Boston Properties

MICHAEL A. CANTALUPA
Senior Vice President - Development

2013 SEP 12 PM 3 25

OFFICE OF THE CITY CLERK
CAMBRIDGE, MASSACHUSETTS

September 12, 2013

BOSTON, MA
NEW YORK, NY
PRINCETON, NJ
SAN FRANCISCO, CA
WASHINGTON, D.C.

Honorable Members of the Cambridge City Council
Cambridge City Hall
795 Massachusetts Avenue
Cambridge, MA 02139

Re: Ames Street Residential Project, Cambridge MA

Dear Mayor Davis, Vice Mayor Simmons, and Councilors Cheung, Decker, Kelley, Maher, Reeves, Toomey and vanBeuzekom:

On behalf of the landowners referenced in the attached document, we are pleased to submit a Zoning Petition which, if approved, would enable us to move forward with our Ames Street Residential Project. Also enclosed is a check in the amount of $150.00 for the filing fee.

As you may recall, Boston Properties made certain commitments in 2010 to further develop a 200,000 SF residential project within seven years of issuance of a certificate of occupancy for 75 Ames Street (the new Broad Institute research facility). Since making this commitment we have been working diligently on advancing the Ames Street Residential Project and this Zoning Petition is a necessary step for us to be able to achieve this goal.

The overarching theme of the Zoning Petition is that the MXD zoning did not originally contemplate the type of high-rise multi-family building that the City and residents have since envisioned in the Kendall Square area. Given the density of the development that has taken place in the Kendall Square Urban Renewal Area, in order to implement such a residential project, there are certain minor amendments required to the MXD zoning. We have included with this petition a summary document that provides a background and a more in-depth description of each of the items contained within the Zoning Petition.

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We look forward to working with you so that the much needed multi-family housing can be created on Ames Street for the benefit of the Kendall Square area.

Sincerely,

Michael A. Cantalupa

Enclosures

cc: Madeleine Timin (w/encl.)
David Stewart (w/encl.)

Ames Street District Rezoning Petition

Background

The Ames Street District (ASD) was established in 2010 to define a portion of the MXD zoning district including the "triangle" bordered by Ames Street, Broadway and Main Street as well as a site on the west side of Ames Street that is currently under development as the expansion of the Broad Institute (see map). The ASD is characterized by a mix of high quality general and technical office and laboratory uses, as well as an evolving retail presence, all in close proximity to the MBTA station.

As part of the creation of the ASD, the District Development Limitations contained in Section 14.32 of the Ordinance were modified to allow for an additional 300,000 square feet of gross floor area to be used for office and biotechnology manufacturing uses within the ASD. The majority of that square footage has been utilized to develop a new facility for the Broad Institute at 75 Ames Street and Google's interconnected campus at Three, Four and Five Cambridge Center – further contributing to the MXD District's stature as a national center for innovation and creativity.

As has been discussed with the community, the petitioners are eager to proceed with residential and retail projects within the ASD that will enhance the mixed-use character of the MXD District as a whole. The intent of this petition is to make some minor modifications to the current MXD zoning to allow for the development of these projects.

Residential Building

At the time the ASD was created, the City Council and members of the City staff expressed their strong interest in the inclusion of a residential component within the MXD District. Our current proposal is to proceed with a residential project on Ames Street, in an area that is currently used as an entrance to our parking garage and loading bays. However, as we have advanced the design of the residential building, we have discovered that certain provisions in the current MXD zoning would conflict with this plan. We have proposed the following modifications to allow the residential project to proceed in the ASD, while leaving the underlying zoning in place for the remainder of the MXD District:

- Lot Density Limitation: Along with a "cap" on total development, the MXD zoning places an FAR limit of 4.0 for multifamily housing on a specific lot. This restriction would preclude the construction of any high-rise residential building within the ASD. We propose eliminating the FAR limit for multifamily housing on a lot in the ASD, which would enable the construction of a high-rise residential building but would not increase the total allowed gross floor area within the MXD District.

