



MASSACHUSETTS INSTITUTE OF TECHNOLOGY  
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April 28, 2011

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

Dear Mayor Maher, Vice Mayor Davis, and Councillors Cheung, Decker, Kelley, Reeves, Seidel, Simmons, and Toomey:

I am pleased to submit MIT's rezoning petition for a 26-acre parcel in the Kendall Square area for your conveyance and review. My expectation is that it will serve as a starting point for a thorough and thoughtful discussion about Kendall Square and the role that MIT can play in helping to advance its future as a world-class innovation hub.

In our dozens of meetings over the last year, we found widespread agreement that Kendall Square would benefit from an enlivened and enhanced street level experience that welcomes and inspires all members of the Cambridge community. We heard that transit-oriented development makes sense, and that the notion of industry, entrepreneurs, start-ups, academia, and the community working together to enrich our shared environment and solve global problems is exactly what Cambridge is about, and precisely represents the promise of Kendall Square.

In addition to general enthusiasm for the concepts, we heard divergent views around housing, parking, and the use of public spaces. Because we heard from some that housing is a key ingredient, we have doubled the amount of housing originally discussed from 60,000 SF to 120,000 SF. We look forward to continuing the conversation regarding the appropriate amount of housing for an innovation district.

We strongly believe, as others do, that careful attention to the placemaking approach and retail mix is critical to the successful creation of an active and dynamic environment. While MIT has developed an initial framework for helping to make Kendall Square a vibrant destination, details regarding specific uses, design, programming, and operations will continue to evolve throughout the rezoning and special permit processes. Because we agree that proper placemaking and retail is vital to the overall success of the development, we have included a requirement in the zoning that calls for MIT to work with a third party expert to examine best practices for this unique business district.

Finally, we look forward to the community visioning process that will take place under Goody Clancy's guidance. We believe that having our zoning proposal reviewed within the context of this urban planning study will achieve the best results possible for the broader Kendall Square community.





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As we embark on this effort together, I invite you to visit a website that we've created to provide background on our Kendall Square thinking. It can be found at <http://www.kendallsquareinitiative.org/> and includes the principles we have relied upon in developing our concepts, as well as a document called "Kendall Square in Process," a placemaking analysis prepared by David Chilinski of the Cambridge-based architectural firm Prellwitz Chilinski Associates, which can help us think collectively about how best to revitalize the Kendall Square area.

We look forward to engaging with you during this important process.

Sincerely,

A handwritten signature in blue ink, appearing to read "Steve Marsh", written over a horizontal line.

Steven C. Marsh



The undersigned hereby petition the City Council of the City of Cambridge to amend the Cambridge Zoning Ordinance and Cambridge Zoning Map, both as most recently amended, as follows:

Add a new Section 13.80 to the Zoning Ordinance of the City of Cambridge as set forth in the attached document.

Amend the Zoning Map of the City of Cambridge to add a new PUD-5 District the parcels in the Kendall Square area labeled as 'PUD-5' and cross-hatched on the attached map entitled 'Proposed PUD-5 District.'

## **13.80 PUD-5 DISTRICT**

**13.81 Purpose.** The PUD-5 District is intended to provide for Kendall Square's continued prominence as a world-renowned center of innovation and a vibrant neighborhood through the creation of a mixed-use district of high quality general and technical office and laboratory uses with significant retail activity proximate to the MBTA station. It helps organize placement of commercial and academic buildings and encourages residential uses to support the burgeoning residential corridor along Third Street and strong links to existing neighborhoods and the riverfront. The PUD-5 District allows for continued achievement of the academic mission at MIT and encourages connective links, physical and otherwise, between the Institute and adjacent neighborhoods.

The PUD-5 District is intended to be a smart-growth, transit-oriented district and therefore permits replacing surface parking lots with larger scale development close to Kendall Square and the major public transit services located there. The PUD-5 District encourages low parking ratios, shared parking strategies, the use of public transportation and improved pedestrian and bicycle environments. The PUD-5 District furthers the City's sustainability goals through buildings that are planned, designed and constructed in a sustainable way so as to minimize adverse environmental impacts as they are initially constructed and as they are occupied and operated over the course of their useful lives.

The PUD-5 District promotes the creation of a public gathering space proximate to the MBTA station and a strong retail corridor along Main Street. Combined, this new public crossroads will have broad appeal as a desirable destination during and beyond the traditional workday by providing a critical mass of diverse restaurants, shops, entertainment and programming. The ground floor space will engage pedestrians and provide a variety of indoor and outdoor gathering spaces, including retail that can address the needs and reflect the creativity of the local community.

