



CITY OF CAMBRIDGE, MASSACHUSETTS

# PLANNING BOARD

CITY HALL ANNEX, 344 BROADWAY, CAMBRIDGE, MA 02139

## SPECIAL PERMIT APPLICATION • COVER SHEET

In accordance with the requirements of the City of Cambridge Zoning Ordinance, the undersigned hereby petitions the Planning Board for one or more Special Permits for the premises indicated below.

Location of Premises: 100 Binney Street and 41 Linskey Way

Zoning District: Industry A-1/PUD-3A

Applicant Name: ARE-MA Region No. 45, LLC and ARE-MA Region No. 47, LLC, C/o Alexandria Real Estate Equities, Inc.

Applicant Address: 400 Technology Square, Suite 101, Cambridge, MA 02139

Contact Information: (617) 551-8532 jmaguire@are.com (617) 494-0015  
Telephone # Email Address Fax #

List all requested special permit(s) (with reference to zoning section numbers) below. *Note that the Applicant is responsible for seeking all necessary special permits for the project. A special permit cannot be granted if it is not specifically requested in the Application.*

12.37 et seq. Major Amendment to PUD Special Permit Case Number 243.

List all submitted materials (include document titles and volume numbers where applicable) below.

Ownership Certificate, Fee Schedule, Dimensional Form, Memorandum in Support of Application for a Major Amendment with Exhibits, as well as Application and Supporting Materials for the underlying Special Permits, which are incorporated by reference.

Signature of Applicant:

*John J. A...*

*Authorized Representative*

For the Planning Board, this application has been received by the Community Development Department (CDD) on the date specified below:

Date

Signature of CDD Staff

**FEE SCHEDULE**

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**Project Address:** 100 Binney St. & 41 Linskey Way      **Application Date:** 12/ /2017

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The Applicant must provide the full fee (by check or money order) with the Special Permit Application. Depending on the nature of the proposed project and the types of Special Permit being sought, the required fee is the larger of the following amounts:

- If the proposed project includes the creation of new or substantially rehabilitated floor area, or a change of use subject to Section 19.20, the fee is ten cents (\$0.10) per square foot of total proposed Gross Floor Area.
- If a Flood Plain Special Permit is being sought as part of the Application, the fee is one thousand dollars (\$1,000.00), unless the amount determined above is greater.
- In any case, the minimum fee is one hundred fifty dollars (\$150.00).

**Fee Calculation**

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New or Substantially Rehabilitated Gross Floor Area (SF): 2700      × \$0.10 = \$270

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Flood Plain Special Permit      Enter \$1,000.00 if applicable: NA

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Other Special Permit      Enter \$150.00 if no other fee is applicable: \$150

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**TOTAL SPECIAL PERMIT FEE**      **Enter Larger of the Above Amounts: \$270**

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**OWNERSHIP CERTIFICATE**

**Project Address:** 100 Binney Street/41 Linskey Way

**Application Date:** December 1, 2017

This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: ARE-MA Region No. 45, LLC and ARE-MA Region No. 47, LLC  
at the following address: \_\_\_\_\_

to apply for a special permit for: Major Amendment for PUD Special Permit Case No. 243  
on premises located at: 100 Binney Street and 41 Linskey Way

for which the record title stands in the name of: ARE-MA Region No. 45, LLC and ARE-MA Region No. 47, LLC

whose address is: c/o Alexandria Real Estate Equities, Inc.  
400 Technology Square, Suite 101  
Cambridge, MA 02139

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex South Book: 56642 Page: 209, 213-217, 222

*OR* Registry District of the Land Court,  
Certificate No.: \_\_\_\_\_ Book: \_\_\_\_\_ Page: \_\_\_\_\_

John J Andros Authorized Representative

Signature of Land Owner (If authorized Trustee, Officer or Agent, so identify)

To be completed by Notary Public:

Commonwealth of Massachusetts, County of Middlesex

The above named Thomas Andros personally appeared before me,

on the month, day and year 12/01/2017 and made oath that the above statement is true.