- Lot Open Space Requirement: The MXD zoning requires a minimum of 100,000 square feet of public open space within the District as a whole, but also imposes lot-by-lot open space requirements for certain uses. Although we would not be eliminating any existing public open space with this residential project, the lot configurations within the ASD

make it infeasible to meet the minimum open space requirement for the lot on which the residential building would be located. In order to serve the interests of the general public in having public open space available while at the same time enabling the residential building to proceed, we are proposing that the lot-by-lot open space requirements not apply within the ASD, so long as the District-wide public open space requirements are satisfied and a specified amount of public open space is available within the ASD in four existing locations as shown on the attached plan.

- Parking and Loading: We expect to accommodate parking for the proposed residential building in our existing parking garage. The current MXD zoning already allows for parking requirements to be satisfied in public or pooled private parking facilities within the District; however, the current zoning makes no provision for sharing of parking spaces among daytime and nighttime uses and as such would require building more parking than needed. We are proposing to reduce the minimum parking requirement for housing to .50 per dwelling unit (consistent with the recommendations of the Kendall Square Study), which will provide the flexibility to use our existing parking to meet the demand for all uses. In addition, the proposed project will involve relocating and reducing the number of loading bays, which will be adequate to serve multiple buildings within the ASD but would not conform to the existing MXD zoning requirements. Our proposal is to utilize the existing formula set forth in Section 14.53.1(2) of the Ordinance for the reduction in the loading bay requirements for shared loading facilities, but simply to adjust the maximum allowable reduction within the ASD.

It should be noted that the provisions of Section 19.20- Project Review Special Permit are already applicable to residential projects within the MXD District and as such the Planning Board (together with the Cambridge Redevelopment Authority) will review this project prior to final approval.

Ground-Floor Retail

The limit on the number of fast food order establishments in the MXD District was originally implemented to prevent an over-proliferation of particular types of national chain type restaurants in the area. However, the concept and nature of "fast food" has evolved over the years to encompass a wide variety of establishments meeting a range of dining preferences including locally-sourced products, vegetarian options and multi-national cuisines. One of the petitioners is currently negotiating a lease with the local operator Clover, as an example of an establishment which would not be considered a "traditional" fast food restaurant but which would nonetheless be considered a fast order food establishment under the Ordinance and as such will actually be utilizing the last of the three permits available for the MXD District. For the buildings in the MXD District under their control, it is the petitioners' intent to attract business such as Clover to the District and to create a diverse mix of dining options to serve the community and to help activate the streetscape.

Third Street Extension

The City has recently completed a roadway plan for Kendall Square that involves extending Third Street southward to connect with Main Street. While the petitioners are supportive of this

plan, it would result in a reconfiguration of lots within the ASD, which in turn has the potential to render existing lots non-conforming because they would no longer meet the lot-by-lot open space requirements. Our proposal to eliminate the lot-by-lot open space requirements in the ASD so long as certain MXD-wide and ASD public open space requirements are satisfied would remedy this conflict and would enable the City to proceed to make this helpful connection.

Zoning Petition

The undersigned hereby petition the City Council of the City of Cambridge as follows:

1. To request that the City Council amend the Zoning Map of the City of Cambridge (as most recently amended) to modify the area included within the "Ames Street District," as shown on the plan attached hereto.

2. To request that the City Council amend Section 14.21.3(3) of the Cambridge Zoning Ordinance (as most recently amended), which currently reads as follows:

> 14.21.3 (3) Fast order food establishment only if it is not located in a separate structure, it does not exceed three thousand (3,000) square feet gross floor area, and there will be no more than three (3) such establishments in the District; and it is granted a Special Permit, as provided in Section 10.40 and 11.30.

by deleting the language shown in [*italics and brackets*] below and adding the language in **bold face and underlined** below:

> 14.21.3 (3) Fast order food establishment only if **(i)** it is not located in a separate structure, **(ii)** it does not exceed three thousand (3,000) square feet **of** gross floor area, [*and*] **(iii)** there will be no more than [*three (3)*] **fifteen (15)** such establishments in the District **(a maximum of eight (8) of which shall be located in the Ames Street District and a maximum of seven (7) of which shall be located in the portions of the District outside of the Ames Street District),**[;] **and (iv)** it is granted a Special Permit, as provided in Section 10.40 and 11.30.

