Memo

Date: November 5, 2015

To: Members of the City Council and Planning Board

RE: Modifications to Proposed MXD Zoning Petition and Kendall Square Urban Renewal Plan Amendment

The Cambridge Redevelopment Authority (CRA) Board has voted to transmit to you the attached modifications to the proposed MXD Zoning Petition and Kendall Square Urban Renewal Plan Amendment 10. The CRA has revised the initial proposed text to further refine certain concepts and address concerns raised at the Ordinance Committee hearing of September 23, 2015 and the Planning Board hearing of October 13, 2015. These text changes were carefully considered through discussions with the Cambridge Community Development Department (CDD), and landowners within the MXD District. The changes outlined below address a range of topics reflecting evolving expectations for development across the City, and economic realities of that development.

Overview of Recommended Modifications

Since the preliminary hearings, the CRA published an Environmental Impact Report (EIR) in accordance with Massachusetts Environmental Policy Act on October 19, 2015. The EIR is required in order for the Massachusetts Department of Housing and Community Development to approve the amendment to the Kendall Square Urban Renewal Plan (KSURP). The EIR contains extensive analysis of project impacts related to a range of topics (including transportation, air quality, sustainability and greenhouse gas emissions, stormwater management, water and wastewater, hazardous materials and construction) and proposes mitigation measures to address these impacts.

The approval of the MXD District Zoning Petition and KSURP Amendment is only one step in the review process for the proposed project. In the future, the inter-agency design review process will be focused on both the Infill Development Concept Plan, and subsequent building design review, both of which the CRA Board and the Planning Board must approve. The scope of the Infill Development Concept Plan has been updated to reflect many of the topic areas addressed in the EIR, as well as an addition to the scope of building design review to include high quality architectural design and thoughtful adherence to the Infill Development Concept Plan.

The following list summarizes the changes that have been made in the newest version of the MXD District Zoning Petition and KSURP Amendment dated November 4, 2015:

- **Housing (Inclusionary / Middle Market):** The housing requirements have been revised to require each residential project using Infill GFA to include a minimum of 20% below market rate housing – 15% inclusionary and 5% middle income. The middle income housing will be mandatory, and the 350 foot height allowance for residential will be standard rather than achieved through a height bonus.

- **Pacing of Residential and Commercial:** Text has been added to require that in order to occupy more than 375,000 additional square footage of commercial space of Infill GFA, a second 200,000 sq. ft. residential project after 88 Ames Street must begin construction.
• **Innovation Space:** The Innovation Space requirement for commercial development has been increased from 5% to 10%, and all of that space is exempt from the aggregate GFA calculation.

• **Retail:**
  
  o **Retail Planning:** The Infill Development Concept Plan has been updated to require a Retail Plan component to further reinforce goals of creating active street level uses and encouraging local independent retailing.

  o **Independent and Local Retail Space:** A section was added to require a minimum of 25% of retail spaces (other than spaces used for grocery stores and pharmacies) to consist of independent and local retailers in order for the retail to be exempted from the aggregate GFA calculation.

  o **Active Ground Floors:** An update to the petition language was made to reflect ongoing conversations in the City regarding banks as ground floor retail. Banks and financial institutions will not be considered active ground floor uses. While not a total prohibition of bank branches, this provision does not allow those facilities to count toward the active frontage requirement.

• **Open Space Programming:** Language was added to the open space planning component of the Infill Development Concept Plan to require a strategy for programming of new and existing open space. Additionally, Section 108 of the KSURP will authorize the CRA to establish an open space management fund for the purpose of maintenance and programming of public open space within and around the MXD District. Further clarification of open space requirements are described on the following pages.

• **Sustainability / Energy:** The original zoning petition already included a requirement for LEED Gold, and for all new construction to be solar ready. The sustainability requirements were further improved to require Enhanced Commissioning, and language was added to require a feasibility study of district energy utilizing the existing district steam system or another similar on-site cogeneration facility.

• **EIR Mitigation Commitments:** Additional clarifying language was added requiring the Infill Concept Development Plan to include a status update on the implementation of mitigations found in the EIR.

• **Parking Regulations:** In response to concerns regarding impacts on neighborhood parking, the zoning petition was revised to increase the minimum parking ratio for residential development to 0.4 per unit. An addition was also made to require a minimum of ten car-share spaces with the first phase of development. Further discussion of current and future parking supply is featured below.

• **Interagency Design Review Process:** In response to Planning Board concerns, the reference to a new Joint Working Group was removed. The proposal retains a process that includes joint public meetings of the full CRA and Planning Boards to consider the Infill Development Concept Plan and subsequent building proposals.