Notary: [Signature]

My Commission expires:



**MICHAEL D. CARLI**  
Notary Public  
Commonwealth of Massachusetts  
My Commission Expires  
September 2, 2022

100 Binney Street and 41 Linskey Way

**Appendix I: Dimensional Form** (No changes proposed)

|                                  | Allowed/Required                              | Proposed                            | Permitted   |
|----------------------------------|---|-------------------------------------|---|
| Lot Area (sq ft)                 | 87,120 (2 acres)                              | 491,320                             | No change   |
| Lot Width (ft)                   | No requirement                                | N/A                                 | No change   |
| Total GFA (sq ft)                | 1,533,406 <sup>1</sup>                        | 1,533,200                           | Consistent with Zoning Ordinance and Final Development Plan |
| Non-Residential                  | 1,533,406 <sup>1</sup>                        | 1,533,200                           |   |
| Residential                      | 220,000 <sup>2</sup>                          | 220,000                             |   |
| Total FAR <sup>1</sup>           | 3.00  | 3.00                                | Consistent with Zoning Ordinance and Final Development Plan |
| Non-Residential                  | 3.00  | 3.00                                |   |
| Residential <sup>2</sup>         | N/A   | N/A                                 |   |
| Lot Area / Dwelling Unit (sq ft) | 300 minimum                                   | approx. 2,233                       | Consistent with Zoning Ordinance and Final Development Plan |
| Total Dwelling Units             | N/A   | 220                                 |   |
| Inclusionary Units               | None <sup>2</sup>                             | None                                | None  |
| Range of Building Heights (ft)   | 45-140 (Detailed in 13.44.4, 13.54.4)         | 78, 85, 140                         | Consistent with Zoning Ordinance and Final Development Plan |
| Range of Yard Setbacks (ft)      | 0-10 (Detailed in 13.43.41, 13.53.4)          | Varies (see Final Development Plan) | Consistent with Zoning Ordinance and Final Development Plan |
| Total Open Space (acres)         | 1.7 (Section 13.45)<br>2.3 (Section 13.59.9)  | approx. 3.16                        | Consistent with Zoning Ordinance and Final Development Plan |
| Public                           | 2.3 (Section 13.59.9)                         | approx. 2.57                        |   |
| Private (Usable)                 | N/A   | approx. 0.59                        |   |
| Off-Street Parking Spaces        | 1600 maximum (Section 13.59.5)                | 1,902 <sup>3</sup>                  | 1,902 <sup>3*</sup>   |
| Handicapped                      | Consistent with Zoning Ordinance Section 6.34 | Not shown                           | Consistent with Zoning Ordinance Section 6.34               |
| Bicycle Spaces                   | 247 minimum (Section 6.37)                    | 435                                 | 435 (minimum)   |
| Loading Bays                     | 13 (calculated for all buildings per 6.83)    | approx. 13 <sup>4</sup>             | Consistent with Final Development Plan                      |

<sup>1</sup> The total allowed Gross Floor Area includes GFA allowed at an FAR of 3.0 (491,320 x 3.0 = 1,473,960 square feet) plus additional GFA up to a total of 59,446 square feet allowed if the Permittee transfers to the City of Cambridge the property at 101 Rogers Street and a portion of the property at 249 Third Street in accordance with the requirements of Section 13.59.10 of the Zoning Ordinance.

<sup>2</sup> For a Planned Unit Development meeting all the requirements of Section 13.59, 220,000 square feet of residential uses are allowed and must meet the requirements of 13.59.4. Such residential use is not counted as GFA for the purpose of calculating FAR. Neither the Inclusionary Housing requirements nor the bonuses apply.

<sup>3</sup> The proposed parking includes accessory parking for buildings within the Planned Unit Development as well as the relocation of 302 surface parking spaces serving the Athenaeum Building, as allowed in Section 13.59.52.

<sup>4</sup> Exact number of loading facilities to be specified during design review, per Condition 1(i) of this Decision.