3. To request that the City Council amend the Cambridge Zoning Ordinance (as most recently amended), by adding the following Section 14.71:

> 14.71 **SPECIAL PROVISIONS APPLICABLE WITHIN THE AMES STREET DISTRICT**
>
> 14.71.1 *Applicability.* The provisions set forth in this Section 14.71 shall apply solely within the Ames Street District. Where this Section 14.71 specifies some standard or makes some other requirement contrary to the standards or requirements set forth elsewhere in this Article 14.00 or in this Ordinance, the provisions of this Section 14.71 shall control.
>
> 14.71.2 *Lot Density Limitation.* Notwithstanding the Lot Density Limitations in Section 14.33, there shall be no maximum floor area ratio for Multifamily dwelling uses. However, the District Development Limitations in Section 14.32 shall continue to apply.
>
> 14.71.3 *Lot Minimum Open Space Requirement.* So long as the District Public Open Space Requirement in Section 14.42 is met and there exists within

the Ames Street District a minimum of fifty-three thousand (53,000) square feet of public open space (as defined in Section 14.42), the Lot Minimum Open Space Requirements in Section 14.43 shall be inapplicable within the Ames Street District.

14.71.4 *Parking.* The minimum number of spaces for multifamily residential use shall be 0.50 per dwelling unit.

14.71.5 *Loading Requirements.* Where there are contractual arrangements for sharing loading and service facilities with other users in the Ames Street District for a period of ten (10) years or more, a sixty percent (60%) reduction in the loading bay requirements computed in Subsection 14.53.1 or 14.53.1(1) shall be allowed. Such contractual agreement shall be guaranteed to the satisfaction of the Superintendent of Buildings by covenant, deed restriction, easement or comparable legal instrument.

This zoning petition for amendment of the Cambridge Zoning Ordinance is respectfully submitted by the following owners of land to be affected by the change, for consideration and adoption by the Cambridge City Council in accordance with the provisions of Massachusetts General Laws Chapter 40A, § 6.

THE TRUSTEES OF ONE CAMBRIDGE CENTER TRUST,
as owner of One Cambridge Center

By:_____
Michael A. Cantalupa, for himself and his fellow
Trustees, but not individually

THE TRUSTEES OF TWO CAMBRIDGE CENTER TRUST,
as owner of Two Cambridge Center

By:_____
Michael A. Cantalupa, for himself and his fellow
Trustees, but not individually

THE TRUSTEES OF THREE CAMBRIDGE CENTER TRUST,
as owner of Three Cambridge Center

By:_____
Michael A. Cantalupa, for himself and his fellow
Trustees, but not individually

BP FOUR CC LLC,
as owner of Four Cambridge Center

By: Boston Properties Limited Partnership,
its sole member

By: Boston Properties, Inc., its general partner

By:_____
Name: Michael A. Cantalupa
Title: Senior Vice President, Development

BP FIVE CC LLC,
as owner of Five Cambridge Center

By: Boston Properties Limited Partnership,
its sole member

By: Boston Properties, Inc., its general partner

By: _____
Name: Michael A. Cantalupa
Title: Senior Vice President, Development

BP EAST GARAGE LLC,
as owner of Cambridge Center East Garage

By: Boston Properties Limited Partnership,
its sole member

By: Boston Properties, Inc., its general partner

By: _____
Name: Michael A. Cantalupa
Title: Senior Vice President, Development

CAMBRIDGE CENTER WEST GARAGE LLC,
as owner of Cambridge Center West Garage and
75 Ames Street

