therefor the word "eighteen", so that the section shall read as follows:

2.72.010 Established - Composition

There shall be a Cambridge Health Policy Board consisting of eighteen members, which number may be altered by an amendment to the ordinance codified in this chapter by the City Council. (Ord. 896 (part), 1978: prior code Ch. 11, § 11 - 4 (a))

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.500 - Cambridgeport Overlay Districts A, B, and C; 17.50 - Special District V; 17.60 - Special District VI; 17.70 - Special District VII; 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; and to amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C-1, Residence C, Industry A-1, Business B, the new Special Districts V, VI, and VII, and the Cambridgeport Overlay Districts A, B, and C and the Central Square Overlay District in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE: Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning Ordinance may be examined and obtained at the City Clerk's office during the office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting of the second publication.

ATTEST:- Joseph E. Connarton, City Clerk.

Business B/
Central Square Overlay District

Special District VII

Special District VI

Residence C-1/
Cambridgeport Overlay District A

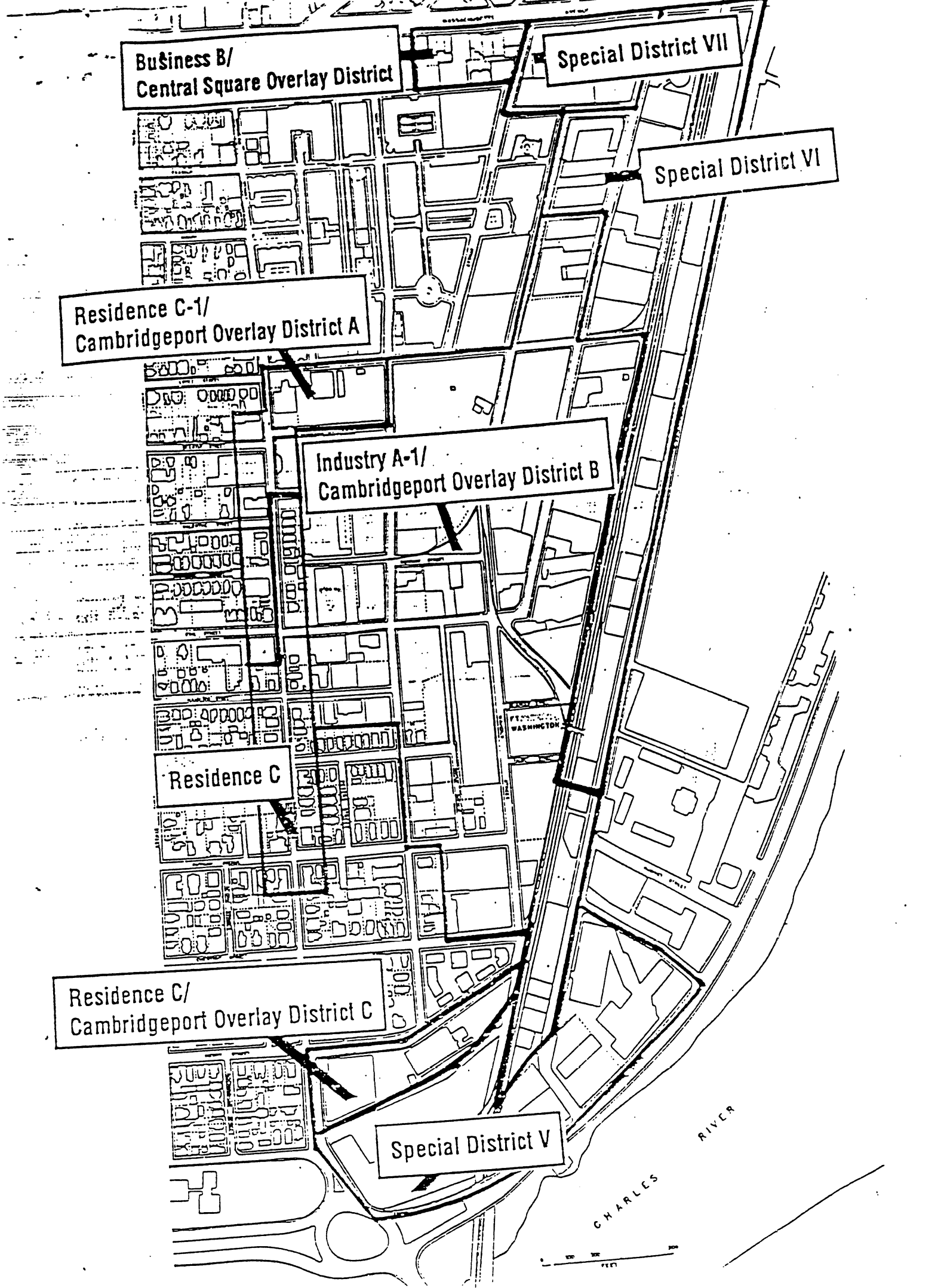
Industry A-1/
Cambridgeport Overlay District B

Residence C

Residence C/
Cambridgeport Overlay District C

Special District V

CHARLES RIVER





City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the Zoning Ordinances of the City of Cambridge by creating a new Section 8.26(a) and (b), Non-Conformity; creating a new zoning district, Industrial B-3, Light Industry and Light Manufacturing; creating new sections South Cambridgeport Affordable Housing Overlay District, South Cambridgeport Open Space Overlay District, Cambridgeport Development Review, 17.50 - Special District V, 17.60 - Special District VI, 17.70 - Special District VII, 17.80 - Special District VIII, 18.10 - Traffic Mitigation Measures, 18.20 - Construction Management Program; and by amending the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the Cambridgeport Interim Planning Overlay District and replacing them with Residence C, Business A, the new zoning district Industrial B-3, the new Special Districts V, VI, VII, and VIII, the South Cambridgeport Affordable Housing Overlay District, the South Cambridgeport Open Space Overlay District, and the Cambridgeport Development Review in that area generally bounded by Brookline and Vassar Streets, Massachusetts Avenue and Memorial Drive as shown on the accompanying map. The petition would replace the Cambridgeport Interim Planning Overlay District in its entirety.

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

ATTEST:- Joseph E. Connarton, City Clerk.

NOTE:

Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

Business A

Special District VII

Special District VI
South Cambridgeport Open Space
Overlay District*

Industry B-3

Residence C
South Cambridgeport Affordable
Housing Overlay District*

FT. WASHINGTON

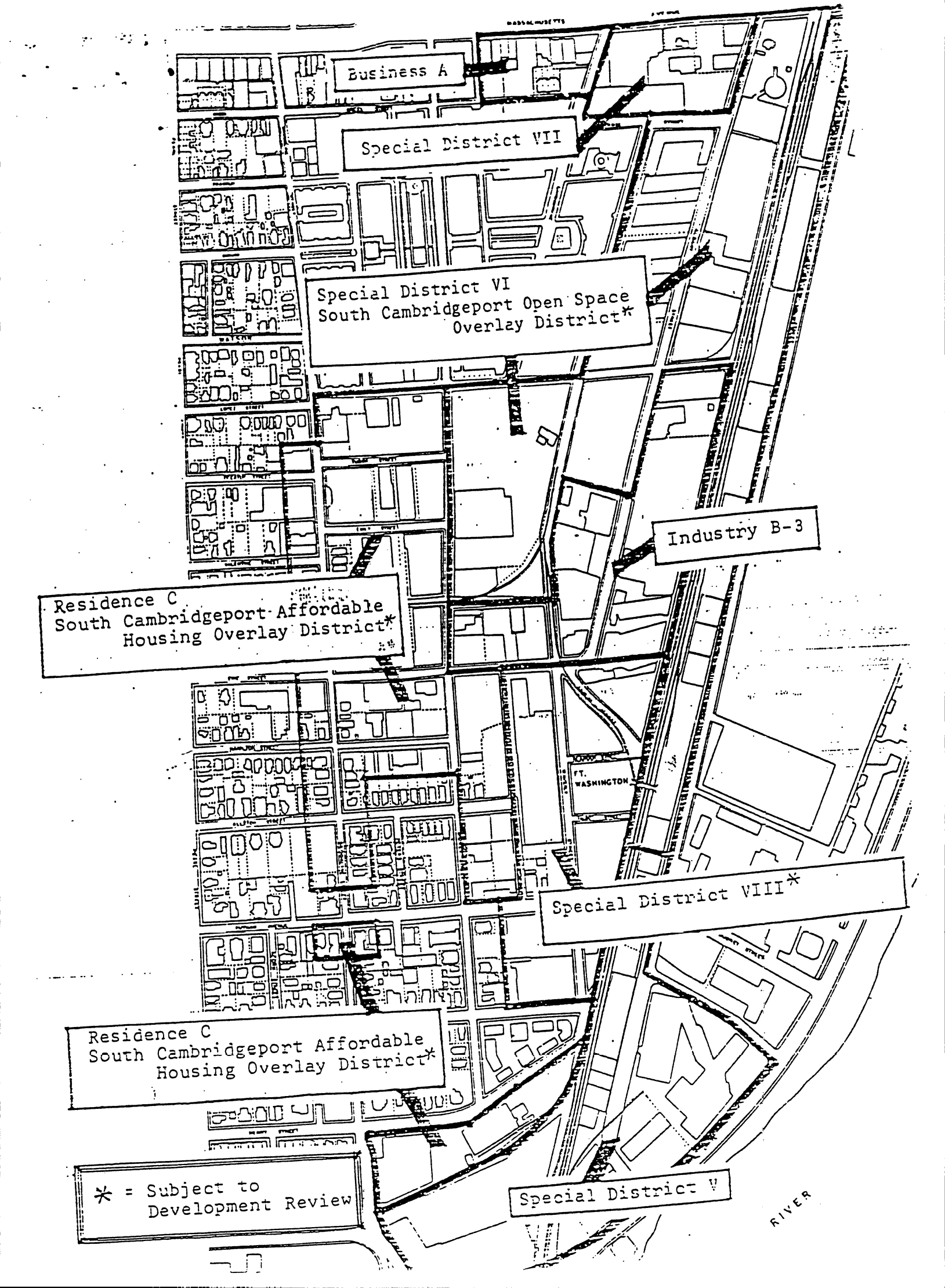
Special District VIII*

Residence C
South Cambridgeport Affordable
Housing Overlay District*

* = Subject to
Development Review

Special District V

RIVER





City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

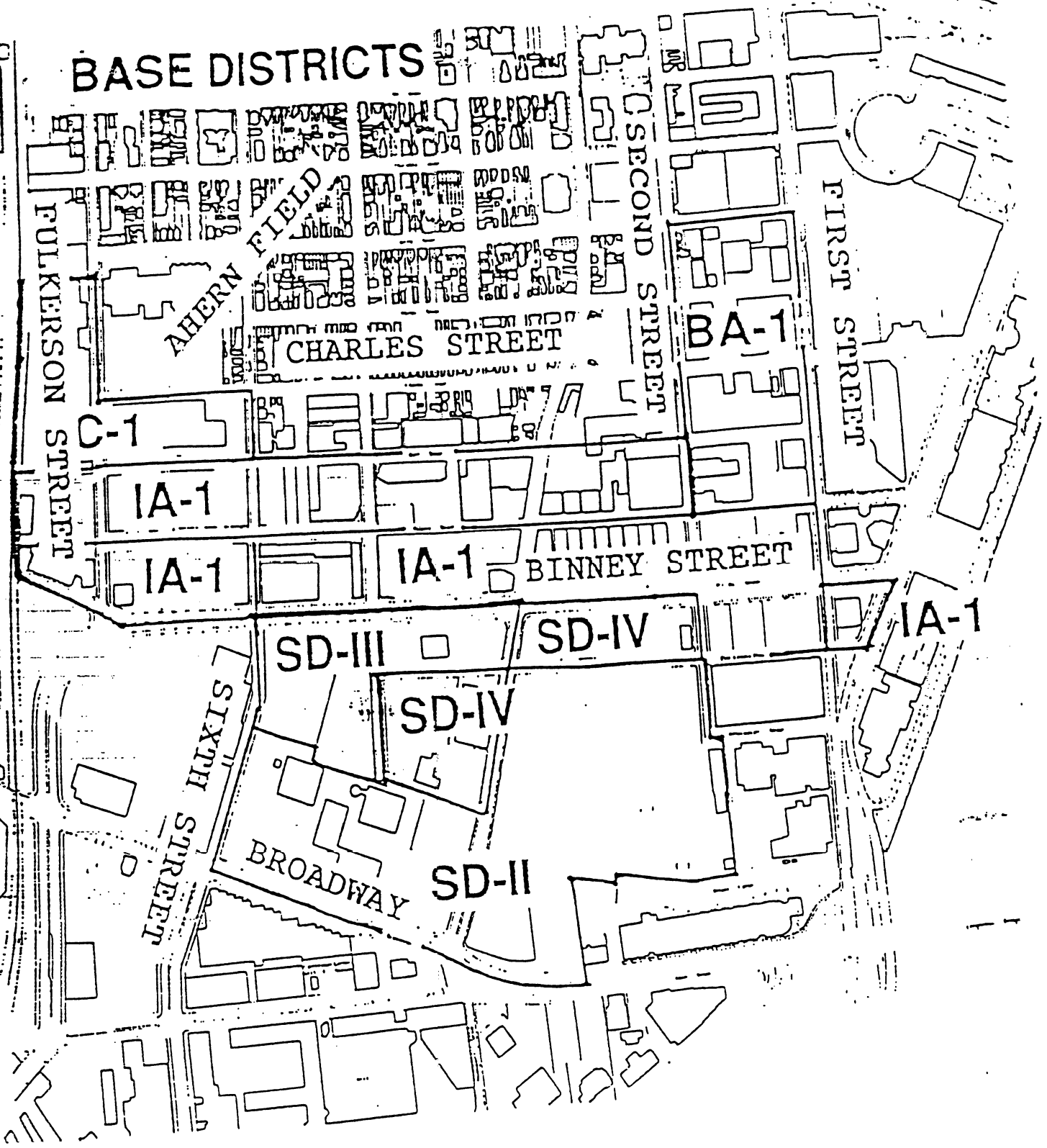
ATTEST:- Joseph E. Connarton, City Clerk.

NOTE:

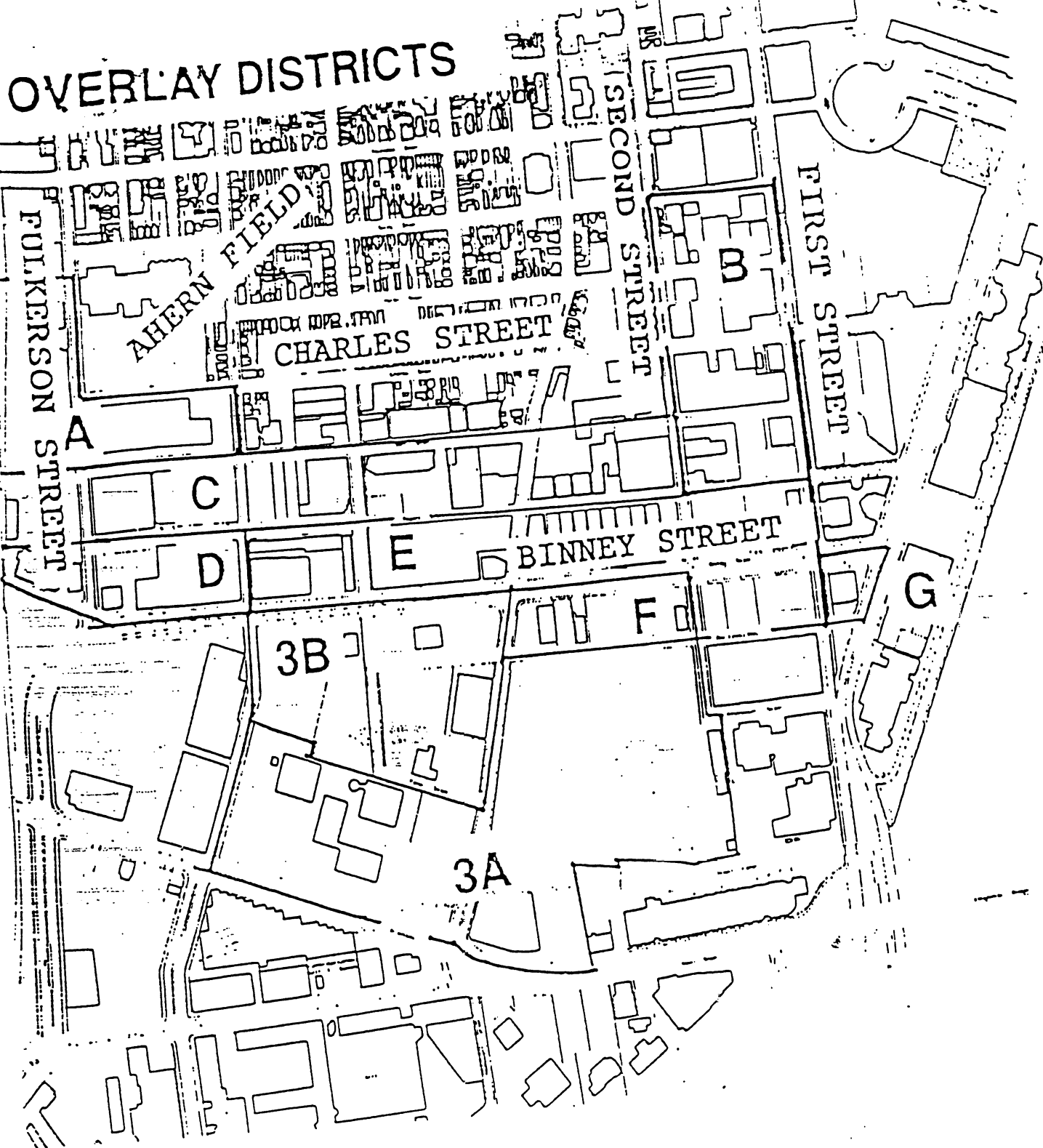
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ATTEST:- Joseph E. Connarton, City Clerk

BASE DISTRICTS



OVERLAY DISTRICTS



FUIKERSON STREET

AHERN FIELD

CHARLES STREET

SECOND STREET

FIRST STREET

BINNEY STREET

A

C

D

E

F

G

3B

3A



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Eusiness A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

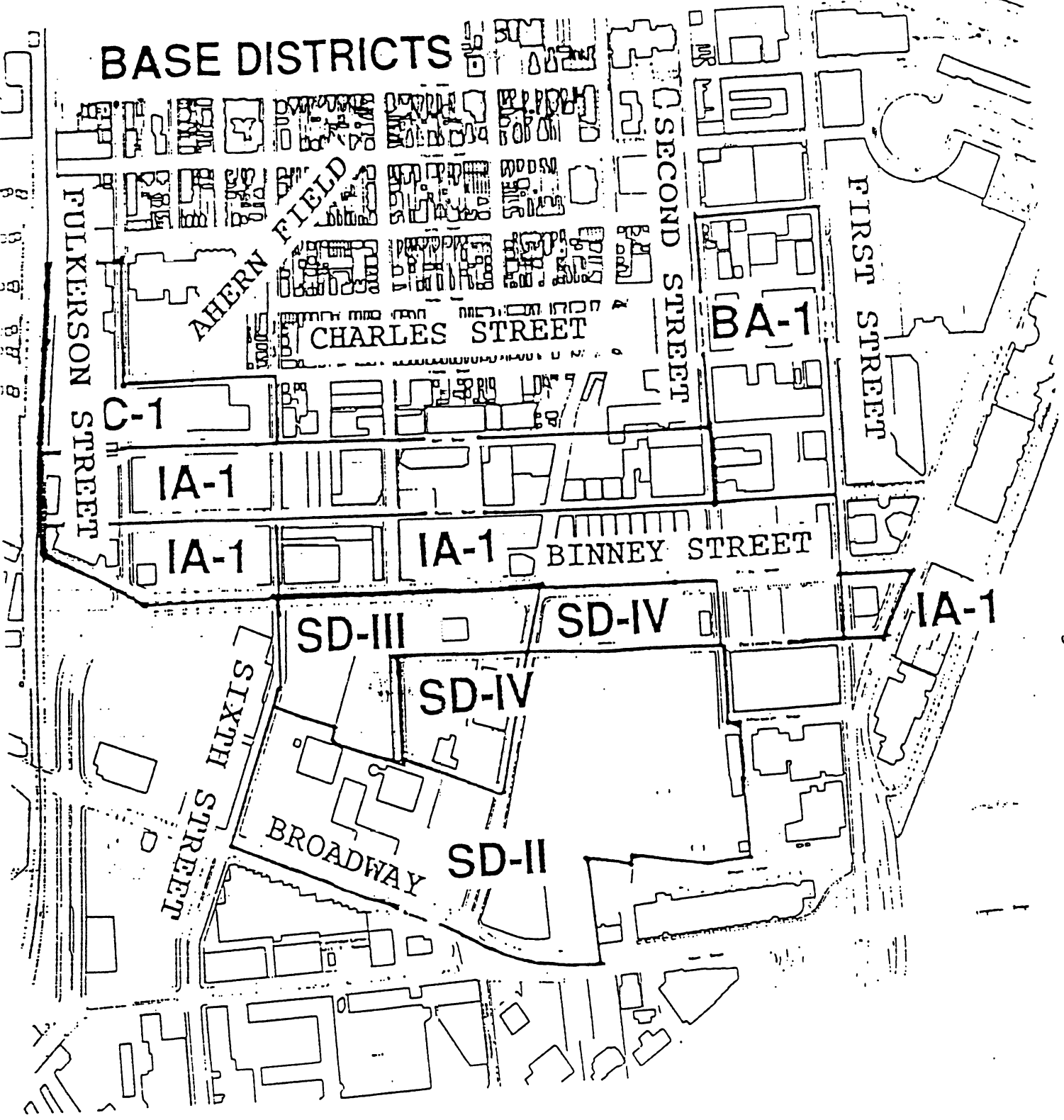
ATTEST:- Joseph E. Connarton, City Clerk.

NOTE:

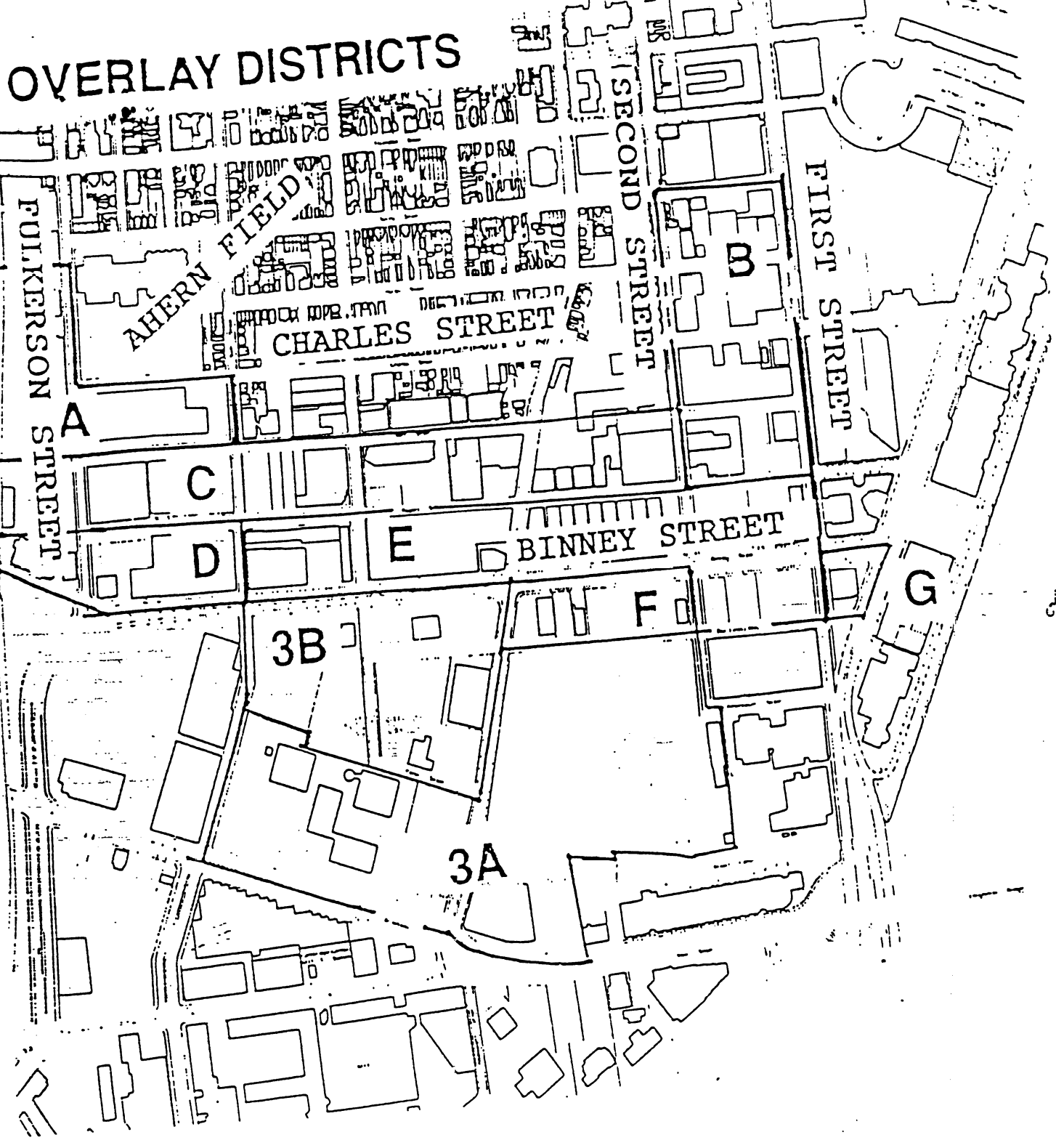
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ATTEST:- Joseph E. Connarton, City Clerk

BASE DISTRICTS



OVERLAY DISTRICTS





City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

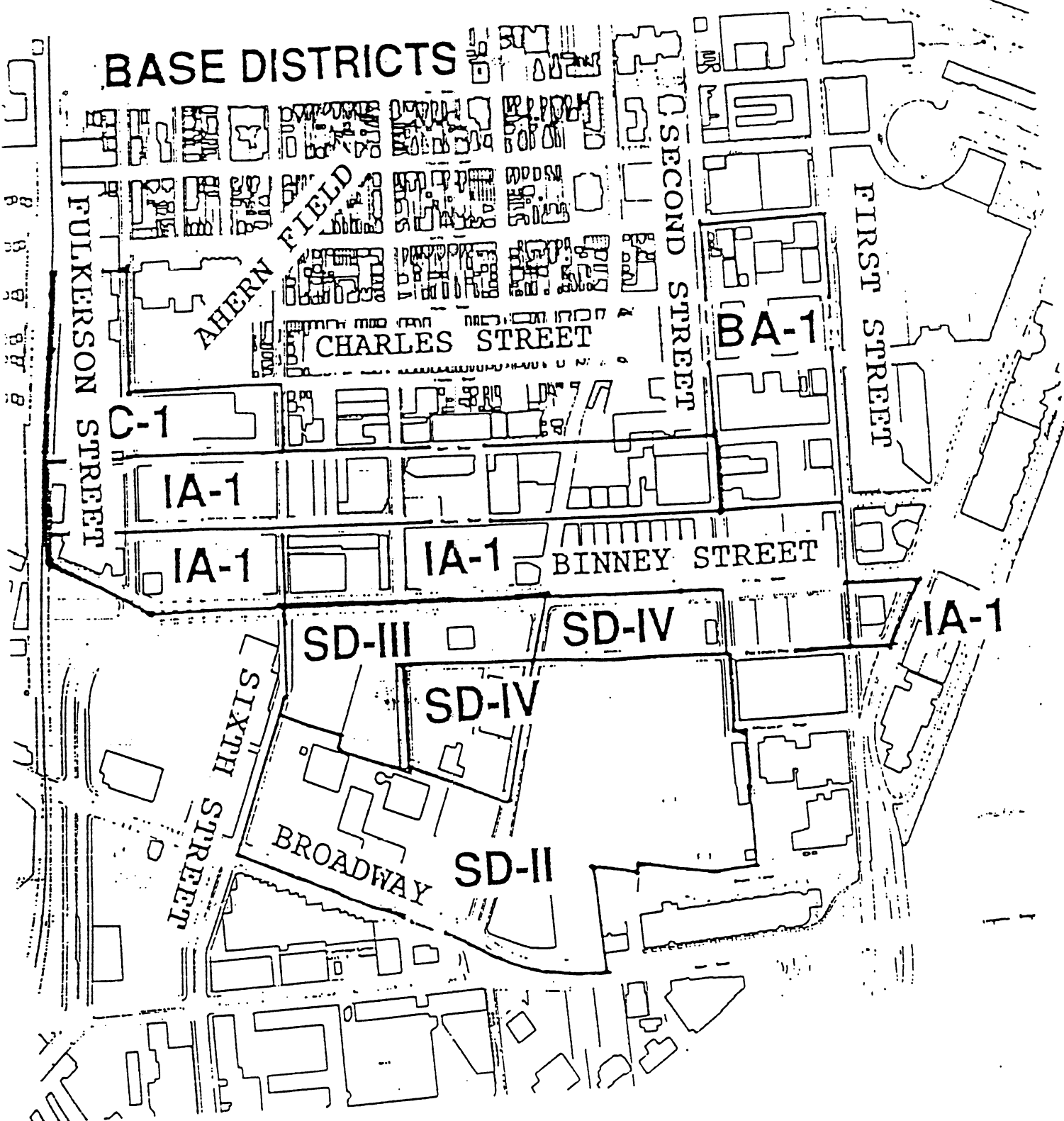
ATTEST:- Joseph E. Connarton, City Clerk.

NOTE:

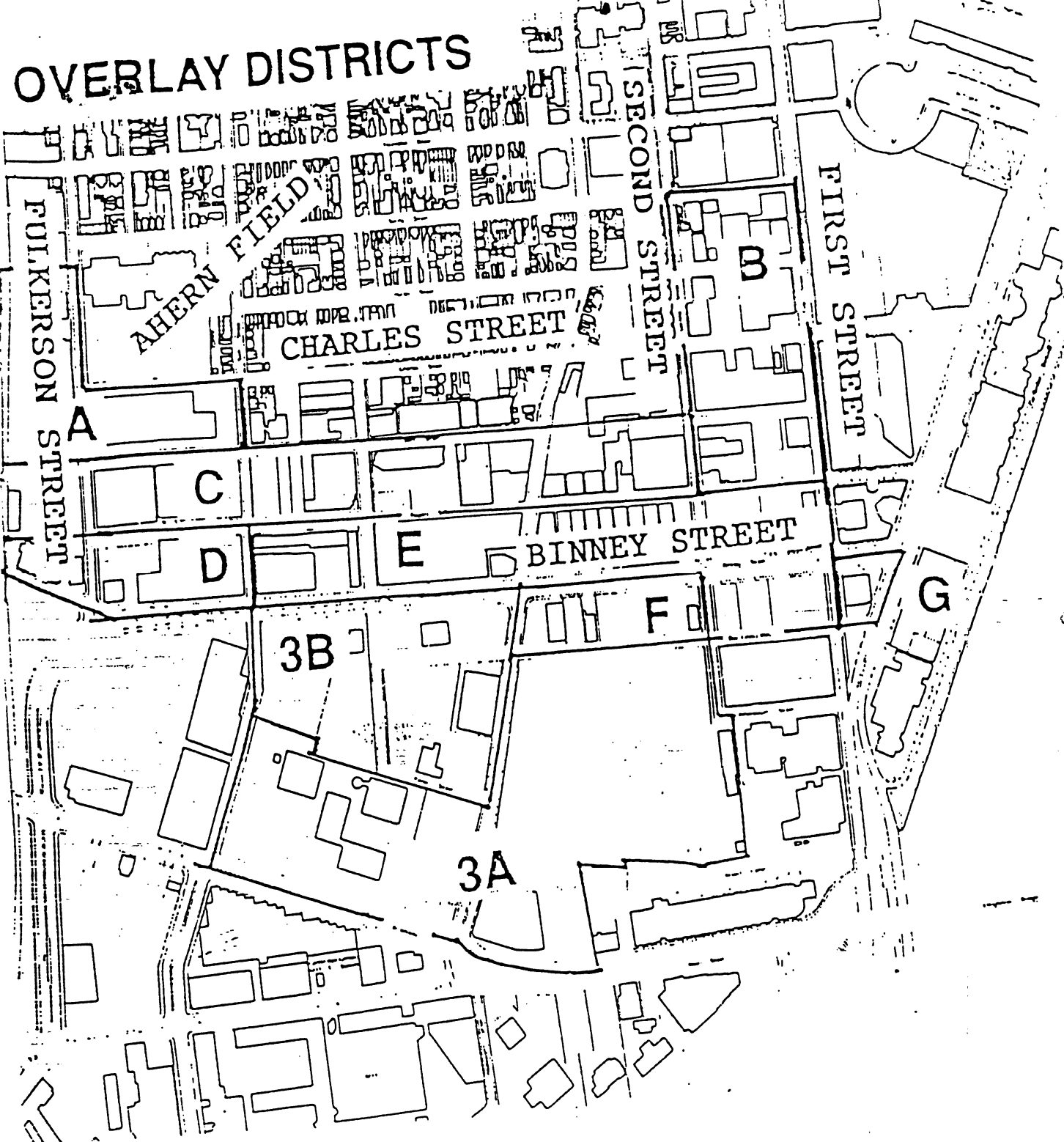
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ATTEST:- Joseph E. Connarton, City Clerk

BASE DISTRICTS



OVERLAY DISTRICTS





City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

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

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Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

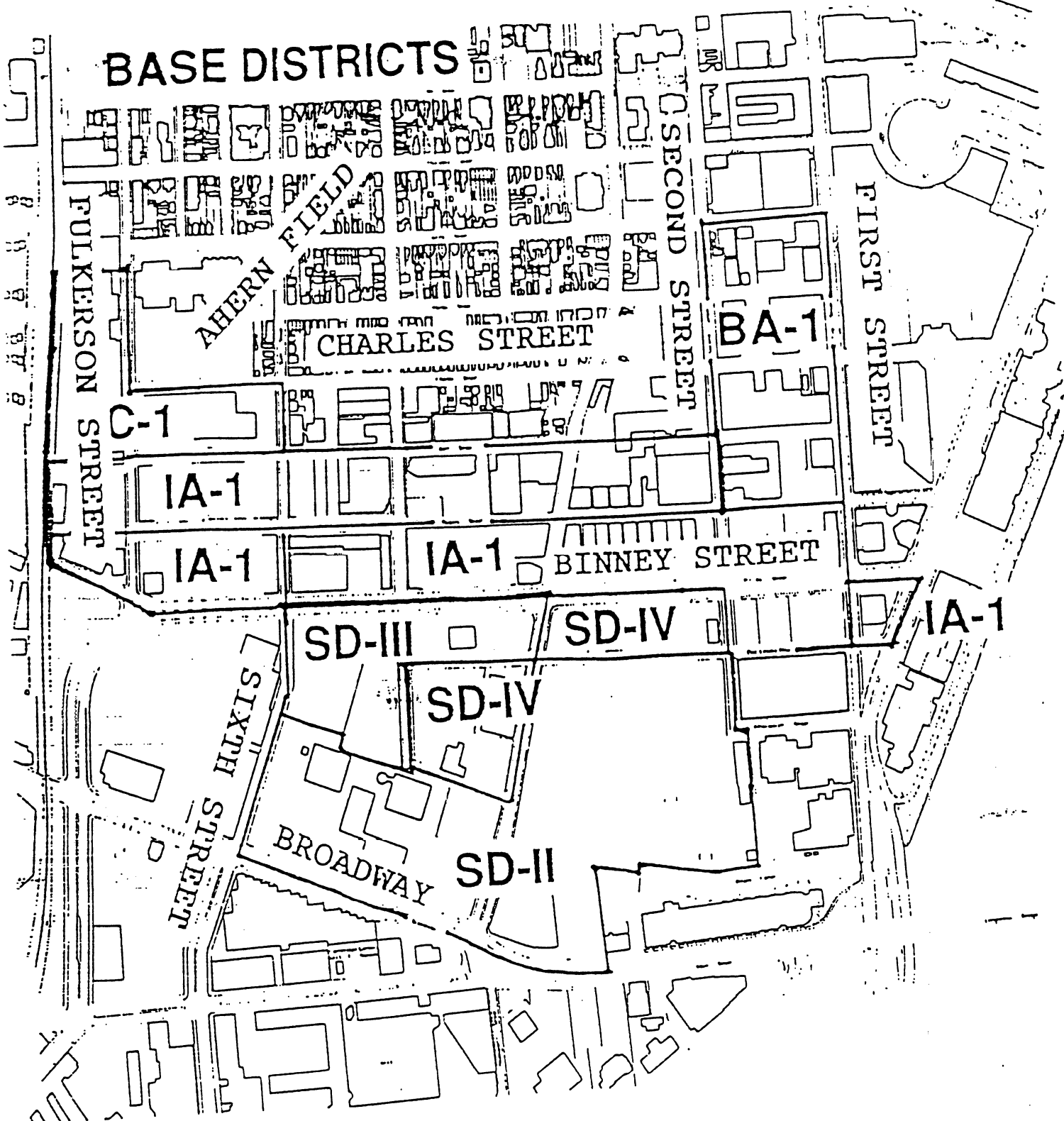
ATTEST:- Joseph E. Connarton, City Clerk.

