

BMR-320 Charles LLC
c/o BioMed Realty, L.P.
314 Main Street, 14th Floor
Cambridge, MA 02412

April 18, 2025

Mary T. Flynn, Chair
Tom Sieniewicz, Vice Chair
H Theodore Cohen
Mary Lydecker
Diego Macias
Ashley Tan

344 Broadway
Cambridge, MA 02139

Re: App 2025 #14 - Zoning Amendment Petition for ECCE Overlay District

Ladies and Gentlemen,

In advance of the first public hearing on Application 2025 #14, as previously submitted by us, we wanted to offer an update on the project that will benefit from the petition. We enclose current renderings that have been presented in community meetings, including most recently with the East Cambridge Planning Team (ECPT) on March 9th. We held other community meetings on October 30, 2024 and December 10, 2024, with several other ECPT meetings between that time and now. We will review the enclosed renderings as part of our presentation of the petition to you on April 29.

In addition, please find enclosed suggested revised amendment text for the proposed ECCE Overlay, redlined against the previously submitted version, for your consideration as modifications. The changes are in the nature of a few clean-up edits and clarifications for the community based on the presentations made by us (all of which further define the permitted building envelope for 320 Charles – please see the enclosed plans for the depiction of that envelope). There is no expansion of rights under the proposed overlay, as originally written, with these proposed changes.

- (1) In Height, we've added height limits of 3 stories/50 feet (whichever is less) at proscribed distances from Charles, Fulkerson, and Sixth Streets consistent with the enclosed diagram.
- (2) Also, in Height, we've added a maximum mechanical penthouse height of 23' above the allowable building height.
- (3) In Setbacks, we:
 - a. fixed a typo in the third line;
 - b. eliminated the revised bulk plane concept (as it is addressed by the aforementioned height changes in a manner that is clearer/easier for laypersons to follow), including deletion of the replacement bulk plane diagram;
 - c. restored a sentence in renumbered (1) from underlying zoning (since the restored sentence is consistent with the penthouse setbacks we've added to the renumbered (2));
 - d. added building and mechanical penthouse setbacks for Charles, Fulkerson, and Sixth Streets consistent with the enclosed diagram; and
 - e. added a larger applicable setback for the corner of Charles and Sixth Streets (consistent with the open space requirements described below and as shown on the enclosed diagram).
- (4) In Open Space, we memorialized the minimum 20% open space (including 14,000 square feet on Charles) that has been included in design of 320 Charles.

We look forward to meeting with you on April 29, where we will present the petition as proposed, with these suggested modifications.