### **13.81.1** *Establishment and Scope of Zones within the PUD-5 District.*

The PUD-5 District shall be divided into a series of Zones as described below for the purpose of defining requirements that may not apply to the District as a whole. All provisions of the PUD-5 shall apply equally to each Zone except as provided for elsewhere in this Section 13.80.

### **13.81.2** *Description of the Main Street North Zone and Main Street South Zone*

**13.81.21** The Main Street North Zone is the aggregate area of the two legal parcels known as One Broadway (Assessor's Parcel 14-31), in its entirety.

**13.81.22** The Main Street South Zone is the area defined by the eastern sideline of lot #15 on Assessor's Parcel 46, then the northern sideline of Memorial Drive, then the centerline of Wadsworth Street running north from Memorial Drive, then the centerline of Amherst Street running

west from Wadsworth Street , then the centerline of Hayward Street running north from Amherst Street to its intersection with a line 400 feet to the south of and parallel to the Main Street front property lines of lots abutting Main Street and located between Ames and Hayward Streets, then the easterly sideline of Ames Street from the parallel line to Main Street, then the southerly sideline of Main Street, but excluding lot #14 on Assessor's Parcel 48.

**13.81.23** The Transitional Height Zone is the area defined by the eastern sideline of Ames Street, a line 400 feet to the south and parallel to the Main Street front lot lines of properties abutting Main Street and located between Ames and Hayward Streets, then the centerline of Hayward Street running south toward Amherst Street and then the centerline of Amherst Street running west to Ames Street.

**13.81.24** The Memorial Drive Height Zone is the area defined by the eastern sideline of Ames Street, then the centerline of Amherst Street running east toward Wadsworth Street, then the centerline of Wadsworth Street running south toward Memorial Drive and then the northern sideline of Memorial Drive between Wadsworth and Ames Streets.

**13.82** *Uses Allowed in the PUD-5 District.* The uses listed in this Section 13.82, alone or in combination with each other, shall be allowed upon permission of the Planning Board. Office and laboratory uses are preferred.

**13.82.1** Residential Uses. All uses listed in Section 4.31(a-g) and (i)(2).

**13.82.2** Transportation, Communication and Utility Uses. All uses listed in sections 4.32 except for railroad freight terminal, railroad yard and shops (4.32c), truck or bus terminal yard or building for storage or servicing of trucks, trailers or buses, or parking lot for trucks (4.32d), and helipad or airport (4.32h).

**13.82.3** Institutional Uses. All uses listed in Section 4.33.

**13.82.4** Office and Laboratory Uses. All uses listed in Section 4.34.

**13.82.5** Retail Business and Consumer Service Establishments. All uses listed in Section 4.35.

**13.82.6** Open Air or Drive in Retail & Service. All uses listed in Sections 4.36(a), (c) and (e).

**13.82.7** Light Industry, Wholesale Business and Storage. 4.37(a), (b), (c) and (f).

**13.82.8** Other Uses. Any use not listed in subsections 13.82.1 - 13.82.7 but permitted in the Office 2 or Business B-2 District.

- 13.82.9** Commercial Limitation. No more than an aggregate of 980,000 new square feet of Gross Floor Area of the types of uses listed in Sections 13.82.4-13.82.7 above shall be permitted in the PUD-5 District.

For purposes of this Section 13.82.9, “new” shall mean an amount of square feet of Gross Floor Area in excess of the amount of Gross Floor Area of the uses set forth in Section 13.82.4 -13.82.7 in existence in the PUD-5 District as of January 1, 2011. As part of the first application for a PUD special permit under the provisions of this Section 13.80, such existing Gross Floor Area for the entire PUD-5 District shall be identified as to quantity, type of use and location and such enumeration shall thereafter serve as the basis from which to administer this Section 13.82.9

**[Example:** if an existing building in the PUD-5 District containing 50,000 square feet of Gross Floor Area is demolished and a building containing 55,000 square feet of Gross Floor Area is constructed in its place, 5,000 square feet of Gross Floor Area would be considered “new.”]

### **13.83** *Floor Area Ratio.*

- 13.83.1** The maximum total Floor Area Ratio of the PUD-5 District shall be 3.8 for all permitted uses. The Floor Area Ratio of any given Development Parcel may be greater than 3.8 as long as the overall Floor Area Ratio in the PUD-5 District does not exceed 3.8.