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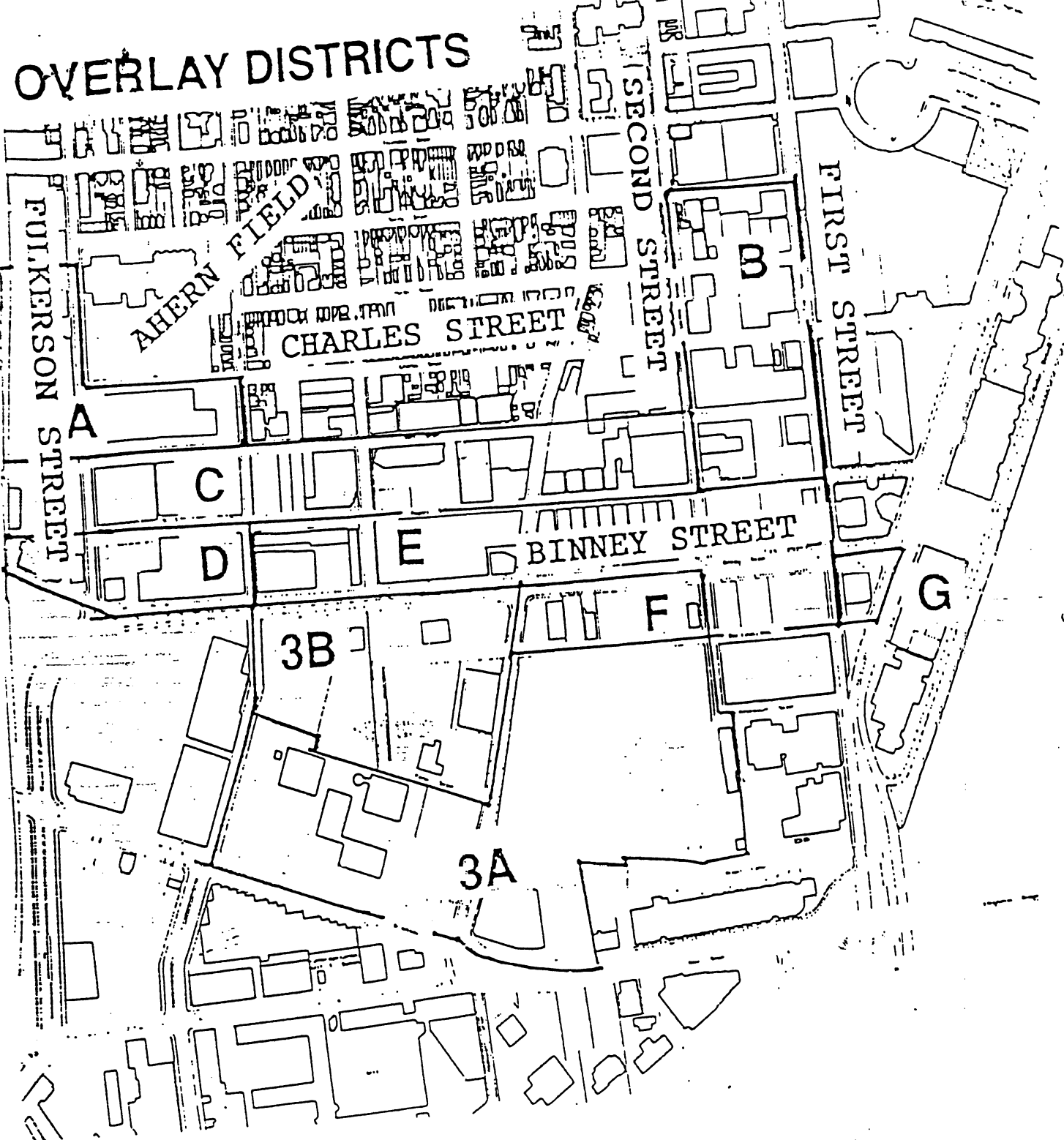
ATTEST:- Joseph E. Connarton, City Clerk

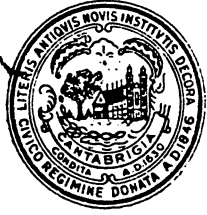
BASE DISTRICTS



City

OVERLAY DISTRICTS





City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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Passed to a second reading at the City Council meeting held on August 7, 1991 and on or after August 26, 1991 the question comes on passing to be ordained.

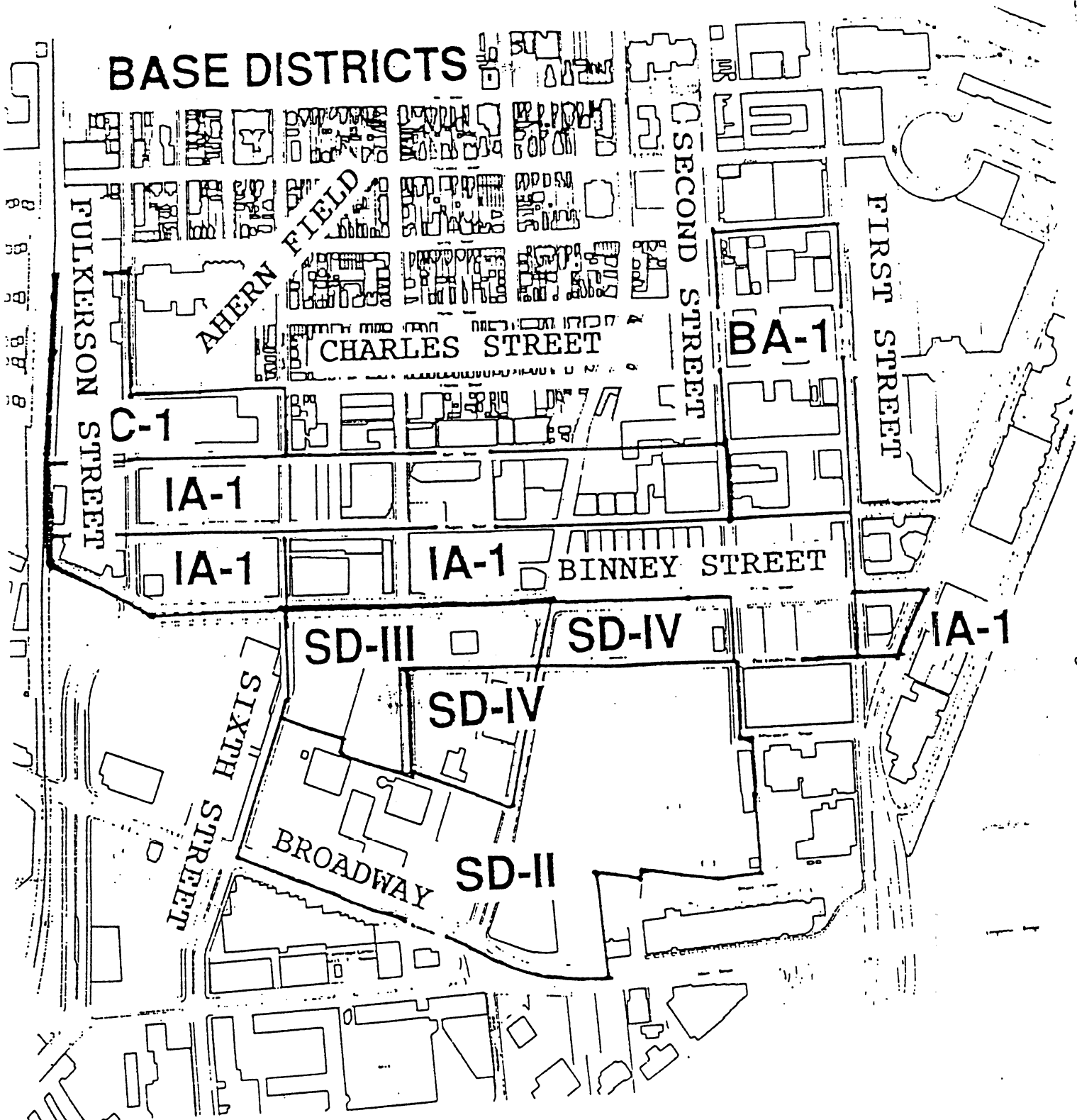
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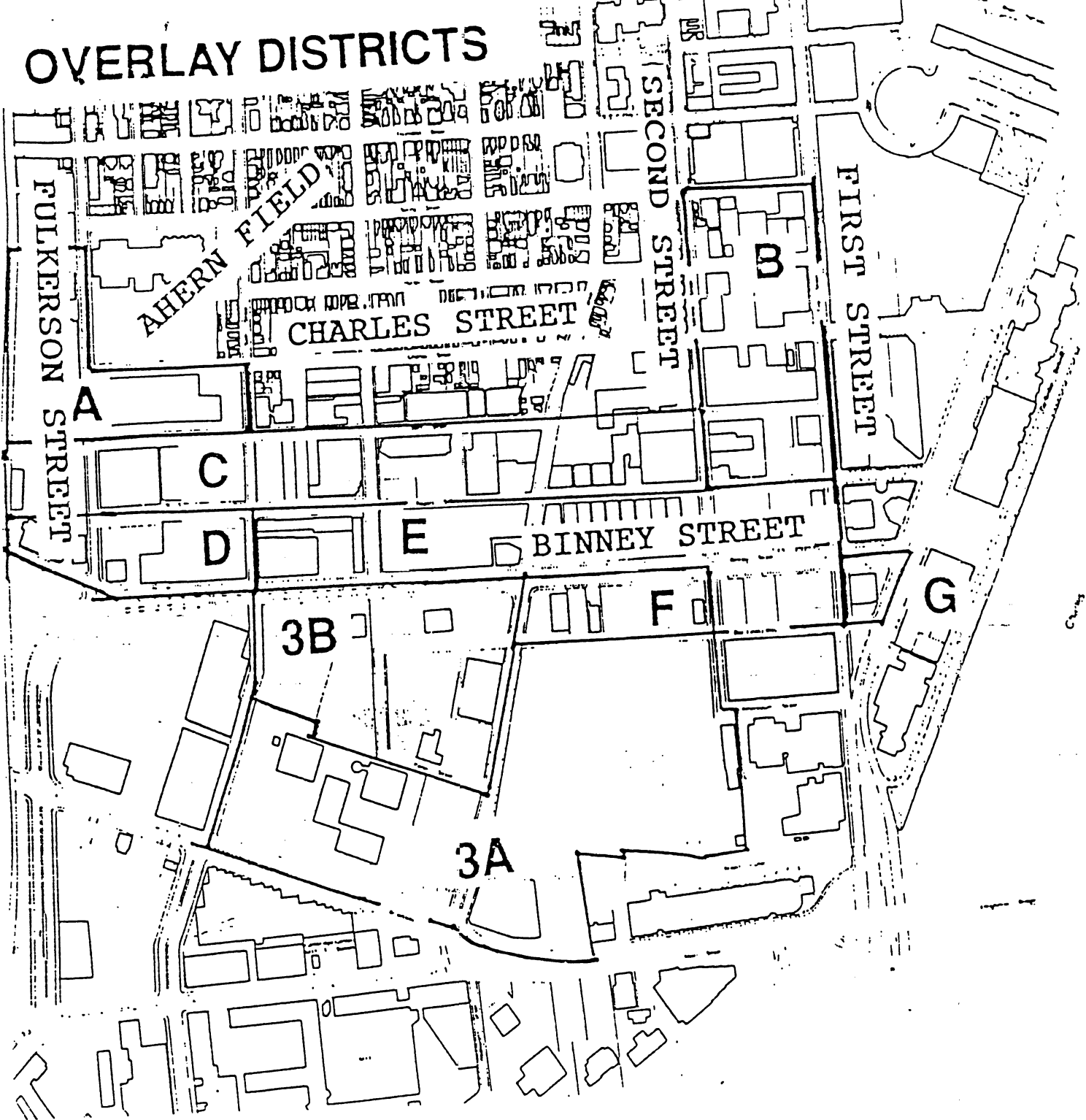
ATTEST:- Joseph E. Connarton, City Clerk

BASE DISTRICTS



City

OVERLAY DISTRICTS





New England Telephone

A **NYNEX** Company

510 Turnpike Street
N. Andover, Massachusetts 01845
Phone (508) 691-4750
Fax (508) 686-7890

M. D. Marchlik
Director of Operations
Real Estate Management

July 22, 1991

City of Cambridge Planning Board
City Hall Annex
57 Inman Street
Cambridge, MA 02139

Attention: Mr. Paul Dietrich

Re: Proposed Zoning Amendment, East Cambridge Overlay
Districts

Dear Sir:

We were recently advised that a proposal to revise the zoning requirements applicable to our building at 210 Bent Street, Cambridge is being studied. As a substantial member of the Kendall Square Community and as a major investor in the redevelopment area, we feel that our views on the proposed amendment are significant.

The New England Telephone and Telegraph Company's Bent Street building currently stands 140' tall and has an F.A.R. of 1.23. The existing foundation and structure were framed for an additional five stories. If they were built, the total building height would be 227' and the F.A.R. would be approximately 2.27. Both of these parameters exceed the proposed standards.

Given these conditions, we believe that the following points argue against implementation of the proposed zoning bylaw amendment.

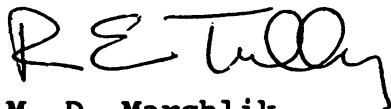
New England Telephone Company has invested in excess of \$10 Million of capital in land and building improvements at this site. A portion of these monies was expended on additional foundation and structural requirements which would allow the building to grow to its full potential. If we were prevented from reaching this potential, there would be a substantial financial loss to the Company in that this investment would have been made for no purpose.

New England Telephone Company built the 210 Bent Street building in good faith. At the time the building was constructed the City of Cambridge was planning dense, high-rise development of the Kendall Square area. The Telephone Company chose the Bent Street site, in part, in an effort to assist the City with the redevelopment plans, and our building and our plans for future growth reflected those plans. It seems unfair to penalize the Telephone Company for its efforts to be a good corporate citizen.

We therefore recommend that the New England Telephone Company site at 210 Bent Street be exempt from the proposed zoning changes.

Thank you for your thoughtful consideration of the situation. We hope that you will agree with us that a more realistic and less economically burdensome plan can be constructed which will meet the needs of both the residential and business communities in the area. If you should need to discuss this matter in more detail, please contact me or Mr. Robert E. Tully on 508-691-4730.

Very truly yours,



M. D. Marchlik
for Director of Operations - Real Estate

cc: Cambridge City Council



New England Telephone

A **NYNEX** Company

510 Turnpike Street
N. Andover, Massachusetts 01845
Phone (508) 691-4750
Fax (508) 686-7890

M. D. Marchlik
Director of Operations
Real Estate Management

RECEIVED

JUL 22 1991

Ans'd.....

July 22, 1991

Cambridge City Council
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Attention: Councilor Francis H. Duehay, Chairman

Re: Proposed Zoning Amendment, East Cambridge Overlay
Districts

Dear Sir:

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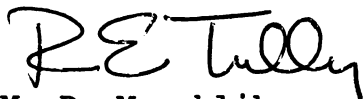
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Thank you for your thoughtful consideration of the situation. We hope that you will agree with us that a more realistic and less economically burdensome plan can be constructed which will meet the needs of both the residential and business communities in the area. If you should need to discuss this matter in more detail, please contact me or Mr. Robert E. Tully on 508-691-4730.

Very truly yours,



for M. D. Marchlik
Director of Operations - Real Estate

cc: City of Cambridge Planning Board

CONSENT COMM. # 48

Comm. from M.D. Marchlik, Director of Operations, New England Telephone, requesting an exemption from the East Cambridge Overlay Districts.

In City Council,

August 7, 1991

*Referred to the
petition*



CITY OF CAMBRIDGE

Office of the City Solicitor
City Hall

795 Massachusetts Avenue
Cambridge, Massachusetts 02139

Tel. (617) 349-4121
Fax. (617) 349-4307

Russell B. Higley
City Solicitor

Donald A. Drisdell
Deputy City Solicitor

Michael C. Costello
Assistant City Solicitor

Birge Albright
Legal Counsel

Gail S. Gabriel
Legal Counsel

Joseph M. Kaigler
Legal Counsel

Diane Wynshaw-Boris
Legal Counsel

Laura H. Yager
Legal Counsel

July 24, 1991

Joseph E. Connarton
City Clerk
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: *East Cambridge Rezoning Petition*

Dear Mr. Connarton:

I have received documentation from you indicating that Councillor Duehay, as Chairman of the City Council Committee on Ordinances, has asked that you seek advice from the City Solicitor's office regarding the adequacy of notice for the Planning Board and City Council hearings on the above-referenced proposed zoning amendment. I understand that a landowner in the affected district has questioned the validity of newspaper advertisements providing notice of the public hearings on the petition. Specifically, the landowner questions the validity because the notice refers to a petition to replace the "East Cambridge Interim Planning Overlay District", when in fact that interim overlay provision of the Zoning Ordinance had expired before the newspaper notice was published.

Chapter 40A of the General Laws (the Zoning Act) requires notice of the Planning Board and City Council hearings, including the time and place of the hearing, subject matter sufficient for identification, and place or places where the proposed text or map amendment may be examined. Section 5 of the Zoning Act has, since 1975, provided that no defect in the form of notice shall invalidate any zoning ordinance unless the defect is found to be "misleading".

The advertisement in question with regard to both the Planning Board and the City council hearings provides in relevant part as follows:

[The Planning Board] [The Committee on Ordinances of the City Council] will hold a public hearing on [respective dates, in respective location] on a petition by the Planning Board, to amend the text of the Zoning Ordinance of the City of Cambridge by creating new sections 11.400 - East Cambridge Overlay Districts, 13.80 - PUD 3A, 13.90 - PUD 3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III, and IV, the zoning map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and FUD 3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge Massachusetts. [Questions concerning the petition may be addressed to Lester Barber or Liza Malenfant at 349-4600.] [bracketed section appears only in Planning Board notice].

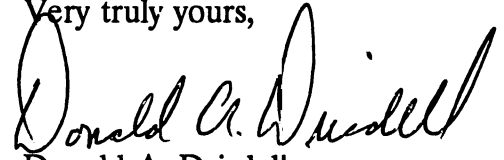
The specific question raised by the landowner at the hearing before the Committee on Ordinances was whether the notice was valid since the East Cambridge Planning Overlay

District, referred to in the notice as being replaced, had expired prior to the notice. As stated earlier, the courts will review any challenged notice to determine if it had been "misleading". The East Cambridge Planning Overlay District referred to in the notice did in fact cease to be effective prior to the first advertisement of the Planning Board, but the provisions of that overlay district remain a part of the Zoning Ordinance until they are officially deleted. The current petition in fact provides for the deletion of the East Cambridge Planning Overlay District.

Given the fact that the East Cambridge Planning Overlay District text and map are still physically a part of the Zoning Ordinance, it is my opinion that the notice provides sufficient identification of the subject matter of the petition to satisfy the requirements of the Zoning Act. There does not appear to be anything misleading about the notice. In fact, the planning effort that has transpired for the past several years with regard to East Cambridge has been controversial and well known. The landowner who has questioned the adequacy of the notice has been an active participant in the long process and evidently was able to determine that it should attend the City Council hearing on this petition, which suggests the effectiveness of the notice. Furthermore, the availability of the petition itself at the City Clerk's office was well advertised, and the Planning Board notice included the telephone number of staff persons to answer any questions a citizen might have regarding the proposal. The notices clearly alerted any landowners in East Cambridge that the Planning Board was proposing East Cambridge Overlay Districts. A landowner with any question as to the effect of such a proposal on their land could call the identified staff persons or go to the City Clerk's office to examine the full petition.

In my opinion the notices sufficiently identified the subject matter of the petition and were not misleading, and therefore satisfied the requirements of the Zoning Act.

Very truly yours,



Donald A. Drisdell
Deputy City Solicitor

2.

**COMMUNICATIONS & REPORTS
FROM CITY OFFICERS**

Comm. from Joseph E. Connarton, City Clerk,
transmitting reponse from Donald A. Drisdell,
Deputy City Solicitor, regarding the
validity of the public hearing notice
for the Permanent East Cambridge Zoning
petition.

In City Council,

August 7, 1991

*Referred to the
petition*

- B. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.400 East Cambridge Overlay Districts as follows:

11.400 East Cambridge Overlay Districts A - G

11.401 ESTABLISHMENT AND SCOPE There are hereby established the East Cambridge Overlay Districts A-G which shall be governed by the regulations and procedures specified in this Section 11.400. It is the intent of this section that these regulations shall apply to a single area described generally as the area abutting the East Cambridge residential neighborhood, the East Cambridge Riverfront and the Kendall Square Development Area.

11.402 GENERAL PURPOSE It is the purpose of this Section 11.400 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area as pointed out in the East Cambridge Neighborhood Study, Fall 1988. The Overlay Districts are intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study and the work of the East Cambridge Rezoning Advisory Committee.

11.403 APPLICABILITY The East Cambridge Overlay Districts shall be Overlay Districts on the Zoning Map established by Section 3.20.

11.403.1 The use of land within said districts shall be controlled by the pertinent regulations in the base zoning districts except as modified by the requirements of this Section 11.400 which shall apply in addition to the regulations imposed by the base zoning map designation.

11.404 GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS

11.404.1 The East Cambridge Overlay Districts shall be considered areas of special planning concern. Development proposals listed in Subsection 11.42, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 11.40.

11.404.2 Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication East Cambridge Overlay Districts

Development Guidelines, Community Development Department, 1991, in addition to the requirements of Sections 10.30 (variances) and 10.40 (Special Permits) and this Section 11.400. These guidelines are also intended to assist in shaping any contemplated physical change within the East Cambridge Overlay Districts.

11.404.3 National Register and Contributing Buildings
For the purpose of this Section 11.400 the following definitions shall apply:

- a. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
- b. A contributing building shall be
 - (1) Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - (2) A building located outside a National Register District but identified as a contributing building in the East Cambridge Overlay Districts Design Guidelines. However, a building shall no longer be considered a contributing building as defined in this Subsection 11.403 (b) for the purpose of this Section 11.400 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

11.404.4 East Cambridge Advisory Committee. There shall be established an East Cambridge Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.

- a. Purpose. It is the intent of this Subsection 11.404.4 that the Committee in its official actions fulfill the following purposes.
 - (1) To establish a formal, ongoing body that will review all major development actions in the East Cambridge Overlay Districts.
 - (2) To provide a forum within which a wide range of perspectives on development actions can be heard.

(3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development and urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the East Cambridge Overlay Districts.

b. Responsibilities. The Committee shall undertake all Large Project Reviews and shall receive all applications for variances and special permits for activities within East Cambridge Overlay Districts for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations.

c. Procedures.

(1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the East Cambridge Overlay Districts, the graphic and other material required in Section 11.45 - Large Project Submittal Requirements shall be submitted to the East Cambridge Advisory Committee for their review and comment.

(2) Within thirty (30) days of that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project.

(3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might help to shape the project to better serve these objectives.

(4) The report shall be forwarded to the

applicant and shall be included in any application for a building permit, special permit or variance.

- (5) It is expected that, in making decisions regarding special permits and variances within the Overlay Districts, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.
 - (6) The Community Development staff shall serve as staff to the Committee.
- d. (1) Membership. Members in all categories shall be Cambridge residents or business persons or landowners within the Overlay Districts.
- (a.) One member having recognized qualifications as architect or landscaped architect who shall also serve as chair of the Committee.
 - (b.) Three (3) members representing the business community in East Cambridge Overlay Districts.
 - (c.) Three (3) members representing residents of the East Cambridge neighborhood.
- (2) Terms. Committee members shall be appointed for terms of three (3) years each.

11.405 DETAILED PROVISIONS APPLICABLE TO ALL DISTRICTS

11.405.1 Uses The buildings and land uses within the East Cambridge Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except that a parking lot or parking garage for private passenger cars, Section 4.32 b (automobile parking lot or parking garage for private passenger cars) is prohibited.

11.405.2 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

11.405.21 Minimum Parking Requirement The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for

any use in the District, except that for residential

uses, Section 4.31 a-h (Residential Uses), one parking space shall be required for each dwelling unit.

11.405.22 **Maximum Parking** The maximum parking permitted for uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h (Residential Uses), there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 11.405.2 provided the authorized number of parking spaces does not exceed that number which would be permitted on the lot if the maximum parking ratio were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

11.405.23 **No special permit shall be issued in any East Cambridge Overlay District which permits the total number of parking spaces on a lot to exceed that permitted in this Section 11.405.22 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000, at the time of the granting of the special permit in the applicable zoning district in Article 6.000 for uses not located on the lot,**

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 11.405.22.

11.405.3 **Yard Requirements** A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.

11.405.31 **Restrictions in Required or Provided Front Yard Setbacks** That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an

expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.405.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot except as provided in Section 11.405.32 below. For all other streets the provisions of this subsection 11.405.31 shall apply only to the required front yard setback.

11.405.32 First Street, Binney Street, Third Street and Sixth Street shall always be considered principal streets. Any lot abutting one or more of these streets shall be required to conform to the setback restrictions which apply to principal streets for each one of these streets that the lot abuts.

11.405.4 Transfer of Development Rights Notwithstanding the limitations imposed by the definition of lot in Article 2.000 the Planning Board may allow by special permit the transfer of part or all of the permitted gross floor area on one lot (donating lot) to one or more other lots (receiving lots), all held in common ownership, anywhere within the East Cambridge Overlay Districts, without regard to the FAR limitations normally applicable to the receiving lot(s); all other dimensional limitations applicable to the receiving lot(s) shall continue to apply. An additional transfer of development potential may be permitted by Special Permit from the Planning Board between lots not held in common ownership, only for the purpose of construction of the residential development required to be built in order to secure a special permit for additional FAR as provided in Section 11.406.21; and further provided that the transfer may be permitted only if the total number of units or gross floor area on the receiving lot is increased by no more than ten (10) percent above that which would otherwise be permitted by the zoning applicable to the lot(s).

11.405.41 In granting a special permit under this Section 11.405.4 the Planning Board shall consider the following.

a. The transfer results in a superior site

development, and

- b. the density of development is reduced at locations close to the existing residential neighborhood, existing residential uses, public parks or architecturally or historically significant buildings.
- c. A significant amount of publicly accessible open space is created.
- d. Housing development is made more feasible through development of a critical mass of residential use.
- e. Parking facilities are more logically located to reduce traffic impacts on residential streets, better designed, and/or generally less visually intrusive over a larger area than might otherwise be the case.
- f. The transfer facilitates preservation of an architecturally or historically significant building or facilitates the creation of a lot suitable for residential use.
- g. The transfer facilitates the creation or retention of light manufacturing space, particularly space suitable for start up or incubator enterprises.
- h. The transfer assists in improving the visual appearance and/or operation of an existing industrial facility through renovations and site improvements.
- i. Affordable housing units are created beyond that which would otherwise be required.

11.406 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS

11.406.1 Height Limitations. The permitted height shall be increased or further restricted as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets. Any height exceeding forty-five (45) feet may be permitted only after issuance of a special permit from the Planning Board.

(a.) In District A the maximum height shall be sixty (60) feet except as further limited by heights illustrated in Figure I.

(b.) In District B the maximum height shall be sixty

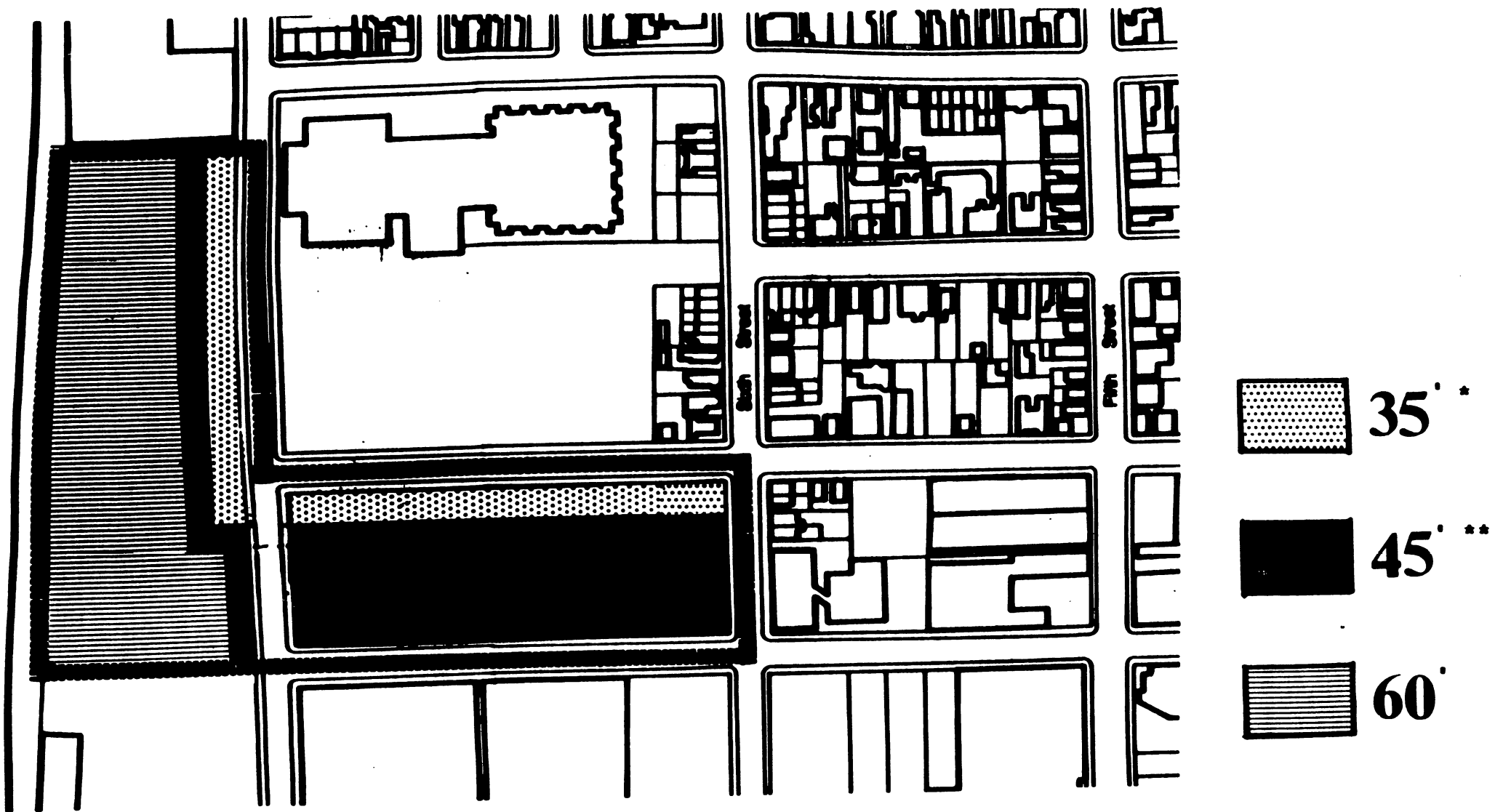


FIGURE I

MAXIMUM PERMITTED HEIGHTS - EAST CAMBRIDGE OVERLAY DISTRICT A

* 35 feet within 50 feet of abutting street line, as shown.

** West of Pulkerson Street, 45 feet within 20 feet of the street line and the 35 foot height limit line, as shown

meeting the requirements detailed in Section 11.406.22.

- (g.) In District G the maximum FAR shall be 2.25. However, all development authorized above the base 1.25 FAR shall be devoted exclusively to residential uses meeting the requirements detailed in Section 11.406.22.

11.406.22

Any development authorized by special permit in Section 11.406.21 above shall meet the following requirements.