Very truly yours,

BMR-320 Charles LLC

Salvatore J. Zinno
Senior Vice President, Development

Enclosures

cc: Melissa Peters
Jeff Roberts
Teal Delys



320 CHARLES

Project Views

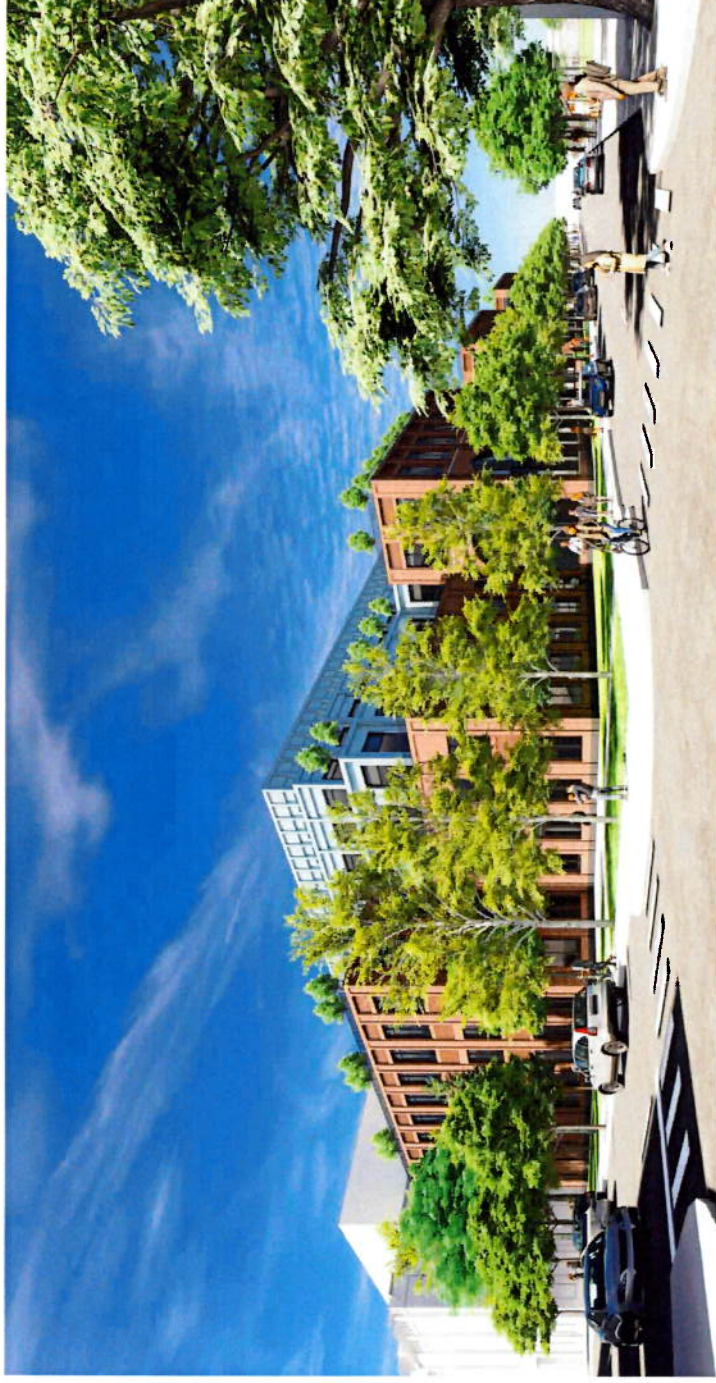
April 17, 2025

 BioMed Realty cbt 02

320 CHARLES

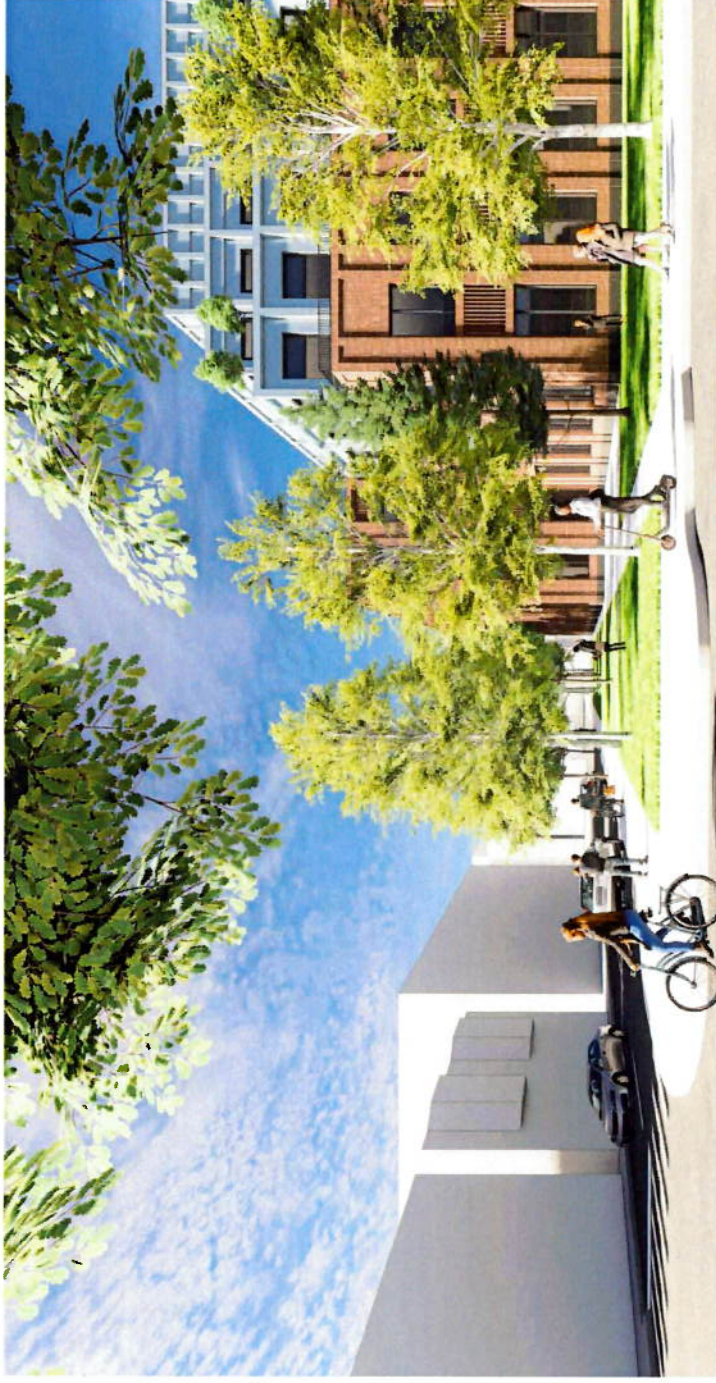
Design Approach

View from Sixth St. & Charles St.



Design Approach

View from Charles St. Looking South



Design Approach

View from Charles St. Looking East



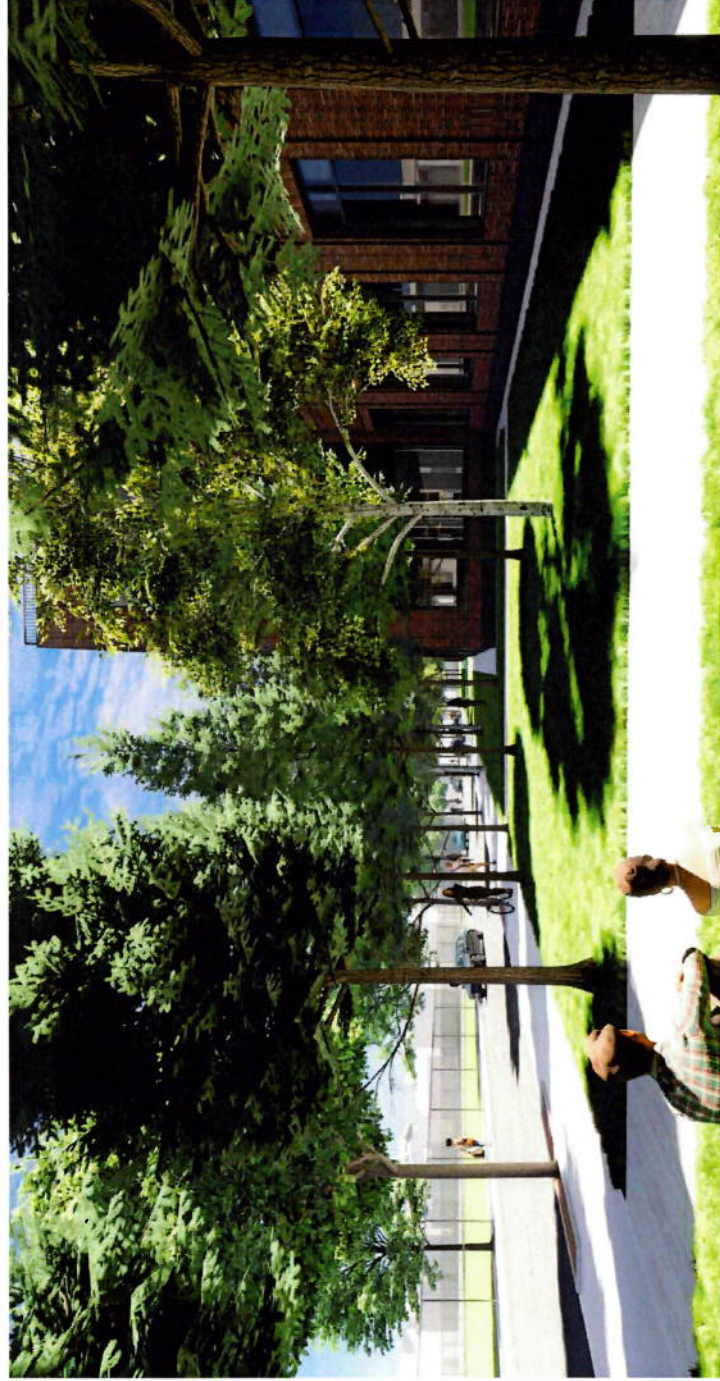
Design Approach

View from Charles St. Looking South



Design Approach

View from the Courtyard Looking East



Design Approach

View from Fulkerson St.