Alexandria Real Estate Equities, Inc.  
Alexandria Center at Kendall Square  
PUD Special Permit Case Number 243  
Memorandum in Support of Application for a Major Amendment

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Application for a Major Amendment to the PUD Special Permit to Allow up to 2,700 square feet ("SF") of bank use at 100 Binney Street and to shift an Approved Location of an Active Use from 100 Binney Street to the abutting property at 41 Linskey Way.

Case Number: Case Number 243

Address: 100 Binney Street and 41 Linskey Way

Zoning: Industry A-1/PUD-3A

Applicant Owner: ARE-MA Region No. 45, LLC and ARE-MA Region No. 47, LLC, c/o Alexandria Real Estate Equities, Inc. ("ARE"), 400 Technology Square, Suite 101, Cambridge, MA 02139

Relief Sought by the Application.

ARE seeks a Major Amendment to the Planned Unit Development ("PUD") Special Permit to allow up to 2,700 SF of bank use at 100 Binney Street (Section 12.37.3) and to shift the Approved Location of an Active Use in the Final Development Plan from 100 Binney Street to the abutting parcel, 41 Linskey Way (Section 12.37.2). The total amount of Active Use space in the PUD will not be reduced.

Although styled a "Major Amendment," owing to the proposal to allow up to 2,700 SF of bank use as a permitted non-residential use at 100 Binney Street, the requested relief has been narrowly tailored, is limited in scope and only applies to two abutting properties in the PUD.

Background.

In 2010, the Planning Board granted a PUD Special Permit authorizing approximately 1.53 million SF of commercial space and 220,000 SF of residential space as part of a mixed-use development known as Alexandria Center at Kendall Square. The PUD is comprised of four new state-of-the-art sustainable buildings to provide technical office and laboratory space, two residential buildings, and adaptive reuse of three buildings. ARE and its affiliates agreed to convey, among other things, land for Rogers Street Park and Triangle Park to the City, contribute \$9.5 million for future development of the parks, and construct improvements to Binney Street.

ARE has substantially completed construction of buildings with more than 1.47 million SF of commercial space and 88,000 SF of residential space. ARE has conveyed to the City land for Rogers Street and Triangle Parks, contributed \$9.5 million for design and construction of the parks and substantially completed the Binney Street improvements. Next steps in project implementation include redevelopment of 161 First Street, construction of the 132,000 SF of residential space, adaptive reuse of 41 Linskey Way and development of the Mixed Mode Transportation Hub.

### Summary of Relevant PUD Special Permit Provisions.

The 2010 PUD Special Permit provides that “[a] minimum of 20,000 square feet of permitted non-residential Gross Floor Area shall be planned, designed, constructed and used as ground-floor Active Uses meeting the requirements of Section 13.59.3 of the Zoning Ordinance.” See Special Permit condition 1(b) at page 17. The Planning Board approved the location of the Active Uses in the Final Development Plan, an excerpt of which is attached as Exhibit A (“Active Use Plan”). See Special Permit condition 4(a) at page 23. The Special Permit provides that “[a]ny change in the locations of required Active Uses shall be approved by the Planning Board in accordance with the procedures for approval of a Minor Amendment, so long as such a change does not violate the zoning requirements of 13.59.3.” See Special Permit condition 4(a) at page 23. Approved Active Uses include a Mixed Mode Transportation Hub at the corner of Binney Street and Second Street and Active Use at 100 Binney Street. The Special Permit also provides that “[n]on-residential Gross Floor Area that is not occupied by Active Uses . . . shall be occupied by Technical Office uses as defined in Subsection 4.34(f) of the Zoning Ordinance.” See Special Permit condition 4(c) at page 18.

### Update on Active Uses.

Significant progress has been made in the “planning, design, construction and use” of a minimum of 20,000 SF of non-residential Gross Floor Area for Active Uses. To date, 17,772 SF of Active Use space has been planned, designed, and constructed and 12,610 SF of that space is occupied. See Exhibit B which depicts the status of Active Uses. As shown on that plan, 75/125 Binney Street includes 2,393 SF of Active Use space; 270 Third Street includes 8,058 SF of Active Use space; and 50+60 Binney Street includes 7,321 SF of Active Use space. The Active Use space to be developed is the 100 Binney Street Active Use space, which is proposed to be relocated to 41 Linskey Way, as well as the Mixed Mode Transportation Hub.