- (a.) The housing shall be constructed within any one of the East Cambridge Overlay Districts subject to the limitations of Section 11.405.4 above.
- (b.) Construction of all required housing development shall be completed before issuance of any occupancy permit for development exceeding the FAR limit permitted in the base district or other limit as defined in Section 11.406.21 above.

However, in lieu of construction of the required housing, the housing obligation defined in Section 11.406.21 above may be met by one or a combination of the two alternate means outlined below.

NEW

- (1.) Donation to the Affordable Housing Trust of the City of Cambridge of land upon which the required housing can be constructed, either within the proposed development or within the East Cambridge Overlay Districts as limited in paragraph (a.) above; or
- (2.) For lots of 20,000 square feet or less, existing as a separate lot in separate ownership on or before January 1, 1991, a cash contribution to the Affordable Housing Trust in an amount equal to cost of acquisition of land necessary to construct the number of units required to be built (assuming 1,000 square feet of gross floor area per dwelling unit).

The value of the cash contribution shall be determined by the Planning Board after consultation with the Community Development Department, the City Assessor's Office, local neighborhood non-profit housing development agencies, and any documentation provided by the applicant and shall be an average cost of land acquisition in residentially zoned neighborhoods in the eastern half of the

city.

NEW

In accepting a donation of land, the Planning Board shall find that the housing site is suitable for construction of the housing required to be built and shall require that all permits necessary to permit the utilization of the site for housing are granted at the time of issuance of the special permit required by this Section 11.406.2. The Planning Board shall require the development of schematic architectural plans, at a minimum, for the housing site indicating the scale, density, height and massing of the structure(s) necessary to accommodate the required housing and indicating its relationship to existing development on adjacent sites or within the proposed development.

- (c.) A minimum of seven and one half (7½) percent of the dwelling units required 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.
- (d.) An additional seven and one half (7½) percent 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 provisions of affordable housing. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without further obligations to the City of Cambridge.

11.406.3 Residential Density The maximum residential density shall be increased to six hundred (600) square feet per dwelling unit for Districts A-F. The density shall be increased to three hundred (300) square feet per dwelling unit in District G.

11.406.4 Special Site Development Restrictions for lots in Districts B and E.

- (a.) No above grade structured parking or loading facility or parking and loading facility located at grade beneath a building shall be permitted within thirty (30) feet of the First street streetline; or within thirty (30) feet of the Second Street streetline where a residential

zoning district abuts the Districts.

One parking space for each unit in a townhouse shall be exempt from the limitations of this paragraph provided the parking space is covered and enclosed.

NEW

(b.) For lots abutting First Street, building facades shall be designed to enhance the retail and pedestrian environment along the street. For lots abutting Second Street where Overlay District B abuts a Residence C-1 District, building facades shall be designed to be compatible with the residential uses located across the street. To that end the following shall be required in those circumstances.

(1) The principal pedestrian entrance to the building(s) shall face First Street where the lot abuts First Street or both First and Second Streets, and shall face Second Street where the lot only abuts Second Street.

(2) Where office and/or retail uses are accommodated on the ground floor, each separately leased space which abuts First and/or Second Streets shall have an individual public entrance onto that abutting street.

(3) Building facades facing First and Second Streets shall consist of a minimum of twenty-five percent (25%) fully transparent glass in total for the facade, which shall be increased to fifty percent (50%) on the ground floor where retail and office uses are established. The maximum amount of glass permitted in any form shall be seventy-five percent (75%) of the facade(s) facing First Street or Second Street.

(c.) Divergence from the standards specified in paragraphs a and b above may be allowed by the Planning Board after issuance of a special permit. The Board shall grant such a permit upon its determination that the development proposed will better serve the objectives of this Section 11.406.4 than if the standards were inflexibly applied.

11.406.5 Additional Uses in District A

(a) It is the intent of this section 11.406.5 to encourage a gradual evolution of nonresidential

uses in the District A now heavily nonresidential in character, from those least in harmony with the adjacent residential neighborhood and the residential uses ultimately desired in the district, to those nonresidential uses most compatible with residential uses and ultimately to residential uses exclusively. Therefore, in the overlay district the following additional uses not otherwise permitted in the base Residence C-1 District shall be permitted as of right, provided the conditions set forth below are met.

Notwithstanding the provisions of Section 10.31, no variance for use shall be permitted in the District A. For the purposes of Article 8.000 the Overlay District shall continue to be considered a residential district and therefore section 8.22, paragraphs a and b shall not apply.

(1) All uses in Section 4.34, Office and Laboratory Uses, shall be permitted but only if the following conditions are met:

NEW

a. The lot or any building thereon is vacant (or any portion of the lot or building proposed to be reused) and not occupied by a residential use in the five years immediately preceding the time of application for a Certificate of Occupancy for the proposed use, or if occupied, the current use is any office and laboratory use, Section 4.34; any retail business and consumer service establishment, Section 4.35; any light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38.

(2) All uses in Section 4.35, Retail Business and Consumer Service Establishments, Paragraphs a, c and d shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed new use, or that first legally established use immediately preceding the application for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is any retail business and Consumer Service Establishment, Section 4.35; or any light industry, wholesale business and storage use, Section 4.37; or any heavy industry use,

Section 4.38; and

b. The use shall occupy only that gross floor area meeting the use limitations of paragraph a above.

(3) All uses in Section 4.37, light industry, wholesale business, and storage, paragraphs a and b shall be permitted, but only if the following conditions are met:

a. The use existing at the time of application for a Certificate of Occupancy for the proposed use, or that first legally established use immediately preceding the application for a Certificate of Occupancy for a proposed new use should the premises be vacant (provided that the previous use was in operation within the two years immediately preceding the application for a Certificate of Occupancy), is light industry, wholesale business or storage use, Section 4.37; or any heavy industry use, Section 4.38; and

b. The use shall occupy only that gross floor area meeting the Use Limitations of Paragraph a above.

NEW

- 11.407 INCENTIVE ZONING PROVISIONS All nonresidential development authorized by Special Permit for additional FAR or for transfer of development rights shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 11.406.22.
- 11.408.1 TRAFFIC MITIGATION REQUIREMENTS A traffic mitigation plan shall be required as a condition of approval of any Special Permit for additional FAR as detailed in Article 18.000.
- 11.408.2 CONSTRUCTION MANAGEMENT PROGRAM The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as detailed in Article 18.000.
- 11.409 STANDARDS FOR ISSUANCE OF SPECIAL PERMITS In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:
- a. The proposed development is consistent with the following goals and objectives:

- encourage mixed use development compatible with the residential neighborhood
 - promote housing
 - encourage development along First Street to relate to the East Cambridge Riverfront and with ground floor retail
 - promote street and sidewalk improvements to create a unified image and improve the physical and visual environment
 - promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood
 - encourage structured parking with access located to mitigate traffic impacts.
- b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines
- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

C. Amend the text of the Zoning Ordinance of the City of Cambridge by creating new sections 13.80 and 13.90, PUD 3A and PUD 3B as follows:

13.80 PUD-3A DISTRICT: DEVELOPMENT CONTROLS

13.81 PURPOSE A PUD-3A District is intended to provide for the creation of a quality mix of general and technical office uses and housing with supporting commercial activities. The district regulations are intended to encourage strong linkages between the district and the existing residential East Cambridge neighborhood, the new development at Kendall Square, and the East Cambridge riverfront. The development is encouraged to be so designed as to break down the scale of large parcels through the use of new public or private roads and ways to better reflect the scale of existing city blocks. The PUD-3A District is intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study, Fall 1988, and the work of the East Cambridge Rezoning Advisory Committee .

13.82 USES ALLOWED IN A PUD-3A DISTRICT The uses listed in Section 13.82, alone or in combination with each other, shall be allowed upon permission of the Planning Board.

13.82.1 Residential Uses

(1) Townhouse Development. Any special permit for townhouse development required by Section 11.10 shall be granted by the Planning Board within the scope of the planned unit development Special Permit.

(2) Multifamily dwellings.

(3) Hotels or Motels.

13.82.2 Transportation, Communication, Utility and Institutional Uses All uses listed in Sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district.

13.82.3 Office and Laboratory Uses All uses listed in Section 4.34.

13.82.4 Retail Business and Consumer Service Establishments

(1) Stationery and office supply store.

(2) Printing and reproduction service establishment, photography studio.

- (3) Other store for retail sale of merchandise located in a structure primarily containing non-retail uses.
- (4) Barber shop, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
- (5) Restaurants or other eating and drinking establishments listed in subsection 4.35 e, f, g, o and r.
- (6) Theater or hall for public gatherings.
- (7) Bowling alley, skating rink, tennis center or other commercial recreation establishments.
- (8) Manufacturing, processing, assembly and/or packaging of articles and products listed as Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

13.82.5 Other Uses Any use not listed in subsections 13.82.1 - 13.82.4 shall be allowed only upon written determination by the Planning Board that such use is consistent with the objectives of the PUD-3A District and is necessary to support the predominant uses in the district.

13.83 DISTRICT DIMENSIONAL REGULATIONS

13.83.1 FAR The maximum ratio of floor area to the total area of the development parcel shall be 2.0 except as permitted below.

- (1.) The maximum FAR may be increased to 2.75 provided the following conditions are met:
 - a. For each two square feet of development authorized above the 2.00 FAR, up to a maximum FAR limit of 2.5, one additional square foot of residential development, excluding hotels and motels, shall be required to be built which meets the following requirements
 1. The housing shall be constructed within the PUD 3A or PUD 3B Districts except as permitted in paragraph 5 below.
 2. Construction of all required residential development shall have been completed before issuance of any final certificate of

occupancy permit for development exceeding a 2.00 FAR limit.

NEW

However, in lieu of construction of the required housing, the housing obligation defined in this Section 13.83.1 above may be met by donation to the Affordable Housing Trust of the City of Cambridge of land upon which the required housing can be constructed, either within the proposed development or within the East Cambridge Overlay Districts as limited in paragraph 5 below.

In accepting a donation of land the Planning Board shall find that the housing site is suitable for construction of the housing required to be built and shall require that all permits necessary to permit the utilization of the site for housing are granted at the time of issuance of the special permit required by this Section 13.83.1. The Planning Board shall require the development of schematic architectural plans, at a minimum, for the housing site indicating the scale, density, height and massing of the structure(s) necessary to accommodate the required housing and indicating its relationship to existing development on adjacent sites or within the proposed development.

3. A minimum of seven and one half (7½) percent of the dwelling units required 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.
4. An additional seven and one half (7½) percent 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. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details and cost of each unit are known. Should the City fail to exercise its option within three (3) months

the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.

5. The residential development requirement of this Section 13.83.1 may be met at any location within the East Cambridge Overlay Districts provided the residential development consists of new construction, is equal in total gross floor area to that required to be constructed, and is permitted within the limits of the zoning applicable to the residential development site. The additional residential gross floor area permitted in the PUD 3A District may not be transferred to any lot in the East Cambridge Overlay Districts.
6. All lots and construction thereon, necessary to fulfill the requirements of this Section 13.83.1, shall be subject to approval by the Planning Board as part of the PUD Special Permit.

- 13.83.2 Development Parcel, Lot size The minimum size of the development parcel for a PUD shall be four (4) acres. A development parcel within the PUD-3A may contain noncontiguous lots elsewhere in this PUD District or within a contiguous PUD District. 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.
- 13.83.3 Residential Density For the purpose of computing residential density, the minimum land area for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.
- 13.83.4 Lot width, Setback There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. In general there shall be no minimum required front, rear and side yard requirements for lots located within a development parcel or side and rear yards for the development parcel itself. However, setbacks from the streets abutting the development parcel, including the Sixth Street Pedestrian Way, are expected to follow the recommendations of the East Cambridge Overlay Districts Design Guidelines; at such locations a five (5) foot minimum front yard setback shall be required; at Third Street additional setbacks may be imposed to permit widening of the street to accommodate possible widening to facilitate the extension of the median or to

continue the Parkway character of the street as already established. Additional setbacks may be appropriate along the Sixth Street Pedestrian Way to enhance its open space character. In all cases the Planning Board shall approve all such building setbacks. Any buildings on a parcel abutting the Broad Canal shall be setback or so designed as to provide a pedestrian pathway along the canal's edge. For the purposes of this PUD 3A District the Sixth Street Pedestrian Way, lot numbered 93 on Assessor's Plat numbered 44, the southern extension of Sixth Street from Binney Street to Broadway, shall be considered a street.

13.83.5 Height The maximum height of any building shall be two hundred and thirty (230) feet, except as limited in paragraph 1 below.

1. The Planning Board shall not approve any Final Development Plan in which twenty-five (25) percent or more of the land area of the development parcel is covered with such buildings or parts of buildings, not exempted by Section 5.23, in excess of eighty-five (85) feet in height, or in which ten (10) percent or more of the land area of the development parcel is covered with such buildings or parts thereof in excess of one hundred and twenty (120) feet in height but no more than two hundred and thirty (230) feet. Notwithstanding the foregoing any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets and the Sixth Street Pedestrian Way.
2. In evaluating a Development Proposal providing building heights in excess of eighty-five (85) feet, the Planning Board shall give consideration to evidence presented on the following:
 - (a) 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 or major public open space to a significantly greater extent than if the building height did not exceed eighty-five (85) feet;
 - (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space and monotonous development provided, however, that the additional height would not so concentrate development as to prevent the allocation of building mass at lower levels necessary to create a well defined, pedestrian oriented, urban district;

- (c) 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 as well as the urban design objectives as outlined in the East Cambridge Overlay Districts Design Guidelines;
- (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and
- (e) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.

13.84 OPEN SPACE The minimum ratio of open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be twenty-five (25) percent. At a minimum there shall be a contiguous parcel of open space at grade consisting of at least twenty-five thousand (25,000) square feet to be used as a publicly accessible park or seven (7) percent of the development parcel, whichever is less.

13.84.2 Open space shall include parks, plazas, landscaped areas open to the sky; playgrounds; balconies; and pedestrian ways such as bridges, decks, arcades, loggias, and galleries as permitted by the Planning Board. It is intended that the open space provided should serve a variety of purposes and clientele including the general public and visitors to the development as well as residents and employees exclusively.

In addition the Board may permit the following, not generally considered open space, to be included in that area required to meet the minimum open space requirement provided they advance the objectives of the District and the East Cambridge Overlay Districts Design Guidelines: land area reserved for and proposed to be transferred to the City for the widening of public streets; building setbacks from public streets greater than five (5) feet which enhance the parkway like character of those streets; newly created internal private streets and their adjacent curbside parking and sidewalks.

In accepting as open space, facilities which would not otherwise be considered useable open space as defined in this Ordinance, the Board shall specifically find that such facilities provide benefits comparable to those provided by traditional open space: the provision of light and air; the opportunity to provide pleasant and accessible places for people to meet and congregate; opportunities for increased landscaping; enhancement of the pedestrian environment throughout the development; enhancement of the visual, pedestrian, and vehicular connections to the larger East Cambridge Street grid; increased diversity of public spaces: open and enclosed, all weather and seasonal; and particularly with streets and ways, the creation of a system of paths which define an urban pedestrian environment well connected visually and functionally to the older surrounding neighborhood, which integrates new building logically to the traditional pattern of development in the City, and which provides a site development which is welcoming and accessible to the general public. In considering the acceptance of such nontraditional open space the Planning Board may consider the extent to which the proposed facilities will be available to and desired by the general public.

- 13.85 PERIMETER AND TRANSITION Any part of the perimeter of a PUD which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Development in the PUD-3A District, should provide an integrated pedestrian circulation system with particularly strong linkages between the residential neighborhood, riverfront, and Kendall Square. Further connections to abutting districts should be achieved through the incorporation of private streets which connect to and extend the network of adjacent public and private streets.
- 13.86 PARKING AND LOADING REQUIREMENTS Development in the PUD-3A District shall conform to the Parking and Loading Requirements set forth in Article 6.000 for uses in Residence C-3, Business B, Office 3 and Industry B Districts, except as modified by this Section 13.86.
- 13.86.1 Minimum Parking Requirement The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.

13.86.2 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however, the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 13.86 provided the authorized number of parking spaces does not exceed that number which would be permitted within the development parcel if the maximum parking ratio were applied to the maximum gross floor area permitted on the development parcel, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

13.86.3 No special permit shall be issued in a PUD 3A District which permits the total number of parking spaces on the development parcel to exceed that permitted in this Section 13.86 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the applicable zoning district for uses not located within the development parcel.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved PUD Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 13.86.3.

13.87 **INCENTIVE ZONING REQUIREMENT** All nonresidential development authorized shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 13.83.1.1.a(3).

13.88.1 **TRAFFIC MITIGATION REQUIREMENTS** A traffic mitigation plan shall be required as a condition of approval of any Final Development Plan in the PUD 3A District as outlined in Article 18.000.

13.88.2 **CONSTRUCTION MANAGEMENT PROGRAM** The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as outlined in Article 18.000.

13.89

STANDARDS FOR ISSUANCE OF SPECIAL PERMITS In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:

- a. The proposed development is consistent with the following goals and objectives:
 - encourage responsible and orderly development;
 - promote housing;
 - improve the transition from the existing residential neighborhood to the East Cambridge Riverfront and the Kendall Square development;
 - create a unified image through setbacks and cornice lines, improve the physical and visual environment;
 - develop additional open space;
 - promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River which include street and sidewalk improvements;
 - encourage development along Third Street to relate to the East Cambridge Riverfront and strongly encourage ground floor retail;
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood;
 - encourage structured parking with access located to mitigate traffic impacts.
- b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines
- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

13.90

PUD-3B DISTRICT: DEVELOPMENT CONTROLS

PURPOSE A PUD-3B District is intended to encourage residential development with a strong affordable component throughout much of its area should the land currently owned by the United States Government and encompassed by the District be transferred to private ownership and therefore become subject to the zoning authority of the City of Cambridge. However as the Volpe National Transportation Systems Center, current federal custodian of the land within the District, may choose to expand its operations in its Kendall Square location, in which case a housing component of development would not be appropriate, the District regulations are then intended only to provide a guide to the desirable scale and form of development that expansion might take. The transportation center has proved to be an important resource to the City of Cambridge, and while its expansion would not provide housing benefits, it could certainly provide an enhanced urban environment consistent to the extent practicable with the development objectives of this PUD 3B and the East Cambridge Overlay Districts Development Guidelines. Development in the District should provide strong pedestrian connections between the East Cambridge residential neighborhood and Kendall Square. The development should provide a transition in scale between the existing East Cambridge residential and industrial neighborhood on one side and the new development in Kendall Square and the adjacent development in the PUD 3A District. The PUD 3B District is intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study, Fall 1988, and the work of the East Cambridge Rezoning Advisory Committee.

13.92 **USES ALLOWED IN A PUD-3B DISTRICT** The uses listed in Section 13.92, alone or in combination with each other, shall be allowed upon permission of the Planning Board as described and limited below.

13.92.1 **Residential Uses**

The following residential uses shall be permitted throughout the PUD 3B District:

- (1) **Townhouse Development** Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a planned unit development in a PUD-3B District.
- (2) **Multifamily dwellings.**

13.92.2 Other Residential and Non-Residential Uses

The following residential and nonresidential uses shall be permitted in that portion of the PUD 3B District having a Special District IV base district.

- (1) Hotels and motels.
- (2) Transportation, Communication, Utility and Institutional Uses All uses listed in Sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district.
- (3) Office and Laboratory Uses All uses listed in Section 4.34.
- (4) Retail Business and Consumer Service Establishments
 - (a) Stationery and office supply store.
 - (b) Printing and reproduction service establishment, photography studio.
 - (c) Other store for retail sale of merchandise located in a structure primarily containing non-retail uses.
 - (d) Barber shop, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
 - (e) Restaurants or other eating and drinking establishments listed in subsection 4.35 e, f, g, o, and r.
 - (f) Theater or hall for public gatherings.
 - (g) Bowling alley, skating rink, tennis center or other commercial recreation establishments.
 - (h) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

13.92.3 Other Uses Any use not listed in subsections 13.92.1 - 13.92.2 or which is limited as to location within the PUD 3B District shall be allowed or allowed elsewhere within the District only upon written determination by

the Planning Board that such use is consistent with the objectives of the PUD-3B District and is necessary to support the predominant uses in the district or portions of the District.

13.93 DISTRICT DIMENSIONAL REGULATIONS

13.93.1 FAR The maximum ratio of floor area to the total area of the development parcel shall be 2.25 subject to the limitations detailed below.

1. For each two square feet of development authorized above the base 1.5 FAR, up to a maximum FAR limit of 2.0, one additional square foot of residential development, excluding hotels and motels, shall be required to be built meeting the following requirements:

- (a) The housing shall be constructed within the PUD 3B District area or the adjacent PUD 3A district.
- (b) Construction of all required housing development shall have been completed before issuance of any certificate of occupancy permit for development exceeding the 1.5 FAR limit.

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However, in lieu of construction of the required housing, the housing obligation defined in this Section 13.93.1 above may be met by donation to the Affordable Housing Trust of the City of Cambridge of land upon which the required housing can be constructed, either within the proposed development or within the East Cambridge Overlay Districts as limited in paragraph (e) below. In accepting a donation of land the Planning Board shall find that the housing site is suitable for construction of the housing required to be built and shall require that all permits necessary to permit the utilization of the site for housing are granted at the time of issuance of the special permit required by this Section 13.93.1. The Planning Board shall require the development of schematic architectural plans, at a minimum, for the housing site indicating the scale, density, height and massing of the structure(s) necessary to accommodate the required housing and indicating its relationship to existing development on adjacent sites or within the proposed development.

- (c) A minimum of seven and one half (7½) percent of the dwelling units required 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.
 - (d) An additional seven and one half (7½) percent 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 provisions of affordable housing. The offer shall be formally made to City the by the permittee only at such time as specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.
 - (e) The residential development requirement of this Section 13.93.1 may be met at any location within the East Cambridge Overlay Districts provided the residential development consists of new construction or conversion of a nonresidential structure to residential use, is equal in total gross floor area to that required to be constructed, and is permitted within the limits of the zoning applicable to the residential development site. The additional residential gross floor area permitted in the PUD 3B District may not be transferred to any lot in the East Cambridge Overlay Districts.
 - (f) All lots and construction thereon, necessary to fulfill the requirements of this Section 13.93.1, shall be subject to approval by the Planning Board as part of the PUD Special Permit.
2. Nothing in this Section 13.93.1, however, shall prohibit any or all FAR authorized for nonresidential uses to be devoted to residential uses.
 3. Limitations on Use and Distribution of Allowable FAR. For that portion of a PUD Development Parcel

lying within the Special District III base District, the following use and FAR limitations shall apply.

- (a) The density of development shall at no time exceed an FAR of 1.5.
- (b) All development shall consist exclusively of residential uses as permitted in Section 13.92.1 above and such Institutional Uses, Section 4.33 as would customarily be associated with or subsidiary to elderly oriented or elderly oriented congregate housing in a continuing care or similar facility.
- (c) Only that portion of development allowed which exceeds an FAR of 1.4 may be used for nonresidential uses permitted in Sections 13.92.2 and 13.92.3 above and/or transferred to development parcels or portions of development parcels not located within the Special District III area.
- (d) The transfer of development potential permitted in subparagraph (c) above shall be permitted provided the approved Final Development Plan provides for:
 - 1. the construction of housing within the Special District III portion of the Development Parcel in an amount equal to at least eighty (80) percent of the maximum density permitted (i.e. a minimum 1.2 FAR).
 - 2. the issuance of a certificate of occupancy for the housing on or before issuance of any permanent certificate of occupancy for any authorized nonresidential development exceeding the 1.5 FAR base district limitation.
 - 3. all housing shall be subject to the affordability requirements of Section 13.93.1(1)(e).

13.93.2 Development Parcel, Lot Size The minimum size of the development parcel for the PUD shall be two (2) acres. A development parcel within the PUD-3B District may contain noncontiguous lots elsewhere in this PUD District or within the contiguous PUD 3A District. 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.

- 13.93.3 Residential Density For the purpose of computing residential density, the minimum land area for each dwelling unit shall be 600 square feet. Residential density shall be computed based on the entire development parcel.
- 13.93.4 Lot Width, Setback There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. In general there shall be no minimum required front, rear and side yard requirements for lots located within a development parcel or side and rear yards for the development parcel itself. However, setbacks from the streets abutting the development parcel, including the Sixth Street Pedestrian Way, are expected to follow the recommendations of the East Cambridge Overlay Districts Design Guidelines; at such locations a five (5) foot minimum front yard setback shall be required; additional setbacks may be imposed as along the Sixth Street Pedestrian Way or Third Street to enhance the desired open space or parkway character. In all cases the Planning Board shall approve all such building setbacks. For the purpose of the PUD 3B District the Sixth Street Pedestrian Way, lot numbered 93 on Assessor's Plat numbered 44, the southern extension of Sixth Street from Binney Street to Broadway, shall be considered a street.
- 13.93.5 Height The maximum height of any building shall be one hundred and twenty (120) feet, except that for that area lying between Binney Street and the center line of Doc Linsky Way and its westerly extension, the maximum height shall be seventy (70) feet. The height provisions of the base districts for portions of buildings exceeding forty-five (45) feet in height shall, however, continue to apply. Heights in excess of seventy (70) feet shall be evaluated as required in Section 13.83.5,2.
- 13.94 OPEN SPACE The minimum ratio of open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be twenty-five (25) percent. The provisions of Section 13.84.2 shall apply in this PUD 3B District.
- 13.95 PERIMETER AND TRANSITION Any part of the perimeter of a PUD which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and

screening. Development in the PUD-3B District, should provide integrated pedestrian circulation systems, providing particularly strong linkages between the residential neighborhood, riverfront, and Kendall Square.

- 13.96 **PARKING AND LOADING REQUIREMENTS** Development in the PUD-3B District shall conform to the Off Street Parking and Loading Requirements set forth in Article 6.000 for uses in Residence C-3, Business B, Office 3 and Industry B Districts, except as modified by this Section 13.96.1.
- 13.96.1 **Minimum Parking Requirement** The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 13.96.2 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 13.96 provided the authorized number of parking spaces does not exceed that number which would be permitted within the development parcel if the maximum parking ratio were applied to the maximum gross floor area permitted on the development parcel, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.
- 13.96.3 **No special permit shall be issued in a PUD 3B District which permits the total number of parking spaces on the development parcel to exceed that permitted in this Section 13.96 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the applicable zoning district for uses not located within the development parcel.**

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved PUD Special Permit shall

provide integrated pedestrian circulation systems, providing particularly strong linkages between the residential neighborhood, riverfront, and Kendall Square.

- 13.96 **PARKING AND LOADING REQUIREMENTS** Development in the PUD-3B District shall conform to the Off Street Parking and Loading Requirements set forth in Article 6.000 for uses in Residence C-3, Business B, Office 3 and Industry B Districts, except as modified by this Section 13.96.1.
- 13.96.1 **Minimum Parking Requirement** The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 13.96.2 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 13.96 provided the authorized number of parking spaces does not exceed that number which would be permitted within the development parcel if the maximum parking ratio were applied to the maximum gross floor area permitted on the development parcel, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.
- 13.96.3 **No special permit shall be issued in a PUD 3B District which permits the total number of parking spaces on the development parcel to exceed that permitted in this Section 13.96 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the applicable zoning district for uses not located within the development parcel.**

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved PUD Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 13.96.3.

provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 13.96.3.

- 13.97 **INCENTIVE ZONING REQUIREMENT** All nonresidential development authorized shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 11.93.1.1.c.
- 13.98.1 **TRAFFIC MITIGATION REQUIREMENT** A traffic mitigation plan shall be required as a condition of approval of any Final Development Plan in the PUD 3B District as outlined in Article 18.000.
- 13.98.2 **CONSTRUCTION MANAGEMENT PROGRAM** The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as outlined in Article 18.000.
- 13.99 **STANDARDS FOR ISSUANCE OF SPECIAL PERMITS** In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:
- a. The proposed development is consistent with the following goals and objectives:
 - encourage mixed use development compatible with the residential neighborhood
 - promote housing
 - promote street and sidewalk improvements to create a unified image and improve the physical and visual environment
 - promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood
 - encourage structured parking with access located to mitigate traffic impacts.

 - b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines

- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

D. Amend the Text of the Zoning Ordinance of the City of Cambridge by creating new Sections 17.20, 17.30, and 17.40 - Special Districts as follows:

17.20 Special District II

17.30 Special District III

17.40 Special District IV

17.20 Special District II

17.21 SCOPE This Section 17.20 regulates development within the Special District II as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.20, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District II.

17.22 PERMITTED USES Uses permitted in the Office 2 District shall be equally allowed in the Special District II with the exception of the following:

- a. The following additional uses shall be permitted: Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a (Assembly or packaging or articles), and Section 4.37 b 4,5,9 (Electrical, electronic and communication instruments; Engineering, laboratory and scientific instruments, temperature controls; and Medical and dental instruments and supplies, optical instruments and lenses) provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
- b. The following uses shall be prohibited: Parking lot or parking garage for private passenger cars, Section 4.32 b (Automobile parking lot or parking garage for private passenger cars).

17.23 DIMENSIONAL REGULATIONS The following Dimensional Regulations will apply to all development proposals within the District.

17.23.1 Maximum FAR The FAR for any lot shall not exceed 1.75.

17.23.2 Building Height Limitations The maximum height permitted in the district for all uses shall be eighty-five (85) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets and the Sixth

Street Pedestrian Way also known as lot numbered 93 on Assessor's Plat numbered 44.

17.24 OFF STREET PARKING AND LOADING REQUIREMENT

17.24.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.24.2 Minimum Parking Requirement The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area except that for residential uses, Section 4.31 a-h (Residential Uses), one parking space shall be required for each dwelling unit.

17.24.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3.

17.30 Special District III

17.31 SCOPE This Section 17.30 regulates development within the Special District III as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.30, all requirements of and regulations applicable to the Residence C-2 District shall apply equally to the Special District III. The regulations of this special District III shall apply should the land currently owned by the United States government and encompassed by the District be transferred to private ownership and therefore become subject to the zoning authority of the City of Cambridge. However as the Volpe National Transportation Systems Center, current federal custodian of the land within the District, may choose to expand its operations in its Kendall Square location, in which case a housing component of development would not be appropriate, the District regulations are then intended only to provide a guide to the desirable scale and form of development that expansion might take. The transportation center has proved to be an important resource to the City of Cambridge, and while its expansion would not provide housing benefits, it could certainly provide an enhanced urban environment consistent to the extent practicable with the development objectives of this Special District III and the East Cambridge Overlay Districts Development Guidelines.

17.32 **PERMITTED USES** Uses permitted in the Residence C-2 District shall be equally allowed in the Special District III with the exception of the following:

a. The following uses shall be prohibited:

(1) Parking lot or parking garage for private passenger cars, Section 4.32 b.

(2) Hotel and Motel uses, Section 4.31 i (2).

17.33 **DIMENSIONAL REGULATIONS**

17.33.1 **Maximum FAR** The FAR for any lot in the district shall not exceed 1.5.

17.33.2 **Building Height Limitations** The maximum height permitted in the district for all uses shall be seventy (70) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets and the Sixth Street Pedestrian Way also known as lot numbered 93 on Assessor's Plat numbered 44.

17.40 **Special District IV**

17.41 **SCOPE** This Section 17.40 regulates development within the Special District IV as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.40, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District IV.

17.42 **PERMITTED USES** Uses permitted in the Office 2 District shall be equally allowed in the Special District IV with the exception of the following:

a. The following additional uses shall be permitted: Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

b. The following uses shall be prohibited: Parking lot or parking garage for private passenger cars, Section 4.32 b.

- 17.43 **DIMENSIONAL REGULATIONS** The following Dimensional Regulations shall apply to all development proposals within the district.
- 17.43.1 **Maximum FAR** The FAR for any lot in the district shall not exceed 1.5.
- 17.43.2 **Building Height Limitations** The maximum height permitted in the district for all uses shall be seventy (70) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets.
- 17.44 **OFF STREET PARKING AND LOADING REQUIREMENTS**
- 17.44.1 **Off street parking and loading requirements** shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.
- 17.44.2 **Minimum Parking Requirement** The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 17.44.3 **Maximum Parking** The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

E. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Article 18.000 as follows:

18.10 Traffic Mitigation Requirements
18.20 Construction Management Program

18.10 Traffic Mitigation Requirements Where a Traffic Mitigation Plan is required as a condition of approval of any special permit the plan shall be submitted to the special permit granting authority for review and approval, at a time and in a manner set forth by the special permit granting authority in its Decision. Upon approval of the plan the permittee shall be obligated to thereafter implement the provisions of the plan for as long as the special permit is in force and effect. In developing the plan the permittee shall consider and adopt as appropriate but shall not be limited to the following traffic mitigation techniques:

- (1) Join and participate in a Landowners' Transportation Management Association if in operation, and ensure that the following traffic mitigation measures are implemented, maintained and monitored. If such an operation is not in effect, then reasonable efforts shall be undertaken to form such an organization.
- (2) Promote the use of public transportation by providing up to date maps, schedules and transit information, establishing an MBTA Pass sales office, educating and strongly encouraging or requiring all tenants to subsidize employee "T" Passes, and making reference to transit facilities and proximity in marketing and advertising materials.
- (3) Operate the computer based ride sharing program RideSource from CARAVAN for Commuters, Inc., collect and disseminate ride sharing information, and share information with other tenants, organizations and companies where applicable.
- (4) Encourage staggered or flexible work hours for employees of all tenants through the provisions of utilities and open parking facilities during off peak hours and other appropriate means.
- (5) Establish parking management techniques such as providing preferential parking spaces and reduced rates for van pools and car pools, and encouraging short term parking when possible.
- (6) Consider joint use of parking facilities to maximize effectiveness of parking management programs.

- (7) Operate a shuttle system or join with and expanding an existing system, e.g. CambridgeSide Galleria, to serve tenants and make public transit more accessible.
- (8) Provide sufficient covered and secure bicycle racks.
- (9) Consider cooperating to provide innovative tenant services, such as day care, courier and copy services, shower and locker room facilities, and shuttles to airports.
- (10) Work with the Commuter Mobility Manager of the City of Cambridge to facilitate implementation of this traffic mitigation program.
- (11) Require that all conditions of an approved plan be made a condition of tenant leases as applicable or appropriate.

