



585 Third Street Cambridge, Massachusetts

Planning Board Special Permit Submission
Volume 3: Minor Modification of PUD-141

September 3rd, 2021

Team:

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PROJECT MANAGEMENT

BioMed Realty
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SUSTAINABILITY

C. Volume III: Minor Modification of PUD-141

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1. COVER SHEET



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: 585 Third Street
Zoning District: PUD-3A
Applicant Name: BMR - Third LLC
Applicant Address: 4570 Executive Dr, San Diego, CA 92121
Contact Information: 858-663-9372 Telephone #, sal.zinno@biomedrealty.com 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.

Minor Amendment to PUD-3 Special Permit (PB #141) under Section 12.37.2 and Section 13.206.1

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

Application Forms; Minor Amendment Narrative

Signature of Applicant: [Handwritten Signature]

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

2. OWNERSHIP CERTIFICATE

OWNERSHIP CERTIFICATE

Project Address: 585 Third Street

Application Date: 9/3/2021

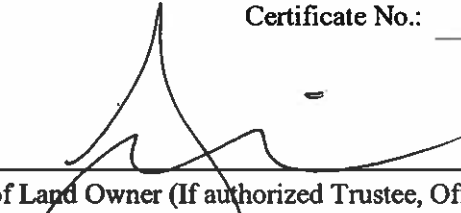
This form is to be completed by the property owner, signed, and submitted with the Special Permit Application:

I hereby authorize the following Applicant: BMR - Third LLC
at the following address: 4570 Executive Dr, San Diego, CA 92121
to apply for a special permit for: BMR - Third LLC
on premises located at: 585 Third Street, Cambridge, MA 02142
for which the record title stands in the name of: BMR - Third LLC
whose address is: 4570 Executive Dr, San Diego, CA 92121

by a deed duly recorded in the:

Registry of Deeds of County: Middlesex Book: 71545 Page: 293

OR Registry District of the Land Court, Certificate No.: _____ Book: _____ Page: _____



_____, Authorized Signatory
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 Salvatore Zinno personally appeared before me,

on the month, day and year 9-2-21 and made oath that the above statement is true.

Notary: 
My Commission expires: _____



JOANNA GIORGIO HILVERT
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 19, 2024



3. FEE SCHEDULE

FEE SCHEDULE

Project Address:

Application Date:

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

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

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

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

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

4. DIMENSIONAL FORM

DIMENSIONAL FORM

Project Address: Cambridge Research Park

Application Date: Sept. 3, 2021

	Existing	Allowed or Required (max/min)	Proposed	Permitted
Lot Area (sq ft)	425,320	2 acres	425,320	
Lot Width (ft)	600	N/A	600	
Total Gross Floor Area (sq ft)	1,291,000	1,376,000	1,291,000	
Residential Base	357,530	357,530	357,530	
Non-Residential Base	833,470	918,470	833,470	
Inclusionary Housing Bonus	100,000	100,000	100,000	
Total Floor Area Ratio	~3.24	3.0/3.24 (with inclusionary housing bonus)	~3.01	
Residential Base	N/A	N/A	N/A	
Non-Residential Base	N/A	N/A	N/A	
Inclusionary Housing Bonus	N/A	N/A	N/A	
Total Dwelling Units	479	479	479	
Base Units	439	439	439	
Inclusionary Bonus Units	40	40	40	
Base Lot Area / Unit (sq ft)	N/A	N/A	N/A	
Total Lot Area / Unit (sq ft)	887	300	887	
Building Height(s) (ft)	85-230 feet	120 (with 13.6% up to 200 ft and 4.3% up to 230 feet)	120 (with 13.6% up to 200 ft and 4.3% up to 230 feet)	
Front Yard Setback (ft)	N/A	N/A	N/A	
Side Yard Setback (ft)	N/A	N/A	N/A	
Side Yard Setback (ft)	N/A	N/A	N/A	
Rear Yard Setback (ft)	N/A	N/A	N/A	
Open Space (% of Lot Area)	22.46	22.5%	22.46%	
Private Open Space	N/A	N/A	N/A	
Permeable Open Space	N/A	N/A	N/A	
Other Open Space (Specify)	N/A	N/A	N/A	
Off-Street Parking Spaces	2,238	2,238	2,238	
Long-Term Bicycle Parking	500	500	500	
Short-Term Bicycle Parking	N/A	N/A	N/A	
Loading Bays	14	14	14	