### Requests for Relief.

ARE seeks a Major Amendment to the PUD Special Permit to allow up to 2,700 SF of bank use at 100 Binney Street (ground floor) and to shift the Approved Location of an Active Use in the Final Development Plan from 100 Binney Street to the abutting parcel, 41 Linskey Way. Please see the Figure at Exhibit C showing the Active Use plan, revised as proposed herein. The specific relief requested is as follows:

--Amend Special Permit condition 4(c), to allow up to 2,700 SF of bank use, as defined in Subsection 4.34(e) of the Zoning Ordinance, at 100 Binney Street such that Condition 4(c), as amended, would provide: Non-residential Gross Floor Area that is not occupied by Active Uses as described above shall be occupied by Technical Office uses as defined in Subsection 4.34(f) of the Zoning Ordinance or up to 2,700 SF of bank use as defined in Subsection 4.34(e) of the Zoning Ordinance at 100 Binney Street (ground floor). (Amended language is underlined.)

--Approve the relocation of the previously approved Active Use at 100 Binney Street to 41 Linskey Way, as shown on the Figure attached as Exhibit C.

Except as the described herein, the balance of the PUD Special Permit shall remain unchanged.

Discussion.

A potential bank tenant has approached ARE about leasing approximately 2,700 SF of ground floor space at 100 Binney Street. ARE would like to accommodate this request but cannot do so absent the requested relief. The Special Permit only allows Active Uses or Technical Office use for non-residential Gross Floor Area. Bank Use is not defined as an Active Use, but it is allowed in the underlying district. No other bank use is included in the Project.

Relocation of the 100 Binney Street Active Use to 41 Linskey Way will allow pedestrians using the Mixed Mode Transportation Hub to take advantage of Active Uses on the ground floor 41 Linskey Way. The approved location of the Mixed Mode Transportation Hub is at the corner of Binney Street and Second Street, which abuts 41 Linskey Way. Relocating the 100 Binney Street Active Use to 41 Linskey Way will complement the planned Mixed Mode Transportation Hub and support pedestrian activity in the area.

The proposed change in location of Active Use is in harmony with Section 13.59.3 of the Zoning Ordinance. Section 13.59.32 of the Zoning Ordinance provides that the Planning Board shall have flexibility in approving the location of Active Uses in the Final Development Plan and expressly identifies “[p]ortions of buildings and sites adjacent to the intersection of Binney Street and Second Street (including a Mixed Mode Transportation Hub)” as potential locations of “particular merit” for Active Uses. ARE’s request to shift the 100 Binney Street Active Use to 41 Linskey Way meets this standard and compliments the goals of Section 13.59.3 of the Zoning Ordinance.

Permitting the bank use at 100 Binney Street will not prevent future use of the bank-leased space for an Active Use. In keeping with Special Permit condition 4(b), all non-residential ground-floor space contains design features which could accommodate future Active Uses and does not preclude re-programming the space for an Active Use later.

The relief requested does not involve a change in building size, dimension, footprint, floor area, density, height, or location from the approved PUD.

Conclusion.

For all the above reasons, ARE requests that the Planning Board GRANT the relief requested.

Exhibit A





41 LINKSEY WAY

100 Binney St  
140' / 10 floors  
Office/Lab



Active Use



Mixed Mode  
Transportation Hub

\*Cross hatching added for clarity

Skating

Exhibit B

# ACKS CAMPUS PLAN

## Active Users

- Leased
- Actively Marketing
- Proposed
- Mixed Mode Transportation Hub

\*Cross hatching added for clarity



Exhibit C



2,700 SF

41 LINKSEY WAY  
APPROX. 3,400 SF

100 Binney St  
140'/10 floors  
Office/Lab



Active Use



Mixed Mode  
Transportation Hub

\*Cross hatching added for clarity

Skating