#### **13.83.11** *Gross Floor Area Excluded from Calculation of FAR in the PUD-5 District*

- a.** The Gross Floor Area devoted to residential uses, excluding hotels and motels, constructed after adoption of the Section 13.80 and authorized as part of an approved PUD-5 special permit.
- b.** The area of above ground parking facilities in the District constructed in the Main Street North Zone that meets the requirements set forth in this Paragraph b. Any new above ground parking constructed in the Main Street North Zone shall have a design of a quality comparable to that of other, non-parking structures in the PUD-5 area and shall be screened with active uses to the maximum extent possible, but at least where it is likely to be viewed from the public streets within the PUD-5 District.
- c.** Notwithstanding any other provision of the Zoning Ordinance, including the definition of Gross Floor Area in Article 2.000, the Gross Floor Area of a public theater or gathering space in the PUD-5 District shall include only publicly accessible, above grade, circulation, performance, and amenity spaces as measured from the interior face of walls of each space provided that all other dimensional requirements,

limitation on the permitted number of seats, or other requirements imposed under a PUD-5 District Special Permit are satisfied.

- d. The area of any public transportation facility directly providing public transportation services that is owned or controlled by a public transportation governmental agency.

**13.84** *Parcel and Lot Sizes.* The minimum size for a Development Parcel in the PUD-5 District shall be 25,000 square feet. There shall be no minimum lot size for lots within a Development Parcel in the PUD-5 District.

**13.85** *Setbacks and Width.* There shall be no minimum width for a Development Parcel and no minimum width for lots located within a Development Parcel. There shall be no other minimum required front, rear and side yard requirements for a Development Parcel or for lots located within a Development Parcel. The Planning Board shall approve all such building setbacks.

**13.85.1** Where new commercial buildings are constructed in the PUD-5 District, sidewalks along Main Street shall have a minimum width of 15 feet. Where such width is not provided in the public right of way, it shall be provided within the Development Parcel as a building setback unless otherwise approved by the Planning Board.

**13.85.2** New commercial buildings along Main Street containing uses set forth in Sections 13.82.4 -13.82.7 above in the PUD-5 District must be set back ten (10) feet from the streetline of Main Street at and above a point eighty-five (85) feet above grade. Up to one-third of the façade length on a cumulative basis may be exempt from this requirement.

### **13.86** *Height*

**13.86.1** In the Main Street North and South Zones, the maximum height of any building shall be 250 feet, except as permitted by Sections 13.86.11 and 13.86.12.

**13.86.11** The Planning Board may approve a Final Development Plan that results in no more than one new building exceeding 250 feet up to 300 feet in height in the Main Street North Zone and one additional building up to 300 feet in height in the Main Street South Zone; provided that those floors in a new building that are above the 250 foot line shall have a maximum floorplate of 22,000 square feet.

**13.86.12** In evaluating a Development Proposal providing building height in excess of two hundred fifty (250) 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 outdoor open spaces, plazas or sidewalks meant to serve as active gathering spaces to a significantly greater extent than if the building height did not exceed two hundred fifty (250) feet;

(b) that increased height would mitigate detrimental environmental impacts such as excessive ground coverage, diminution of open space, and monotonous development, or would facilitate the preservation of historic structures;

(c) that increased height would not adversely affect, and would result in increased sensitivity to, the visual and physical characteristic of the particular location through more harmonious relationships to the terrain and to the proposed and existing buildings in the vicinity that have functional or visual relationships to the proposed building;

(d) that increased height would result from actions taken to lessen the impact of traffic and parking on the surrounding area; and

(d) that the orientation and location of the proposed structure would not otherwise diminish the health and safety of the area around the development parcel.

**13.86.2** In the Transitional Height Zone, the maximum height of any building shall be 200 feet.

**13.86.3** In the Memorial Drive Height Zone, the maximum height of any building shall be 150 feet.

**13.86.4** If at least 50% of the area of the ground floor footprint of a building is located within a higher height zone in the PUD-5 District, a portion of the building at the higher height may extend into the adjacent lower height zone by no more than 50 feet.

**13.87** *Publicly Beneficial Open Space.* The minimum overall percentage of Publicly Beneficial Open Space of the total area of the PUD-5 District shall be fifteen percent (15%). The percentage any given Final Development Plan may be less than 15% as long as the overall ratio in the PUD-5 District is not less than 15%.

