



CITY OF CAMBRIDGE

Community Development Department

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To: Louis A DePasquale, City Manager

From: Iram Farooq, Assistant City Manager for Community Development

Date: May 5, 2022

Re: **Alewife Overlay Development Zoning Petition – Additional Information**

This memo provides updated information that was requested by the Ordinance Committee at its hearing on April 7, 2022, regarding the Alewife Overlay Districts Zoning Petition:

- A revised list of active developments within Alewife Overlay Districts 1-6 that would be impacted by the adoption of a moratorium for all Office and Laboratory Uses listed in Table 4.34 of the Cambridge Zoning Ordinance.
- The Petition zoning text, as it was amended by substitution by the Ordinance Committee on April 7, 2022, with revisions to clarify that enlargements to existing office and laboratory buildings would also be subject to the moratorium.

Pending Office/Laboratory Applications in AODs

Information previously provided by CDD listed all active building permits to accommodate office and laboratory uses in the Alewife Overlay Districts. As explained in the letter from the City Solicitor dated April 7, 2022, Amendments to the Zoning Ordinance do not apply to “a building or special permit issued before the first publication of notice of the public hearing on such ordinance ...” per state statute. The date of first publication of this Petition was February 17, 2022.

As worded in the text provided on the following page, the Petition would affect building permits for new and enlarged office and laboratory uses, but would not affect building permits for interior renovation of existing office and laboratory uses.

Given the wording of the statute and the Petition, it is impossible to list all development proposals that could potentially be impacted. There is no way to predict what applications will be submitted during the proposed timeframe of the moratorium. Also, there is no way to predict what building permits or special permits issued prior to February 17, 2022 may need to be amended or reissued if the permit lapses or if the proposal undergoes modifications in the course of development. If a permit holder seeks to amend a building permit or special permit, there would need to be a legal analysis as to whether the amendments to the Zoning Ordinance apply to the amended permit.

Development proposals would be affected if they meet the criteria in the Petition, have applied for a special permit or building permit, and have not yet been issued a special permit or building permit. Accordingly, the list below has been edited to include only special permit and building permit applications that have been submitted, but for which the permit had not been issued prior to February 17, 2022. **For the reasons stated above, this list should not be presumed to include all development that could be affected by the Petition.**

Street Number	Street Name	Project Description	Review Required	Review Status
180	Fawcett St	Construction of new office/lab building	Planning Board	Approved at 3/29/2022 hearing; written special permit decision to be filed with the City Clerk by 6/5/2022
15	Wilson Rd	Construction of new office/lab building	Planning Board	Special permit application received; hearing to be scheduled by 6/4/2022
125	Cambridgepark Dr	Addition to office/lab building	Planning Board	Partial draft materials received

Alternative Zoning Text

Below is the Zoning Petition text accepted by the Ordinance Committee on April 7, 2022, with a recommended amendment (i.e. inserting “or enlarged”) that the Council could accept to clarify that building permits to enlarge an existing office and laboratory use would also not be issued during the time of the moratorium.

Create a new Section 20.93.5 within Section 20.90, Alewife Overlay Districts 1-6, to read as follows:

20.93.5 *Development Moratorium.* For a period beginning from the date of enactment of this Section 20.93.5 and lasting until December 31, 2023, or until the time of enactment of an amendment to or deletion of this Section 20.93.5, whichever occurs sooner, no permits for the building, renovation, or enlargement of any structures to accommodate a new **or enlarged** Office or Laboratory Use as listed in Section 4.34 of this Zoning Ordinance shall be issued within the Alewife Overlay Districts 1-6. The purpose of such moratorium is to create and enact amended requirements for the Alewife Overlay Districts in consultation with residents of the Alewife Overlay Districts and surrounding neighborhoods, based on development plans and guidelines published by the City.