18.20

Construction Management Program Where a construction management program is required as a condition of approval of any special permit the applicant shall submit such a program, detailing the construction period impacts anticipated and a program for mitigation of those impacts. The permittee shall be obligated to thereafter implement the provisions of the Plan until a certificate of occupancy has been issued for all development authorized by the Permit. This program will include but not be limited to the following:

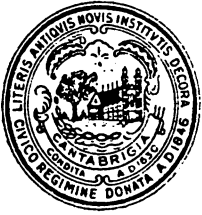
- Restricting contractor and supplier site access to designated roadways;
- Identify construction worker parking areas at sufficient capacity to prevent on street parking. Include a shuttle bus system if needed;
- Designating locations for storing construction equipment and materials;
- Developing a construction plan which will ensure minimum disruption to street and pedestrian flow and safety; and
- Posting of a bond or other surety to ensure the repair of all damage to public property resulting from construction of the project.

F. In Section 10.48 and 11.202 add the following after the last line in the list.

Section 11.405.4 Transfer of Development Rights, East
Cambridge Overlay Districts

Section 11.406.21 Additional Gross Floor area, East
Cambridge Overlay Districts

G. In Article 3.000, Section 3.15, delete all reference to the East Cambridge Interim Planning Overlay District.



City of Cambridge

In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

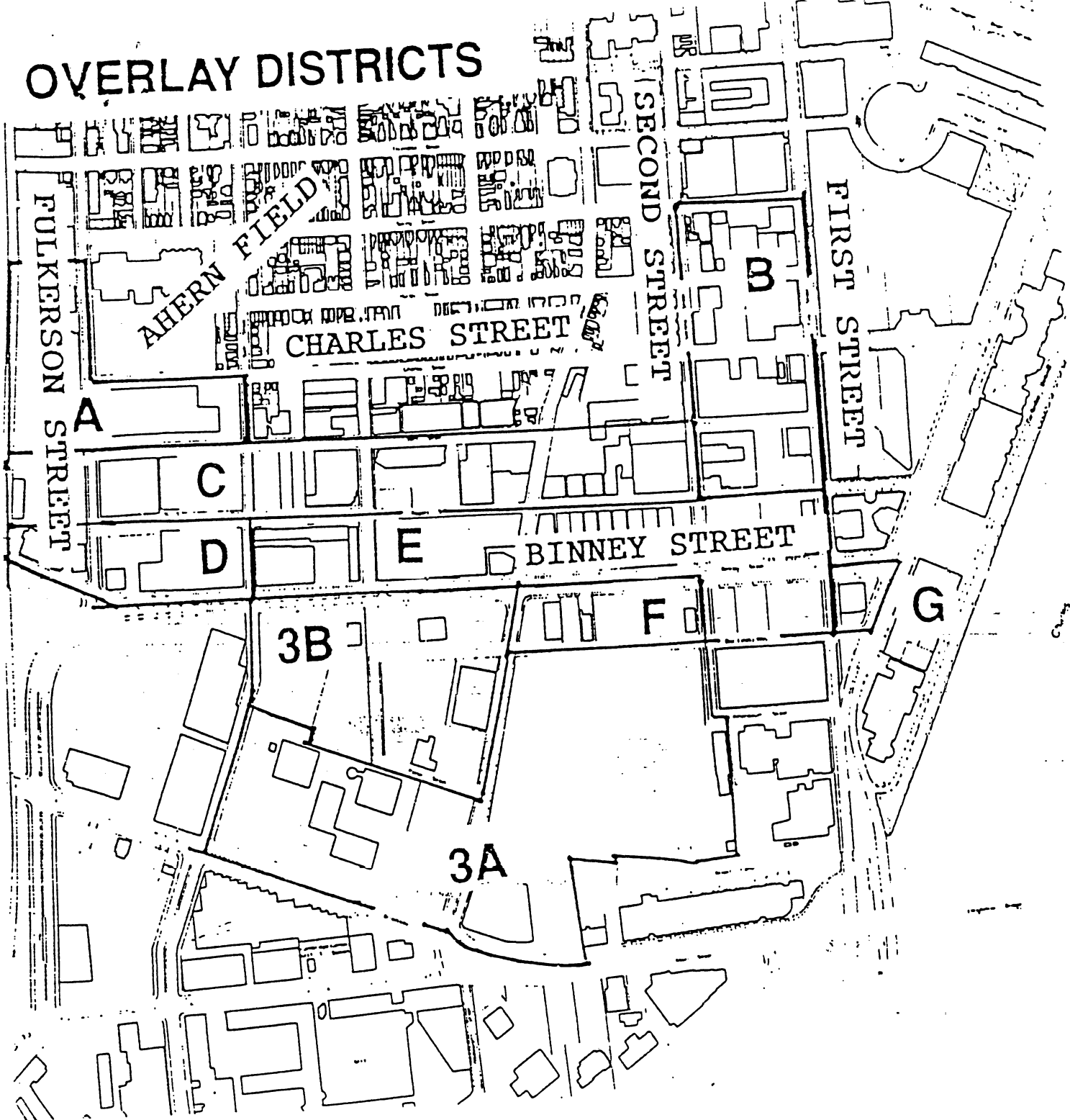
To amend the text of the Zoning Ordinances of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

NOTE:

Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said Zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk

OVERLAY DISTRICTS



FULKERSON STREET

AHERN FIELD

CHARLES STREET

SECOND STREET

FIRST STREET

BINNEY STREET

A

C

D

E

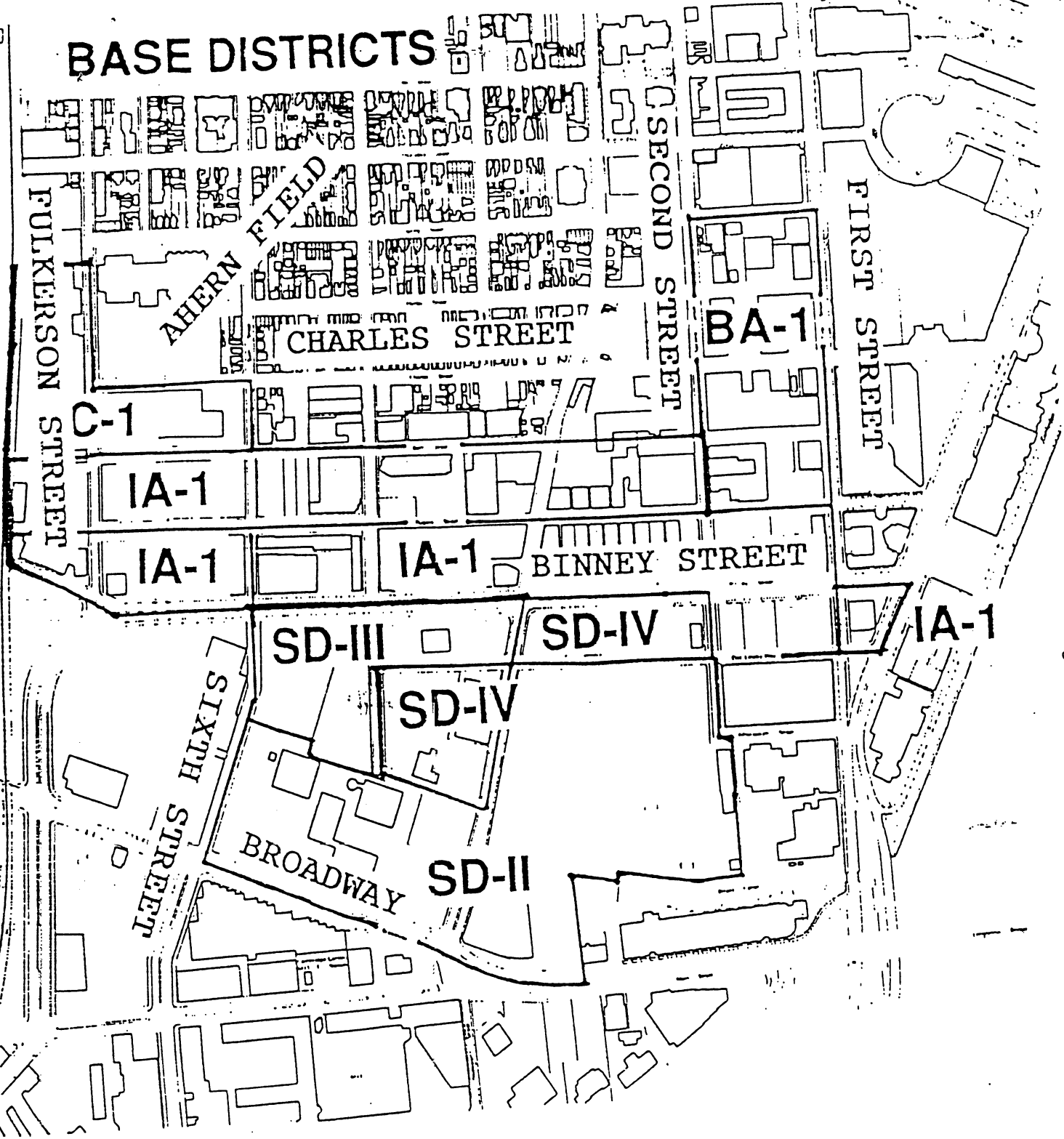
F

G

3B

3A

BASE DISTRICTS



FULKERSON STREET

AHERN FIELD

CHARLES STREET

SECOND STREET

FIRST STREET

BA-1

C-1

IA-1

IA-1

IA-1

BINNEY STREET

SD-III

SD-IV

IA-1

SIXTH STREET

SD-IV

BROADWAY

SD-II

Chapter

actual petition, he understood there were a number of proposals to look at and he didn't know how the neighborhood would react.

At this time the committee heard from Mr. Paul Casey, representing Com/Energy who stated that a new petition had in fact been filed. Furthermore he stated that Com/Energy believed the public notice which was advertised for this hearing, was flawed given the fact that the period for the intervention overlay district had expired as of 2/28/91.

IP Councilor Durbay requested the City Clerk to confer with the City Solicitor on this issue and to report back as soon as possible.

IP Councilor Durbay requested those individuals wishing to speak in favor of this petition to come forward.

No one appeared to speak in favor.

IP Councilor Durbay requested those individuals wishing to speak in opposition to this petition to come forward.

The committee heard from Mr. Paul Casey, Com/energy

One Main Street, Cambridge who again raised the issue

of a flawed public notice and further stated

that Com/Energy saw this petition as
 repetitive and abuse of process. He
 stated that the continuation of this
 interim overlay district or zoning petition
 prevented the company from going forward
 with development plans.

He also speaking in opposition to the petition
 were: Chris Toomey, Esq., Gadsby & Hannah,
 125th Summer Street, Boston, representative;
 Joseph O'Donnell, owner of property comprised
 of the entire block bounded by Dicks, Charles,
 Fulberson and Bent Streets, Maurice M. Cohen

32 Countrywide Road, Newton, MA, 02459

I propose at first, second, third and

Binary Search, John Keller, 201

Binary Search, Cambridge, Massachusetts, Taylor

Search and Sorting, John Keller, Cambridge, MA

One Man Search, Cambridge, MA

IP Computer by measure that the position

is provided to the full City Council

with a favorable recommendation.

Councilman Council measure that the position is

referred to the full City Council without

a second motion.

TP Councillor Durbay requested a show
of hands on the motion of councillor Gys.

Councillors Gys Wolf, Toomey raised their hands.

Councillor Durbay requested a show of hands
on the motion of councillor Russell.

Councillor Russell raised his hand.

The motion of councillor Gys carried

The hearing was adjourned at 6:20, P.M.

after a brief recess.

For the Committee

Councillor Francis H. Durbay
Chair.

Committee on Expenditures

Present - Councilor Francis H. DeWey - Presiding

7/23/91

5:40 P.M.

- ① C. Russell
- ② C. Freeman
- ③ Mayor 5:43 P.M.
- ④ C. Cyr 5:54 P.M.
- ⑤ C. Walsh 6:18 P.M.
- ⑥ C. Myers 6:18 P.M.

- ⑦
- ⑧
- ⑨

C. DeWey

opened and outlined process

M. Rosenberg

outlined 2 yr. planning
process w/ community/business
Boards outline new districts
and overlay

C. Russell

disc. differences between
this and previous one

no, they are the same

C. Durbin Planning Board report ready

M. Rosenberg They indicated they would be interested in other proposals

Mayor Ques. any proposals by business which Board could adopt & ^{still} meet ^{our} goals.

M. Rosenberg not sure, there are a number of positions to look at. are unsure if they would be looked favorably by neighborhood

Paul Casey Cont/Energy New petition on file as of now which

* Ques. technical plan re advertisement re: replacing interim district which requires

* check w/ Solender & report

Opposition

Paul Casey
Com/Every

opposed and view it
as repetition w/o change
and is an abuse of process

Chris Cosman, Esq.
Gadsby & Hanna

opposed to petition on
behalf of the client

Joseph O'Donnell (client)

Maurice Cohen
32 Country Side Rd
Newton, MA.
First/Second
Charles Binney

opposed to petition

John Kelly
~~Andrade~~
Sheppin Steel

opposed

Timothy Corwin
Com/Yes

opposed

C. Lynn
C. Russell

Ref. to CK unfavorable
recommendation 3-1

Lynn, Wolf, Gosney, YES
Russell, NO

22, 6:20 P.M.

SPEAKER'S LIST

EAST CAMBRIDGE OVERLAY DISTRICT

IN OPPOSITION

<u>NAME</u>	<u>ADDRESS</u>
PAUL CASEY	Com/Energy One Main St. Cambridge
Chris Toomey	Gadsby & Hannah, 125 Summer St. Boston, MA
MAURICE M. COHEN	32 COUNTRYSIDE ROAD, NEWTON MA 02459
John Kelley	Thyrim Steel 301 Binney St Camb
TIMOTHY Cronin	Com/ENERGY SVCS. Co. ONE MAIN ST, Cambridge

SPEAKER'S LIST

EAST CAMBRIDGE OVERLAY DISTRICT

IN FAVOR

NAME

ADDRESS

City of Cambridge



In the Year One Thousand, Nine Hundred Ninety-One

AN ORDINANCE

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

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

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FAILED OF ORDINATION 6-3-0.

RECONSIDERATION MOVED AND PREVAILED.

TABLED BY COUNCILLOR DUEHAY

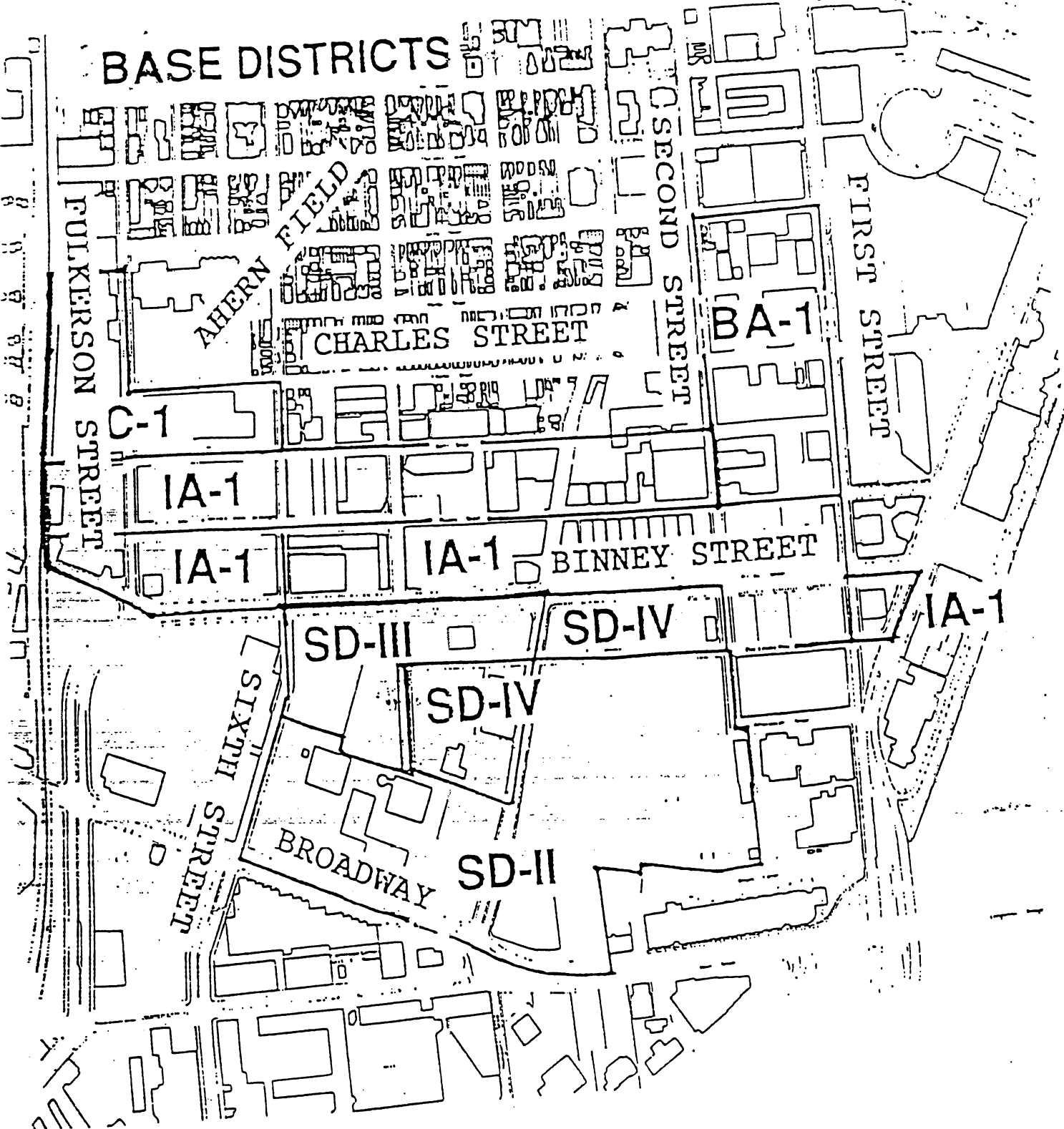
10/22/91 PLACED ON FILE DUE TO EXPIRATION OF TIME LIMIT.

NOTE:

Pursuant to the provisions of General Laws, Chapter 40, Section 32A, Tercentenary Edition, the ordinance as aforesaid which exceeds in length eight octavo pages of ordinary book print may be summarized for publication in a newspaper of general circulation in the city with the further provision that said zoning ordinance may be examined and obtained at the City Clerk's Office during office hours and that any objection to its invalidity by reason of any defect in the procedure of adoption may only be made within ninety days after the posting or the second publication.

ATTEST:- Joseph E. Connarton, City Clerk

BASE DISTRICTS



PICKERSON STREET

AHERA FIELD

CHARLES STREET

SECOND STREET

FIRST STREET

BA-1

C-1

IA-1

IA-1

IA-1

BINNEY STREET

SD-III

SD-IV

IA-1

SIXTH STREET

BROADWAY

SD-II

City

OVERLAY DISTRICTS



Donna

1/7/90

These are the
accompanying maps
for East Cambridge
rezoning petition

7
CITY CLERK

Y -3 PM 1:38

BRIDGE MA.

**PUBLIC NOTICE
RELATIVE TO ZONING**

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, February 20, 1991 at 6:00 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board, to amend the text of the Zoning Ordinance of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

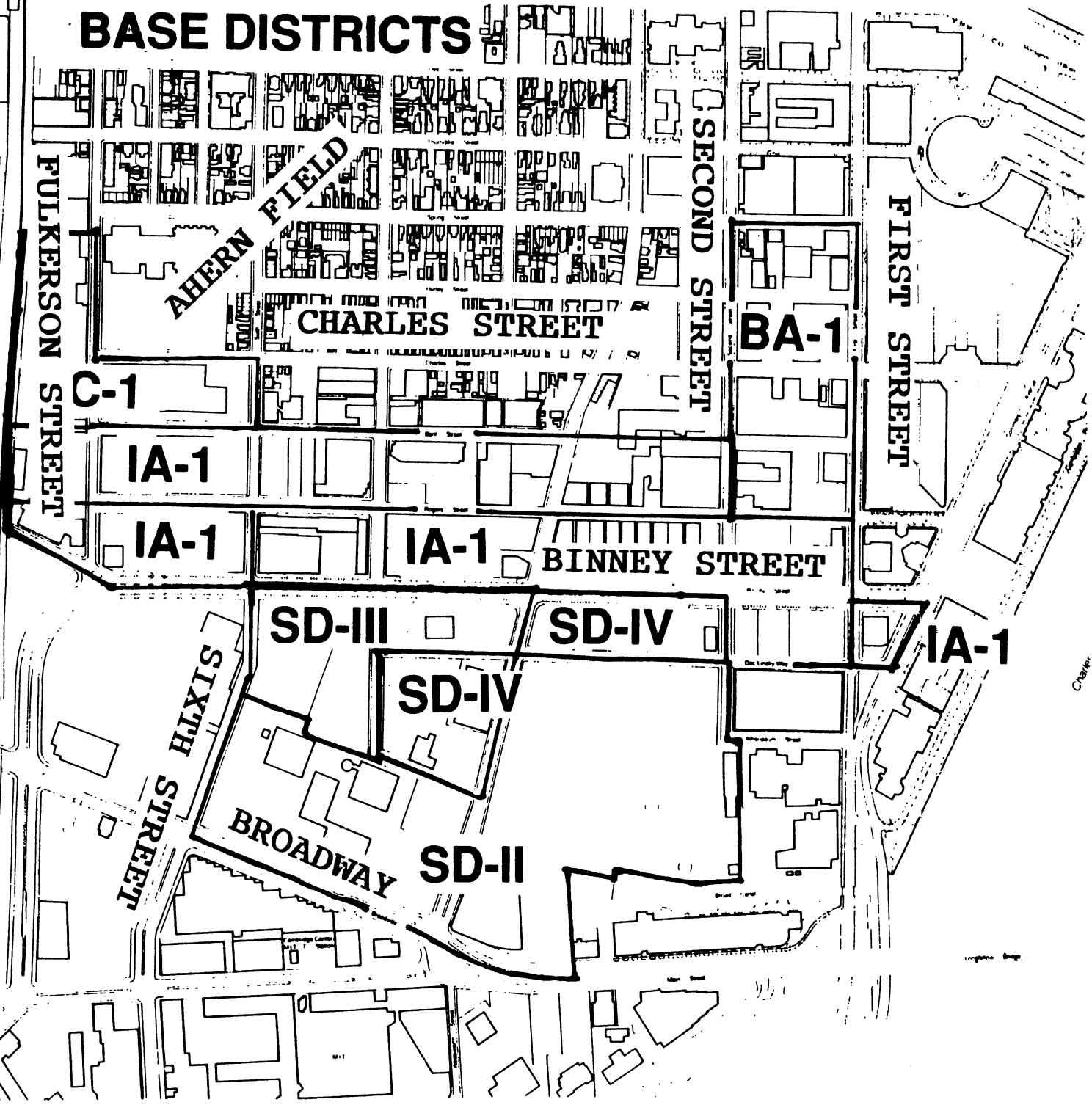
Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

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

For the Committee,

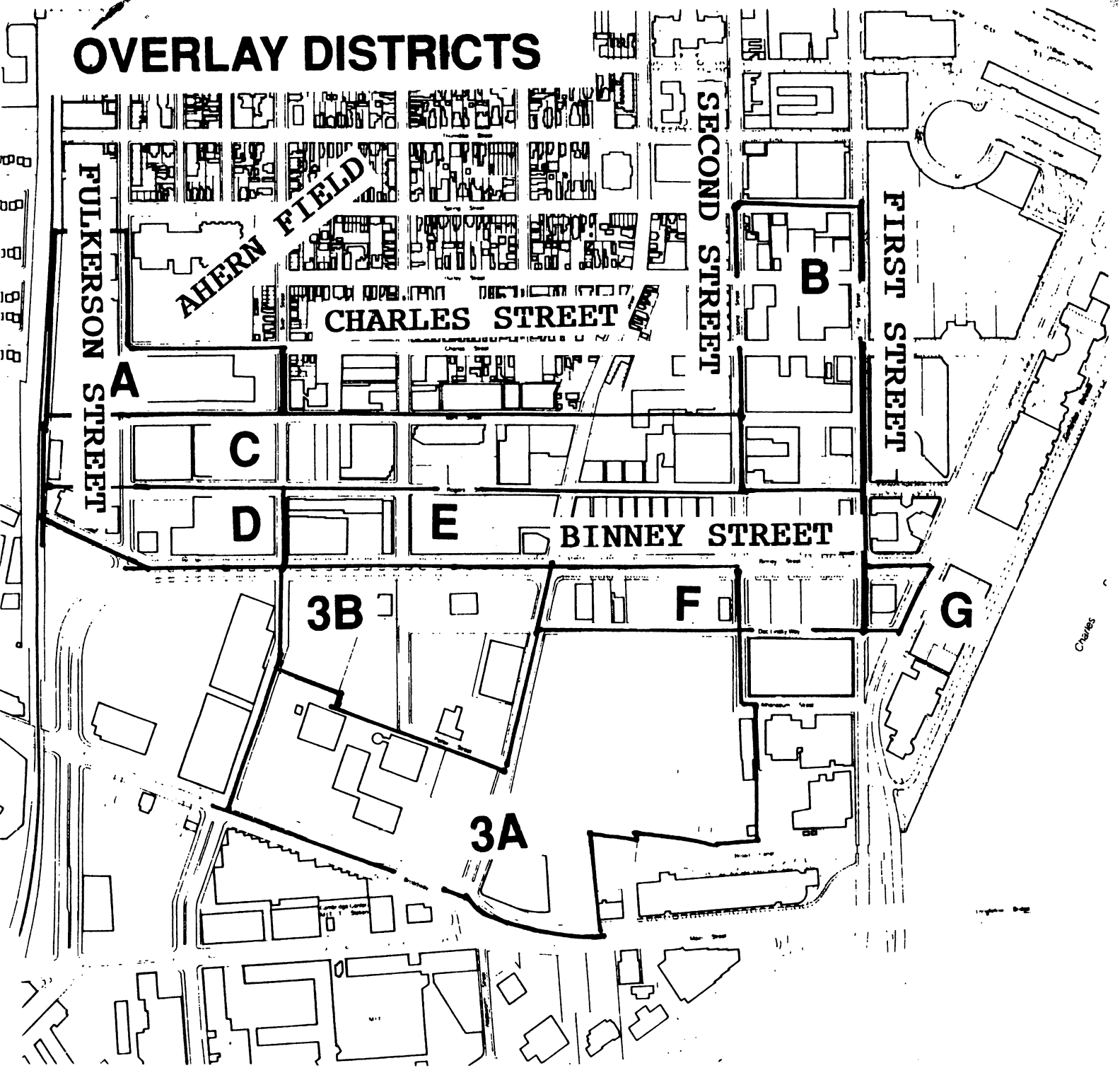
Councillor Francis H. Duehay,
Chairman

BASE DISTRICTS



Charter

OVERLAY DISTRICTS



Charles

AUTOMOTIVE

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PILGRIM Plumbing & Heating Co. Corp. plumbing & heating serv., installations. Lic#2290. Insured. Free estimate. Call 643-2793

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REUPHOLSTERING DIRT CHEAP We use remnants. Slipcovers. Fabric or clear plastic. RICHARD UPCH. 963-0946. 237-2911

Automobiles

'84 CHEVY CAPRICE Classic. WGN. \$2,500. Call 484-9216.

'80 MERCEDES-BENZ 3000 run well, alloy wheels, no rust, freshly painted. \$4995.00/5477916.

'82 BUICK SKYLARK. 49K, exc cond., gold-leaf auto. 4 cyl. \$2,700 or B.O. PHIL. 169-8520

'81 MERCURY ZEPHYR. 2 dr. auto., air, sun roof, southern car, mint. \$1495. 776-7122

'84 COUGAR LS 5.0 All opt. Prem sound, new tires, brakes, spooling, alignment, moral \$2795. 778-2264

'84 FORD TEMPO Good cond. auto trans., 4 dr., seats, 998 of B.O. 272-5952.

'84 RABBIT. 56K mi., runs well, 4 low down, has muffler & hot. Will take \$1500. 884-4109 buf. 10 AM. 883-9215

'86 FORD CROWN VIC WGN Good run cond. AM/FM new tires, brakes, exhaust, need as work \$4,000 or B.O. 74K. 617-258-1238. Fred

1974 PEUGEOT Exc. body, new tires, spark, needs engine work. \$225 or B.O. Call Mike at 628-4590.

1979 LINCOLN TOWN CAR mint cond., baby blue, 69K mi., \$3000 b/o. Call Tom after 5pm. 884-3011

'84 CHEVY CAPRICE Classic. dr., auto trans., runs good. \$390 B.O. 272-5952.

Automobiles

1982 DATSUN 310 GX Sunroof, new interior, new carb., runs great. \$1200 or b.o. Call 937-6903 wves. 628-8270

'84 CHEVY PICKUP TRUCK Good cond., \$1800. 395-9426.

'86 JEEP GRAND WAGON/MEER. MUST BELL. Anything over \$3000 considered. 864-0818

'88 OLDS TORONADO. 77K mi., tinted windows, mint cond., a/c, am-fm case. \$2900 b.o. 391-2977

'84 OLDS CUTLASS. beige, 88K mi., new brakes & tires, a/c. \$3200/B.O. Call 776-3173.

'85 FORD MUSTANG LX 4 cyl. manual, 96K miles. New parts & tune-up. \$1100 or b.o. 245-5207

'86 MERCURY LYNX. hatchback, auto, new tires, exc. cond., book value \$2400. Make offer. 225-2873

'85 RENAULT ENCORE Exc. cond., low mi., 2 yr. warranty, \$2000 or B.O. Eyes of witness. 396-5764

'88 FORD ESCORT L. 58K mi., superb cond., hatchback, 4 spd. Must see. \$1750 firm. 438-7624

'88 HONDA CRX SI A/C. AM/FM case, pwr. anti., new tires & exhaust. \$3000/B.O. 933-857-7155

'85 NISSAN MAXIMA. gray, 5 spd., loaded, exc. cond., \$5000 or B.O. Call 625-9084 aft. 5pm

1987 VW GOLF GT. 105 hp., black, Kenwood stereo, a/c, 38K mi., vj. good cond., \$4490. Call 254-9072.

'88 HONDA ACCORD DX. 5 spd., 4 dr., exc. cond., 40K. 853000. Call Anne 261-9210 (day)

Automobiles

1988 SUBARU JUSTY 5 speed. AM/FM stereo case., 28K mi., \$2500. Call 266-1721

1988 T-BIRD Turbo Coupe. full pwr., a/c, leather int. All the toys \$10,000. 508-325-8561

1989 ACURA INTEGRA. 2 dr., 5 spd., am-fm stereo, mint cond., \$3200/B.O. 625-9800-D. 881-6911-E

'74 TORINO SPORT Red w/black mt. w/c, 391 reg. 8 cyl. stereo case. 44K. orig. m. \$1450 or b.o. 623-6489

'76 PLYMOUTH VOLARE Station-wagon w/8K miles. 2 owners. Sold as is. \$500 or b.o. Call 624-0668

'78 TOYOTA CELICA GT. Exc. engine, needs trans. work & front 2/3 fender. \$600 b/o. 558-2488

'81 CAMARO 2dr. A/C, auto, 8 cyl., 80K org. mi. Looks and runs good. Selling - sacrifice \$1500 or B.O. 883-9215

'81 MUSTANG orig owner. 39K, w/vi 19. 4 cyl. auto. p/w. engine, many new parts. \$2350. B.O. 497-1278

'81 PONTIAC GRAND PRIX Runs good, white w/red top, 80K miles. \$550 or best offer. 778-2427

'84 FREIBIND TRANS AM 57K. T-roots, alarm, good cond., a/c. \$6500/best offer. 870-2943

'84 OLDS CUTLASS supreme just painted! 80K, ill. a/c, cass. stereo. exc. cond. \$3000 B.O. 884-4268

Automobiles

AMITE CARLO LS 2nd Must sell. New tires \$8 CHEVY MKL. \$5.9K. 321-0859

1984 OLDS MOBILE sport pkg., 50 NISSAN drive, fully loaded, Lowlyck. \$14,000 or b.o. 581-9103

DODGE ARIES '84 Silver, 62K mi. excellent condition. runs \$1650 negotiable. 305-623-1447

1981 PONTIAC BONEX 4 dr. auto, \$200. Stereo records on request. Call 228-984 or 864-0309

HONDA ACCORD LX, 69 auto, 4 dr., bluish. 19K. loaded. 2-lock. \$12,500. 305-6530

NISSAN SELENA 2 dr. 88. 2 door. Sedan. AM/FM stereo. \$3500. 864-3000

OLD BUT FINE 1981 Dodge Colt. 88K. 4 dr. 1981 new tires. Well maintained. 396-6642

VOLVO 244 G. 78 auto. 97. - p/w. am/fm. 702. 1986 org. cond. - 1981-1975 owner. \$2500. 881-0757

1988 HONDA CRX SI A/C. AM/FM case, pwr. anti., new tires & exhaust. \$3000/B.O. 933-857-7155

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Trucks/Trailers/Vans

1984 CHEVY PICKUP, exc. cond., new tires, shocks, muffler cap & alarm. Asking \$4900/B.O. 828-1319

1990 DAKOTA SPORTS TRUCK Black, lots of extras, must be 9981. 14K miles. \$10,200. 272-0624

1987 FORD F100 dump truck. 5-7 yr. body, great running cond. \$2500 or B.O. Call John 661-4122

1979 CHEVY SUBURBAN good work truck. \$700. Call 868-2815

1986 DOGGE VAN 1600 cc, p/w, am-fm stereo, 3/4 ton, 4 new tires, new batt. ask \$4995/B.O. 389-6372

'88 DOGGE 250 4x4 with power windows. 30K. 661-4122

'88 FORD BRUNN. new exterior, sun top, trans., clutch, etc., also elec. tailgate. \$1000/B.O. 884-2500

1988 FORD Econo new engine/warranty, tires, 11000. 800. 800. \$4500/B.O. 884-4419. 3795

Spring Cleaning JUNK CARS REMOVED - 24 Hrs. FREE OF CHARGE Call Bob at A. T. S. 876-4400

Trucks/Trailers/Vans

1971 INTL. UTILITY BOX TRUCK. 6 wheels, 1 ton, 1/2 plow, ladder rack, auto, green sharp. \$2800 your paint, cap. Business by \$1200. 666-9018

'86 JETTA Gold \$3995

'85 JETTA Black \$3495

'87 Fox Red \$3200

'85 JETTA GL \$4295

'85 GOLF Blue \$3000

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623-9000 or 776-1361

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1984 CHEVY PICKUP, exc. cond., new tires, shocks, muffler cap & alarm. Asking \$4900/B.O. 828-1319

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Boats

BAVINER 18' Capti Cuddy 69 230 in out OMC Cobra Esonr trailer 25 mi (WVH). \$13,900 or b.o. 937-1249

1988 CHEVY PICK-UP 1-ton, 350 auto., black & silver, exc. cond. 15,000 miles. \$8,300. 321-8614

1979 CHEVY SUBURBAN good work truck. \$700. Call 868-2815

1986 DOGGE VAN 1600 cc, p/w, am-fm stereo, 3/4 ton, 4 new tires, new batt. ask \$4995/B.O. 389-6372

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Autos Wanted

ABSOLUTELY FREE JUNK CARS & TRUCKS REMOVED. Cash paid for some models. Call 482-0000

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SOMERVILLE: 444 SOMERVILLE AVE 666-4882

Maaco

Vans, trucks, and commercial vehicles by estimate. Rust repair, bodywork, and spraying by estimate.