**13.88** *Parking and Loading Requirements.* Development in the PUD-5 district shall conform to the off street Parking and Loading Requirements set forth in Article 6.000, except as modified by this Section 13.88.

**13.88.1** Provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.88; may be satisfied anywhere in the



PUD-5 District or, if located outside of the PUD-5 District, within 2,000 feet of the use being served, notwithstanding anything to the contrary contained in Article 6.000.

- 13.88.2** No minimum parking shall be required. However, the Planning Board in its discretion, after review and analysis of Transportation Impact Studies and other relevant information on parking demand provided in application documents, and with the guidance of City agencies, may require the provision of a minimum amount of parking in an amount it deems appropriate. Maximum allowed parking shall be limited as described below unless a waiver of maximum parking is requested under the general provisions of Article 6.000.
- 13.88.3** Maximum of 0.9 spaces per 1,000 square feet of Gross Floor Area shall be provided for office uses (including technical office and laboratory uses).
- 13.88.4** Maximum of 0.5 spaces per residential dwelling unit.
- 13.88.5** Maximum of 0.5 spaces per 1,000 square feet of retail and other commercial use.
- 13.88.6** Maximum of 1 space per 2 sleeping rooms for hotel use.
- 13.88.7** The Planning Board may allow shared use of off street parking in any proportion it determines to be appropriate if it finds that the lesser amount of parking will not cause excessive congestion, will not endanger public safety, will not substantially reduce parking availability for other uses or otherwise adversely impact the neighborhood, and will provide positive environmental or other benefits to the users of the lot or the neighborhood, including specifically, among other benefits, assisting in the provision of affordable housing units. In making such findings, the Planning Board shall consider whether or not less off street parking is reasonable in light of the following:
- (1) the proximity of an MBTA transit station and other modes of public transportation in the vicinity of the use being served;
  - (2) the availability of pedestrian and bicycle amenities in the vicinity of the use being served;
  - (3) the availability of surplus off street parking in the vicinity of the use being served;
  - (4) the availability of public or commercial parking facilities in the vicinity of the use being served provided the requirements of Section 6.23 are satisfied;
  - (5) shared uses of off street parking spaces serving other uses having peak user demands at different times;

- (6) age or other occupancy restrictions which are likely to result in a lower level of auto usage;
- (7) impact of the parking requirement on the physical environment of the affected lot or the adjacent lots including reduction in green space, destruction of significant existing trees and other vegetation, destruction of existing dwelling units, significant negative impact on the historic resources on the lot, impairment of the urban design objectives of the city as set forth in Section 19.30 of the Zoning Ordinance, or loss of pedestrian amenities along public ways; and
- (8) the provision of required parking for developments containing affordable housing units will increase the cost of the development, will require variance relief from other zoning requirements applicable to the development because of limitations of space on the lot, or will significantly diminish the environmental quality for all residents of the development.

**13.88.8** *Design, Dimensional, and Other Requirements of Provided Parking*

- (1) All parking for nonresidential and noninstitutional shall be underground structured parking. Notwithstanding this underground parking requirement, parking for all uses in the Main Street North Zone may be in above ground structured parking consistent with the existing structured parking in the Zone.
- (2) A Development Parcel may contain on grade parking equal in number to 5% of the parking otherwise required for the uses in the Final Development Plan for that Development Parcel.
- (3) In its approval of a Final Development Plan, the Planning Board may approve the location, layout and design of parking spaces which deviate from the requirements of Article 6.000.

**13.88.9** *Temporary On-Grade Open Parking*

On an interim basis in anticipation of later construction of underground or other structured parking sufficient to meet all parking requirements, on grade open parking shall be allowed in a Development Parcel subject to the following conditions:

- (1) The future underground parking structure will be constructed within the PUD-5 District but it may be located either on or off of the lot which it will serve;
- (2) Construction of the replacement subsurface parking structure is anticipated to commence within four years of the date of certificate of occupancy for the building initially served by on grade parking;

- (3) The future subsurface parking structure will contain sufficient spaces for users of the building initially served by on grade open parking so as to meet the parking requirements for such building; and
- (4) Binding commitments shall exist to establish, to the reasonable satisfaction of the Planning Board, that requirements (1) through (3) above shall be satisfied. Such commitments shall be made by negotiated lease agreement, deed restriction, covenant, or comparable legal instrument.