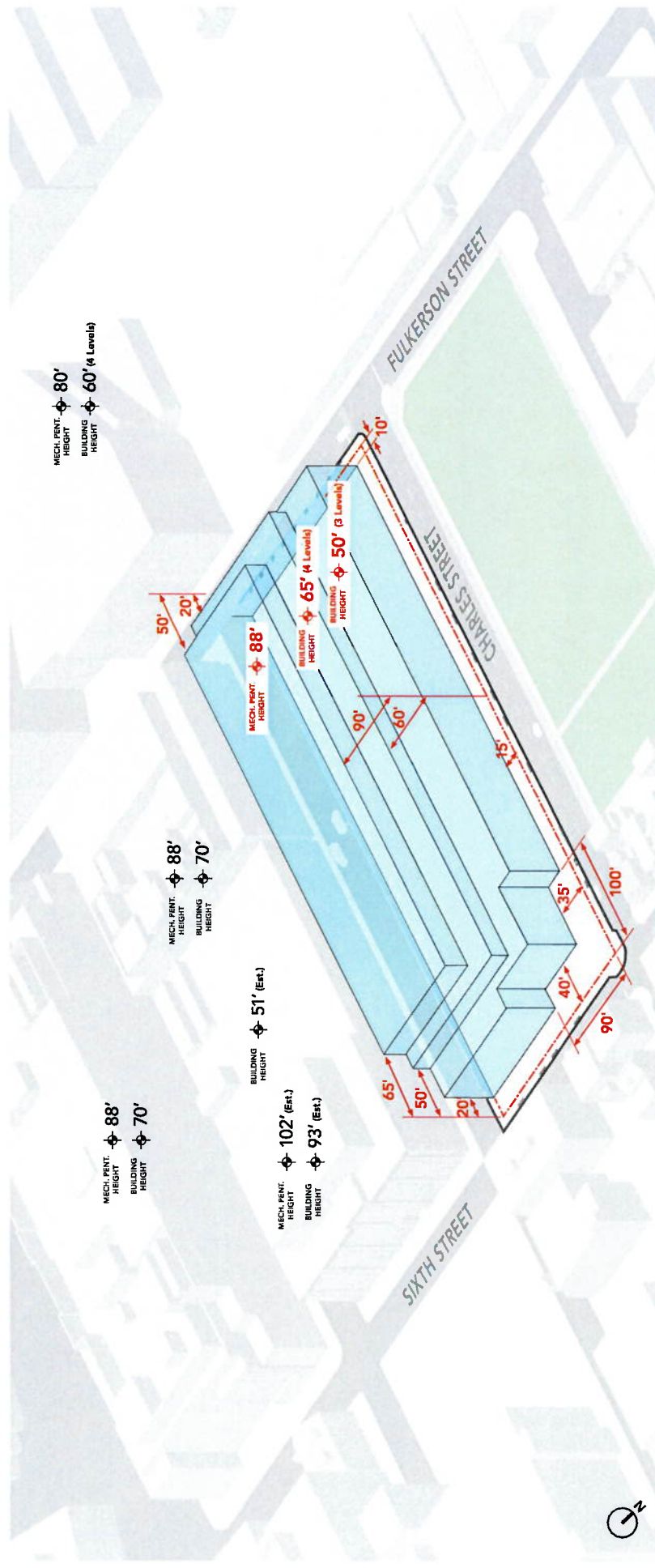


Design Approach

Aerial View Looking East



Zoning Envelope

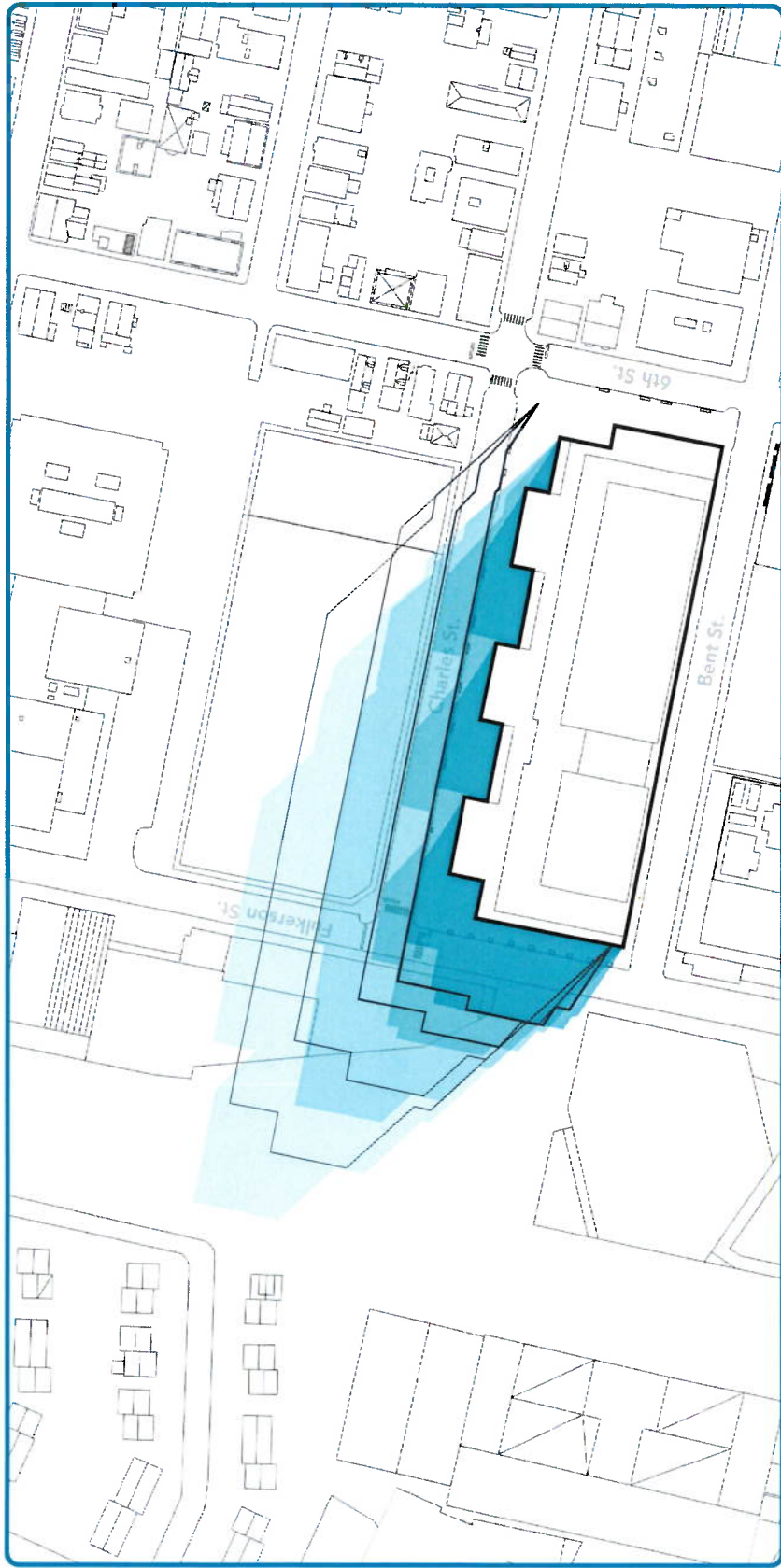


An aerial photograph of a dense urban area, likely San Francisco, showing a mix of residential and commercial buildings. The image is used as a background for a presentation slide. A semi-transparent dark blue rectangle is overlaid on the left side of the image, containing a white horizontal bar and the title text.

SHADOW STUDIES

Shadow Studies (Winter)

09:00 am



AOR
SEPTEMBER
OCTOBER
NOVEMBER
DECEMBER

NEW MASSING
SEPTEMBER
OCTOBER
NOVEMBER
DECEMBER

Shadow Studies (Winter)

12:00 pm



AOR	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER

NEW MASSING	SEPTEMBER	OCTOBER	NOVEMBER	DECEMBER

Shadow Studies (Winter)