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American Heart Association

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Recognize America's Living Landmarks

TAKE VINCE AND LARRY'S CRASH COURSE IN SAFETY BELTS.

LESSON #3

"No matter if you're on the road to Rio or going just around the corner, without a safety belt my friend you're on the road to ruin."

"Ruin, is that a small town in France, Vince?"

"No, dashboard breath, what I'm saying is whether your trip is short or long, you should be buckled up!"

YOU COULD LEARN A LOT FROM A DUMMY. BUCKLE YOUR SAFETY BELT.

LESSON #4

"And Vince, folks should remind others to wear their safety belts too. Remember, there could be a dummy in your car!"

From the towering 275-foot Giant Sequoia in California's Sequoia National Park to the relatively diminutive 20-foot Allegheny Plum in Virginia's Blue Ridge Mountains, America's living landmarks are an invaluable part of our nation's natural heritage.

That's why the American Forestry Association began The National Register of Big Trees in 1940. Today, as then, we encourage citizens across the country to find and recognize the largest tree of each species. With your help and participation, we can locate and protect these champions for future generations while fostering a deeper appreciation for trees and forests everywhere.

For information on how to measure and nominate a Big Tree, write: The National Register of Big Trees, American Forestry Association, P.O. Box 2000, Dept. BT, Washington, DC 20013.

America's Living Landmarks. Their preservation is every American's concern.

THE NATIONAL REGISTER OF BIG TREES

Maintaining the correct tire pressure will help save America over two million gallons of gas a day. And reduce our dependence on unreliable sources of oil.

DO YOUR PART. DRIVE SMART. Ad Council

The United States Department of Energy

Awards given to athletes at CRLS

The 1990-1991 Cambridge Ring and Latin Falcons honored fall, winter and spring student athletes in end of the year ceremonies. MVP, Coaches awards, and Team Academic Excellence awards were presented in 24 sports.

Athlete of the year awards were presented to track star Shirley Licorish and Tony Schwartz. Gail Rock and Jason Soto combined their brains with brains to win the Scholar Athlete Awards.

The Marie Hyde Award for leadership qualities was presented to Kathy Levine. The William F. Buck Award, presented to the athlete who serves the community as an

unsung hero, was given to Amy Pilarski, a senior on the basketball and softball teams. The Lawrence Gibson Award for team inspiration went to Agard Collozo. John Crossman, a senior football player, received the William "DOC" Linskey Award for desire and determination. Karimu Rashard showed enough school spirit and versatility to garner the Bill Burke Award this year.

The Most Valuable Player Awards and Coaches "Unsung Hero" Awards were presented, respectively, as follows:

Fall Sports: Cindy Hobbs, Sara Drewicz, Girls Volleyball; Nicole Detman, Nicole Morse, Girls Swimming; Asha Safi, John Crossman, Football; Matt Lombardo, Adam Reese, Golf; Danya Ferraro, Jasmine Hogan-Donaldson, Girls Soccer; Carlos Alves, Hardy Mondesir, Boys Soccer; Sarah Chapin, Nellie Brown, Girls Cross Country; Everton Morgan, Jonah Backstrom,

Boys Cross Country.

Winter Sports: Patricia Ferreira, Kristine Harvey, Ice Hockey; Cheerleading; Kara Hinderlie, Natalie Pari, Basketball; Cheerleading; Amy Pilarski, Brie Daniels, Girls Basketball; Kirk Brooks, Paul Matarazzo, Boys Basketball; Brian Higgins, James Ferreira, Ice Hockey; Anthony Mazzei, Carvel Monroe, Wrestling; Shirley Licorish, Traci Leaphart, Girls Indoor Track; Jesse Coody, Joe Quintanilla, Boys Indoor Track; Kevin Scully, Patrice Lissade, Boys Swimming.

Spring Sports: Stacy Lewicki, Amy Pilarski, Softball; Keith Scates, Paul Tavares, Baseball; Lacerasha Duncan, Brenda Didomenico, Girls Tennis; Caben Chester, Kosya Gundawardane, Boys Tennis; Fritz Rodene, Hardy Mondesir, Boys Volleyball; Shirley Licorish, Gail Rock, Girls Outdoor Track; Damon Jones, Eric Doiron, Boys Outdoor Track.

Two NCC all-stars

In award ceremonies held by the Catholic Suburban Athletic League last week, Christine Hafey and Jay Mendez, two students from North Cambridge Catholic High School, were selected as all-stars in softball and baseball respectively.

In recognition of her defensive skill as a pitcher and a catcher, as well as her powerful 400 batting average, Hafey, a senior, was voted on the CSL All-Star Softball Team for the second consecutive year. Hafey was also selected as a basketball all-star earlier this year. A .400 batting average and excellent play as short stop and pitcher brought Mendez, a junior, into the all-star line-up for the first time this year.

Doc Linskey Race

The Doc Linskey Road Race will be held 10:30 am Sunday, Sept. 15. The traditional five-mile course beginning at "Doc" Linskey Way and Second Street will benefit the Linskey Scholarship Fund.



TO THE COACH — Edward Samp Jr., who has served North Cambridge youngsters for more than 30 years, acknowledges the crowd at the dedication of Samp Field. (Photo by Joe Aczta)

Entry fee is \$10 for early entries and \$12 on the day of the race. Anyone who wants to run can send

a check payable to the William F. Linskey Scholarship Fund to East Cambridge Savings Bank at 292 Cambridge Street, Cambridge, 02141.

Only 1,500 people may enter and the first 700 entries will get long sleeve t-shirts and fanny packs.

Tennis tourney

The 2nd Annual Fourth of July Tennis Tournament will be held July 4, 6, and 8 at the Rindge tennis courts on Pemberton Street in North Cambridge. There will be men's a-singles, men's b-singles, women's singles, and men's doubles. Women's doubles will be scheduled if time and the draw allow.

Since the holiday falls midweek, the first rounds will be played on Thursday and the remaining rounds will be played on Saturday and Sunday. Entry fees are \$10 per singles event and \$15 per doubles team. The courts are four outdoor, medium speed hard courts.

More information is available from David Rivera at 305 Pearl St., 864-5621.

SHERIFF'S SALE
22417
The Commonwealth of Massachusetts Middlesex, ss., April 6, A.D. 1991
Taken on execution and will be sold by public auction, on Wednesday, the seventh day of August A.D. 1991, at ten o'clock a.m., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right, title and interest that Anne J. Henderson, Trustee of the Henderson Realty Trust of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the eighth day of April A.D. 1991, at nine o'clock and no minutes, a.m., being the time when the same was taken on execution and to the following described real estate, to wit:
Unit 138 in Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at book 18625, page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

SHERIFF'S SALE
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Unit 138 in Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at book 18625, page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

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Unit 138 in Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at book 18625, page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 332784
NOTICE OF TRUSTEESHIP TO FILL A VACANCY UNDER WILL
NOTICE
To all persons interested in the trust estate under the will of Eugenio Lucarelli late of Cambridge for the benefit of Constance Lucarelli and others.
A petition has been presented in the above-captioned matter praying that Ferdinando Lucarelli, aka Fred or Ferdinand Lucarelli of Arlington in the County of Middlesex be appointed trustee.
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 July 12, 1991.
Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge, the twelfth day of June in the year of our Lord one thousand nine hundred and ninety-one.
Dorria M. Lambert Register of Probate

SAV-MOR Discount Liquors
Hours: Mon-Thurs 9 am-10 pm, Fri-Sat 8:30 am-10 pm, Sun 12 pm-9 pm
Wines • Wines • Wines • Wines
Gallo Varietal Wines 750 ml \$3.99 or 3 for \$10.00
Sebastiani Proprietors Reserve 1.5 lt. \$5.50
Sebastiani Country Wines 1.5 lt. \$6.50
Vino Casata Table Wines 4 lt. \$6.50
Freixenet Cordon Negro 750 ML \$6.50

1.75 liter Liquors
Lechmere Vodka \$8.99
S.S. Pierce Vodka 80° \$9.99
Ron Virgin White Rum \$10.99
Old Thompson American Whiskey \$11.99
Absolut Vodka \$20.99
Beefeater Gin \$22.99
Sav-Mor Gin \$8.99
Jim Beam Bourbon \$13.99

750 ml Liquors
Jose Cuervo Gold \$10.99
Myers Rum \$11.49
Johnny Walker Black \$17.99
Frangelico \$15.99
Stolichnaya Vodka \$11.99
Tanqueray Gin \$13.99
Seagram's Crown Royal \$13.99
Bailey's Irish Cream \$15.99

Beer • Soda • Wine Coolers
Bud Light \$12.99
Busch Light \$10.99
Meister Brau \$9.99
Bartles & Jaymes \$2.99
Michelob Reg. Light & Dry \$13.99
Corona \$16.99
St. Pauli Girl \$17.99
Coke, Diet Coke and others \$2.99

SAV-MOR Discount Liquors
15 McGrath Hwy. (Rt. 28) Somerville, 628-6444
Across from Twin City Plaza
All beer & soda prices plus deposit. We reserve the right to limit quantities and to correct price errors.

CITY OF CAMBRIDGE BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended that CBL, Inc., Club Casablanca, Sari Abu-Jubeh, Manager holder of an all alcoholic beverages as a restaurant license, 2 a.m. expired at 491 Brattle Street and 12-14 Millin Place has applied for a change of premises description, change of d/b/a, change of address and pledge of license.
The change of address from 40R Brattle Street and 12-14 Millin Place to 40 Brattle Street.
Pledge of license to Casino Club Casablanca.
The premises are described as follows: one dining room, one room consisting of cafe and bar, kitchen in the basement level.
The hearing on this application will be held on Tuesday evening, July 9, 1991, at six o'clock, in the office of the City Clerk, City Hall, Cambridge, Massachusetts, 2nd floor, 831 Massachusetts Avenue, Cambridge.
Richard V. Scall Kevin Fitzgerald City Clerk License Commission

PUBLIC NOTICE RELATIVE TO ZONING 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, Termination Edition and amendments thereto, that the Committee on Ordinances, comprised of the entire membership of the City Council, will hold a public hearing on Tuesday, July 23, 1991 at 5:30 p.m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board, to amend the text of the Zoning Ordinance of the City of Cambridge by creating new section 11.40-A East Cambridge Overlay Districts 13-39, PUD-3B, 17.20-S Special District II, 17.20-S Special District III, 17.40-S Special District IV, 18.10-T Traffic Mitigation Measures, and 18.20-Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include East Cambridge Overlay Districts in the area of Charles Street to Brewery Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition will replace the East Cambridge Interim Planning Overlay District in its entirety.
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 Francis H. Duseay, Chairman

COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT THE PROBATE AND FAMILY COURT DEPARTMENT
Middlesex Division Docket No. 3192076GM-1
NOTICE OF GUARDIANSHIP MINOR - WITH SURETIES
NOTICE
To all persons interested in David Phillip Clachant of Cambridge in said County Middlesex, a minor.
A petition has been presented in the above-captioned matter praying that John Graham and Maureen Graham both of Cambridge in the County of Middlesex be appointed guardians of said minor with custody, with giving a surety on their 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 Middlesex on or before July 12, 1991.
Witness, Sheila E. McGovern, Esquire, First Justice of said Court at Cambridge Middlesex, the tenth day of June in the year of our Lord one thousand nine hundred and ninety-one.
Dorria M. Lambert Register of Probate

SHERIFF'S SALE
22577
The Commonwealth of Massachusetts Middlesex, ss., April 9, A.D. 1991
Taken on execution and will be sold by public auction, on Wednesday, the seventh day of August A.D. 1991, at ten o'clock a.m., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right, title and interest that Fadi S. Chehayas of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the ninth day of April A.D. 1991, at nine o'clock and no minutes, a.m., being the time when the same was taken on execution and to the following described real estate, to wit:
Unit #492 in the Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at Book 18625, Page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

SHERIFF'S SALE
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Unit #492 in the Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at Book 18625, Page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

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Unit #492 in the Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at Book 18625, Page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

CITY OF CAMBRIDGE BOARD OF LICENSE COMMISSIONERS
Notice is hereby given under General Laws, Chapter 138, as amended that Han's Oriental Foods Corporation d/b/a Oriental Grill, 100 Han Han, Manager has applied for a license to sell all alcoholic beverages as a restaurant at 950 Massachusetts Avenue. This premises is in capped area #2. (This ad is to correct the ad published 5/16/91 which read Ming's Oriental Foods Corporation d/b/a Ming's Oriental Grill, hearing date May 28, 1991)
The premises are described as follows: dining room, kitchen and storage on ground floor.
The officers and directors of Han's Oriental Foods Corporation are: Ming Han Bush, President, Clerk and Director; John C. Bush, Treasurer and Director.
The hearing on this application will be held on Tuesday evening, July 9, 1991, at six o'clock, in the office of the City Clerk, City Hall, Cambridge, Massachusetts, 2nd floor, 831 Massachusetts Avenue, Cambridge.
Richard V. Scall Kevin Fitzgerald City Clerk License Commission

McKinnon's Choice Meat Market
239 Elm. • Davis Sq. • Somerville
LEAN GENOVA BRAND ITALIAN SAUSAGE 1.99 lb.
FRESH CHICKEN WINGS 69¢ lb.
GERMAN BOLOGNA 1.29 lb.
BAKED HAM 1.99 lb.
SATURDAY ALL MEALS \$2.50
FINEST QUALITY MEAT AT LOWEST PRICES

SHERIFF'S SALE
21842
The Commonwealth of Massachusetts Middlesex, ss., April 2, A.D. 1991
Taken on execution and will be sold by public auction, on Wednesday, the seventh day of August A.D. 1991, at ten o'clock a.m., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right, title and interest that Webb F. Elkins of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the second day of April A.D. 1991, at nine o'clock and no minutes, a.m., being the time when the same was taken on execution and to the following described real estate, to wit:
Unit 509.4 Canal Park, Cambridge, Middlesex County, Massachusetts in Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at Book 18625, Page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

SHERIFF'S SALE
21842
The Commonwealth of Massachusetts Middlesex, ss., April 2, A.D. 1991
Taken on execution and will be sold by public auction, on Wednesday, the seventh day of August A.D. 1991, at ten o'clock a.m., at my office, 99 First Street in Cambridge, in said County of Middlesex, all the right, title and interest that Webb F. Elkins of Cambridge in said County of Middlesex, had (not exempt by law from attachment or levy on execution) on the second day of April A.D. 1991, at nine o'clock and no minutes, a.m., being the time when the same was taken on execution and to the following described real estate, to wit:
Unit 509.4 Canal Park, Cambridge, Middlesex County, Massachusetts in Thomas Graves' Landing Condominium created by Master Deed dated January 20, 1988 and recorded on January 22, 1988, with the Middlesex South Registry of Deeds, at Book 18625, Page 434, in accordance with the provisions of Massachusetts General Laws, Chapter 183A.

OVERLAY DISTRICTS
Map showing various zoning districts: IA-1, IA-2, SD-III, SD-IV, SD-II, 3A, 3B, 3C, 3D, 3E, 3F, 3G.

McKinnon's Choice Meat Market
FRESH SIRLOIN 1.99 lb.
PATTIES 1.99 lb.
JUMBO EGGS 99¢ doz.
NEPCO, SKINLESS FRANKS 99¢ lb.
POLISH SAUSAGE 4.89 3 lb.
AMERICAN CHEESE 1.99 lb.

McKinnon's Choice Meat Market
SUPER SPECIAL BONELESS SKINLESS CHICKEN BREASTS 1.99 lb.
NEW YORK SIRLOIN STEAK 1.99 lb.
FRESH CHICKEN BREAST 99¢ lb.
CHICKEN WINGS 69¢ lb.
GERMAN BOLOGNA 1.29 lb.
BAKED HAM 1.99 lb.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

June 25, 1991

To Whom It May Concern:

Enclosed you will find a copy of a hearing scheduled before the Committee on Ordinances for Tuesday, July 23, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board to amend the Zoning Ordinances of the City of Cambridge which would replace the East Cambridge Interim Planning Overlay District in its entirety.

Your kind attention in this matter will be greatly appreciated.

Very truly yours,

Joseph E. Connarton,
City Clerk

JEC/dl

Enc. (1)

PUBLIC NOTICE
RELATIVE TO ZONING

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 **Tuesday, July 23, 1991 at 5:30 p. m.** in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board, to amend the text of the Zoning Ordinance of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

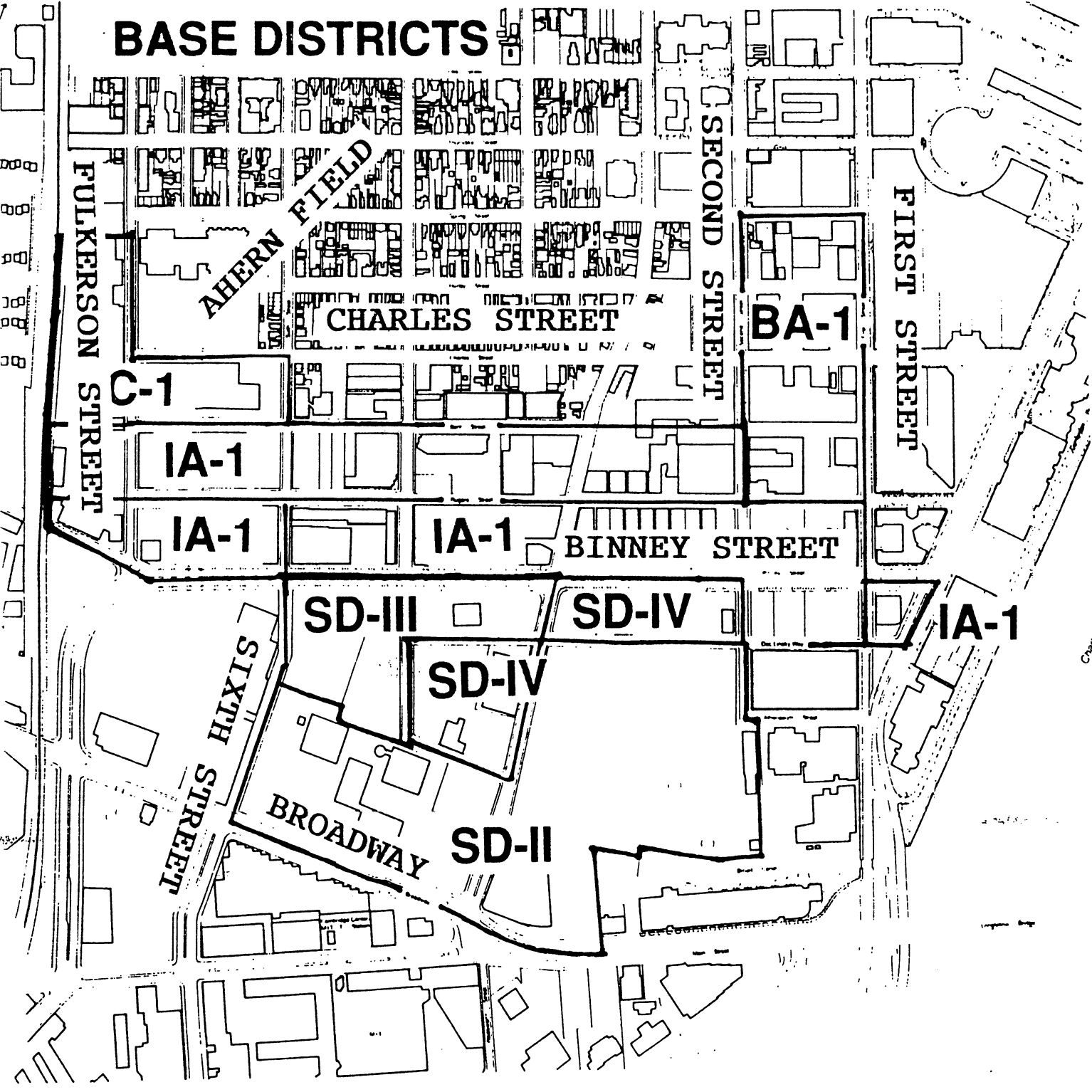
Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

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

For the Committee,

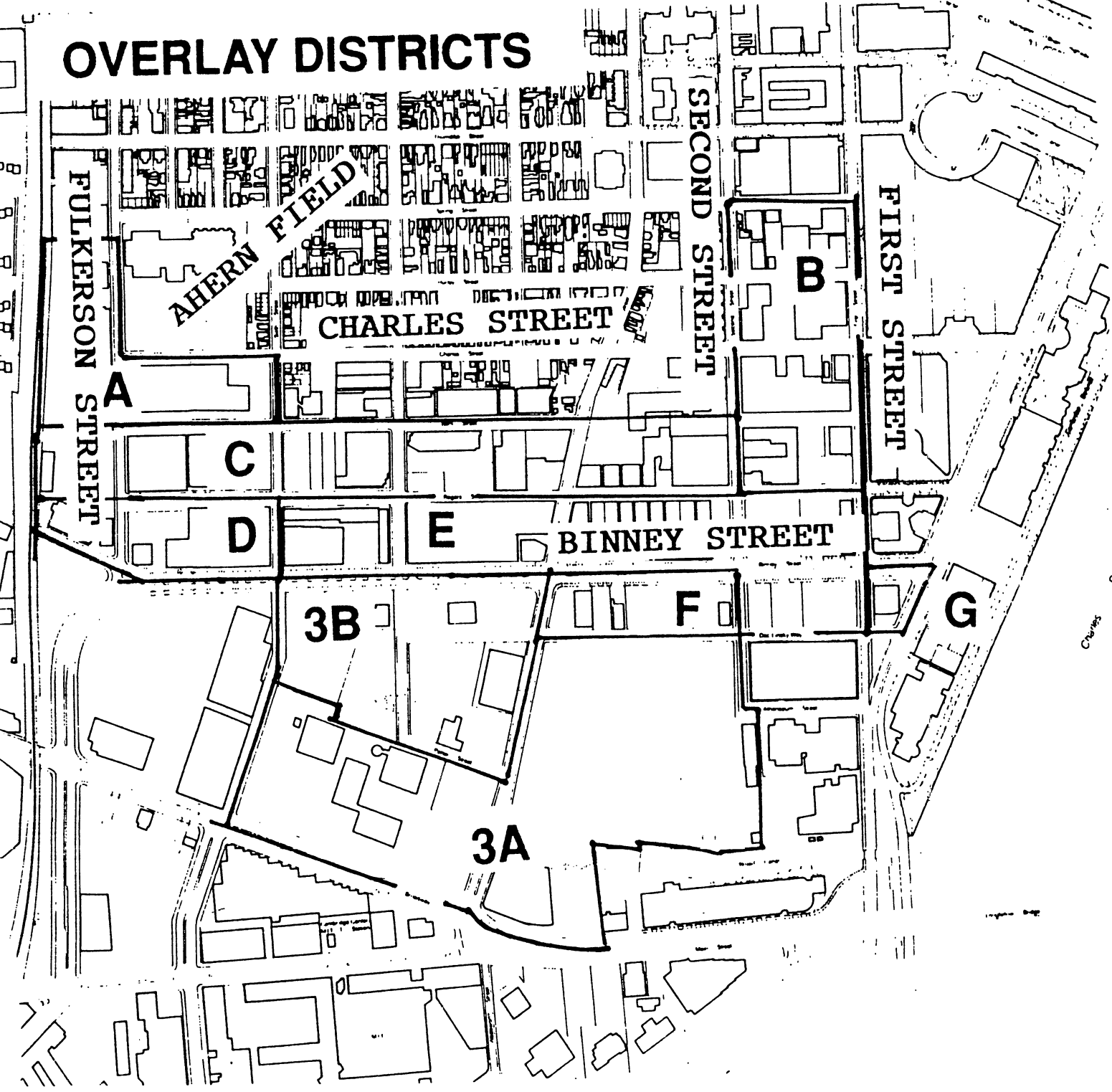
Councillor Francis H. Duehay,
Chairman

BASE DISTRICTS



Charter

OVERLAY DISTRICTS



FULKERSON STREET

AHERN FIELD

CHARLES STREET

SECOND STREET

FIRST STREET

A

B

C

D

E

BINNEY STREET

3B

F

G


3A

Crews

1991 JUN 25 AM 11:09

CITY OF CAMBRIDGE

CITY OF CAMBRIDGE
ASSESSING DEPARTMENT
INTEROFFICE CORRESPONDENCE

TO: Joseph E. Connarton, City Clerk
FROM: Sally Powers, Director of Assessment 
SUBJECT: Written protest to E. Camb. Interim Overlay District
Date: June 24, 1991

In reply to your memo dated June 20, 1991, please be advised that we have, this day, forwarded to the Engineering Department the written protest to the above-referenced petition.



OFFICE OF THE CITY CLERK

CITY OF CAMBRIDGE

CITY HALL, CAMBRIDGE, MASSACHUSETTS 02139

JOSEPH E. CONNARTON
CITY CLERK

(617) 349-4260

JOHN E. FLYNN
DEPUTY CITY CLERK

June 20, 1991

TO: SALLY POWERS
BOARD OF ASSESSORS

FROM: JOSEPH E. CONNARTON *JEC*
CITY CLERK

SUBJECT: WRITTEN PROTEST TO THE EAST CAMBRIDGE INTERIM
OVERLAYDISTRICT.

Enclosed you will find two copies of the written protest received by this office regarding the rezoning petition for the East Cambridge area.

Would you kindly certify these parcels and forward same to the Engineering Department as soon as possible.

Your kind attention in this matter will be greatly appreciated.



COM Energy Services Company
One Main Street
Post Office Box 9150
Cambridge, Massachusetts 02142-9150
Telephone (617) 225-4000

June 11, 1991

Mr. Joseph R. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Ma. 02139

Dear Mr. Connarton:

The Cambridge land owners listed below oppose the petition submitted by the Cambridge Planning Board to amend the text of the Zoning Ordinance by: creating new sections 11.400, 13.80, 13.90, 17.20, 17.30, 17.40, 18.10, 18.20 and amending the Zoning Map by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and new Special Districts II, III, IV; the zoning map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3.

The public hearing notice published in the June 4, 1991 Cambridge TAB refers to an existing East Cambridge Interim Planning Overlay District and that it is the intent of the Planning Board's petition to replace the East Cambridge Interim Planning Overlay District. However, it should be noted that no such East Cambridge Interim Planning Overlay District exists. As the previous East Cambridge Interim Planning Overlay District expired on February 28, 1991, there is nothing to replace.

As such, we do hereby respectfully file a written protest pursuant to Chapter 40A, Section 5 of the Massachusetts General Laws. Massachusetts General Laws Chapter 40A, Section 5, states generally that no zoning ordinance can be adopted except by a two-thirds vote of the City Council. For Cambridge, this would mean six (6) councillors. However the statute further provides that if a written protest is filed prior to final approval of a change to the ordinance, stating the reasons for the protest, signed by the owners of twenty percent (20%) or more of the land proposed to be included in such change, or of the area of the

land immediately adjacent extending three hundred feet (300') therefrom, then a three-fourths vote (7 councillors) would be necessary for the ordinance to be enacted. As land owners of real estate which will be affected by the proposed changes, we now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because it does not serve the best interests of the City of Cambridge or the people who live and work here. We believe that the current regulation is sufficient and that the proposed regulation will only decrease the value of our property. Please refer to Schedule A attached for a detailed listing of our land holdings adversely impacted by the proposed zoning petition.

Please place this written protest into the official records of the City.

Sincerely,

COM/Energy Services Company



Michael P. Sullivan
Vice President

Cambridge Electric Light Company
Commonwealth Gas Company
COM/Energy Research Park Realty
Darvel Realty Trust

Enclosure

SCHEDULE A

COMMONWEALTH ENERGY SYSTEM

Cambridge Land Holdings Impacted
by the
Proposed Zoning Petition

Land parcels located within the Proposed Zoning Petition Area.

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
364 Third Street	COM/Energy Research Park Realty	397,530
330 Third Street	Commonwealth Gas Co.	13,855
31 Potter Street	Commonwealth Gas Co.	<u>142,460</u>
SUBTOTAL		<u>553,845</u>

Land parcels located in the immediate area of the Proposed Zoning Petition Area (within 300 feet).

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
273 First Street	Cambridge Electric Light Co.	168,000
364R Third Street	Cambridge Electric Light Co.	84,784
One Main Street	Darvel Realty Trust	68,520
101 Main Street	Darvel Realty Trust	83,904
209 Otis Street	Cambridge Electric Light Co.	<u>13,899</u>
SUBTOTAL		<u>419,107</u>

TOTAL AFFECTED LAND HOLDINGS 972,952

COMEnergy

COM/Energy Services Company
One Main Street
Post Office Box 9150
Cambridge, Massachusetts 02142-9150
Telephone (617) 225-4000

1991 JUN 18 AM 10:31

CAMBRIDGE MA.

June 11, 1991

Mr. Joseph R. Connarton
City Clerk
City Hall
City of Cambridge
795 Massachusetts Avenue
Cambridge, Ma. 02139

Dear Mr. Connarton:

The Cambridge land owners listed below oppose the petition submitted by the Cambridge Planning Board to amend the text of the Zoning Ordinance by: creating new sections 11.400, 13.80, 13.90, 17.20, 17.30, 17.40, 18.10, 18.20 and amending the Zoning Map by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and new Special Districts II, III, IV; the zoning map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3.

The public hearing notice published in the June 4, 1991 Cambridge TAB refers to an existing East Cambridge Interim Planning Overlay District and that it is the intent of the Planning Board's petition to replace the East Cambridge Interim Planning Overlay District. However, it should be noted that no such East Cambridge Interim Planning Overlay District exists. As the previous East Cambridge Interim Planning Overlay District expired on February 28, 1991 there is nothing to replace.

As such, we do hereby respectfully file a written protest pursuant to Chapter 40A, Section 5 of the Massachusetts General Laws. Massachusetts General Laws Chapter 40A, Section 5, states generally that no zoning ordinance can be adopted except by a two-thirds vote of the City Council. For Cambridge, this would mean six (6) councillors. However, the statute further provides that if a written protest is filed prior to final approval of a change to the ordinance, stating the reasons for the protest, signed by the owners of twenty percent (20%) or more of the land proposed to be included in such change, or of the area of the

land immediately adjacent extending three hundred feet (300') therefrom, then a three-fourths vote (7 councillors) would be necessary for the ordinance to be enacted. As land owners of real estate which will be affected by the proposed changes, we now so file such a protest.

We oppose the proposed amendment to the Cambridge Zoning Ordinance because it does not serve the best interests of the City of Cambridge or the people who live and work here. We believe that the current regulation is sufficient and that the proposed regulation will only decrease the value of our property. Please refer to Schedule A attached for a detailed listing of our land holdings adversely impacted by the proposed zoning petition.

Please place this written protest into the official records of the City.

Sincerely,

COM/Energy Services Company

A handwritten signature in cursive script, appearing to read "Michael P. Sullivan", is written over a solid horizontal line.

Michael P. Sullivan
Vice President

Cambridge Electric Light Company
Commonwealth Gas Company
COM/Energy Research Park Realty
Darvel Realty Trust

Enclosure

SCHEDULE A

COMMONWEALTH ENERGY SYSTEM

Cambridge Land Holdings Impacted by the Proposed Zoning Petition

Land parcels located within the Proposed Zoning Petition Area.

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
364 Third Street	COM/Energy Research Park Realty	397,530
330 Third Street	Commonwealth Gas Co.	13,855
31 Potter Street	Commonwealth Gas Co.	<u>142,460</u>
SUBTOTAL		<u>553,845</u>

Land parcels located in the immediate area of the Proposed Zoning Petition Area (within 300 feet).

<u>Address</u>	<u>Owner</u>	<u>Square Ft.</u>
273 First Street	Cambridge Electric Light Co.	168,000
364R Third Street	Cambridge Electric Light Co.	84,784
One Main Street	Darvel Realty Trust	68,520
101 Main Street	Darvel Realty Trust	83,904
209 Otis Street	Cambridge Electric Light Co.	<u>13,899</u>
SUBTOTAL		<u>419,107</u>

TOTAL AFFECTED LAND HOLDINGS **972,952**

4.

1.
CONSENT COMMUNICATIONS

Comm. received from Com. Energy Services
Company protesting the East Cambridge Interim
Planning Overlay District.

In City Council,

June 24, 1991

*Referred to the
petition*

22.



CITY OF CAMBRIDGE
CAMBRIDGE, MASSACHUSETTS 02139

TEL. 349-4300
FAX. 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

October 21, 1991

To The Honorable, The City Council:

I am hereby transmitting a Planning Board Recommendation on the Planning Board Petition affecting the area covered by the East Cambridge Interim Planning Overlay District, as well as revised text as recommended by the Planning Board, for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
attachments

CONSENT AGENDA

22.

Transmitting communication from Robert W. Healy, City Manager, relative to a Planning Board Recommendation on the Planning Board Petition affecting the area covered by the East Cambridge Interim Planning Overlay District, as well as revised text as recommended by the Planning Board.

In City Council,

October 21, 1991

*Referred to the
petition.*

Written protest received &
not recorded - due to
40% area owned by
protestors

THYPIN STEEL

1991 OCT -9 AM 9 42

October 8, 1991

Joseph E. Connarton, City Clerk
Office of the City Clerk
City of Cambridge - City Hall
Cambridge, MA 02139

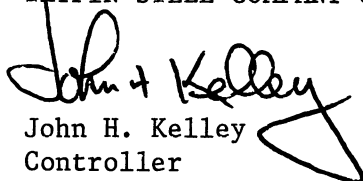
Dear Mr. Connarton:

Enclosed please find two written protests against the CDD/Planning Board rezoning proposal submitted by Francis Duehay and presently in front of the City Council.