**13.88.10** *Pre-Existing Parking Spaces*

- (1) The Planning Board may approve in a Final Development Plan underground structured parking spaces as replacements for pre-existing spaces that will be displaced by improvements contemplated by such Final Development Plan.
- (2) Where any pre-existing accessory off-street parking facilities located in a Development Parcel, that are serving a pre-existing use located outside the Development Parcel (whether within or outside the PUD-5 District), are proposed to be eliminated or displaced in accordance with the Final Development Plan for that Development Parcel, such pre-existing off-street parking may be relocated by Special Permit granted by the Planning Board to the owner of the off-site use. In granting such Special Permit, the Planning Board may grant deviations from the requirements of Article 6.000 of this Ordinance for the number, location, layout and design of the relocated parking spaces.
- (3) Such replacement or relocated spaces shall not count toward the maximum parking permitted under this Section 13.88.

**13.88.11** Provided that the requirements of Section 6.23 of the Ordinance are met, the parking requirements of this Section 13.88, may be satisfied anywhere in the PUD-5 District or within 2,000 feet of the use being served notwithstanding anything to the contrary contained in Article 6.000.

**13.88.12** Loading bays for any use within the PUD-5 District may be located on the same lot with the use intended to be served or on another lot in the PUD-5 District within fifty feet (50 feet) of the use intended to be served. The distance shall be measured as a straight line from the nearest point of the lot on which the loading bay is located to the nearest street line or other boundary of the lot being served.

**13.88.13** The Planning Board may accept a Development Proposal and approve a Final Development Plan with loading facilities proposed to be shared by various uses and lots within the PUD-5 District.

**13.89** *Signage.* The provisions of Article 7 of the Ordinance shall not be applicable in the PUD-5 District. The Planning Board shall approve all signage for new development in the PUD-5 District.

**13.810** *Special Requirements, Conditions and Standards Applicable to Certain Development Authorized by the Planning Board in the PUD-5 District.* The Planning Board shall approve a Final Development Plan only after finding that in addition to all other applicable requirements the following requirements have been met. The Planning Board shall, in addition, include conditions in the approval of a Final Development Plan that will ensure ongoing compliance with these requirements.

**13.810.1** Rooftop Mechanical Equipment Noise Mitigation. Sound emanating from rooftop mechanical equipment on all new structures in an approved Final Development Plan shall be minimized by the adoption of best available and feasible practices regarding the location and sizing of equipment, the selection of equipment and sound attenuation measures.

**13.810.2** Required Housing.

At least 120,000 square feet of gross floor area in the aggregate must be devoted to new residential uses in the PUD-5 District. The new residential units shall contain at least 24,000 square feet of Gross Floor Area of housing affordable to middle income households whose total income does not exceed one hundred twenty (120%) percent of the median income for the Boston Standard Metropolitan Statistical Area and at least 18,000 square feet of Gross Floor Area of housing affordable to low and moderate income households whose total income does not exceed eighty (80%) percent of the median income for the Boston Standard Metropolitan Statistical Area.

The new residential uses shall be constructed in accordance with the following schedule:

- (1) Construction of the first 60,000 square feet of Gross Floor Area of required residential uses must commence prior to the issuance of a building permit allowing commercial Gross Floor Area in excess of 600,000 square feet of new Gross Floor Area in the aggregate.
- (2) Construction of the remaining 60,000 square feet of Gross Floor Area of required residential uses shall commence no later than the later of (a) issuance of a building permit allowing commercial Gross Floor Area in excess of 800,000 square feet of new Gross Floor Area in the aggregate or (b) eight years after the grant of a Special Permit approving a Final Development Plan for commercial Gross Floor Area in excess of said 800,000 square feet of new Gross Floor Area in the aggregate.

The required residential Gross Floor Area shall not be subject to the provisions of Section 11.200 of the Zoning Ordinance. The required

residential Gross floor Area shall specifically not be eligible for the FAR and dwelling unit bonuses set forth in Section 11.203.2.

Notwithstanding the exclusion of the 120,000 square feet of Gross Floor Area to be devoted to residential uses from the provisions of Section 11.200, the required low and moderate income units shall be constructed, marketed and administered in conformance with the requirements, policies and procedures established by the City for units otherwise subject to Section 11.200.

Residential Gross Floor Area approved in any Final Development Plan that would exceed 120,000 square feet of Gross Floor Area shall be subject to the FAR limitations of the PUD Districts and shall be subject to the provisions of Section 11.200.