**Clarifications and Responses**

The following discussion is a summary of other clarifications and explanations in response to comments from the Ordinance Committee Hearing and the Planning Board Hearing that are not reflected in the zoning petition text changes:

• **Grocery Store and Pharmacy:** Incentives for grocery stores and pharmacies are provided in the retail GFA exemptions in the MXD District Zoning Petition and KSURP Amendment. The CRA will work closely with Boston Properties to identify opportunities for retail sites to deliver these uses to the area. Already,
the two-floor retail component of the Ames Street Residential project approved by the Planning Board in March 2015, and currently under construction, was designed with the flexibility necessary to accommodate either one of these uses. Boston Properties is actively seeking prospective tenants for these operators to fulfill this need in Kendall Square.

- **Home Ownership**: The CRA will work with the Housing Division of CDD to assess the community needs for various housing types. The CRA will encourage developers to consider a mix of home tenancy to include ownership opportunities, however the decision to develop rental or ownership units cannot be regulated through zoning.

- **Aging in Cambridge**: The KSURP Amendment and MXD District Zoning Petition are consistent with the recommendations of the City’s 2010 *Aging in the Cambridge Community* which include: inclusionary housing policies, allowing more density near transit, open space requirements, and neighborhood retail. Proposed development in the MXD District Zoning will improve the key design related recommendations of the report including: safer streets and sidewalks, better signage, lighting and crosswalks, active ground floors, and well-defined entries. The CRA will encourage future residential developers to design units for a broader range of demographics and living arrangements.

- **Urban Farming**: Green City Growers and Boston Properties launched an urban gardening program in two open spaces within the MXD District that includes free classes for the public. All food harvested from the gardens is donated to Food for Free, an organization that distributes the produce to 80+ food pantries, shelters, and meal delivery programs in the Boston region. The CRA and Boston Properties will seek opportunities to expand this program and/or other urban agriculture initiatives in the area.

- **Food Trucks / Push Carts**: Food trucks were a top request during the CRA’s recent ‘Kendall Questions’ poster campaign which allowed pedestrians to text ideas for certain vacant areas to our online Community Forum. The CRA is looking at opportunity sites to bring food trucks to the area in Summer 2016, and will be looking at these as part of the proposed programming of future parks in the area in consultation with CDD.

- **Prevailing Wage Construction**: Boston Properties has historically employed general contractors for base building construction that are signatory to either the laborers' or carpenters' union (and typically both). Boston Properties expects to continue this practice as future buildings are constructed, and will agree to make a good faith effort require its contractors to enroll young people in a union apprenticeship program.

- **Active Ground Floors in Existing Buildings**: The MXD District Zoning Petition allows some of the active ground floor requirement for 75% of the building façade to be fulfilled on the ground floor of existing buildings in the MXD District / KSURP area with a maximum limit of 50% of that requirement being fulfilled through modifications to existing buildings. With extensive frontage of existing buildings on Broadway being inactive, the ability to use existing buildings to meet the active ground floor requirement creates an incentive to spread new ground floor activity beyond the new building sites.

- **CRA Implementation Plan**: As a public agency, the CRA works in the public trust and will use the development revenues received in connection with the proposed project for purposes consistent with its mission, including strategic contributions toward publicly beneficial, community-oriented projects, programs and capital improvements to the public realm within the City of Cambridge.

In its July 2014 Strategic Plan, the CRA identified a preliminary list of priority projects. These projects may cover a wide array of topic areas including open spaces, public transit improvements, bicycle and pedestrian infrastructure, housing, economic development, and sustainability. In 2016 through continued
public discussion, the CRA will assemble a more detailed work plan for the coming years as part of the CRA’s Project Area Implementation Plan as required by Section 108 of the KSURP. This will outline the projected public improvements, private development, and redevelopment programs to be undertaken by the CRA in Kendall Square either directly or in partnership with the City and/or designated redevelopers. This Implementation Plan will provide a summary of future planned public benefits resulting from the execution of the KSURP and how the development revenues received by the CRA will be utilized to achieve these benefits.

Detailed overviews are provided below for the Development Timeline, Transportation Improvements and Open Space requirement, topics which elicited significant discussion at the Ordinance Committee and Planning Board hearings.

- **Development Timeline:** The conceptual development depicted in presentations to the Planning Board and included in the Environmental Impact Report (EIR), show development in the MXD District happening in phases. Phase 1 would include the office building on top of the North Garage as well as the 145 Broadway residential building. Due to the residential development pacing requirement described earlier, the commercial and residential would need to be constructed simultaneously in order to occupy the full proposed build-out of the office space (beyond the first 375,000 sq. ft.) on the North Garage or to begin the next phase of development on Main Street. Phase 1 is projected to be underway within the next five years. Phase 2 at 325 Main Street would be a mixed-use residential and commercial building with retail on the ground, and is not anticipated to be completed before 2025. Both the residential building in Phase 1 and the mixed-use building in Phase 2 require the demolition of existing smaller office buildings, and are considered very complex construction projects. A timeline has not been determined for the Whitehead Institute expansion and the Broad Institute office conversion; these project elements will move forward independently from the two major phases. The required Infill Development Concept Plan will provide a refined phasing schedule.