Thank you for your attention to this matter.

Sincerely,

THYPIN STEEL COMPANY OF NEW ENGLAND, INC.


John H. Kelley
Controller

/1

WRITTEN PROTEST AND STATEMENT OF REASONS
RE: PROPOSED EAST CAMBRIDGE DISTRICT REZONING AMENDMENT - c. 40A §5

OCT -9 AM 9:43

The rezoning proposal drastically reduces density and requires residential development in areas previously zoned exclusively for commercial and industrial use. This imposes an unfair burden upon property owners within the areas proposed to be rezoned by destroying the economic incentives to redevelop the commercial and industrial portions of the district. The purported goals of the rezoning, reducing traffic and increasing the stock of affordable housing are in fact not realistically advanced by the rezoning proposal; these interests are more properly addressed by the parking freeze and the linkage program. Instead, incompatible residential use is being proposed in areas where existing industrial and commercial development has long been established and where Cambridge has a unique potential for developing intensive commercial and research and development uses to support its tax base. This proposal is unsound as a matter of city planning and will reduce both the real value and the tax base of the land it downzones. The undersigned oppose this proposal for the following additional reasons:

(1) Little consideration is given to the creation of a sound and thriving commercial zone around the Cambridge Center properties nor to providing expansion space for the research and development and office growth around Broadway. Nor is much attention given to integrating the existing First Street commercial properties into the renovated Lechmere Riverfront commercial and residential developments. In light of the capital investment, the tax base gains and the potential for creating a critical mass of office, research and development and commercial space in these areas, the proposed rezoning is clearly inadequate.

(2) The proposed rezoning will drastically reduce allowable densities from those allowed under the current zoning (in some cases, by 50%). This reduction is proposed as a solution to traffic concerns, concerns which already are effectively addressed by the Parking Freeze Ordinance passed in November and codified at Chapter 10.16 of the Cambridge Municipal Code. Furthermore, the traffic mitigation package included in the rezoning will appropriately address remaining traffic concerns caused by new development.

(3) The proposed rezoning addresses concerns of the residential portions of the neighborhood but ignores the legitimate concerns of commercial and office property owners and the remaining owners of industrial and light industrial property. No consensus was formed among the Rezoning Advisory Committee on what uses are most appropriate for East Cambridge. Despite this, the proposed rezoning reorients significant portions of the District to residential use despite the clear lack of a market for new housing, especially given the existing commercial/industrial use of the southern half of the District. The rezoning's overlay provisions; allowing modest increases in density contingent on building new housing (in addition to housing contributions under the City's linkage system) are in fact illusory.

The undersigned landowners therefore protest the proposed rezoning and call for a 3/4 vote of the City Council pursuant to C. 40A §5.

Name

Address of Property

Lawrence Gilbert
Lawrence Gilbert, Trustee
Manhasset Bay Associates

301 Binney Street, Cambridge

WRITTEN PROTEST AND STATEMENT OF REASONS
RE: PROPOSED EAST CAMBRIDGE DISTRICT REZONING
AMENDMENT - C. 40A §5

1991 OCT -9 AM 9 43

The rezoning proposal drastically reduces density and requires residential development in areas previously zoned exclusively for commercial and industrial use. This imposes an unfair burden upon property owners within the areas proposed to be rezoned by destroying the economic incentives to redevelop the commercial and industrial portions of the district. The purported goals of the rezoning, reducing traffic and increasing the stock of affordable housing are in fact not realistically advanced by the rezoning proposal; these interests are more properly addressed by the parking freeze and the linkage program. Instead, incompatible residential use is being proposed in areas where existing industrial and commercial development has long been established and where Cambridge has a unique potential for developing intensive commercial and research and development uses to support its tax base. This proposal is unsound as a matter of city planning and will reduce both the real value and the tax base of the land it downzones. The undersigned oppose this proposal for the following additional reasons:

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The undersigned landowners therefore protest the proposed rezoning and call for a 3/4 vote of the City Council pursuant to C. 40A §5.

Name

Address of Property

Lawrence Gilbert
Lawrence Gilbert, Trustee
O&T Realty Trust

152 Fulkerson Street, Cambridge

1991 SEP 13 AM 9 06

Jeanne S. Conroy
Attorney



New England Telephone

A NYNEX Company

185 Franklin Street, Room 1401
Boston, Massachusetts 02107
Phone (617) 743-6984
Fax (617) 737-6648

September 12, 1991

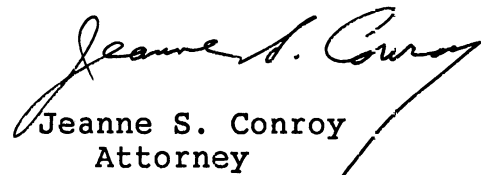
City Clerk
City Hall
795 Massachusetts Ave.
Cambridge, MA 02139

Re: First Amendment to Zoning Ordinance,
East Cambridge, Overlay District

Dear Sir:

For purposes of satisfying the requirement of M.G.L. c. 40A §5, I have enclosed a copy of my written protest to Chairman Duehay for filing in connection with the referenced matter.

Very truly yours,


Jeanne S. Conroy
Attorney

6631C



New England Telephone

A NYNEX Company

185 Franklin Street, Room 1401
Boston, Massachusetts 02107
Phone (617) 743-5984
Fax (617) 737-0628

Jeanne S. Conroy
Attorney

September 11, 1991

Councilor Francis H. Duehay, Chairman
Cambridge City Council
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Proposed Amendment to Zoning Ordinance,
East Cambridge, Overlay Districts

Dear Chairman Duehay:

New England Telephone and Telegraph Company ("NET") was recently advised that a proposal to revise the zoning requirements applicable to its building at 210 Bent Street, Cambridge is under consideration by the City Council. As a substantial member of the Kendall Square Community and as a major investor in the redevelopment area, NET feels that its views on the proposed amendment are important. For the reasons set forth herein NET protests against the proposed amendment.

NET's Bent Street building currently stands 140' tall and has an F.A.R. of 1.8. The existing foundation and structure were framed for an additional five stories. If they were built, the total building height would be 227' and the F.A.R. would be approximately 3.3 tall. Both of these parameters exceed the standards set forth in the proposed amendment.

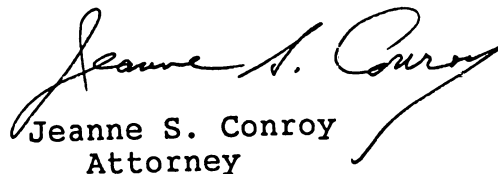
NET has invested in excess of \$10 Million of capital in land and building improvements at this site. A portion of these monies was expended on additional foundation and structural requirements which would allow the building to grow to its full potential. If NET is prevented from reaching this potential, there would be a substantial financial loss to the Company in that this investment would have been made for no purpose.

Councilor Francis H. Duehay, Chairman
Cambridge City Council
September 11, 1991
Page Two

NET built the 210 Bent Street building in good faith. At the time the building was constructed the City of Cambridge was planning dense, high-rise development of the Kendall Square area. NET chose the Bent Street site, in part, in an effort to assist the City with its redevelopment plans, and the building and NET's plans for future growth reflected those plans. It seems unfair to penalize NET for its efforts to be a good corporate citizen.

For purposes of determining whether twenty per cent or more of the land owners in the area object to the proposed change under M.G.L. c. 40A §5, you should note that the land area of NET's 210 Bent Street site is 71,866 sq.ft., and NET also owns 10,425 sq.ft. of land at 250 Bent Street.

Very truly yours,


Jeanne S. Conroy
Attorney

6594C



New England Telephone

A **NYNEX** Company

185 Franklin Street, Room 1401
Boston, Massachusetts 02107
Phone (617) 743-6984
Fax (617) 737-0648

Jeanne S. Conroy
Attorney

September 11, 1991

Councilor Francis H. Duehay, Chairman
Cambridge City Council
City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Proposed Amendment to Zoning Ordinance,
East Cambridge, Overlay Districts

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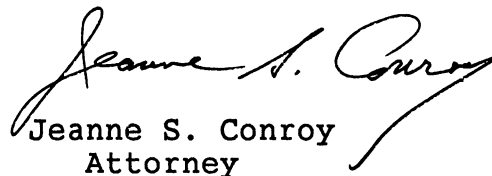
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Councilor Francis H. Duehay, Chairman
Cambridge City Council
September 11, 1991
Page Two

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Very truly yours,


Jeanne S. Conroy
Attorney

6594C

PETITION OF City Council

Re: Repealed Permanent East Cambridge Zoning
Petition filed with the City Clerk May 20, 1991

(all hearings to be completed 65 days from In City Council date)

11 days May
31 days June
24 days July

65 days = July 24, 1991 = all hearings

In City Council May 20, 1991

Referred to the Planning Board for report May 20, 1991

Planning Board Hearing _____

(CITY COUNCIL must act within 90 days of the ORDINANCE COMMITTEE hearing which would be October 21, 1991.)

8 days July
31 days Aug.
30 days Sept
21 days Oct.

90 days = October 21, 1991

City Council hearing published Chronicle on June 27, 1991
and July 4th, 1991

Hearing before the Ordinance Committee July 23, 1991 at 5:30 p.m.

Reported to the City Council August 7, 1991

Passed to a second reading on August 7, 1991
published in Chronicle on Aug 15, 1991

Planning Board report received on _____

Ready for ordination on August 26, 1991

Passed to be ordained on 10/2/91 Failed of ordination - 6-3-0
published in _____ on Reconsideration moved & prevailed
Tabled by C. Bluehay

COMPLETION DATE October 21, 1991 10/22/91 - Placed on file due to expiration of time limit

East Cambridge
 ReZoning Petition
 refiled 5.20.91

Petitioner	Block	Lot	Area Sq. Feet
Albert Brown	31	20	57143
Albert Brown	31	21	95138
Albert Brown	31	33	N/A
Albert Brown	20	57	N/A
Albert Brown	20	143	N/A
Subtotal			152281
Robert A. Jones	15	3	44000
Robert A. Jones	15	4	35836
Robert A. Jones	15	15	
Subtotal			79836
Patrick Toomey	32	53	107024
ComEnergy System	14	38	397530
ComEnergy System	14	39	13855
ComEnergy System	29	13	N/A
ComEnergy System	29	34	35891
ComEnergy System	29	43	3110
ComEnergy System	29	44	101459
ComEnergy System	13	21	168000
ComEnergy System	14	40	84784
ComEnergy System	13	23	68520
ComEnergy System	14	36	83904
ComEnergy System	34	136	13899
Subtotal			970952
Grand Total			1,310,093
Petition Area			3,228,227.5
Percent Owned by Protesters			40.58%

THE WORKS
CAMBRIDGE
DEPARTMENT
OF PUBLIC

1991 SEP 12 AM 10:18

TO: Joseph E. Connaughton
City Clerk

FROM: David A. Haley
Commissioner of Public Works

RE: East Cambridge Rezoning Petition

DATE: September 11, 1991

David A. Haley
Commissioner

147 Hampshire Street
Cambridge
Massachusetts 02139
617-349-4800

Enclosed is a tally of certified land owners protesting the above-referenced petition. The results can be summarized as follows:

Land Area (in Square Feet) Owned by Protesters Certified by Assessors' Office	1,310,093
Total Petition Area (in Square Feet)	3,228,227.5
Percent of Petition Area Owned by Protesters	40.58%

Please let me know if you need any additional information.



2.

Comm. & Report from
City Officials

Comm. from Joseph E. Connarton, City Clerk, transmitting a communication from David A. Haley, Commissioner of Public Works, regarding written protest to the East Cambridge rezoning petition.

In City Council,

Sept. 16, 1991

*Referred to the
petition*

PUBLIC NOTICE
RELATIVE TO ZONING

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 Tuesday, July 23, 1991 at 5:30 p. m. in the Sullivan Chamber, City Hall, Cambridge, Massachusetts on a petition by the Planning Board, to amend the text of the Zoning Ordinance of the City of Cambridge by creating new section 11.400 - East Cambridge Overlay Districts, 13.80 - PUD-3A, 13.90 - PUD-3B, 17.20 - Special District II, 17.30 - Special District III, 17.40 - Special District IV, 18.10 - Traffic Mitigation Measures, and 18.20 - Construction Management Program; amend the Zoning Map of the City of Cambridge by deleting the existing zoning districts in the East Cambridge Interim Planning Overlay District and replacing them with Residence C-1, Industry A-1, Business A-1, and the new Special Districts II, III and IV, the Zoning Map is also amended to include the East Cambridge Overlay Districts in the area of Charles Street to Binney Street and a new PUD 3A and PUD 3B in the area currently zoned Office 3 and PUD-3 as shown on the accompanying map. The petition would replace the East Cambridge Interim Planning Overlay District in its entirety.

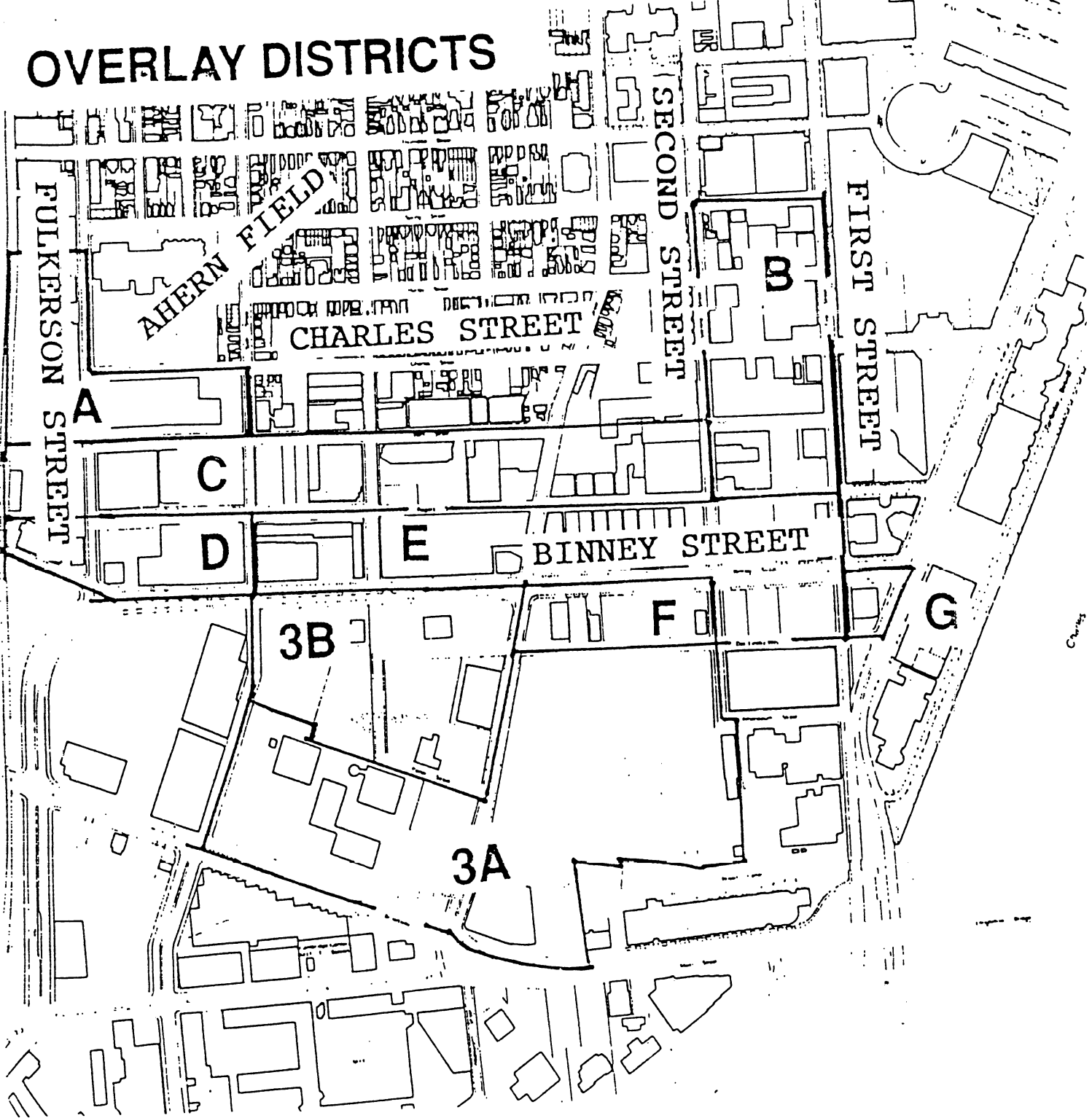
Copies of this petition are on file in the office of the City Clerk, City Hall, Cambridge, Massachusetts.

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

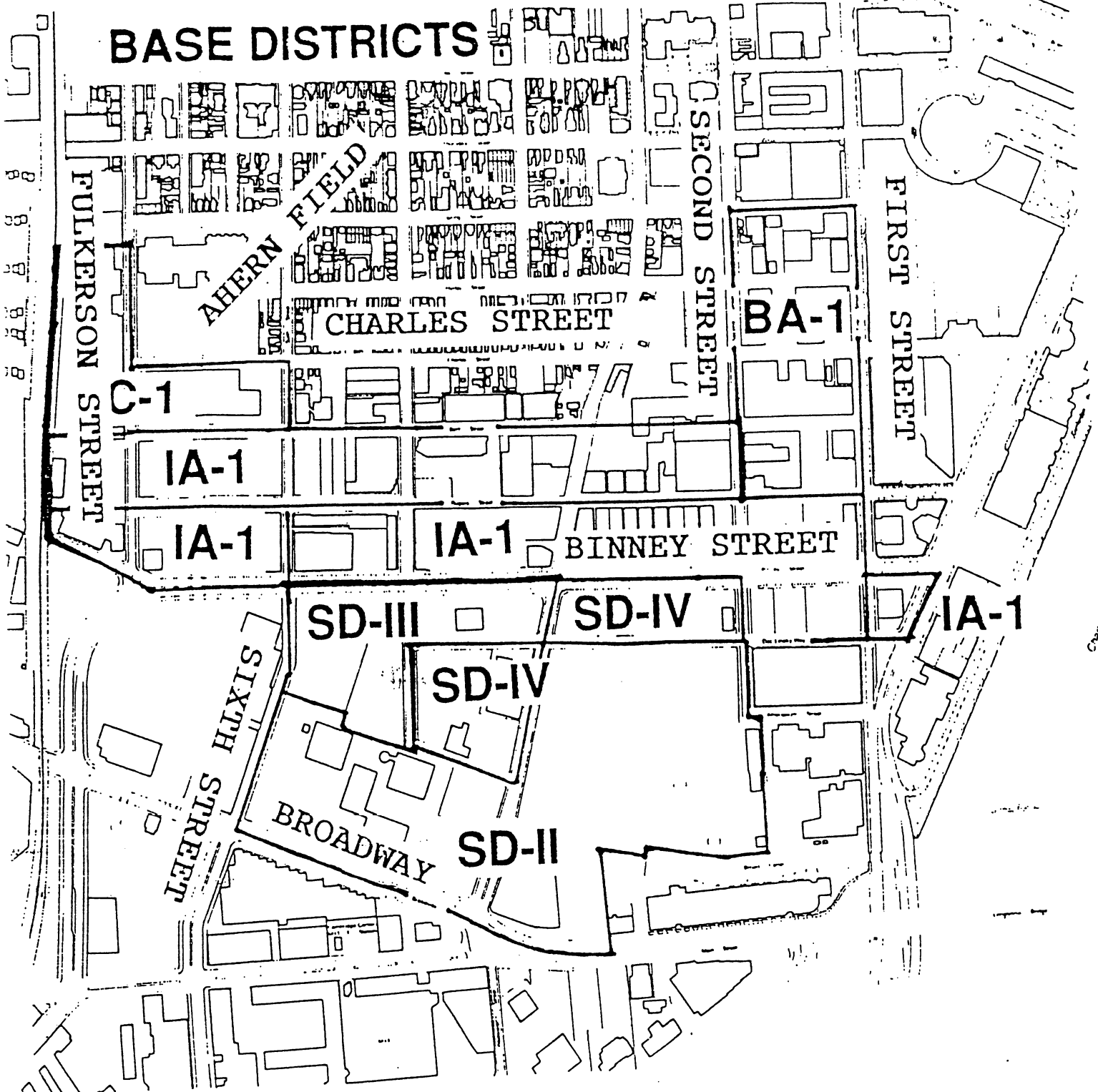
For the Committee,

Councillor Francis H. Duchay,
Chairman

OVERLAY DISTRICTS



BASE DISTRICTS



Crane



CITY OF CAMBRIDGE

CAMBRIDGE, MASSACHUSETTS 02139

TEL 349-4300

FAX 349-4307

EXECUTIVE DEPARTMENT
ROBERT W. HEALY
City Manager

RICHARD C. ROSSI
Deputy City Manager

December 17, 1990

To The Honorable, The City Council:

Attached, please find a recommendation submitted by the Planning Board, relative to a Petition for Permanent Rezoning in the East Cambridge Interim Planning Overlay District Area, for your consideration.

Very truly yours,

A handwritten signature in black ink, appearing to read "Robert W. Healy", written over a horizontal line.

Robert W. Healy
City Manager

RWH/mev
attachment



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

December 13, 1990

To the Honorable, the City Council:

SUBJECT: Planning Board Petition for Permanent Rezoning in the East Cambridge Interim Planning Overlay District Area.

The Planning Board is hereby submitting for City Council consideration a recommended permanent zoning petition for the portion of East Cambridge which has been the subject of extensive planning study by the Planning Board and the East Cambridge Rezoning Advisory committee for the past two years. The proposal as presented here is a faithful reflection of the majority recommendations made by the Advisory Committee to the Planning Board after many months of intensive effort on the part of neighborhood residents and property owner members of the Committee.

The rezoning proposal is comprehensive: it creates two new planned unit development districts, a new overlay district, and three new base zoning districts while also making changes to several other existing base zoning districts. These extensive proposals, however, achieve several straightforward objectives:

- The amount of permitted development in the affected area is reduced modestly.
- Housing is mandated to be built as part of the last increment of development allowed on commercial sites; if housing is not built the permitted commercial development is significantly reduced.
- Traffic mitigation requirements are imposed for new large scale developments when special permit approval is required; more directly, maximum parking limits for all developments are established which will assure that the amount of traffic entering the district as a result of the new development, is limited.

- Heights of new buildings are more carefully controlled; more opportunities are presented to review and regulate the design of new development. A set of design guidelines, now in draft form, is being developed to support that process.

This proposed zoning petition is the result of much study and analysis by the Advisory Committee and the Planning Board with substantial support from the Community Development Department. Given the magnitude of this proposal and its importance to East Cambridge and the City as a whole, the Board considers it vital that the policy context within which the petition was developed be more forthrightly presented so that the proposal can be better understood and evaluated. To that end, the Board will forward to the City Council in the near future a document which clearly states those underlying policy assumptions as the Board understands them and as they have operated to affect the details of the present zoning recommendation.

Respectfully submitted for the
Planning Board

A handwritten signature in black ink that reads "Paul Dietrich" followed by a small mark that looks like a stylized "4" or "H".

Paul Dietrich, Chairman

A. Amend the Zoning Map of the City of Cambridge as follows:

- 1.0 Amend the Zoning Map of the City of Cambridge by rezoning from Industry A-1 to Residence C-1 an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Fulkerson Street and the westerly extension of the centerline of Charles Street as shown on Assessor's Plat numbered 32,
 - 1.1 Thence turning and proceeding in a southeasterly direction along the centerline of Charles Street to the centerline of Sixth Street for a distance of approximately 560 feet,
 - 1.2 Thence turning and proceeding in a southwesterly direction along the centerline of Sixth Street to the centerline of Bent Street for a distance of approximately 250 feet,
 - 1.3 Thence turning and proceeding in a northwesterly direction along the centerline of Bent Street and the southwestern extension of the centerline of Bent Street to the Boston and Albany Railroad tracks for a distance of approximately 850 feet,
 - 1.4 Thence turning and proceeding in a northeasterly direction along the Boston and Albany Railroad tracks to a point said point being 150 feet on the Railroad tracks on Assessor's Plat numbered 32,
 - 1.5 Thence turning and proceeding in an southeasterly direction along a line perpendicular to the Boston and Albany Railroad tracks to the centerline of Fulkerson Street for a distance of approximately 280 feet,
 - 1.6 Thence turning and proceeding in a northeasterly direction along the centerline of Fulkerson Street to the point of origin for a distance of approximately 100 feet.
- 1.01 Premises as shown on Assessor's Plat numbered 32:

All of lot numbered 53, even numbers 252-320 Charles Street, odd numbers 101-117 Sixth Street, odd numbers 271-321 Bent Street and even numbers 126-144 Fulkerson Street.
- 1.02 Premises as shown on Assessor's Plat numbered 31:

All or parts of lot numbered 21, odd number 145 Fulkerson Street.

- 2.0 Amend the Zoning Map of the City of Cambridge by rezoning from Residence C-1 to Open Space an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Fulkerson Street and western extension of the northern lot line of lot numbered 87 on Assessor's Plat numbered 32,
- 2.1 Thence proceeding in an southeasterly direction along the southwestern extension of the northern lot line and the northern lot line of lot numbered 87 to intersection with the eastern side lot line 87 for a distance of approximately 473 feet,
- 2.2 Thence turning and proceeding in southwesterly direction along the eastern side lot line of lot numbered 87 and the southeastern extension of the eastern side lot line to a point of intersection the centerline of Charles Street for a distance of approximately 275 feet,
- 2.3 Thence turning and proceeding in a northwesterly direction along the centerline of Charles Street and its western extension to the centerline of Fulkerson Street for a distance of approximately 477 feet,
- 2.4 Thence turning and proceeding in a northeasterly direction along the centerline of Fulkerson Street to the point of origin for a distance of approximately 275 feet.
- 2.01 Premises as shown on Assessor's Plat numbered 32:
Lot numbered 87, 319 Charles Street, also known as John J. Ahearn Field.

- 3.0 Amend the Zoning Map of the City of Cambridge by rezoning from Industry A-1 to Residence C-1 an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Sixth Street and the centerline of Charles Street as shown on Assessor's Plat numbered 27,
- 3.1 Thence proceeding in an southeasterly direction along the centerline of Charles Street to a point of intersection with the northern extension of the eastern side lot line of lot numbered 3 on Assessor's Plat numbered 27 for a distance of approximately 125 feet,
- 3.2 Thence turning and proceeding in a southwesterly direction along the northern extension of the eastern side lot line of lot numbered 3 and the eastern side lot lines of lot numbered 3 and 83 to the southern side lot line of lot numbered 83 on Assessor's Plat numbered 27 for a distance of approximately 105 feet,
- 3.3 Thence turning and proceeding in a northwesterly direction along the southern side lot lines of lots numbered 83 and 84 and western extension of the southern side lot line of lot numbered 84 on Assessor's Plat numbered 27 to the centerline of Sixth Street for a distance of approximately 125 feet,
- 3.4 Thence turning and proceeding in northeasterly direction along the centerline of Sixth Street to the point of origin for a distance of approximately 125 feet.

3.01 Premises as shown on Assessor's Plat numbered 27:

All or parts of lots numbered 1, 2, 3, 14, 83, and 84, even numbers 238-248 Charles Street, and even numbers 100-106 Sixth Street.

- 4.0 Amend the Zoning Map of the City of Cambridge by rezoning from Industry B-1 to Industry A-1 an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of Boston and Albany Railroad tracks and western extension of the centerline of Bent Street,
- 4.1 Thence proceeding in an southeasterly direction along the western extension of the centerline of Bent Street, the centerline of Bent Street and the eastern extension of the centerline of Bent Street to the centerline of Third Street for a distance of approximately 1,975 feet,
- 4.2 Thence turning and proceeding in a southerly direction along the centerline of Third Street to the centerline of Binney Street for a distance of approximately 515 feet,
- 4.3 Thence turning and proceeding in a northwesterly direction along the centerline of Binney Street to the Boston and Albany Railroad tracks for a distance of approximately 1905 feet,
- 4.4 Thence turning and proceeding in a northeasterly direction along the Boston and Albany Railroad tracks tot he point of origin for a distance of approximately 325 feet.
- 4.01 Premises as shown on Assessor's Plat numbered 31:
- All or parts of lots numbered 21, 20, 15, 14, 8, 13, 12, even numbers 272-322 Bent Street, odd and even numbers 175-192 Fulkerson Street, odd and even numbers 151-186 Rogers Street, odd numbers 263-349 Binney Street, and odd numbers 119-157 Sixth Street.
- 4.02 Premises as shown on Assessor's Plat numbered 27:
- All or parts of lots numbered 93, 81, 78, 82, 76, 80, 79, 77, and 68, even numbers 160-264 Bent Street, even numbers 120-138 Sixth Street, odd and even numbers 194-217 Fifth Street, odd numbers 239-257 Third Street and odd numbers 119-149 Rogers Street.
- 4.03 Premises as shown on Assessor's Plat numbered 28:
- All or parts of lots numbered 23, 22, 15, 33, 34, and 31, even numbers 126-150 Rogers Street, even numbers 140-158 Sixth Street, odd and even numbers 218-241 Fifth Street, odd numbers 259-279 Third Street, and odd numbers 153-251 Binney Street.

- 5.0 Amend the Zoning Map of the City of Cambridge by rezoning from Industry A-1 and Business A to Business A-1 an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Second Street and the centerline of Spring Street,
- 5.1 Thence proceeding in a southeasterly direction along the centerline of Spring Street to the centerline of First Street for a distance of approximately 450 feet,
- 5.2 Thence turning and proceeding in a southwesterly direction along the centerline of First Street to the centerline of Rogers Street for a distance of approximately 1,000 feet,
- 5.3 Thence turning and proceeding in a northwesterly direction along the centerline of Rogers Street to the centerline of Second Street for a distance of approximately 450 feet,
- 5.4 Thence turning and proceeding in a northeasterly direction along the centerline of Second Street to the centerline of Spring Street, the point of origin.
- 5.01 Premises as shown on Assessor's Plat numbered 18:
- All or parts of lots numbered 68, 67, 69, 70, 66, 45, 62, 2, 61, 65, and 64, even numbers 78-96 Second Street, odd numbers 1-49 Hurley Street, even numbers 2-26 Spring Street, and odd numbers 75-95 First Street.
- 5.02 Premises as shown on Assessor's Plat numbered 10:
- All or parts of lots numbered 32, 33, 34, 35, 37, 36, 16, 30, 31, 38, and 39, even numbers 2-50 Hurley Street, odd and even numbers 1-50 Charles Street, odd numbers 55-91 Bent Street, even numbers 102-156 Second Street, and odd numbers 101-139 First Street.
- 5.03 Premises as shown on Assessor's Plat numbered 16:
- All or parts of lots numbered 23, 10, 11, 24, and 6, even numbers 56-92 Bent Street, even number 182 Second Street, odd numbers 141-159 First Street and odd numbers 25-50 Rogers Street.

- 6.0 Amend the Zoning Map of the City of Cambridge by rezoning from Residence C-3/PUD-2 to Industry A-1 an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of First Street and the centerline of Binney Street as shown on A on Assessor's Plat numbered 11,
- 6.1 Thence proceeding in an southeasterly direction along the centerline of Binney Street to the centerline of Commercial Avenue for a distance of approximately 300 feet,
- 6.2 Thence turning and proceeding in a southwesterly direction along the centerline of Commercial Avenue to the centerline of Doc Linsky Way (Munroe Street) for a distance of approximately 275 feet,
- 6.3 Thence turning and proceeding in a northwesterly direction along the centerline of Munroe Street to the centerline of First Street for a distance of approximately 300 feet,
- 6.4 Thence turning and proceeding in a northeasterly direction along the centerline of First Street to the point of origin for a distance of approximately 250 feet.
- 6.01 Premises as shown on Assessor's Plat numbered 11:

All or parts of lots numbered 32, 29, 31, and 30, even numbers 184-192 First Street, even numbers 6-22 Binney Street, and odd numbers 79-81 Commercial Avenue.

- 7.0 Amend the Zoning Map of the City of Cambridge by rezoning from Office 3A to Special District III an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Binney Street and the centerline of Sixth Street as shown on Assessor's Plat numbered 28,
- 7.1 Proceeding in a southeasterly direction along the centerline of Binney Street to the centerline of Third Street for a distance of approximately 1,020 feet,
- 7.2 Thence turning and proceeding in a southwesterly direction along the centerline of Third Street to the centerline of Doc Linsky Way (Munroe Street) for a distance of approximately 240 feet,
- 7.3 Thence turning and proceeding in a northwesterly direction along the centerline of Doc Linsky Way and the western extension of Doc Linsky Way to the northern extension of the centerline of Fifth Street for a distance of approximately 500 feet,
- 7.4 Thence turning and proceeding in a southwesterly direction along the centerline of Fifth Street and the southern extension of the centerline of Fifth Street to the northern side lot line of lot numbered 39 on Assessor's Plat numbered 29 for a distance of approximately 360 feet,
- 7.5 Thence turning and proceeding in a northwesterly direction along the northern side lot line of lot numbered 39 to the southern side lot line of lot numbered 47 to the western side lot line of lot numbered 47 on Assessor's Plat numbered 29 to the centerline of Sixth Street for a distance of approximately 270 feet,
- 7.6 Thence turning and proceeding in a northeastern direction along western side lot line of lot numbered 47 to the southern side lot line of lot numbered 31 on Assessor's Plat numbered 29 for a distance of approximately 50 feet,
- 7.7 Thence turning and proceeding in a northwesterly direction along the southwestern side lot line of lot numbered 31 and the northwestern extension of the centerline of Sixth Street for a distance of approximately 249 feet,

7.8 Thence turning and proceeding in a northeasterly direction along the centerline of Sixth Street to the centerline of Binney Street, the point of origin, for a distance of approximately 380 feet.

7.01 Premises as shown on Assessor's Plat numbered 28:

All or parts of lots numbered 46, 45, 44, 9, 39, and 43, even numbers 158-250 Binney Street, even number 178 Sixth Street, and odd numbers 287-299 Third Street.

7.02 Premises as shown on Assessor's Plat numbered 29:

All or parts of lots numbered 48, 31, and 47, even numbers 184-194 Sixth Street, odd numbers 271-299 Fifth Street.