3:00 pm

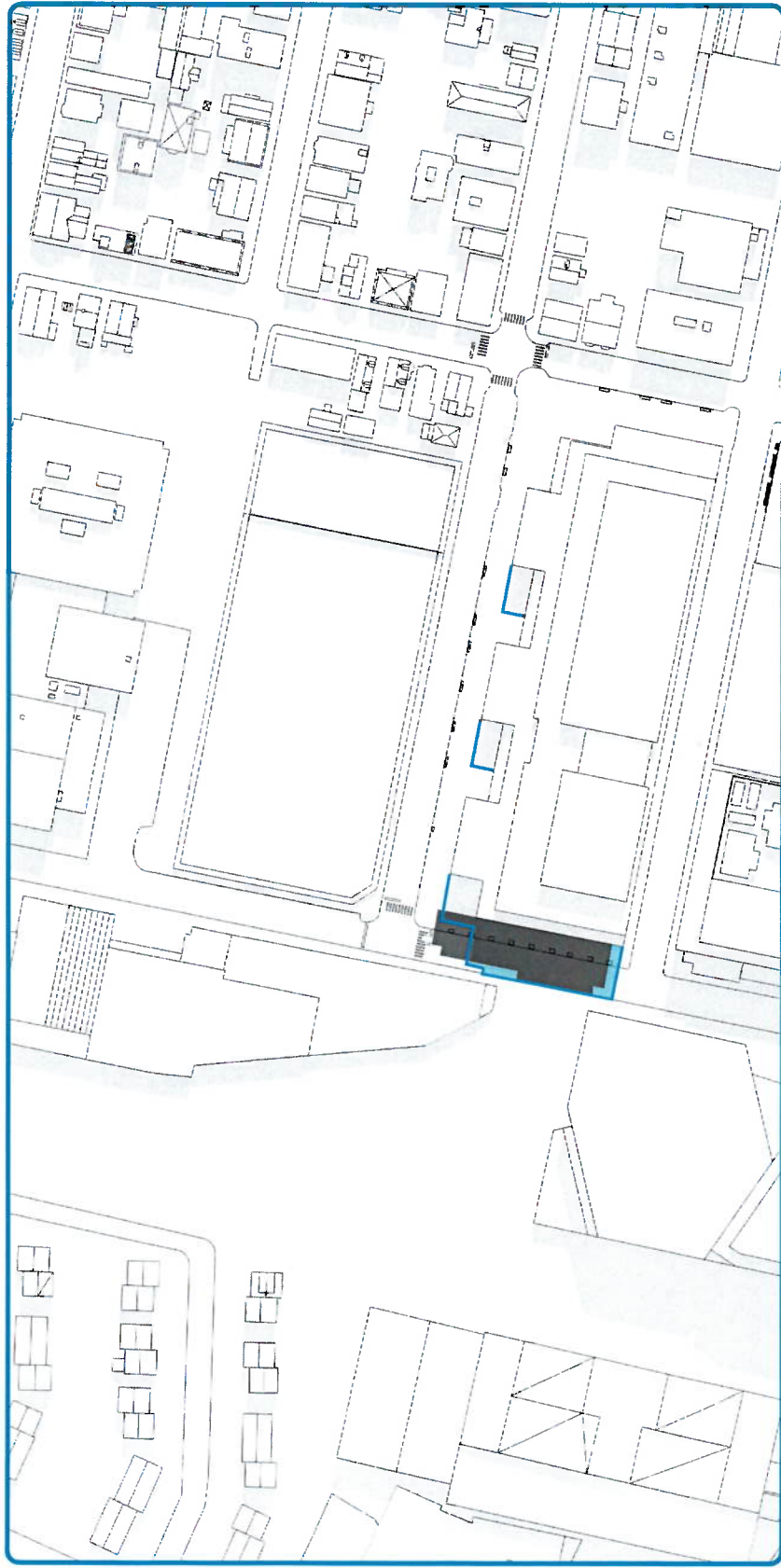


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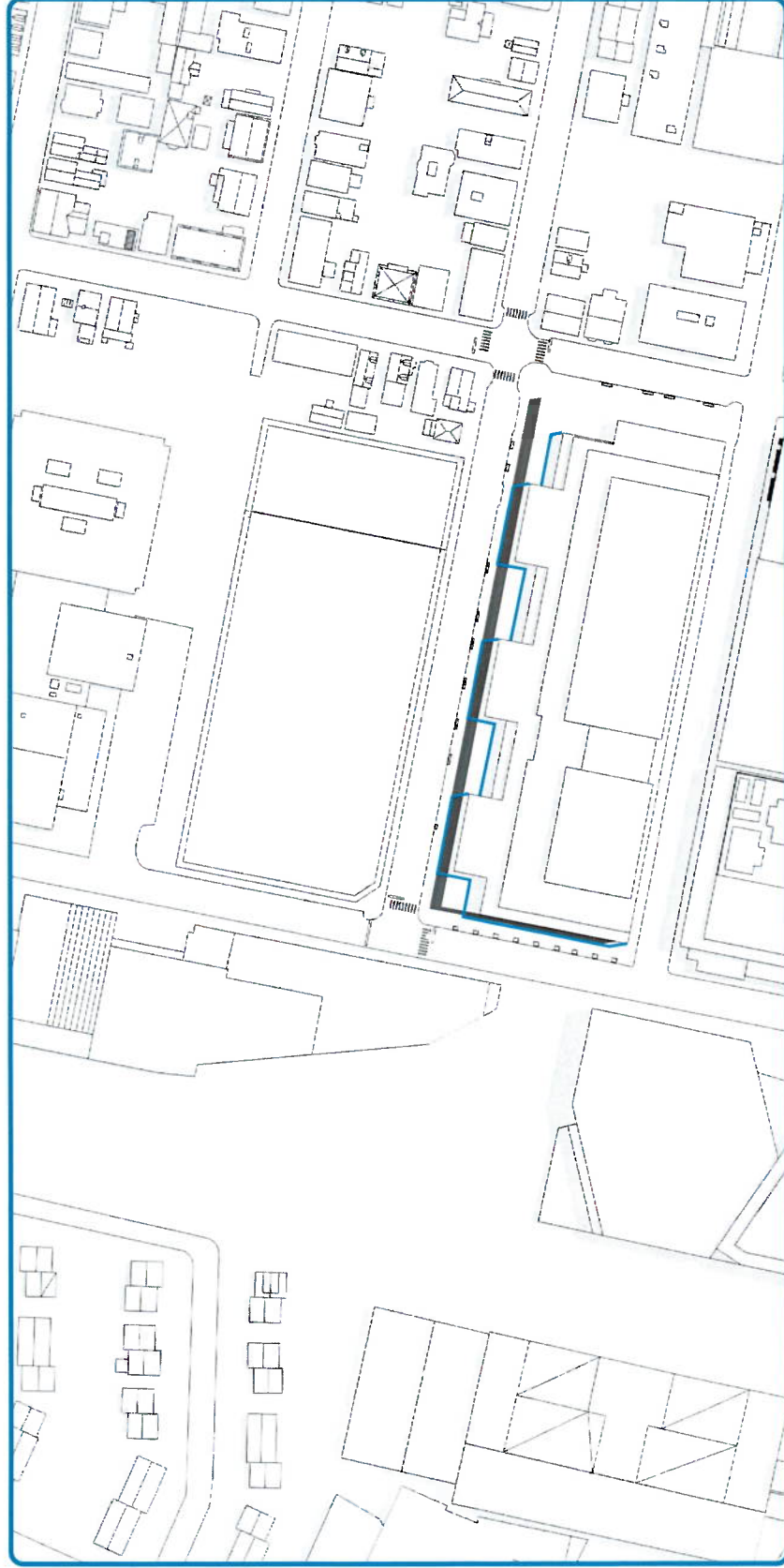
Shadow Studies