By: Boston Properties Limited Partnership,
its sole member

By: Boston Properties, Inc., its general partner

By: _____
Name: Michael A. Cantalupa
Title: Senior Vice President, Development

BOSTON PROPERTIES LIMITED PARTNERSHIP,
as owner of the Cambridge Center Plaza

By: Boston Properties, Inc., its general partner

By: _____
Name: Michael A. Cantalupa
Title: Senior Vice President, Development

LEGAL DESCRIPTION
AMES STREET DISTRICT

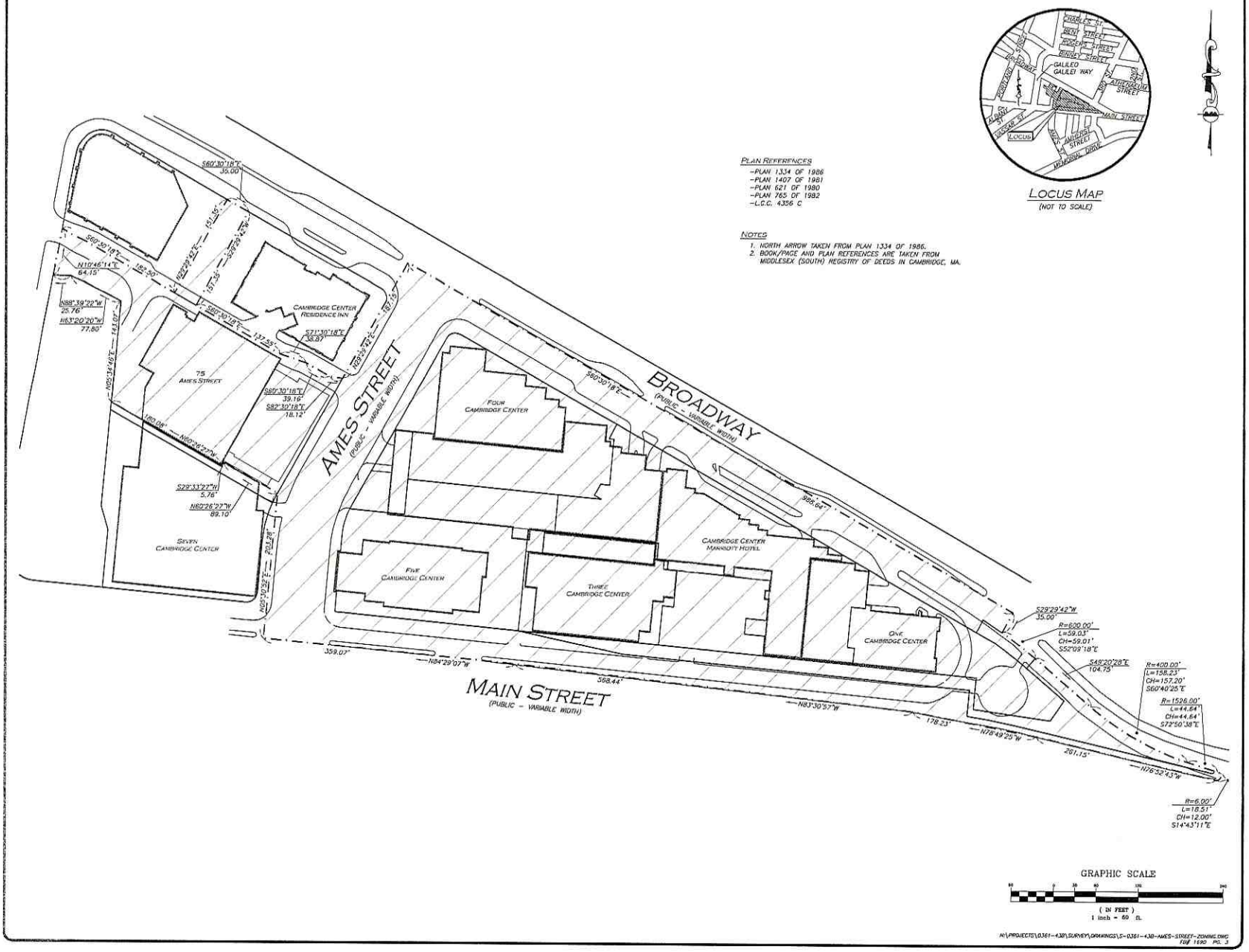
A certain zoning overlay district situated in the City of Cambridge, County of Middlesex, Commonwealth of Massachusetts bounded and described as follows:

Beginning at a point being the Westerly most point of the overlay district to be described hereafter; thence

S60°30'18"E	A distance of one hundred eighty-two and fifty hundredths feet (182.50') to a point; thence
N29°29'42"E	A distance of one hundred fifty-one and thirty-five hundredths feet (151.35') to a point; thence
S60°30'18"E	A distance of thirty-five and no hundredths feet (35.00') to a point; thence
S29°29'42"W	A distance of one hundred fifty-one and thirty-five hundredths feet (151.35') to a point; thence
S60°30'18"E	A distance of one hundred thirty-seven and fifty-five hundredths feet (137.55') to a point; thence
S71°30'18"E	A distance of thirty-eight and eighty-seven hundredths feet (38.87') to a point; thence
S60°30'18"E	A distance of thirty-nine and sixteen hundredths feet (39.16') to a point; thence
S82°30'18"E	A distance of eighteen and twelve hundredths feet (18.12') to point; thence
N29°29'42"E	A distance of one hundred eighty-seven and fifteen hundredths feet (187.15') to a point; thence
S60°30'18"E	A distance of nine hundred eighty-eight and sixty-four hundredths feet (988.64') to a point; thence
S29°29'42"W	A distance of thirty-five and no hundredths feet (35.00') to a point of non-tangent curvature; thence
Southeasterly	And curving to the right along the arc of a curve having a radius of six hundred and no hundredths feet (600.00'), an arc length of fifty-nine and three hundredths feet (59.03'), a chord length of fifty-nine and one hundredths feet (59.01') and a chord direction of S52°09'18"E to a point of tangency; thence
S49°20'28"E	A distance of one hundred four and seventy-five hundredths feet (104.75') to a point of curvature; thence
Southeasterly	And curving to the left along the arc of a curve having a radius of four hundred and no hundredths feet (400.00'), an arc length of one hundred fifty-eight and twenty-three hundredths feet (158.23'), a chord length of one hundred fifty-seven and twenty

	hundredths feet (157.20') and a chord direction of S60°40'25"E to a point of compound curvature; thence
Southeasterly	And curving to the left along the arc of a curve having a radius of one thousand five hundred twenty-six and no hundredths feet (1,526.00') an arc length of forty-four and sixty-four hundredths feet (44.64'), a chord length of forty-four and sixty-four hundredths feet (44.64') and a chord direction of S72°50'38"E to a point of compound curvature; thence
Southeasterly	And curving to the right along the arc of a curve having a radius of six and no hundredths feet (6.00'), an arc length of eighteen and fifty-one hundredths feet (18.51'), a chord length of twelve and no hundredths feet (12.00') and a chord direction of S14°43'11"E to a point of tangency, thence
N76°52'43"W	A distance of two hundred sixty-one and fifteen hundredths feet (261.15') to a point; thence
N78°49'25"W	A distance of one hundred seventy-eight and twenty-three hundredths feet (178.23') to a point; thence
N83°30'57"W	A distance of five hundred sixty-eight and forty-four hundredths feet (568.44') to a point; thence
N84°29'07"W	A distance of three hundred fifty-nine and seven hundredths feet (359.07') to a point; thence
N05°30'52"E	A distance of two hundred three and twenty-eight hundredths feet (203.28') to a point; thence
N60°26'27"W	A distance of eighty-nine and ten hundredths feet (89.10') to a point; thence
S29°33'27"W	A distance of five and seventy-six hundredths feet (5.76') to a point; thence
N60°26'27"W	A distance of one hundred eighty and eight hundredths feet (180.08') to a point; thence
N05°34'46"E	A distance of one hundred forty-three and seven hundredths feet (143.07') to a point; thence
N63°20'20"W	A distance of seventy-seven and eighty hundredths feet (77.80') to a point; thence
N88°39'22"W	A distance of twenty-five and seventy-six hundredths feet (25.76') to a point; thence
N10°46'14"E	A distance of sixty-four and fifteen hundredths feet (64.15') to the point of beginning.