- 8.0 Amend the Zoning Map of the City of Cambridge by rezoning from Office 3A to Special District II and PUD 3A an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Doc Linsky Way (Munroe Street) and the centerline of Third Street as shown on Assessor's Plat numbered 15,
- 8.1 Proceeding in a southeasterly direction along the centerline of Doc Linsky Way to the intersection with the centerline of Second Street for a distance of approximately 740 feet,
- 8.2 Thence turning and proceeding in a southwesterly direction along the centerline of Second Street and the southwestern extension of the centerline of Second Street to the southern side lot line of lot numbered 21 on Assessor's Plat numbered 13 for a distance of approximately 740 feet,
- 8.3 Thence turning and proceeding in a northwesterly direction along the southern side lot line of lots numbered 21 on Assessor's Plat numbered 13 and lot numbered 40 on Assessor's Plat numbered 14 to the end of the Broad Canal as shown on Assessor's Plat numbered 14 for a distance of approximately 356 feet,
- 8.4 Thence turning and proceeding in a southwesterly direction along the southeastern side of the Broad Canal, the southwester side lot line of lot numbered 38 on Assessor's Plat numbered 14 for a distance of approximately 20 feet,
- 8.5 Thence turning and proceeding in a northwesterly direction along the southwestern side lot line of lot numbered 38 on Assessor's Plat numbered 14 to a point of intersection with the northeastern extension of the southeastern side lot line of lot numbered 34 on Assessor's Plat numbered 14 for a distance of approximately 174 feet,
- 8.6 Thence turning and proceeding in southwesterly direction along the northeastern extension of the southeastern side lot line of lot numbered 34 and the southeastern side lot line of lot numbered 34 and lot numbered 29 and the southeastern extension of the southeastern side lot line to the centerline of Main Street, for a distance of approximately 360 feet,
- 8.7 Thence turning and proceeding in a generally westerly direction along the centerline of Main Street to the centerline of Broadway to the southwestern extension of

the Pedestrian Way shown as lot numbered 93 on Assessor's Plat numbered 44, for a distance of approximately 1365 feet,

- 8.8 Thence turning and proceeding in a northeasterly direction along the centerline of the pedestrian way, lot numbered 93 on Assessor's Plat number 44, to the intersection with the centerline of Sixth Street and the northwestern extension of the southwestern side lot line of lot numbered 31 on Assessor's Plat numbered 29 for a distance of approximately 450 feet,
- 8.9 Thence turning and proceeding in a southeasterly direction along the northwestern extension of the southwestern side lot line of lot numbered 31 and the southwestern side lot line of lot numbered 31 on Assessor's Plat numbered 29 to the northwestern side lot line of lot numbered 47 on Assessor's Plat numbered 29, for a distance of approximately 248 feet,
- 8.10 Thence turning and proceeding in a southwesterly direction along the southwestern side lot line of lot numbered 31 on Assessor's Plat numbered 29 for a distance of approximately 50 feet,
- 8.11 Thence turning and proceeding in a southeasterly direction along the northeastern side lot line of lots numbered 39, 40, 38, and 35 and the southeastern extension of the northeastern side lot line of lot numbered 35 to the centerline of Third Street, for a distance of approximately 596 feet,
- 8.12 Thence turning and proceeding in a northeasterly direction along the centerline of Third Street to the centerline of Doc Linsky Way, the point of origin, for a distance of approximately 510 feet.

8.01 Premises as shown on Assessor's Plat numbered 29:

All or parts of lots numbered 45, 39, 40, 38, and 35, even numbers 349-363 Third Street.

8.02 Premises as shown on Assessor's Plat numbered 44:

All or parts of lots numbered 93, 89, 87, 88, and 71, odd number 367 Third Street, and odd numbers 13-97 Broadway.

8.03 Premises as shown on Assessor's Plat numbered 15:

All or parts of lots not numbered, even numbers 42-110 Doc Linsky Way, even numbers 302-316 Third Street, and

odd numbers 225-249 Second Street.

8.04 Premises as shown on Assessor's Plat numbered 14:

All or parts of lots numbered 39, 38, 40, 34, 29, 30, 26, and 31, even numbers 330-378 Third Street, 3-11 Broadway, and odd numbers 131-173 Main Street.

8.05 Premises as shown on Assessor's Plat numbered 13:

All or part of lot numbered 21, odd numbers 249-273 First Street.

- 9.0 Amend the Zoning Map of the City of Cambridge by rezoning from Industry B-1 to Special District IV an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Doc Linsky Way (Munroe Street) and the centerline of Third Street as shown on Assessor's Plat numbered 15,
- 9.1 Thence proceeding in a northeasterly direction along the centerline of Third Street to the centerline of Binney Street for a distance of approximately 270 feet,
- 9.2 Thence turning and proceeding in a southeasterly direction along the centerline of Binney Street to the centerline of Second Street for a distance of approximately 642 feet,
- 9.3 Thence turning and proceeding in a southwesterly direction along the centerline of Second Street to the centerline of Doc Linsky Way for a distance of approximately 200 feet,
- 9.4 Thence turning and proceeding in a northwesterly direction along the centerline of Doc Linsky Way to the centerline of Third Street, the point of origin, for a distance of approximately 687 feet.
- 9.04 Premises as shown on Assessor's Plat numbered 15:
- All or parts of lots numbered 9, 12, 19, 20, 15, 16, 17, and 11, even numbers 80-142 Binney Street, even numbers 286-300 Third Street, odd numbers 205-223 Second Street, and odd numbers 41-107 Doc Linsky Way.

- 10.0 Amend the Zoning Map of the City of Cambridge by rezoning from Office 3A to Special District IV and PUD 3B an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Doc Linsky Way (Munroe Street) and the centerline of Third Street as shown on Assessor's Plat numbered 29,
- 10.1 Thence proceeding in a southwesterly direction along the centerline of Third Street to the eastern extension of the northern side lot line of lot numbered 35 on Assessor's Plat numbered 29 for a distance of approximately 431 feet,
- 10.2 Thence turning and proceeding in a northwesterly direction along the eastern extension of the northern side lot line of lot numbered 35 and the northern side lot line of lots numbered 35, 38, 40, and 39 to the southern extension of the centerline of Fifth Street for a distance of approximately 348 feet,
- 10.3 Thence turning and proceeding in a northerly direction along the southern extension of the centerline of Fifth Street and the centerline of Fifth Street to the western extension of the centerline of Doc Linsky Way for a distance of approximately 350 feet,
- 10.4 Thence turning and proceeding in a southeasterly direction along the western extension of the centerline of Doc Linsky Way and the centerline of Doc Linsky Way to the centerline of Third Street, the point of origin, for a distance of approximately 440 feet.
- 10.01 Premises as shown on Assessor's Plat numbered 29:
All or parts of lots numbered 44, 34, 42, 43, and 13, even numbers 112-154 Doc Linsky Way and odd numbers 303-343 Third Street,

- 11.0 Amend the Zoning Map of the City of Cambridge by creating the East Cambridge Overlay District in an area of land circumscribed by a line, said line beginning at a point, said point being the intersection of the centerline of Second Street and the centerline of Spring Street as shown on Assessor's Plat numbered 18,
- 11.1 Proceeding in a southwesterly direction along the centerline of Spring Street and the southeastern extension of the centerline of Spring Street to the centerline of First Street for a distance of approximately 450 feet,
- 11.2 Thence turning and proceeding in a southwesterly direction along the centerline of First Street to the centerline of Binney Street for a distance of approximately 1,250 feet,
- 11.3 Thence turning and proceeding in a southeasterly direction along the centerline of Binney Street and the southeastern extension of the centerline of Binney Street to the centerline of Commercial Avenue for a distance of approximately 300 feet,
- 11.4 Thence turning and proceeding in a southwesterly direction along Commercial Avenue to the southeastern extension of the centerline of Doc Linsky Way (Munroe Street) for a distance of approximately 200 feet,
- 11.5 Thence turning and proceeding in a northwesterly along the southeastern extension of the centerline of Doc Linsky Way and the centerline of Doc Linsky Way to the centerline of Third Street for a distance of approximately 1,410 feet,
- 11.6 Thence turning and proceeding in a northeasterly direction along the centerline of Third Street to the centerline of Binney Street for a distance of approximately 260 feet,
- 11.7 Thence turning and proceeding in northwesterly direction along the centerline of Binney Street to the intersection of the Boston and Albany Railroad Tracks for a distance of approximately 2,085 feet,
- 11.8 Thence turning and proceeding in a northeasterly direction along the Boston and Albany Railroad Tracks to the western extension of the northern side lot line of lot numbered 99 on Assessor's Plat numbered 33 for a distance of approximately 1,280 feet,
- 11.9 Thence turning and proceeding in a southeasterly direction along the western extension of the northern side lot line and the northern side lot lines of lot

numbered 99 and lot numbered 88 and the eastern extension of the northern side lot line of lot numbered 88 on Assessor's Plat numbered 33 to the centerline of Fulkerson Street for a distance of approximately 265 feet,

11.11 Thence turning and proceeding in a southwesterly direction along the centerline of Fulkerson Street to the western extension of the centerline of Charles Street for a distance of approximately 435 feet,

11.12 Thence turning and proceeding in a southeasterly direction along the western extension of the centerline of Charles Street and the centerline of Charles Street to the intersection with the centerline of Sixth Street for a distance of approximately 570 feet,

11.13 Thence turning and proceeding in a southwesterly direction along the centerline of Sixth Street to the intersection with the centerline of Bent Street for a distance of approximately 250 feet,

11.14 Thence turning and proceeding in southeasterly direction along the centerline of Bent Street and the eastern extension of the centerline of Bent Street to the intersection with the centerline of Second Street for a distance of approximately 1,690 feet,

11.15 Thence turning and proceeding in a northeasterly direction along the centerline of Second Street to the intersection with the centerline of Spring Street, point of origin, for a distance of approximately 750 feet.

11.01 Premises as shown on Assessor's Plat numbered 18:

All or parts of lots numbered 68, 67, 69, 70, 66, 45, 62, 2, 61, 65, and 64, even numbers 78-96 Second Street, even numbers 2-20 Spring Street, odd numbers 1-49 Hurley Street, odd numbers 75-95 First Street.

11.02 Premises as shown on Assessor's Plat numbered 11:

All or parts of lots numbered 32, 29, 31, and 30, even numbers 184-192 First Street, even numbers 6-22 Binney Street, odd numbers 79-81 Commercial Avenue.

11.03 Premises as shown on Assessor's Plat numbered 15:

All or parts of lot numbered 21, even numbers 32-70 Binney Street, even numbers 204-222 Second Street, odd numbers 181-199 First Street, and odd numbers 1-39 Doc Linsky Way.

11.04 Premises as shown on Assessor's Plat numbered 16:

All lots, even numbers 240-280 Third Street, odd and even numbers 25-88 Rogers Street, odd numbers 33-143 Binney Street, odd and even numbers 167-203 Second Street, and odd numbers 141-179 First Street.

11.05 Premises as shown on Assessor's Plat numbered 27:

All or parts of lots numbered 91, 6, 70, 86, 85, 32, 35, 34, 33, 93, 81, 78, 82, 76, 77, 68, 80, and 79, even numbers 108-138 Sixth Street, odd and even numbers 183-216 Fifth Street, odd numbers 221-257 Third Street, odd and even numbers 157-264 Bent Street, and odd numbers 119-149 Rogers Street.

11.06 Premises as shown on Assessor's Plat numbered 28:

All or parts of lots numbered 23, 22, 15, 33, 34, and 31, even numbers 126-150 Rogers Street, even numbers 140-158 Sixth Street, odd and even numbers 218-241 Fifth Street, odd numbers 259-279 Third Street, and odd numbers 153-251 Binney Street.

11.07 Premises as shown on Assessor's Plat numbered 31:

All lots, odd numbers 119-157 Sixth Street, odd and even numbers 175-192 Fulkerson Street, even numbers 272-522 Bent Street, odd and even Rogers Street, odd numbers 263-349 Binney Street.

11.08 Premises as shown on Assessor's Plat numbered 32:

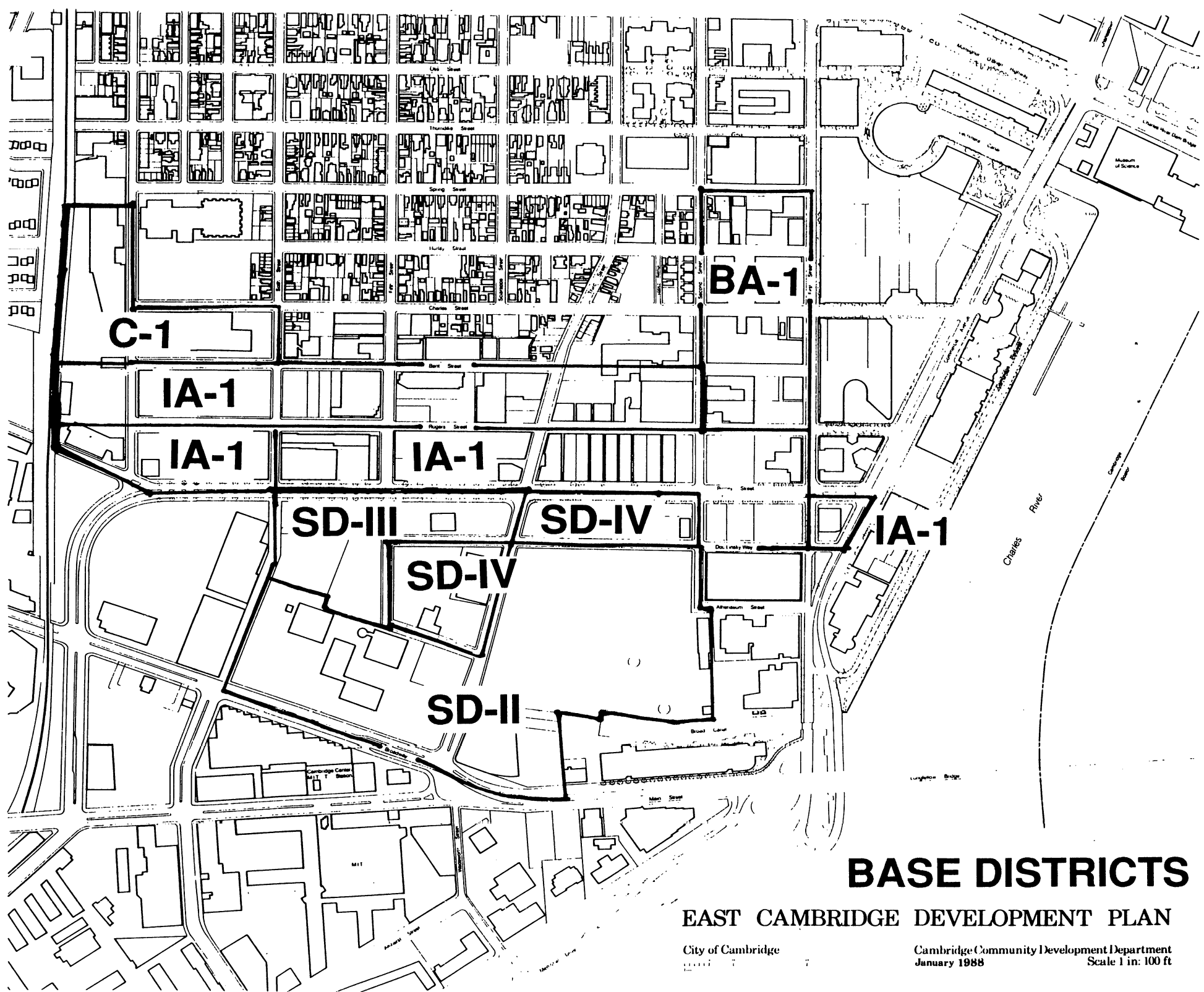
All or parts of lots numbered 89, 51, 52, and 53, odd numbers 99-123 and odd and even numbers 123-145 Fulkerson Street, even numbers 252-320 Charles Street, odd numbers 271-321 Bent Street, odd numbers 101-117 Sixth Street.

11.09 Premises as shown on Assessor's Plat numbered 33:

All or parts of lots numbered 99, and 88, 81 Fulkerson Street.

11.001 Premises as shown on Assessor's Plat numbered 17:

All or parts of lots numbered 84, even numbers 234-238 Third Street, and odd numbers 155-165 Second Street.



C-1

IA-1

IA-1

IA-1

SD-III

SD-IV

SD-IV

SD-II

BA-1

IA-1

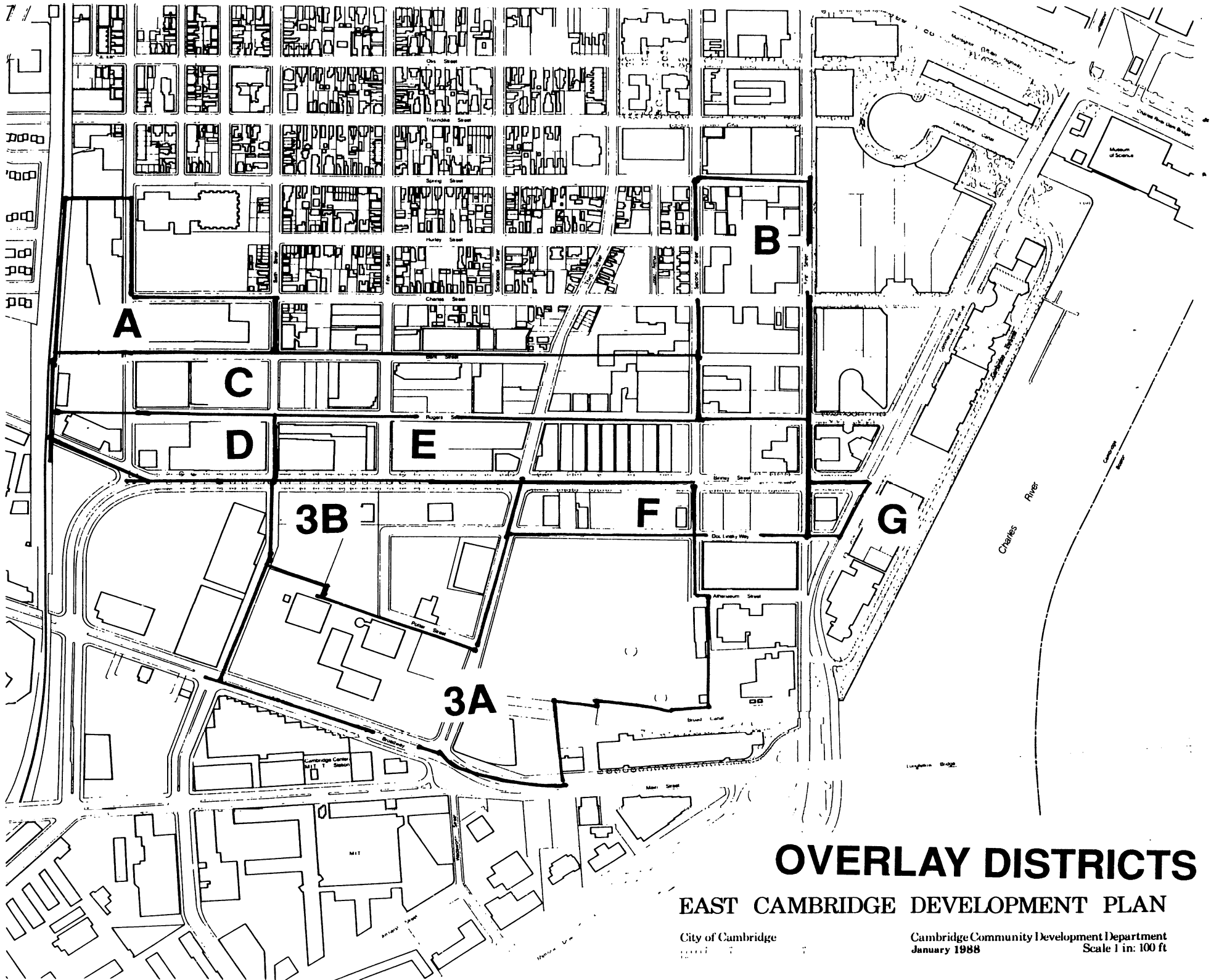
BASE DISTRICTS

EAST CAMBRIDGE DEVELOPMENT PLAN

City of Cambridge

Cambridge Community Development Department
January 1988

Scale 1 in: 100 ft



OVERLAY DISTRICTS

EAST CAMBRIDGE DEVELOPMENT PLAN

City of Cambridge

Cambridge Community Development Department
 January 1988
 Scale 1 in: 100 ft

B. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Section 11.400 East Cambridge Overlay Districts as follows:

11.400 East Cambridge Overlay Districts A - G

11.401 ESTABLISHMENT AND SCOPE There are hereby established the East Cambridge Overlay Districts A-G which shall be governed by the regulations and procedures specified in this Section 11.400. It is the intent of this section that these regulations shall apply to a single area described generally as the area abutting the East Cambridge residential neighborhood, the East Cambridge Riverfront and the Kendall Square Development Area.

11.402 GENERAL PURPOSE It is the purpose of this Section 11.400 to augment existing zoning regulations to respond to the unique problems and pressures affecting the area as pointed out in the East Cambridge Neighborhood Study, Fall 1988. The Overlay Districts are intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study and the work of the East Cambridge Rezoning Advisory Committee.

11.403 APPLICABILITY The East Cambridge Overlay Districts shall be Overlay Districts on the Zoning Map established by Section 3.20 (Zoning Map).

11.403.1 The use of land within said districts shall be controlled by the pertinent regulations in the base zoning districts except as modified by the requirements of this Section 11.400 which shall apply in addition to the regulations imposed by the base zoning map designation.

11.404 GENERAL PROVISIONS APPLICABLE TO ALL DISTRICTS

11.404.1 The East Cambridge Overlay Districts shall be considered areas of special planning concern. Development proposals listed in Subsection 11.42, Development Consultation Procedures, shall be subject to the Development Consultation Procedure specified in Section 11.40.

11.404.2 Criteria for Development Consultation Review and Review of Applications for Special Permits and Variances In reviewing applications for variances, special permits or development consultation reviews the permit or special permit granting authority shall be guided by the objectives and criteria contained in the publication East Cambridge Overlay Districts

Development Guidelines, Community Development Department, 1990, in addition to the requirements of Sections 10.30 (variances) and 10.40 (Special Permits) and this Section 11.400. These guidelines are also intended to assist in shaping any contemplated physical change within the East Cambridge Overlay Districts.

11.404.3 National Register and Contributing Buildings
For the purpose of this Section 11.400 the following definitions shall apply:

- a. National Register Building shall be a building individually listed or determined eligible for the National Register of Historic Places as determined by the Secretary of The Department of the Interior.
- b. A contributing building shall be
 - (1) Identified as a contributing building in a listed or eligible National Register District as determined by the Secretary of the Department of the Interior; or
 - (2) A building located outside a National Register District but identified as a contributing building in the East Cambridge Overlay Districts Design Guidelines. However, a building shall no longer be considered a contributing building as defined in this Subsection 11.403 (b) for the purpose of this Section 11.400 if, upon application for a demolition permit, the Cambridge Historical Commission shall determine the building not to be a preferably preserved significant building as defined in the City of Cambridge Demolition Ordinance #965.

11.404.4 East Cambridge Advisory Committee. There shall be established an East Cambridge Advisory Committee, with members appointed by the City Manager, which shall have the following duties, responsibilities, and membership.

- a. Purpose. It is the intent of this Subsection 11.404.4 that the Committee in its official actions fulfill the following purposes.
 - (1) To establish a formal, ongoing body that will review all major development actions in the East Cambridge Overlay Districts.
 - (2) To provide a forum within which a wide range

of perspectives on development actions can be heard.

- (3) To establish a citizen/professional body which can advise both public agencies and private interests as to the development urban design issues raised by a development or planning proposal and suggest avenues of research which might be pursued to resolve identified conflicts or make the project better fulfill both public and private objectives for the East Cambridge Overlay Districts.

b. Responsibilities. The Committee shall undertake all Large Project Reviews and shall receive all applications for variances and special permits for activities within East Cambridge Overlay Districts for review and comment. In addition, the Committee may comment on any preliminary proposal, for which any public agency or private interests may wish to receive advice and recommendations.

c. Procedures.

- (1) Within the six (6) months preceding any application for (1) a building permit for any project subject to a Large Project Development Consultation Review or (2) a special permit or variance for any project within the East Cambridge Overlay Districts, the graphic and other material required in Section 11.45 - Large Project Submittal Requirements shall be submitted to the East Cambridge Advisory Committee for their review and comment.
- (2) Within thirty (30) days for that submittal, (or within 60 days with the written consent of the applicant) the Committee shall prepare a written report of findings and recommendations with respect to the applicant's proposed project.
- (3) The Committee's written report shall outline the urban design and development issues raised by the proposal. It shall suggest those areas within which additional exploration of alternatives might be sought or factual information gathered which might help to resolve potential conflicts between public and private objectives or which might

help to shape et he project to better serve these objectives.

- (4) The report shall be forwarded to the applicant and shall be included in any application for a building permit, special permit or variance.
 - (5) It is expected that, in making decisions regarding special permits and variances within the Overlay Districts, the Planning Board and/or Board of Zoning Appeal will give due consideration to the report and recommendations of the advisory committee.
 - (6) The Community Development staff shall serve as staff to the Committee.
- d. (1) Membership. Members in all categories shall be Cambridge residents or business persons or landowners within the Overlay Districts.
- a. One member having recognized qualifications as architect or landscaped architect who shall also serve as chair of the Committee.
 - b. Three (3) members representing the business community in East Cambridge Overlay Districts.
 - c. Three (3) members representing residents of the East Cambridge neighborhood.
- (2) Terms. Committee members shall be appointed for terms of three (3) years each.

11.405 DETAILED PROVISIONS APPLICABLE TO ALL DISTRICTS

11.405.1 Uses The buildings and land uses within the East Cambridge Overlay Districts shall be controlled by the pertinent regulations within the applicable base zoning district except that a parking lot or parking garage for private passenger cars, Section 4.32 b (automobile parking lot or parking garage for private passenger cars) is prohibited.

11.405.2 Off street parking and loading requirements shall be the same as specified in Article 6.000 for the applicable base zoning district except as provided below.

11.405.21 Minimum Parking Requirement The minimum parking requirements shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h (Residential Uses), one parking space shall be required for each dwelling unit.

11.405.22 Maximum Parking The maximum parking permitted for uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h (Residential Uses), there shall be no maximum accessory parking. No parking shall be provided which exceed the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 11.405.2 provided the authorized number of parking spaces does not exceed that number which would be permitted on the lot if the maximum parking ratio were applied to the maximum gross floor area permitted on the lot, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.

11.405.23 No special permit shall be issued in any East Cambridge Overlay District which permits the total number of parking spaces on a lot to exceed that permitted in this Section 11.405.22 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000, at the time of the granting of the special permit in the applicable zoning district in Article 6.000 for uses not located on the lot,

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 11.405.22.

11.405.3 Yard Requirements A minimum five (5) foot front yard setback shall be required for all development in the Overlay Districts. Where a greater setback is required in the base district for the front yard, the greater setback shall be the required unless the Planning Board specifically waives the greater requirement by Special Permit. All other yard requirements shall be as required in the base district unless the Planning Board specifically waives the requirement by Special Permit.

11.405.31 Restrictions in Required or Provided Front Yard Setbacks That area between the principal front wall plane of a building and a public street, whether required or provided, shall be devoted to Green Area as defined in Article 2.000 of this Ordinance, an expansion of the adjacent public sidewalk, or other landscaped or paved area devoted exclusively to pedestrian use and extending along the entire length of that portion of a lot abutting the street. Areas devoted to vehicular use are prohibited from this area with the exception of access drives located to provide the most direct access to parking facilities located elsewhere on the site. Said access drives shall be limited to a total of thirty (30) feet of width for each one hundred (100) feet of lot frontage. Where a lot is bounded by more than one street, the provisions of this subsection 11.405.31 shall apply fully only to a single street, which street shall be the principal, major or most important street abutting the lot. For all other streets the provisions of this subsection 11.405.31 shall apply only to those portions of the front yard lying directly between the building and the street line; where a lot is bounded by four (4) street the provision of this subsection shall not apply to that street directly opposite the principal street.

11.405.4 Transfer of Development Rights Notwithstanding the limitations imposed by the definition of lot in Article 2.000 the Planning Board may allow by special permit the transfer of part or all of the permitted gross floor area on one lot (donating lot) to one or more other lots (receiving lots), all held in common ownership, anywhere within the East Cambridge Overlay Districts, without regard to the FAR limitations normally applicable to the receiving lot(s); all other dimensional limitations applicable to the receiving lot(s) shall continue to apply. An additional transfer of development potential may be permitted by Special Permit from the Planning Board between lots not held in common ownership, only for the purpose of construction of the residential development required to be built in order to secure a special permit for additional FAR as provided in Section 11.406.21; and further provided that the transfer may be permitted only if the total number of units or gross floor area on the receiving site is increased by no more than ten (10) percent above that which would otherwise be permitted by the zoning applicable to the lot(s).

11.405.41 In granting a special permit under this Section 11.405.4 the Planning Board shall consider the following.

1. The transfer results in a superior site development, and
2. the density of development is reduced at locations close to the existing residential neighborhood, existing residential uses, public parks or architecturally or historically significant buildings,
3. A significant amount of publicly accessible open space is created.
4. Housing development is made more feasible through development of a critical mass of residential use.
5. Parking facilities are more logically located to reduce traffic impacts on residential streets, better designed, and/or generally less visually intrusive over a larger area than might otherwise be the case.
6. The transfer facilitates preservation of an architecturally or historically significant building or facilitates the creation of a lot suitable for residential use.
7. The transfer facilitates the creation or retention of light manufacturing space, particularly space suitable for start up or incubator enterprises.
8. The transfer assists in improving the visual appearance and/or operation of an existing industrial facility through renovations and site improvements.
9. Affordable housing units are created beyond that which would otherwise be required.

11.406 DETAILED PROVISIONS APPLICABLE TO INDIVIDUAL DISTRICTS

11.406.1 Additional Height By Special Permit from the Planning Board the permitted height may be increased as detailed below; however, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) on all abutting streets, except as otherwise noted.

- (1) In District A the maximum height shall be sixty (60) feet except as further limited by heights illustrated in Figure I.

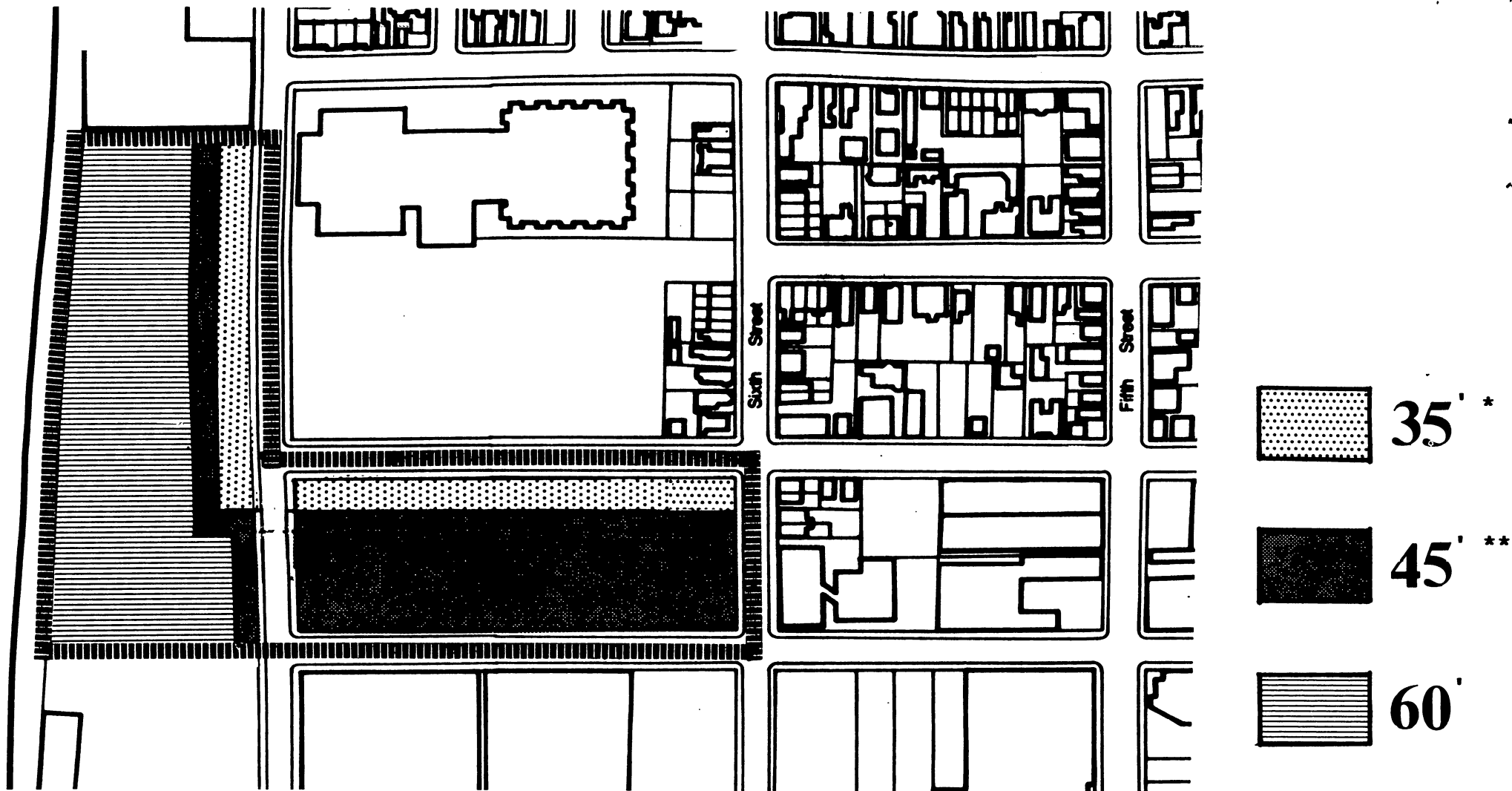


FIGURE I

MAXIMUM PERMITTED HEIGHTS - EAST CAMBRIDGE OVERLAY DISTRICT A

* 35 feet within 50 feet of abutting street line, as shown.

** West of Fulkerson Street, 45 feet within 20 feet of the street line and the 35 foot height limit line, as shown

- (2) In District B the maximum height shall be sixty (60) feet except that where the District abuts a Residence C-1 zoning district on Second Street, no building may exceed thirty-five (35) feet within fifty (50) feet of the street line, or forty-five (45) feet thereafter within seventy (70) feet of the street line.
- (3) In District C the maximum height shall be sixty (60) feet.
- (4) In District D the maximum height shall be seventy (70) feet.
- (5) In District E the maximum height shall be seventy (70) feet except that for those blocks lying between First Street and Second Street the maximum height shall be sixty (60) feet.
- (6) In District F the maximum height shall be seventy (70) feet.
- (7) In District G the maximum height shall be sixty (60) feet.