Summer Solstice (June 21) - 09:00 am



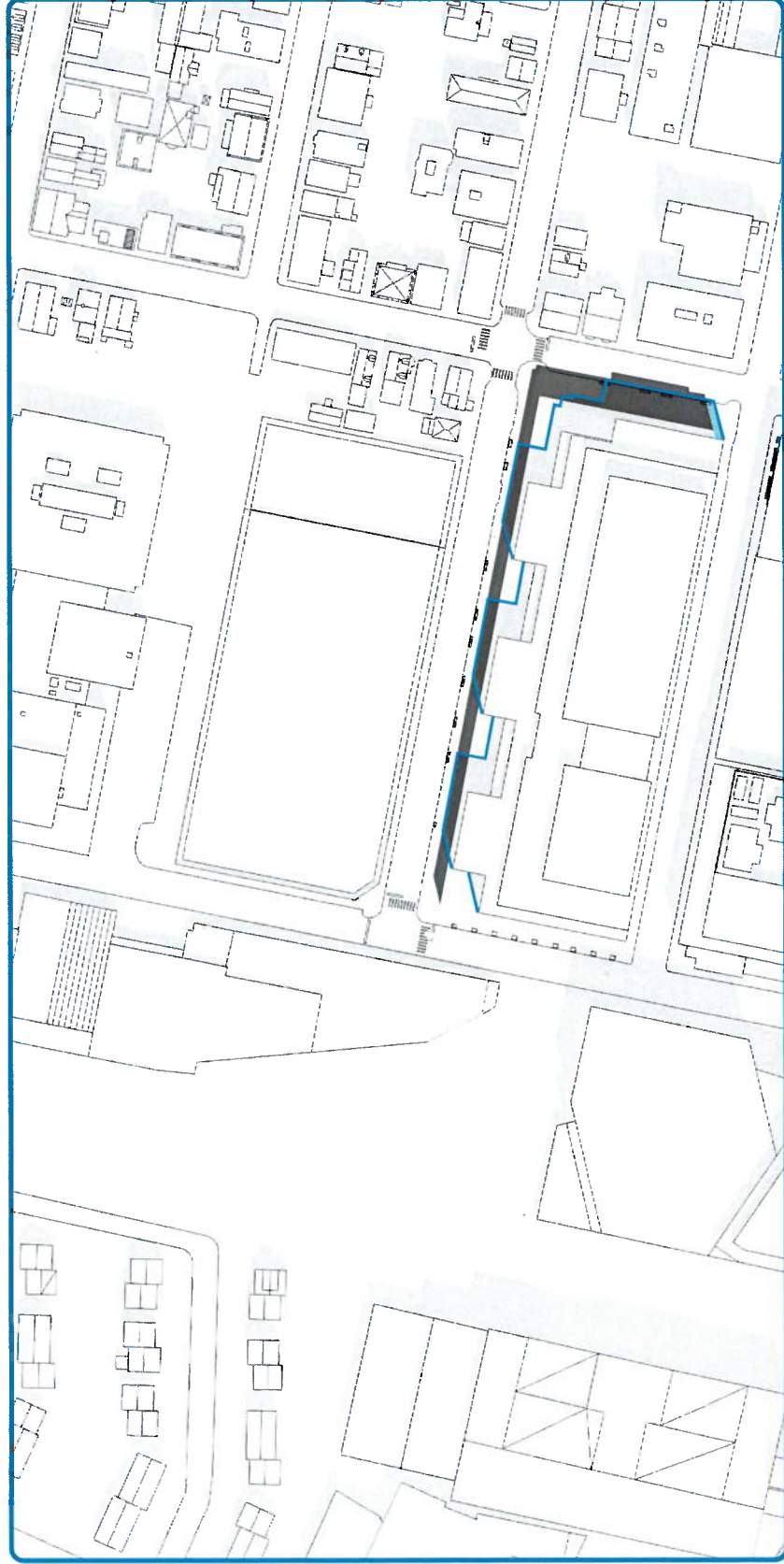
Shadow Studies

Summer Solstice (June 21) - 12:00 pm



Shadow Studies

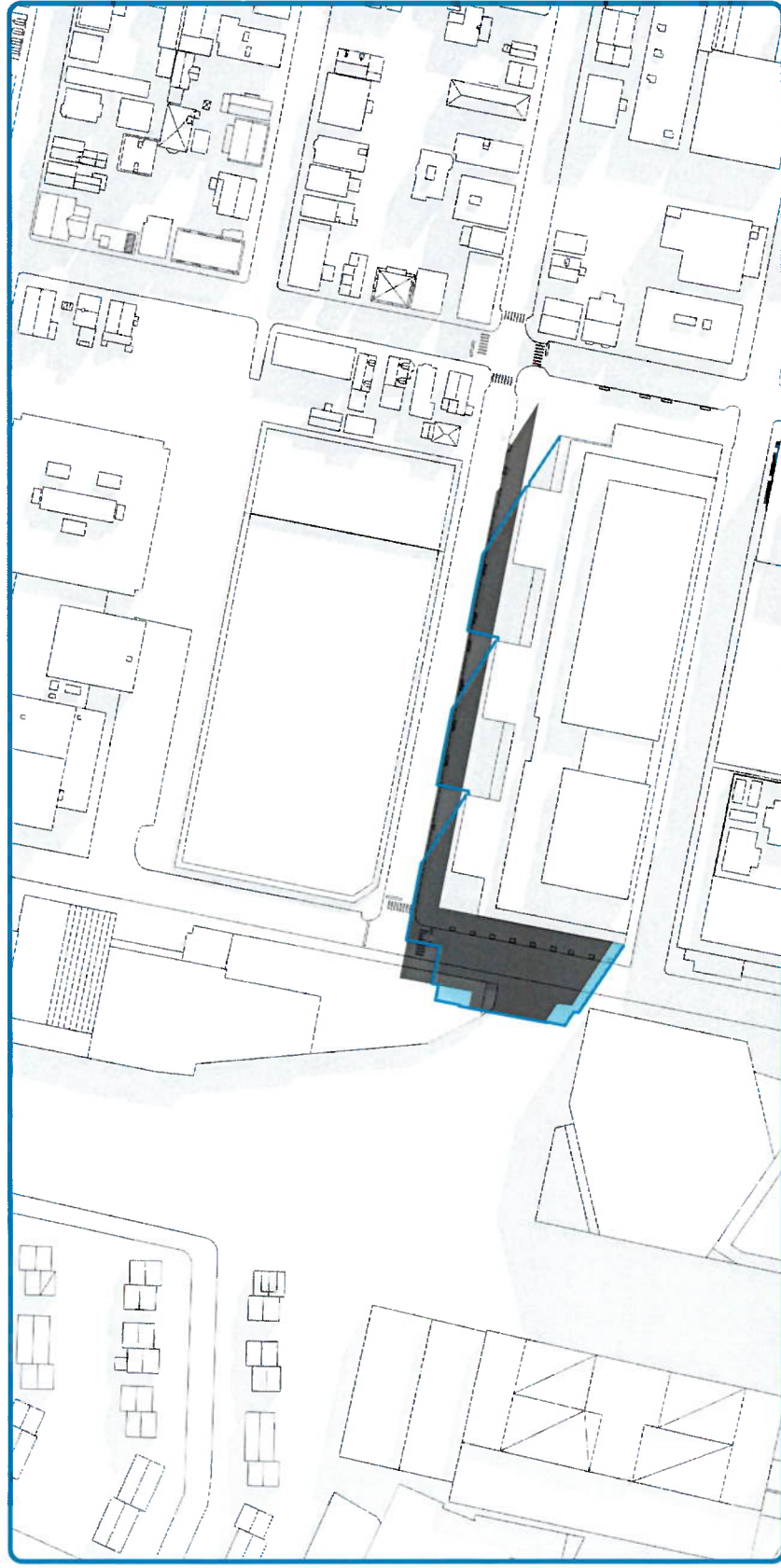
Summer Solstice (June 21) - 03:00 pm



AOR
NEW MASSING
NET GAIN

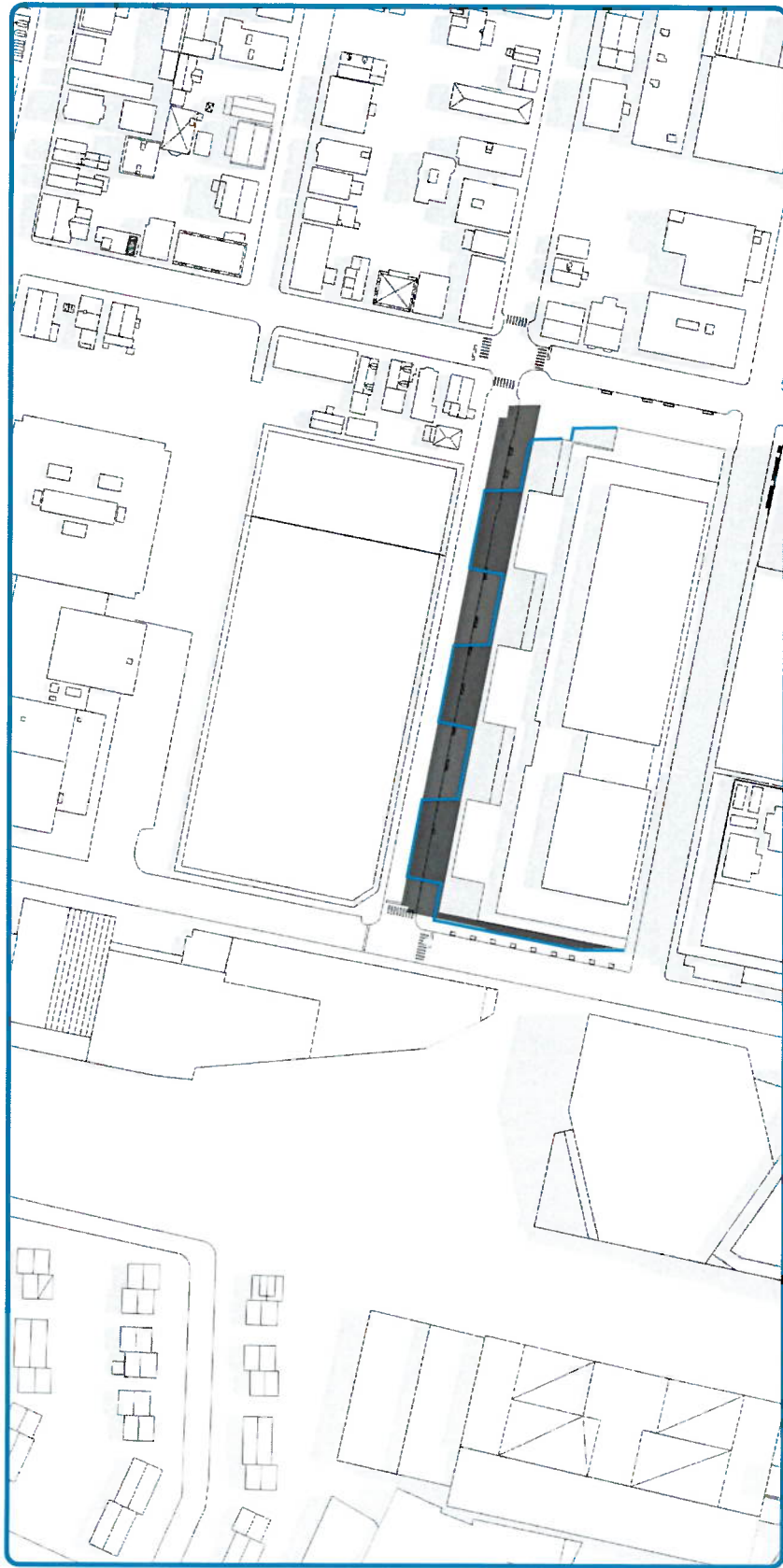
Shadow Studies

Fall Equinox (September 21) - 09:00 am



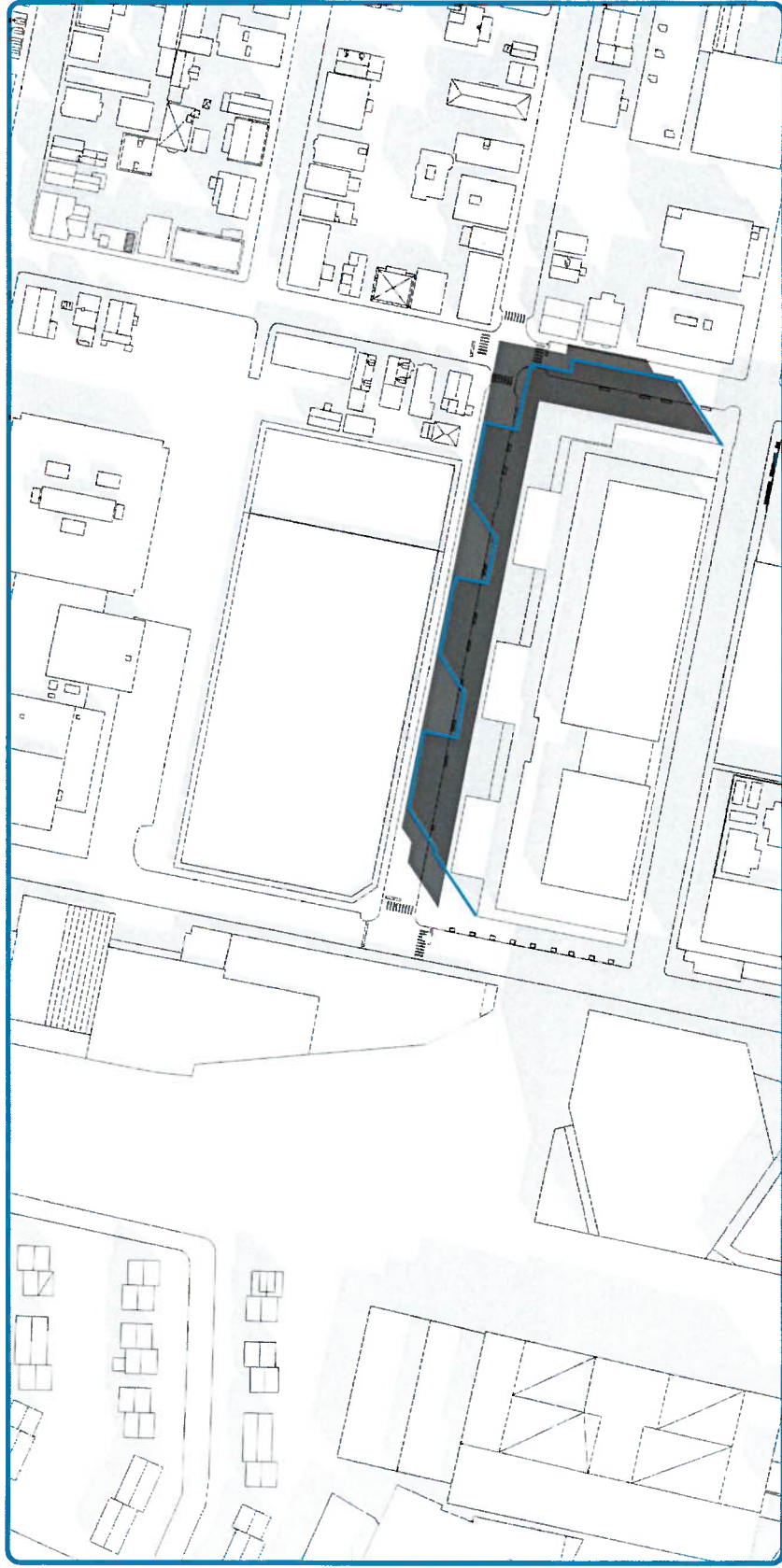
Shadow Studies

Fall Equinox (September 21) - 12:00 pm



Shadow Studies

Fall Equinox (September 21) - 03:00 pm



The owner of land to be affected by this petition hereby petitions the City Council of the City of Cambridge to amend the Cambridge Zoning Ordinance and the Cambridge Zoning Map, both as most recently amended, as follows:

Add a new Section 20.1200 to Article 20.000 of 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 East Cambridge Community Enhancement Overlay District overlaying that certain area labeled as “East Cambridge Community Enhancement Overlay District” on the attached map entitled “East Cambridge Community Enhancement Overlay District Plan”.

20.1200 East Cambridge Community Enhancement Overlay District

20.1201 Establishment and Scope.

There is hereby established the East Cambridge Community Enhancement Overlay District, which is governed by the regulations and procedures specified in this Section 20.1200. It is the intent of this Section that these regulations will apply to land within the East Cambridge Community Enhancement Overlay District.

20.1202 Purpose.

It is the purpose of the East Cambridge Community Enhancement Overlay District (the “ECCE Overlay District”) to augment base zoning by promoting additional development that will improve the edge of the district adjacent to Ahern Field, improve the pedestrian experience within the zoning district, and/or provide support for community services in East Cambridge. The ECCE Overlay District will facilitate the conversion of older industrial properties into more environmentally friendly, sustainable structures consistent with current City standards while achieving one or more of the aforementioned purposes. A project meeting the requirements of this Section will promote high quality development, and the goals of public health, safety, welfare and economic development.