Incentive Zoning Provisions.

A PUD Final Development Plan subject to the provisions of this Section 13.810 shall provide to the Cambridge community significant material benefits in the form of, among other things, a significant component of housing serving households with a wide range of incomes at least equivalent to the housing which would have been provided pursuant to Sections 11.203.1 and 11.203.2, an active program to establish and support retail activities within the development, and measures to monitor and manage noise generation within the development; therefore, any such Final Development Plan shall not be subject to the requirements of Section 11.203.1 and 11.203.2 of the Zoning Ordinance.

### **13.810.3 Active Uses and Pedestrian Activity.**

A Final Development Plan shall enhance the public pedestrian usage of the sidewalks and create a sense of neighborhood continuity by providing an interesting, lively and active presence at street level. Accordingly, portions of the ground floors of buildings in locations such as the ones enumerated below, or comparable locations, shall generally be planned, designed, constructed and used for Active Uses (defined below). At a minimum, upon completion of new commercial development in the PUD-5 District, a total of at least 60,000 square feet of Gross Floor Area in the PUD-5 District shall be devoted to Active Uses.

Definition of Active Uses. For purposes of this Section 13.810.3, “Active Uses” means:

- (1) Retail business and consumer service establishments listed in Section 4.35;
- (2) Institutional uses that are generally open to the public, such as museums and exhibition spaces;
- (3) Open Air and Drive In Retail and Service uses listed in Section 4.36(a); and

- (4) Other uses which the Planning Board determines meet the goals of this Section 13.810.3.

#### Location of Active Uses.

While Active Uses are desirable and encouraged at many locations throughout the PUD-5 District, potential locations of Active Uses of particular merit include portions of buildings and sites facing Main Street, Broadway and Third Street.

The Planning Board shall have flexibility in approving the actual location of Active Uses in a Final Development Plan. In order to preserve such flexibility, all ground floor space facing a public street or publicly accessible open space in an approved Final Development Plan, whether or not in one of the potential locations for Active Uses described above, shall contain design features which could accommodate future Active Uses.

#### Building and Site Design Requirements for Active Uses and Open Spaces.

- (1) Active Uses shall have one or more entrance(s) from the sidewalk or plaza separate from the principal entrance of the building for non-retail uses.
- (2) Where the length of a commercial building's primary facade exceeds 135 feet, loading, service, and garage ramp areas shall occur behind no more than one third (1/3) of ground level facade length facing a public or private street or plaza. Along the remaining two-thirds (2/3) of ground level facade length, transparent glazing shall make up at least 40% of ground-level facade area, and areas of opaque wall may extend no more than 25 feet horizontally.
- (3) Outdoor courtyards, delineated gathering space, or sitting areas are encouraged throughout each Development Parcel in any approved Final Development Plan.

Prior to submitting any application for a special permit in the PUD-5 District, the applicant shall engage the services of a consultant or other party with retail expertise to advise the applicant in connection with retail and other Active Uses to be included in the applicable Development Parcel. The recommendations of that consultant shall be included in the applicable special permit application.

#### Reduction in Required Active Uses.


The requirements for Active Uses contained in this Section 13.810.3 are predicated on the full potential commercial build out in the PUD-5 District as permitted in Article 13.800. If a material portion of the full potential commercial build out cannot be attained by reason of a governmental decision or action, then this Section 13.810.3 shall not apply, and the Planning Board shall approve the amount and design of Active Uses in each Final Development Plan on a case by case basis. By way of example, but not limitation, a requirement to preserve a building deemed to be historically significant which renders it impractical or impossible to provide the types of Active

Uses contemplated in this Section, would trigger the foregoing provisions of this paragraph.

**13.811** *Inapplicability of Certain Other Regulations.* Where this Article 13.800 specifies some standard or makes some other requirement contrary to a requirement elsewhere in this Ordinance, the provisions of this Article 13.800 shall control.

This zoning petition for amendment of the Zoning Ordinance and Zoning Map of the City of Cambridge is respectfully submitted by the owner of the land to be affected by the changes, for consideration and adoption by the Cambridge City Council in accordance with the provisions of Massachusetts General Laws, Chapter 40A, Section 5.

MASSACHUSETTS INSTITUTE OF TECHNOLOGY

By:   
Name: Theresa M. Stone  
Title: Executive Vice-President and Treasurer