Use space below and/or attached pages for additional notes:

(1) Based on PUD-3 zoning overlay, as affected by Special Permit 141

- (2) Decrease in proposed FAR solely reflects elimination of permitted Gross Floor Area at Parcel C from SP 141
 - (3) Information regarding Total Dwelling Units, Base Units, and Inclusionary Bonus Units all based on information available to Applicant.
 - (4) SP-141 does not distinguish between Long-Term Bicycle Parking and Short-Term Bicycle Parking; number appearing here is all bicycle parking spaces.
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5. SPECIAL PERMIT NARRATIVE

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The Project

The present Canal District Kendall development, originally known as the Cambridge Research Park, is comprised of approximately 9 parcels of land and additional land area for certain private ways open to public travel, and is permitted for various building improvements for laboratory, office, restaurant, retail, cinema/theater, and multi-family uses and additional open space improvements such as Termeer Square (300 Athenaeum Street) and the “South Plaza” next to the Broad Canal (the “Original Project”). The Original Project was developed pursuant to Special Permit PB#141 under the PUD-3 provisions of the City of Cambridge Zoning Ordinance (the “Ordinance”), which special permit was issued by the Planning Board on March 16, 1999 and recorded at the Middlesex County Registry of Deeds in Book 31137, Page 89 and was subsequently amended or updated as follows (as amended, the “PB141 Special Permit”):

- PB#141, Clarification of Decision dated July 2, 2002;
- PB#141, Minor Amendment #1 dated January 17, 2006;
- PB#141, Minor Amendment #2 dated June 5, 2007;
- PB#141, Progress Review Meeting and Report to the Planning Board as of August 5, 2008;
- PB#141, Minor Amendment #3 dated August 2, 2011;
- PB#141, Minor Amendment #4 dated December 6, 2011; and
- PB#141, Minor Amendment #4 dated March 23, 2021 [Note: the Notice of Decision refers to this minor amendment as minor amendment #4 and not as minor amendment #5].

The Original Project was substantially completed by the relevant property owners in accordance with the PB141 Special Permit except for the cinema/theater project, previously known informally as the Constellation Center (the “Constellation Center”) that was to be constructed by Constellation Charitable Foundation (“Constellation Developer”) within the Parcel C land area of the Original Project (“Parcel C”). Unfortunately, the Constellation Developer was unable to realize its vision for the Constellation Center in over 15 years and Parcel C remains vacant to the present day.

Concurrent with the submission of this application for a minor amendment to the PB141 Special Permit, the Applicant has submitted an application for special permit under the PUD-CDK provisions of the Ordinance unanimously adopted in December, 2020, pursuant to Section 13.200 of the Ordinance, for the development of approximately 1.2 acres of land, which includes Parcel C and the current Eversource gas transfer station site adjacent to Parcel C (the “GTS Site”; together with Parcel C, the “Project Site”) with a mixed-use building (the “Project”) consisting of laboratory and office uses, a state-of-the-art performance center with up to 385 seats (the “Arts and Culture Center”), and a ground level indoor-outdoor public space (the “Ground Floor Public Commons”).

PUD Minor Amendment Sought

The Applicant respectfully requests that the Planning Board grant a Minor Amendment to the PB141 Special Permit, pursuant to Section 12.37.2 and Section 13.206.1 of the Ordinance, to clarify that any approved development rights granted pursuant to the PB141 Special Permit for the development of Parcel C, including the development of the Constellation Center, shall be automatically extinguished upon the granting of a special permit under PUD-CDK for the Project located within the Project Site.

With respect to the remaining components of the Original Project subject to the terms of the PB141 Special Permit, (i) the terms of the PB141 Special Permit shall be applied to the remainder of the Original Project (that is to say, excluding Parcel C) without regard to any further rights granted to the Project Site under a PUD-CDK special permit, and (ii) the existing development of the Original Project shall be deemed in compliance with the terms of provisions of the PB141 Special Permit and applicable provisions of PUD-3 and other portions of the Ordinance.

Consistent with its authority under Section 13.206.1 of the Ordinance, and as required to clarify the relationship of the PUD-CDK special permit to the PB141 Special Permit, the Applicant requests that the Planning Board find that the foregoing modification to the PB141 Special Permit constitutes a minor amendment under Section 12.37.3 of the Ordinance.