20.1203 Applicability.

Development in the ECCE Overlay District shall be controlled by the regulations governing the Industry A-1 District, except as modified by the requirements of this Section 20.1200, which shall apply in lieu of the regulations of the Industry A-1 District. Where the regulations applicable to the Industry A-1 District differ from the requirements of this Section 20.1200, the provisions of this Section shall apply. The ECCE Overlay District shall be established on the Zoning Map of the City of Cambridge pursuant to the provisions of Section 3.20. A project that is subject to an ECCE Overlay Special Permit, as defined in Section 20.1204, shall not be subject to the provisions of the Eastern Cambridge Housing Overlay District (Section 20.40 of the City of Cambridge Zoning Ordinance) (the “ECHO District”).

20.1204 Procedure.

Construction, use and development of new buildings under this Section shall be authorized by Special Permit granted by the Planning Board (“ECCE Overlay Special Permit”). In granting an ECCE Overlay Special Permit, the Planning Board shall find that the intent of this Section has been satisfied.

20.1205 Permitted Uses.

Uses permitted in the ECCE Overlay District shall be governed by the base zoning district. In addition, preschool, day care centers and kindergarten uses shall be permitted without further zoning relief for development that obtains an ECCE Overlay Special Permit under this Section 20.1200.

20.1206 Dimensional Requirements.

20.1206.1 Permitted Floor Area Ratio

The maximum Floor Area Ratio within the ECCE Overlay District shall be governed by the requirements of this Section 20.1206.1:

- (1) Permitted Existing Floor Area Ratio. The maximum permitted Floor Area Ratio for each new or expanded building on a lot within this ECCE Overlay District shall not exceed the permitted Floor Area Ratio shown in the following table:

Street Address	Permitted Floor Area Ratio
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320 Bent Street	1.25, subject to the provisions of the ECHO District.
301 Binney Street/157 Sixth Street	1.25, subject to the provisions of the ECHO District.
320 Charles Street	1.25, subject to the provisions of the ECHO District, but increasing to 2.8 with an ECCE Overlay Special Permit.

- (2) **Permitted Additional Floor Area Ratio.** A project seeking an ECCE Overlay Special Permit will qualify for additional Floor Area Ratio beyond what is permitted by underlying zoning, where provided above, by election of at least one of the following community services support alternatives: (1) enhancements to the Sixth Street corridor within the zoning district for the benefit of pedestrians and/or cyclists; (2) streetscape improvements along Charles Street to improve the pedestrian environment ; or (3) improvements (or funding for the same) to the public Ahern Field facilities located on Charles Street.

20.1206.2 Building Height.

The maximum Building Heights within the ECCE Overlay District shall be governed by the requirements of underlying zoning except as otherwise provided in this Section 20.1206.2:

- (1) **Existing Building Height.** The maximum Building Height for each new or expanded building on a lot within this ECCE Overlay District shall not exceed the permitted maximum Building Height shown in the following table:

Street Address	Maximum Building Height
320 Bent Street (tax parcel 31-15)	45 feet, subject to the provisions of the ECHO District.
301 Binney Street (tax parcel 31-13)	45 feet, subject to the provisions of the ECHO District.
320 Charles Street (tax parcel 32-53)	<p>45 feet, subject to the provisions of the ECHO District, but increasing to 65 feet, with an ECCE Overlay Special Permit -, increasing to <u>65 feet with the following additional limitations:</u></p> <p>(a) <u>within a distance of 60 feet from the street line of Charles Street, the lesser of 50 feet or three stories;</u></p> <p>(b) <u>within a distance of 20 feet from the street line of Fulkerson Street, the lesser of 50 feet or three stories; and</u></p> <p>(c) <u>within a distance of 50 feet from the street line of Sixth Street, the lesser of 50 feet or three stories.</u></p>

- (2) Permitted New Building Height. A project seeking an ECCE Overlay Special Permit will qualify for additional height beyond what is permitted by underlying zoning, where provided above, by election of at least one of the following community services support alternatives: (1) enhancements to the Sixth Street corridor connecting Kendall Square to the East Cambridge neighborhood for the benefit of pedestrians and/or cyclists; (2) streetscape improvements along Charles Street to improve the pedestrian environment; or (3) improvements (or funding for the same) to the public Ahern Field facilities located on Charles Street.

In granting an ECCE Overlay Special Permit, the Planning Board shall have the discretion to waive the requirements of Section 19.56(5) of the Ordinance with respect to the portion of the façade of a proposed building that fronts only on Bent Street.

Appropriate screening for any rooftop mechanical equipment shall be provided in compliance with Section 19.58 of the Zoning Ordinance to the fullest extent permitted by the applicable provisions of the building code. Notwithstanding Section 5.23 of the Cambridge Zoning Ordinance, the height of any Roof Top Mechanical Penthouse under an ECCE Overlay Special Permit shall be limited to twenty-three (23) feet above the maximum allowable building height under this Section 20.1206.2 (as affected by the provisions of Section 5.23.2, if applicable). "Roof Top Mechanical Penthouse" is defined as an enclosed space housing mechanical systems, air conditioning equipment, elevator bulkheads, ventilation systems or other necessary features normally built above the roof and not used for human occupancy.

20.1206.3 Setbacks.

There shall be no minimum required front, rear or side yard setbacks, except as set forth in the base zoning district and below. With an ECCE Overlay Special Permit, the setback rules set forth in Sections ~~5.23.1~~ 5.23.1.1, 5.34, 19.52, and 19.58(1) of the Ordinance are not applicable and setbacks shall be as follows:

- ~~(1) (a) Where the project lot abuts a residential zone (including one located across the street), (a) the building elements enumerated in Section 5.23(a) and (g) as exceptions to height must be below one or more forty-five (45) degree bulk control planes. Each bulk control plane shall begin, in the vertical dimension, at the maximum height limit permitted in the non-residential zoning district. In the horizontal dimension, the plane shall begin at the residential/non-residential zoning district line (or, if the residential zoning district is located across the street from the non-residential zoning district, the center of the street). Thereafter the bulk control plane shall rise from its beginning over the non-residential zoning district. (See illustrative Figure 1 attached).~~
- ~~(b) The limitations in Paragraph (a) above may be waived by Special Permit from the Planning Board upon a finding by the Planning Board that the additional height is necessary. In making that determination the Planning Board shall consider the special and unique requirements of the use that the elements are serving, any special constraints imposed by the site upon which the building is located, the nature and character of development in the adjacent residential district, and the extent to which successful efforts are made to minimize the visual and acoustical impact of the elements on neighbors.~~
- (1) (2) Mechanical equipment shall not be located within any required setback. Where no setback is required, all mechanical equipment carried above the roof shall not be located closer than 10 feet to any property line abutting a residential district or open space district (whether or not across the street) or it shall be entirely contained within the building. This Paragraph (2) shall not apply to electrical equipment whose location is mandated by a recognized public utility.

- (2) ~~(3)~~ No rear or side yard setbacks shall apply where a lot abuts streets on all sides. However, any project obtaining an ECCE Overlay Special Permit shall conform to the following setbacks and setbacks:

Front Yard and Mechanical Penthouse Setback for Parcels with Frontage on Charles Street:

- (a) The minimum front yard setback for any development with frontage along Charles Street shall be 15 feet measured from the street line.
- (b) No portion of any Roof Top Mechanical Penthouse may be located within 90 feet of the Charles Street street line.

Front Yard and Mechanical Penthouse Setback for Parcels with Frontage on Fulkerson Street:

- (a) The minimum front yard setback for any development with frontage along Fulkerson Street shall be 10 feet measured from the street line.
- (b) No portion of any Roof Top Mechanical Penthouse may be located within 50 feet of the Fulkerson Street street line.

Front Yard and Mechanical Penthouse Setback for Parcels with Frontage on Sixth Street:

- (a) The minimum front yard setback for any development with frontage along Sixth Street shall be 20 feet measured from the street line.
- (b) No portion of any Roof Top Mechanical Penthouse may be located within 65 feet of the Sixth Street street line.