11.406.11 In granting a Special Permit for additional height the Planning Board shall consider the following.

1. A superior site development will result as indicated by
 - (a) more generous setbacks used to widen sidewalks or add street tree or other landscaping along public streets
 - (b) more varied forms of urban open space, including courtyards and plazas
 - (c) more sensitive relationship of building forms to the height and other characteristics of development on adjacent lots
 - (d) more rational arrangement of parking so as to reduce its negative impacts on adjacent properties and public streets
 - (e) greater solar access to building, and open space elements within the development and/or reduced shadow impacts on adjacent development

2. The site can accommodate transferred development potential achieving some of the benefits identified in Section 11.405.41.
3. Independent of any transfer of development potential some of the benefits identified in Section 11.405.41 are achieved.

11.406.2 Additional Gross Floor Area

11.406.21 By Special Permit from the Planning Board the permitted gross floor area may be increased as provided below.

- (1) In District A the maximum FAR shall be 1.25. All residential development authorized above the base .75 FAR shall be devoted exclusively to residential uses, excluding hotels and motels, meeting the requirements detailed in Section 11.406.22.
- (2) In District B the maximum FAR shall be 1.75. However, for each two (2) square feet of commercial development authorized above the base 1.0 FAR up to a maximum FAR limit of 1.5, one square foot of residential development excluding hotels and motels, shall be required to be built meeting the requirements detailed in Section 11.406.22.
- (3) In District C the maximum FAR shall be 1.75. However, for each two (2) square feet of commercial development authorized above the base 1.25 FAR up to a maximum FAR limit of 1.57, one square foot of residential development excluding hotels and motels, shall be required to be built meeting the requirements detailed in Section 11.406.22.
- (4) In District D the maximum FAR shall be 2.25. However, for each two (2) square feet of commercial development authorized above the base 1.5 FAR up to a maximum FAR limit of 2.0, one square foot of residential development excluding hotels and motels, shall be required to be built meeting the requirements detailed in Section 11.406.22.
- (5) In District E the maximum FAR shall be 2.0. However, for each two (2) square feet of commercial development authorized above the base 1.25 FAR up to a maximum FAR limit of 1.75, one square foot of residential development excluding

hotels and motels, shall be required to be built meeting the requirements detailed in Section 11.406.22.

- (6) In District F the maximum FAR shall be 2.25. However, for each two (2) square feet of development authorized above the base 1.5 FAR up to a maximum FAR limit of 2.0, one square foot of residential development excluding hotels and motels, shall be required to be built meeting the requirements detailed in Section 11.406.22.
- (7) In District G the maximum FAR shall be 2.25. However, all development authorized above the base 1.5 FAR shall be devoted exclusively to residential uses, excluding hotels and motels, meeting the requirements detailed in Section 11.406.22.

- 11.406.22 (1) The housing shall be constructed within any one of the East Cambridge Overlay Districts subject to the limitations of Section 11.405.4. above.
- (2) Construction of all required housing development shall be completed before issuance of any occupancy permit for nonresidential development exceeding the FAR limit permitted in the base district.
 - (3) A minimum of seven and one half ($7\frac{1}{2}$) percent of the dwelling units required 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.
 - (4) An additional seven and one half ($7\frac{1}{2}$) percent 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 provisions of affordable housing. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without further obligations to the City of Cambridge.

11.406.3 Residential Density The maximum residential density shall be increased to six hundred (600) square feet per

dwelling unit for Districts A-F. The density shall be increased to three hundred (300) square feet per dwelling unit in District G.

- 11.406.4 Special Site Development Restrictions for lots in Districts B and E. No above grade structured parking or loading facility or parking and loading facility located at grade beneath a building shall be permitted within thirty (30) feet of the First street streetline; or within thirty (30) feet of the Second Street streetline where a residential zoning district abuts the Districts.
- 11.407 INCENTIVE ZONING PROVISIONS All nonresidential development authorized by Special Permit for additional FAR or for transfer of development rights shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 11.406.22.
- 11.408.1 TRAFFIC MITIGATION REQUIREMENTS A traffic mitigation plan shall be required as a condition of approval of any Special Permit for additional FAR as detailed in Article 18.000.
- 11.408.2 CONSTRUCTION MANAGEMENT PROGRAM The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as detailed in Article 18.000.
- 11.409 STANDARDS FOR ISSUANCE OF SPECIAL PERMITS In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:
- a. The proposed development is consistent with the following goals and objectives:
 - encourage mixed use development compatible with the residential neighborhood
 - promote housing
 - encourage development along First Street to relate to the East Cambridge Riverfront and with ground floor retail
 - promote street and sidewalk improvements to create a unified image and improve the physical and visual environment

- promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood
 - encourage structured parking with access located to mitigate traffic impacts.
- b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines
- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

C. Amend the text of the Zoning Ordinance of the City of Cambridge by creating new sections 13.80 and 13.90, PUD 3A and PUD 3B as follows:

13.80 PUD-3A DISTRICT: DEVELOPMENT CONTROLS

13.81 PURPOSE A PUD-3A District is intended to provide for the creation of a quality mix of general and technical office uses and housing with supporting commercial activities. The district regulations are intended to encourage strong linkages between the district and the existing residential East Cambridge neighborhood, the new development at Kendall Square, and the East Cambridge riverfront. The development is encouraged to be so designed as to break down the scale of large parcels through the use of new public or private roads and ways to better reflect the scale of existing city blocks. The PUD-3A District is intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study, Fall 1988, and the work of the East Cambridge Rezoning Advisory Committee .

13.82 USES ALLOWED IN A PUD-3A DISTRICT The uses listed in Section 13.82, alone or in combination with each other, shall be allowed upon permission of the Planning Board.

13.82.1 Residential Uses

(1) Townhouse Development. Any special permit for townhouse development required by Section 11.10 shall be granted by the Planning Board within the scope of the planned unit development Special Permit.

(2) Multifamily dwellings.

(3) Hotels or Motels.

13.82.2 Transportation, Communication, Utility and Institutional Uses All uses listed in Sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district.

13.82.3 Office and Laboratory Uses All uses listed in Section 4.34.

13.82.4 Retail Business and Consumer Service Establishments

(1) Stationery and office supply store.

(2) Printing and reproduction service establishment,

photography studio.

- (3) Other store for retail sale of merchandise located in a structure primarily containing non-retail uses.
- (4) Barber shop, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.
- (5) Restaurants or other eating and drinking establishments listed in subsection 4.35 e, f, g, o and r.
- (6) Theater or hall for public gatherings.
- (7) Bowling alley, skating rink, tennis center or other commercial recreation establishments.
- (8) Manufacturing, processing, assembly and/or packaging of articles and products listed as Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

13.82.5 Other Uses Any use not listed in subsections 13.82.1 - 13.82.4 shall be allowed only upon written determination by the Planning Board that such use is consistent with the objectives of the PUD-3A District and is necessary to support the predominant uses in the district.

13.83 DISTRICT DIMENSIONAL REGULATIONS

13.83.1 FAR The maximum ratio of floor area to the total area of the development parcel shall be 2.0 except as permitted below.

1. The maximum FAR may be increased to 2.75 provided the following conditions are met:
 - a. For each two square feet of commercial development authorized above the base 2.00 FAR, up to a maximum FAR limit of 2.5, one square foot of residential development, excluding hotels and motels, shall be required to be built which meets the following requirements
 1. The housing shall be constructed within the PUD 3A or PUD 3B Districts except as permitted in paragraph 5 below.

2. Construction of all required residential development shall have been completed before issuance of any final certificate of occupancy permit for nonresidential development exceeding a 2.00 FAR limit.
3. A minimum of seven and one half (7½) percent of the dwelling units required 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.
4. An additional seven and one half (7½) percent 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. The offer shall be formally made to the City by the permittee only at such time as the specific size, location, finished details and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.
5. The residential development requirement of this Section 13.83.1 may be met at any location within the East Cambridge Overlay Districts provided the residential development consists of new construction, is equal in total gross floor area to that required to be constructed, and is permitted within the limits of the zoning applicable to the residential development site. The additional residential gross floor area permitted in the PUD 3A District may not be transferred to any lot in the East Cambridge Overlay Districts.
6. All lots and construction thereon, necessary to fulfill the requirements of this Section 13.83.1, shall be subject to approval by the Planning Board as part of the PUD Special Permit.

13.83.2 Development Parcel, Lot size The minimum size of the development parcel for a PUD shall be four (4) acres.

A development parcel within the PUD-3A may contain noncontiguous lots elsewhere in this PUD District or within a contiguous PUD District. 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.

- 13.83.3 Residential Density For the purpose of computing residential density, the minimum land area for each dwelling unit shall be three hundred (300) square feet. Residential density shall be computed based on the entire development parcel.
- 13.83.4 Lot width, Setback There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. In general there shall be no minimum required front, rear and side yard requirements for lots located within a development parcel or side and rear yards for the development parcel itself. However, setbacks from the streets abutting the development parcel, including the Sixth Street Pedestrian Way, are expected to follow the recommendations of the East Cambridge Overlay Districts Design Guidelines; at such locations a five (5) foot minimum front yard setback shall be required; at Third Street additional setbacks may be imposed to permit widening of the street to accommodate possible widening to facilitate the extension of the median or to continue the Parkway character of the street as already established. Additional setbacks may be appropriate along the Sixth Street Pedestrian Way to enhance its open space character. In all cases the Planning Board shall approve all such building setbacks. Any buildings on a parcel abutting the Broad Canal shall be setback or so designed as to provide a pedestrian pathway along the canal's edge. For the purposes of this PUD 3A District the Sixth Street Pedestrian Way, lot numbered 93 on Assessor's Plat numbered 44, the southern extension of Sixth Street from Binney Street to Broadway, shall be considered a street.
- 13.83.5 Height The maximum height of any building shall be two hundred and thirty (230) feet, except as limited in paragraph 1 below.
1. The Planning Board shall not approve any Final Development Plan in which twenty-five (25) percent or more of the land area of the development parcel is covered with such buildings or parts of buildings, not exempted by Section 5.23, in excess of eighty-five (85) feet in height, or in which ten (10) percent or more of the land area of the development parcel is covered with

such buildings or parts thereof in excess of one hundred and twenty (120) feet in height but no more than two hundred and thirty (230) feet. Notwithstanding the foregoing any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets and the Sixth Street Pedestrian Way.

2. In evaluating a Development Proposal providing building heights in excess of eighty-five (85) feet, the Planning Board shall give consideration to evidence presented on the following:
 - (a) 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 or major public open space to a significantly greater extent than if the building height did not exceed eighty-five (85) feet;
 - (b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space and monotonous development provided, however, that the additional height would not so concentrate development as to prevent the allocation of building mass at lower levels necessary to create a well defined, pedestrian oriented, urban district;
 - (c) 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 as well as the urban design objectives as outlined in the East Cambridge Overlay Districts Design Guidelines;
 - (d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and
 - (e) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.

13.84 OPEN SPACE The minimum ratio of open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be twenty-five (25) percent. At a minimum there shall be a contiguous parcel of open space at grade consisting of at least twenty-five thousand (25,000) square feet to be used as a publicly accessible park or seven (7) percent of the development parcel, whichever is less.

13.84.2 Open space shall include parks, plazas, landscaped areas open to the sky; playgrounds; balconies; and pedestrian ways such as bridges, decks, arcades, loggias, and galleries as permitted by the Planning Board. It is intended that the open space provided should serve a variety of purposes and clientele including the general public and visitors to the development as well as residents and employees exclusively.

In addition the Board may permit the following, not generally considered open space, to be included in that area required to meet the minimum open space requirement provided they advance the objectives of the District and the East Cambridge Overlay Districts Design Guidelines: land area reserved for and proposed to be transferred to the City for the widening of public streets; building setbacks from public streets greater than five (5) feet which enhance the parkway like character of those streets; newly created internal private streets and their adjacent curbside parking and sidewalks.

In accepting as open space, facilities which would not otherwise be considered useable open space as defined in this Ordinance, the Board shall specifically find that such facilities provide benefits comparable to those provided by traditional open space: the provision of light and air; the opportunity to provide pleasant and accessible places for people to meet and congregate; opportunities for increased landscaping; enhancement of the pedestrian environment throughout the development; enhancement of the visual, pedestrian, and vehicular connections to the larger East Cambridge Street grid; increased diversity of public spaces: open and enclosed, all weather and seasonal; and particularly with streets and ways, the creation of a system of paths which define an urban pedestrian environment well connected visually and functionally to the older surrounding neighborhood, which integrates new building logically to the traditional pattern of development in the City, and which provides a site development which is welcoming and accessible to the

general public. In considering the acceptance of such nontraditional open space the Planning Board may consider the extent to which the proposed facilities will be available to and desired by the general public.

- 13.85 PERIMETER AND TRANSITION Any part of the perimeter of a PUD which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Development in the PUD-3A District, should provide an integrated pedestrian circulation system with particularly strong linkages between the residential neighborhood, riverfront, and Kendall Square. Further connections to abutting districts should be achieved through the incorporation of private streets which connect to and extend the network of adjacent public and private streets.
- 13.86 PARKING AND LOADING REQUIREMENTS Development in the PUD-3A District shall conform to the Parking and Loading Requirements set forth in Article 6.000 for uses in Residence C-3, Business B, Office 3 and Industry B Districts, except as modified by this Section 13.86.
- 13.86.1 Minimum Parking Requirement The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 13.86.2 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however, the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 13.86 provided the authorized number of parking spaces does not exceed that number which would be permitted within the development parcel if the maximum parking ratio were applied to the maximum gross floor area permitted on the development parcel, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.
- 13.86.3 No special permit shall be issued in a PUD 3A District which permits the total number of parking spaces on the

development parcel to exceed that permitted in this Section 13.86 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking, not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the applicable zoning district for uses not located within the development parcel.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved PUD Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance with this subsection 13.86.3.

- 13.87 INCENTIVE ZONING REQUIREMENT All nonresidential development authorized shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 13.83.1.1.a(3).
- 13.88.1 TRAFFIC MITIGATION REQUIREMENTS A traffic mitigation plan shall be required as a condition of approval of any Final Development Plan in the PUD 3A District as outlined in Article 18.000.
- 13.88.2 CONSTRUCTION MANAGEMENT PROGRAM The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as outlined in Article 18.000.
- 13.89 STANDARDS FOR ISSUANCE OF SPECIAL PERMITS In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:
- a. The proposed development is consistent with the following goals and objectives:
 - encourage responsible and orderly development;
 - promote housing;
 - improve the transition from the existing residential neighborhood to the East Cambridge Riverfront and the Kendall Square development;
 - create a unified image through setbacks and

cornice lines, improve the physical and visual environment;

- develop additional open space;
 - promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River which include street and sidewalk improvements;
 - encourage development along Third Street to relate to the East Cambridge Riverfront and strongly encourage ground floor retail;
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood;
 - encourage structured parking with access located to mitigate traffic impacts.
- b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines
- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

13.90

PUD-3B DISTRICT: DEVELOPMENT CONTROLS

PURPOSE A PUD-3B District is intended to encourage residential development with a strong affordable component throughout much of its area. Other uses are desirable in certain areas but should be transitional in nature and clearly subsidiary to the principal residential uses that are encouraged where a residential base district exists. Any development should provide strong pedestrian connections between the East Cambridge residential neighborhood and Kendall Square. The development should provide a transition in scale between the existing East Cambridge residential and industrial neighborhood on one side and the new development in Kendall Square and the adjacent development in the PUD 3A District on the other. The PUD 3B District is intended to promote development that is consistent with the goals and objectives of the East Cambridge Neighborhood Study, Fall 1988, and the

work of the East Cambridge Rezoning Advisory Committee.

13.92 USES ALLOWED IN A PUD-3B DISTRICT The uses listed in Section 13.92, alone or in combination with each other, shall be allowed upon permission of the Planning Board as described and limited below.

13.92.1 Residential Uses

The following residential uses shall be permitted throughout the PUD 3B District:

- (1) Townhouse Development Any special permits for parking arrangements for townhouse development required by Section 11.10 shall be granted by the Planning Board in a planned unit development in a PUD-3B District.
- (2) Multifamily dwellings.

13.92.2 Other Residential and Non-Residential Uses

The following residential and nonresidential uses shall be permitted in that portion of the PUD 3B District having a Special District IV base district.

- (1) Hotels and motels.
- (2) Transportation, Communication, Utility and Institutional Uses All uses listed in Sections 4.32 and 4.33 and which are allowed or conditionally allowed in the base zoning district.
- (3) Office and Laboratory Uses All uses listed in Section 4.34.
- (4) Retail Business and Consumer Service Establishments
 - (a) Stationery and office supply store.
 - (b) Printing and reproduction service establishment, photography studio.
 - (c) Other store for retail sale of merchandise located in a structure primarily containing non-retail uses.
 - (d) Barber shop, beauty shop, laundry and dry cleaning pick-up agency, shoe repair, self-service laundry or other similar establishments.

- (e) Restaurants or other eating and drinking establishments listed in subsection 4.35 e, f, g, o, and r.
- (f) Theater or hall for public gatherings.
- (g) Bowling alley, skating rink, tennis center or other commercial recreation establishments.
- (h) Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.

13.92.3 Other Uses Any use not listed in subsections 13.92.1 - 13.92.2 or which is limited as to location within the PUD 3B District shall be allowed or allowed elsewhere within the District only upon written determination by the Planning Board that such use is consistent with the objectives of the PUD-3B District and is necessary to support the predominant uses in the district or portions of the District.

13.93 DISTRICT DIMENSIONAL REGULATIONS

13.93.1 FAR The maximum ratio of floor area to the total area of the development parcel shall be 2.25 subject to the limitations detailed below.

1. For each two square feet of commercial development authorized above the base 1.5 FAR, up to a maximum FAR limit of 2.0, one square foot of residential development, excluding hotels and motels, shall be required to be built meeting the following requirements:

- (a) The housing shall be constructed within the PUD 3B District area or the adjacent PUD 3A district.
- (b) Construction of all required housing development shall have been completed before issuance of any certificate of occupancy permit for nonresidential development exceeding the 1.5 FAR limit.
- (c) A minimum of seven and one half (7½) percent of the dwelling units required 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.

- (d) An additional seven and one half (7½) percent 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 provisions of affordable housing. The offer shall be formally made to City the by the permittee only at such time as specific size, location, finished details, and cost of each unit are known. Should the City fail to exercise its option within three (3) months the permittee is free to make the units available on the open market without any further obligations to the City of Cambridge.
 - (e) The residential development requirement of this Section 13.93.1 may be met at any location within the East Cambridge Overlay Districts provided the residential development consists of new construction or conversion of a nonresidential structure to residential use, is equal in total gross floor area to that required to be constructed, and is permitted within the limits of the zoning applicable to the residential development site. The additional residential gross floor area permitted in the PUD 3B District may not be transferred to any lot in the East Cambridge Overlay Districts.
 - (f) All lots and construction thereon, necessary to fulfill the requirements of this Section 13.93.1, shall be subject to approval by the Planning Board as part of the PUD Special Permit.
2. Nothing in this Section 13.93.1, however, shall prohibit any or all FAR authorized for nonresidential uses to be devoted to residential uses.
 3. Limitations on Use and Distribution of Allowable FAR. For that portion of a PUD Development Parcel lying within the Special District III base District, the following use and FAR limitations shall apply.

- (a) The density of development shall at no time exceed an FAR of 1.5.
- (b) All development shall consist exclusively of residential uses as permitted in Section 13.92.1 above and such Institutional Uses, Section 4.33 as would customarily be associated with or subsidiary to elderly oriented or elderly oriented congregate housing in a continuing care or similar facility.
- (c) Only that portion of development allowed which exceeds an FAR of 1.4 may be used for nonresidential uses permitted in Sections 13.92.2 and 13.92.3 above and/or transferred to development parcels or portions of development parcels not located within the Special District III area.
- (d) The transfer of development potential permitted in subparagraph (c) above shall be permitted provided the approved Final Development Plan provides for:
 - 1. the construction of housing within the Special District III portion of the Development Parcel in an amount equal to at least eighty (80) percent of the maximum density permitted (i.e. a minimum 1.2 FAR).
 - 2. the issuance of a certificate of occupancy for the housing on or before issuance of any permanent certificate of occupancy for any authorized nonresidential development exceeding the 1.5 FAR base district limitation.
 - 3. all housing shall be subject to the affordability requirements of Section 13.93.1(1)(e).

13.93.2 Development Parcel, Lot Size The minimum size of the development parcel for the PUD shall be two (2) acres. A development parcel within the PUD-3B District may contain noncontiguous lots elsewhere in this PUD District or within the contiguous PUD 3A District. 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.

- 13.93.3 Residential Density For the purpose of computing residential density, the minimum land area for each dwelling unit shall be 600 square feet. Residential density shall be computed based on the entire development parcel.
- 13.93.4 Lot Width, Setback There shall be no minimum width for the development parcel and no minimum width for lots located within the development parcel. In general there shall be no minimum required front, rear and side yard requirements for lots located within a development parcel or side and rear yards for the development parcel itself. However, setbacks from the streets abutting the development parcel, including the Sixth Street Pedestrian Way, are expected to follow the recommendations of the East Cambridge Overlay Districts Design Guidelines; at such locations a five (5) foot minimum front yard setback shall be required; additional setbacks may be imposed as along the Sixth Street Pedestrian Way or Third Street to enhance the desired open space or parkway character. In all cases the Planning Board shall approve all such building setbacks. For the purpose of the PUD 3B District the Sixth Street Pedestrian Way, lot numbered 93 on Assessor's Plat numbered 44, the southern extension of Sixth Street from Binney Street to Broadway, shall be considered a street.
- 13.93.5 Height The maximum height of any building shall be one hundred and twenty (120) feet, except that for that area lying between Binney Street and the center line of Doc Linsky Way and its westerly extension, the maximum height shall be seventy (70) feet. The height provisions of the base districts for portions of buildings exceeding forty-five (45) feet in height shall, however, continue to apply. Heights in excess of seventy (70) feet shall be evaluated as required in Section 13.83.5,2.
- 13.94 OPEN SPACE The minimum ratio of open space to the total area of the development parcel as defined in Article 2.000 and Section 5.22 shall be twenty-five (25) percent. The provisions of Section 13.84.2 shall apply in this PUD 3B District.
- 13.95 PERIMETER AND TRANSITION Any part of the perimeter of a PUD which fronts on an existing street or public open space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening. Development in the PUD-3B District, should provide integrated pedestrian circulation systems,

providing particularly strong linkages between the residential neighborhood, riverfront, and Kendall Square.

- 13.96 PARKING AND LOADING REQUIREMENTS Development in the PUD-3B District shall conform to the Off Street Parking and Loading Requirements set forth in Article 6.000 for uses in Residence C-3, Business B, Office 3 and Industry B Districts, except as modified by this Section 13.96.1.
- 13.96.1 Minimum Parking Requirement The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.
- 13.96.2 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provision of Section 6.31.3; however the Board may permit the number of parking spaces to exceed the maximum allowed under this Section 13.96 provided the authorized number of parking spaces does not exceed that number which would be permitted within the development parcel if the maximum parking ratio were applied to the maximum gross floor area permitted on the development parcel, notwithstanding the fact that all such allowed gross floor area is not in fact proposed to be constructed.
- 13.96.3 No special permit shall be issued in a PUD 3B District which permits the total number of parking spaces on the development parcel to exceed that permitted in this Section 13.96 for development authorized by the special permit plus any additional parking present on the site before the date of application, which parking is provided as legally established required accessory parking not exceeding the minimum required in Article 6.000 at the time of the granting of the special permit in the applicable zoning district for uses not located within the development parcel.

Where the parking provided on the site at the time of the special permit approval exceeds that quantity permitted above, the approved PUD Special Permit shall provide a schedule by which the parking on the development parcel shall be brought into compliance

with this subsection 13.96.3.

- 13.97 **INCENTIVE ZONING REQUIREMENT** All nonresidential development authorized shall be subject to the incentive zoning requirements of Section 11.200. All or part of the obligation incurred under Section 11.203 may be used to meet the affordable housing requirements of Section 11.93.1.1.c.
- 13.98.1 **TRAFFIC MITIGATION REQUIREMENT** A traffic mitigation plan shall be required as a condition of approval of any Final Development Plan in the PUD 3B District as outlined in Article 18.000.
- 13.98.2 **CONSTRUCTION MANAGEMENT PROGRAM** The applicant shall submit a construction management program, detailing the construction period impacts and a program for their mitigation as outlined in Article 18.000.
- 13.99 **STANDARDS FOR ISSUANCE OF SPECIAL PERMITS** In addition to the general standards for the issuance of a special permit found in Section 10.40 of the Zoning Ordinance, the special permit granting authority shall in addition make the following findings:
- a. The proposed development is consistent with the following goals and objectives:
 - encourage mixed use development compatible with the residential neighborhood
 - promote housing
 - encourage development along First Street to relate to the East Cambridge Riverfront and with ground floor retail
 - promote street and sidewalk improvements to create a unified image and improve the physical and visual environment
 - promote strong visual and pedestrian connections between the residential neighborhood and Kendall Square and the Charles River
 - establish strict traffic mitigation measures to minimize traffic impacts in the neighborhood
 - encourage structured parking with access located to mitigate traffic impacts.

- b. The development is consistent with the provisions of the East Cambridge Overlay Districts Guidelines
- c. No National Register or contributing building is demolished or so altered as to terminate or preclude its designation as a National Register or contributing building; and
- d. No National Register or contributing building has been demolished or altered so as to terminate or preclude its designation within the five (5) years preceding the application.

- D. Amend the Text of the Zoning Ordinance of the City of Cambridge by creating new Sections 17.20, 17.30, and 17.40 - Special Districts as follows:
- 17.20 Special District II
 - 17.30 Special District III
 - 17.40 Special District IV
- 17.20 Special District II
- 17.21 SCOPE This Section 17.20 regulates development within the Special District II as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.20, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District II.
- 17.22 PERMITTED USES Uses permitted in the Office 2 District shall be equally allowed in the Special District II with the exception of the following:
- a. The following additional uses shall be permitted: Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a (Assembly or packaging or articles), and Section 4.37 b 4,5,9 (Electrical, electronic and communication instruments; Engineering, laboratory and scientific instruments, temperature controls; and Medical and dental instruments and supplies, optical instruments and lenses) provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
 - b. The following uses shall be prohibited: Parking lot or parking garage for private passenger cars, Section 4.32 b (Automobile parking lot or parking garage for private passenger cars).
- 17.23 DIMENSIONAL REGULATIONS The following Dimensional Regulations will apply to all development proposals within the District.
- 17.23.1 Maximum FAR The FAR for any lot shall not exceed 1.75.
- 17.23.2 Building Height Limitations The maximum height permitted in the district for all uses shall be eighty-five (85) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent

front property line(s) along all streets and the Sixth Street Pedestrian Way also known as lot numbered 93 on Assessor's Plat numbered 44.

17.24 OFF STREET PARKING AND LOADING REQUIREMENT

17.24.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.24.2 Minimum Parking Requirement The minimum parking requirement shall be one parking space for each two thousand (2,000) square feet of gross floor area except that for residential uses, Section 4.31 a-h (Residential Uses), one parking space shall be required for each dwelling unit.

17.24.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of gross floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, not withstanding the provision of Section 6.31.3.

17.30 Special District III

17.31 SCOPE This Section 17.30 regulates development within the Special District III as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.30, all requirements of and regulations applicable to the Residence C-2 District shall apply equally to the Special District III.

17.32 PERMITTED USES Uses permitted in the Residence C-2 District shall be equally allowed in the Special District III with the exception of the following:

a. The following uses shall be prohibited:

(1) Parking lot or parking garage for private passenger cars, Section 4.32 b.

(2) Hotel and Motel uses, Section 4.31 i (2).

17.33 DIMENSIONAL REGULATIONS

17.33.1 Maximum FAR The FAR for any lot in the district shall not exceed 1.5.

- 17.33.2 **Building Height Limitations** The maximum height permitted in the district for all uses shall be seventy (70) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets and the Sixth Street Pedestrian Way also known as lot numbered 93 on Assessor's Plat numbered 44.
- 17.40 **Special District IV**
- 17.41 **SCOPE** This Section 17.40 regulates development within the Special District IV as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided in this Section 17.40, all requirements of and regulations applicable to the Office 2 District shall apply equally to the Special District IV.
- 17.42 **PERMITTED USES** Uses permitted in the Office 2 District shall be equally allowed in the Special District IV with the exception of the following:
- a. The following additional uses shall be permitted: Manufacturing, processing, assembly and/or packaging of articles and products listed in Section 4.37 a, and Section 4.37 b 4,5,9 provided the fully assembled product regularly produced shall not exceed two hundred (200) pounds in weight.
 - b. The following uses shall be prohibited: Parking lot or parking garage for private passenger cars, Section 4.32 b.
- 17.43 **DIMENSIONAL REGULATIONS** The following Dimensional Regulations shall apply to all development proposals within the district.
- 17.43.1 **Maximum FAR** The FAR for any lot in the district shall not exceed 1.5.
- 17.43.2 **Building Height Limitations** The maximum height permitted in the district for all uses shall be seventy (70) feet. However, any portion of a building exceeding a height of forty-five (45) feet shall be set back a minimum of twenty (20) feet from the adjacent front property line(s) along all streets.

17.44 OFF STREET PARKING AND LOADING REQUIREMENTS

17.44.1 Off street parking and loading requirements shall be the same as specified in Article 6.000 for uses in the Office 2 District except as provided below.

17.44.2 Minimum Parking Requirement The minimum parking requirement shall be one space for each two thousand (2,000) square feet of gross floor area for any use in the District, except that for residential uses, Section 4.31 a-h, one parking space shall be required for each dwelling unit.

17.44.3 Maximum Parking The maximum accessory parking permitted for all uses in the district shall be one parking space for each 1,000 square feet of floor area, except that for residential uses, Section 4.31 a-h, there shall be no maximum accessory parking. No parking shall be provided which exceeds the maximum parking permitted, notwithstanding the provisions of Section 6.31.3.

E. Amend the text of the Zoning Ordinance of the City of Cambridge by creating a new Article 18.000 as follows:

18.10 Traffic Mitigation Requirements
18.20 Construction Management Program

18.10 Traffic Mitigation Requirements Where a Traffic Mitigation Plan is required as a condition of approval of any special permit the plan shall be submitted to the special permit granting authority for review and approval, at a time and in a manner set forth by the special permit granting authority in its Decision. Upon approval of the plan the permittee shall be obligated to thereafter implement the provisions of the plan for as long as the special permit is in force and effect. In developing the plan the permittee shall consider and adopt as appropriate but shall not be limited to the following traffic mitigation techniques:

- (1) Join and participate in a Landowners' Transportation Management Association if in operation, and ensure that the following traffic mitigation measures are implemented, maintained and monitored. If such an operation is not in effect, then reasonable efforts shall be undertaken to form such an organization.
- (2) Promote the use of public transportation by providing up to date maps, schedules and transit information, establishing an MBTA Pass sales office, educating and strongly encouraging or requiring all tenants to subsidize employee "T" Passes, and making reference to transit facilities and proximity in marketing and advertising materials.
- (3) Operate the computer based ride sharing program RideSource from CARAVAN for Commuters, Inc., collect and disseminate ride sharing information, and share information with other tenants, organizations and companies where applicable.
- (4) Encourage staggered or flexible work hours for employees of all tenants through the provisions of utilities and open parking facilities during off peak hours and other appropriate means.
- (5) Establish parking management techniques such as providing preferential parking spaces and reduced rates for van pools and car pools, and encouraging short term parking when possible.

- (6) Consider joint use of parking facilities to maximize effectiveness of parking management programs.
- (7) Operate a shuttle system or join with and expanding an existing system, e.g. CambridgeSide Galleria, to serve tenants and make public transit more accessible.
- (8) Provide sufficient covered and secure bicycle racks.
- (9) Consider cooperating to provide innovative tenant services, such as day care, courier and copy services, shower and locker room facilities, and shuttles to airports.
- (10) Work with the Commuter Mobility Manager of the City of Cambridge to facilitate implementation of this traffic mitigation program.
- (11) Require that all conditions of an approved plan be made a condition of tenant leases as applicable or appropriate.

18.20

Construction Management Program Where a construction management program is required as a condition of approval of any special permit the applicant shall submit such a program, detailing the construction period impacts anticipated and a program for mitigation of those impacts. The permittee shall be obligated to thereafter implement the provisions of the Plan until a certificate of occupancy has been issued for all development authorized by the Permit. This program will include but not be limited to the following:

- Restricting contractor and supplier site access to designated roadways;
- Identify construction worker parking areas at sufficient capacity to prevent on street parking. Include a shuttle bus system if needed;
- Designating locations for storing construction equipment and materials;
- Developing a construction plan which will ensure minimum disruption to street and pedestrian flow and safety; and
- Posting of a bond or other surety to ensure the repair of all damage to public property resulting from construction of the project.

F. In Section 10.48 and 11.202 add the following after the last line in the list.

Section 11.405.4 Transfer of Development Rights, East
Cambridge Overlay Districts

Section 11.406.21 Additional Gross Floor Area, East
Cambridge Overlay Districts



City of Cambridge

35.

IN CITY COUNCIL

May 20, 1991

COUNCILLOR DUEHAY

ORDERED: That the City Council forward the attached amendment to the Zoning Ordinances relative to the East Cambridge Zoning District to the Planning Board and Ordinance Committee for hearings and reports.

In City Council May 20, 1991.

Adopted by the affirmative vote of nine members.

Attest:- Joseph E. Connarton, City Clerk.

A true copy;

ATTEST:-

A handwritten signature in cursive script that reads "Joseph E. Connarton".

Joseph E. Connarton, City Clerk

Order # 35

041

Councillor Duehay refiling the
Permanent East Cambridge zoning
petition.

10/21/91 Vailed of Ordination
6-3-0

Reconsideration moved &
prevailed

Vailed by C. Duehay

10/22/91 - Placed on file
due to expiration of time
limit

In City Council,

May 20, 1991

ORDER ADOPTED

Referred to
Ordinance Committee &
Community Development
Planning Board
for hearing & report.
Copies sent to P.B. & Ord
Comm. 5/23/91 *CD*