The above described Ames Street district is more particularly shown on a plan entitled "Ames Street District" dated September 9, 2013, scale 1"=60' as prepared by Allen & Major Associates, Inc.



PLAN REFERENCES
- PLAN 1334 OF 1986
- PLAN 1407 OF 1981
- PLAN 621 OF 1980
- PLAN 765 OF 1982
- L.C.C. 4356 C

NOTES
1. NORTH ARROW TAKEN FROM PLAN 1334 OF 1986.
2. BOOK/PAGE AND PLAN REFERENCES ARE TAKEN FROM MIDDLESEX (SOUTH) REGISTRY OF DEEDS IN CAMBRIDGE, MA.

LOCUS MAP
(NOT TO SCALE)

GRAPHIC SCALE
(IN FEET)
1 inch = 60 ft.

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FILE 1690 PG. 3

WE HEREBY CERTIFY THAT:

THIS PLAN IS THE RESULT OF AN ACTUAL ON THE GROUND SURVEY PERFORMED ON OR BETWEEN JULY 27, 1979 AND MAY 24, 2013.

THE ABOVE IS CERTIFIED TO THE BEST OF MY PROFESSIONAL KNOWLEDGE, INFORMATION AND BELIEF.

ALLEN & MAJOR ASSOCIATES, INC.

ISSUED FOR REVIEW
SEPTEMBER 10, 2013

PROFESSIONAL LAND SURVEYOR FOR ALLEN & MAJOR ASSOCIATES, INC.

REV	DATE	DESCRIPTION

APPLICANT/OWNER:
BOSTON PROPERTIES
800 BOYLSTON STREET, SUITE 1900
BOSTON, MA 02199-8103

PROJECT:
AMES STREET DISTRICT
CAMBRIDGE, MA

PROJECT NO.	0361-43A	DATE:	09/10/13
SCALE:	1" = 60'	DWG. NAME:	SEE BELOW
DRAFTED BY:	COB	CHECKED BY:	KJK

PREPARED BY:

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environmental consulting • landscape architecture
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DRAWING TITLE:
AMES STREET DISTRICT