Additional Setbacks for Corner Lots on Charles and Sixth Street:

- (a) Within a distance of 90 feet from the street line of Charles street, no building may be located within a distance of 40 feet from the Sixth Street street line.
- (b) Within a distance of 100 feet from the street line of Sixth street, no building may be located within a distance of 35 feet from the Charles Street street line.

Any part of the perimeter of a project subject to an ECCE Overlay Special Permit that fronts on an existing street or Public Open Space should be so designed as to complement and harmonize with adjacent land uses with respect to scale, density, setback, bulk, height, landscaping, and screening.

20.1207 Residential Density.

The maximum number of dwelling units per square foot shall be governed by the base zoning district.

20.1208 Open Space.

The maximum open space shall be governed by the base zoning district and as described below. Open space to be constructed as part of a proposed project under an ECCE Overlay Special Permit shall include, without limitation, the following: parks; plazas; lawns; landscaped areas substantially open to the sky; playgrounds; balconies; roofs developed for private or public recreational or leisure usage; pedestrian ways such as bridges, decks, arcades, loggias, and gallerias as specified by the Planning Board; and such other areas or spaces determined, or approved, by the Planning Board to be open space.

Any project obtaining an ECCE Overlay Special Permit shall include at least 20% of the lot as open space, and, if located with a front yard on Charles Street, shall include a minimum of 14,000 square feet of open space fronting on Charles Street.

20.1209 Off Street Parking, Bicycle Parking, and Loading.

There shall be no minimum required off-street parking in the ECCE Overlay District. Off-street parking shall not exceed the maximum off-street parking ratio provided by the base zoning district. Bicycle parking and loading requirements shall be as set forth in the base zoning district.

In granting an ECCE Overlay Special Permit, the Planning Board may waive any requirements for the amount, location and design of loading facilities within the ECCE Overlay District, and may permit loading facilities to be shared across various uses within the ECCE Overlay District.

20.1210 Other Dimensional Requirements.

Frontage, lot size, and lot width shall be governed by base zoning. Except as set forth in this Section 20.1200, there shall be no minimum building setbacks or other minimum or maximum building dimensional requirements other than as provided by this Section 20.1200; however, all dimensional characteristics of a project built under an ECCE Overlay District Special Permit shall be subject to review and approval by the Planning Board.

20.1211 Special Permit Requirements.

The Planning Board, in approving an ECCE Overlay Special Permit under this Section 20.1200, shall find:

- A. That such project provides support for community services to East Cambridge.
- B. That such project enhances the pedestrian and bicycle corridors serving Ahern Field by improving the streetscape with landscaping and outdoor activities.
- C. Overall character of development on the site should facilitate a transition between the concentration of lab buildings in Kendall Square to the low-rise character of the well-established East Cambridge neighborhood.
- D. Addresses concerns for the overall design of the building and site, including screening of mechanical systems, managing light spill at night, locating loading docks away from pedestrians, cyclists, and street traffic to the extent practicable, and minimizes net new shadow cast across Ahern Field.
- E. The proposed development is generally consistent with (a) the policy objectives set forth in the then current Eastern Cambridge Plan and Envision Cambridge and (b) the guidance provided in the Eastern Cambridge Design Guidelines, as affected by this terms of this Section 20.1200 (e.g., where the Eastern Cambridge Design Guidelines conflict with this Section 20.1200, the provisions of this Section 20.1200 shall govern).
- F. If possible, provide for active programming for the ground floor of commercial development such as a publicly-accessible community space and restrooms, and incorporate a facade design that avoids blank walls.
- G. Either on site, or through enhancements to Ahern Field, provides for passive open space with seating, plantings, trash bins, and bike racks that complement use of Ahern Field, or otherwise provides improvements to Ahern Field.
- H. The proposed development will comply with applicable provisions of Sections 22.20, 22.30, and 22.90 of the Ordinance to the extent required.

20.1212. Condominium Property Regime.

Nothing in this Section 20.1200 shall prevent a developer from submitting a building(s) subject to an ECCE Overlay Special Permit to a condominium property regime. The violation of the conditions of an ECCE Overlay Special Permit by one owner or occupant of a condominium unit within a development shall not be deemed to be a violation by any other owner or occupant within the development, but shall be deemed to be a violation by the owner or occupant of the condominium unit(s)/premises violating the conditions of the ECCE Overlay

Special Permit. Nothing herein shall limit the rights of a condominium association against a violating owner or occupant.

20.1213 Minor Modifications.

In granting an ECCE Overlay Special Permit, the Planning Board may include a provision allowing for approval of additional Retail or Consumer Service Establishment uses or other minor modifications to the Special Permit by written approval of the Planning Board, without the necessity of seeking an amendment to the Special Permit in the manner required by Section 10.40 of the Zoning Ordinance.

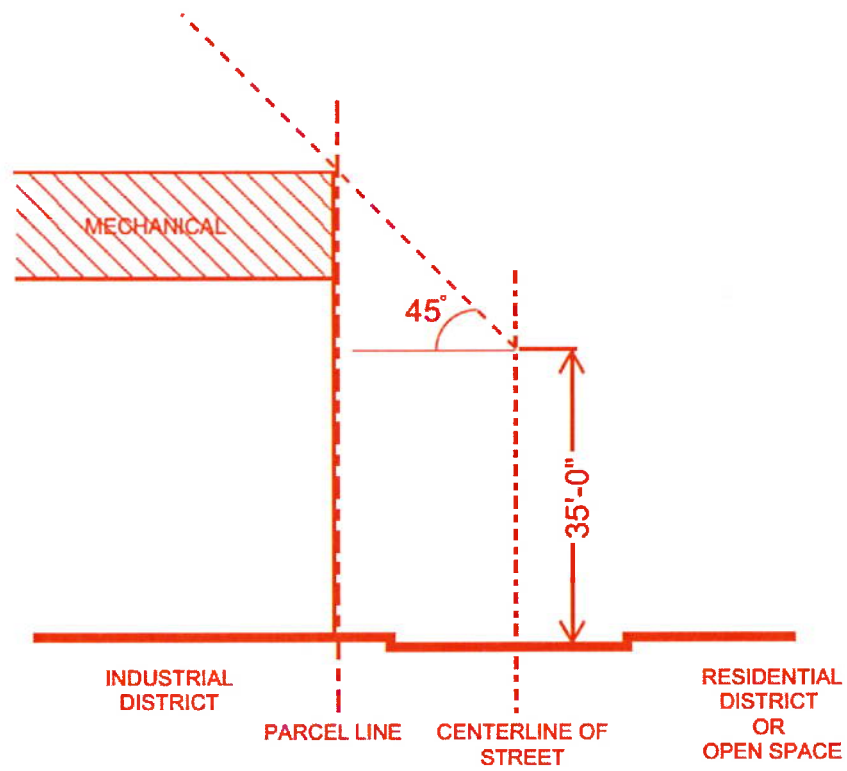
20.1214 Letter of Commitment.

Issuance of any base building permit or certificate of occupancy for any new building in the ECCE Overlay District approved pursuant to a Special Permit granted under this Section 20.1200 shall be conditioned on certification by all relevant departments of the City to the Superintendent of Buildings that the building is proceeding in accordance with that certain Letter of Commitment dated _____, 2025.

Figure 1

(Deleted graphics) COMMUNITY ENHANCEMENT OVERLAY DISTRICT
BULK CONTROL PLANE DIAGRAM

NOT TO SCALE



<p align="center">Summary report: Litera Compare for Word 11.2.0.54 Document comparison done on 4/16/2025 9:14:33 AM</p>	
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