- **Transportation Improvements:** The recently published EIR includes an extensive transportation chapter with a comprehensive analysis of the proposed development’s impact on all modes of transportation and proposed accommodations for each. The following is short selection of planned improvements by mode:
  
  - **Transit Enhancement Fund:** The KSURP establishes the Kendall Square Transit Enhancement Program, (KSTEP) which will provide funding for public transit improvements in a structured agreement with MassDOT/MBTA. Currently, the transit funding commitment is set at $6 million with additional funding anticipated. Following the completion of the Kendall Square Mobility Task Force’s work in early 2016, the City, MassDOT and CRA will develop a final program format for the KSTEP. The CRA, CDD and Boston Properties are all active members of the Mobility Task Force.
  
  - **Traffic/Roadways:** The EIR identifies five intersections in or nearby the MXD District for specific improvements such as signal timing optimization, protected left turns, or additional turning lanes. The EIR also commits the CRA to conducting a Roadway Safety Audit (RSA) when the proposed project is more fully designed for three intersections in the area with crash rates above the district average.
  
  - **Annual Traffic Report:** The CRA will continue to conduct the annual traffic study and analysis of Kendall Square that began in 1994. The study will evolve to utilize the most up to date development square footage and traffic projections, as well as more holistically including additional data on bicycles, pedestrians, travel behavior and transit service, as it becomes available.
- **Bicycles:** The CRA and Boston Properties will work with the City to implement infrastructure improvements within the area in alignment with the CDD's new Bicycle Network Plan, including the cycle track along Galileo Galilei Way and the Grand Junction Shared Use Path. Additionally, the CRA and Boston Properties will explore with the City opportunities to create a full service bike station within the area as well as additional Hubway stations.

- **Pedestrians:** Pedestrian improvements to the MXD District may include additional pedestrian countdown timers with leading pedestrian indicator (LPI) programming; a new mid-block crossing on Broadway at one of the proposed building sites; improvements to the 6th Street crossing on Binney; improved pedestrian-level lighting and streetscape improvements along Galileo Galilei Way.

- **Parking Supply:** Approximately 2,660 off-street parking spaces exist in the MXD District today at the three Boston Properties parking garages. The proposed development may add approximately 740 new spaces. The EIR analysis indicates that with a robust parking management plan including TDM measures, such as a car sharing program and shared parking strategies, the future parking demand in the KSURP can be met with these new spaces. Under the K2 Plan guidelines, residential parking can share 40% of the designated spaces, while office parking can share up to 90% at night. A summer 2015 survey by the CRA of the major apartment buildings in Kendall Square found a per unit utilization ratio ranging from 0.42 to 0.61 parking spaces per unit, with one building at 0.19.

- **Open Space Planning:** Due to the original requirements for lot-by-lot open space, the MXD District has an abundance of underutilized green space, which currently functions as suburban style setbacks or landscaped screening on private land. This underutilized open space will be re-thought and re-designed to add much greater value to the district, contributing to a broad interconnected network of public spaces in Kendall Square that achieves the placemaking vision of the K2 Plan. In summary, the new open space requirements consist of the following distinct elements:
  - **100,000 sq. ft. as Protected Open Space:** The existing district-wide requirement of 100,000 sq. ft. of public open space guaranteed through ownership or covenant by the City or CRA will remain part of the zoning.
  - **15% Minimum Developable Land as Open Space:** The petition adds a new requirement to the district that the total open space in the district remains equal to 15% of developable land area.
  - **Open Space Plan:** The petition adds a new requirement for an open space plan as a requirement of the Infill Development Concept Plan. In addition to laying out physical enhancements of MXD District open spaces, the open space plan will clarify commitments to provide programming and space activation.
  - **Project Based Requirement:** The new project based requirement in the MXD District Zoning and KSURP simplifies the previous open space formula. It requires each development project to contribute to the open space network consistent with the approved open space plan at an equivalency of 8 sq. ft. per 100 sq. ft. of development. It also creates the opportunity for the CRA and Planning Board to allow some of that contribution to be within the nearby Kendall Square neighborhood, but outside the MXD District boundaries, within 0.5 miles, for example, the Grand Junction Shared Use Path north of Binney Street. Due to this requirement, the project based open space will go beyond the 15% minimum developable land area found in the MXD District Zoning.
- **Management and Programming**: Section 108 of the KSURP specifically authorizes the CRA to establish an open space management fund for the purpose of maintenance and programming of public open space within and around the MXD District.

- **Interagency Design Review Process**: The proposed amendments to the KSURP and MXD District Zoning provide for a coordinated role for the CRA in order to compliment the newly added jurisdiction of the Planning Board. The MXD District Zoning Petition and the KSURP Amendment require the preparation of a new Infill Development Concept Plan, which must be approved by the CRA and Planning Boards. The inter-agency design review process contemplated in these documents would authorize the CRA Board and Planning Board to hold joint design review meetings for the review of both the Infill Concept Development Plan and subsequent building design review, although the CRA Board and Planning Board would continue to make final decisions and vote separately. CDD and CRA staff will work collaboratively through the planning and design review process for the MXD District.