SHEET No.
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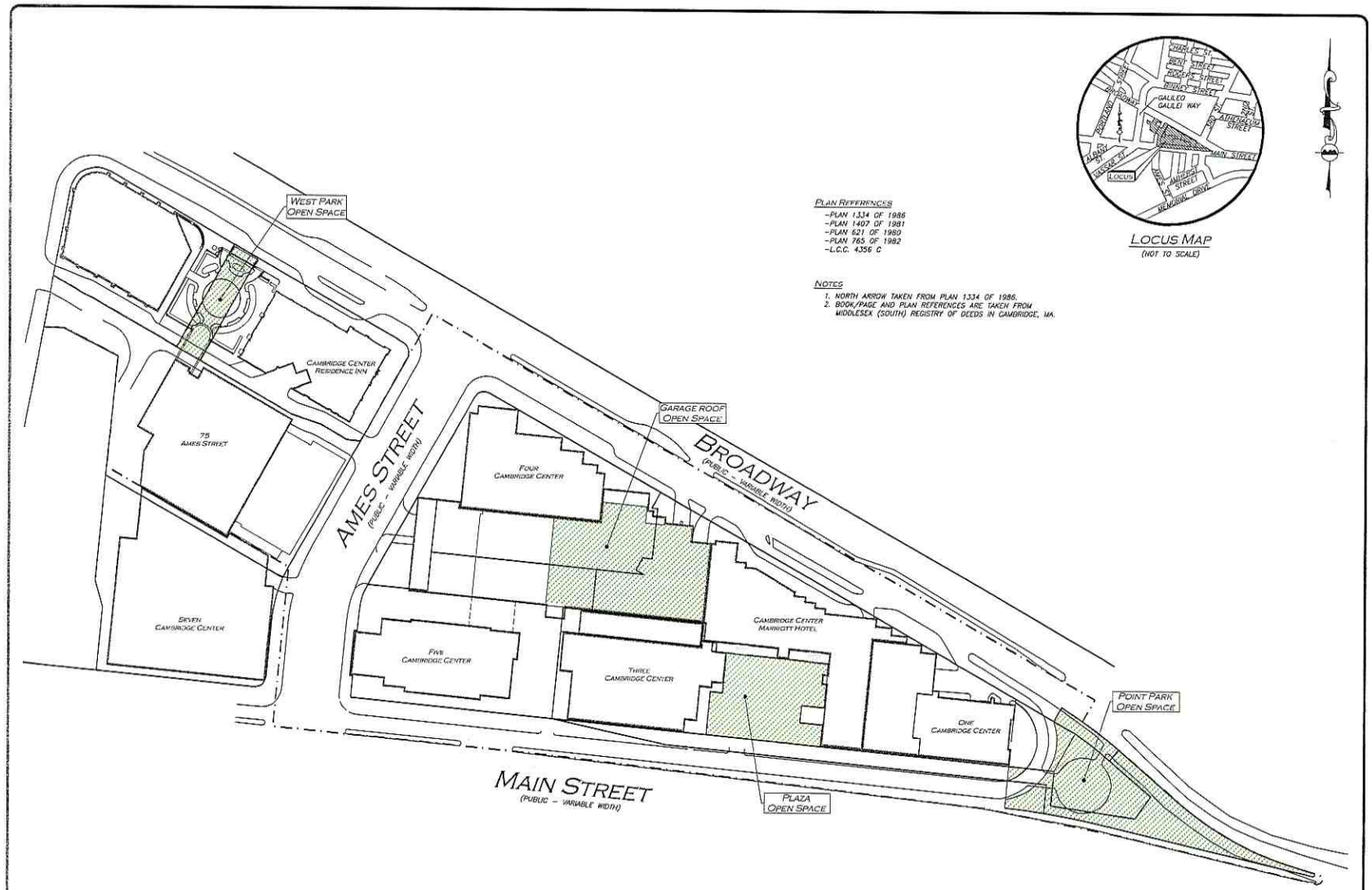

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LOCUS MAP
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GRAPHIC SCALE
(IN FEET)
1 inch = 40 ft.

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ALLEN & MAJOR ASSOCIATES, INC.

ISSUED FOR REVIEW
SEPTEMBER 10, 2013

PROFESSIONAL LAND SURVEYOR FOR
ALLEN & MAJOR ASSOCIATES, INC.

REV.	DATE	DESCRIPTION

APPLICANT\OWNER:
BOSTON PROPERTIES
800 BOYLSTON STREET, SUITE 1900
BOSTON, MA 02199-8103

PROJECT:
AMES STREET DISTRICT
OPEN SPACE
CAMBRIDGE, MA

PROJECT NO.	0361-43A	DATE:	09/10/13
SCALE:	1" = 40'	DWG. NAME:	SEE BELOW
DRAFTED BY:	COB	CHECKED BY:	KJK

PREPARED BY:
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AMES STREET DISTRICT
OPEN SPACE

SHEET No.
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