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Planning Board  
Town of Lexington  
1625 Massachusetts Avenue  
Lexington MA 02420

RE: 440 BEDFORD STREET, LEXINGTON(

Dear Board Members:

I write to you in support of Site Plan Review approval for the above property (Property) on behalf of the Applicant, Trammell Crow Company (TCC). The Applicant is under agreement with the Property owner, Ayushi LLC (Property owner), to purchase the Property, contingent upon Applicant's obtaining permitting approvals for commercial, life science and office; and in which the Property owner would retain ownership of no more than 7,500 square feet (SF) for its retail use. I represent just the Applicant; the Property owner represents itself or has other representation.

BACKGROUND

The Applicant, TCC, was founded in 1948 and is one of America's oldest and prolific developers of, and investors in, commercial real estate. It has developed or acquired 2,700 buildings and over 590 million SF that include life science buildings. The company's mission is to deliver superior outcomes for occupiers, residents and the communities in which it builds, as well as attract and retain top talent by sustaining an entrepreneurial and rewarding working environment.

The Property's permitting history indicates Board of Appeals Variances were issued to Lexington Chalet to operate a motel with a restaurant, consisting of 180 motel rooms in 1969, and increased to 226 rooms in 1974. In 1982 the existing Denny's Restaurant was permitted to increase capacity to 152 seats. In 1984 a Special Permit issued to increase the number of motel rooms to 235.

In 2008 a Special Permit issued to Margarita's for a 6,782 SF, 188-seat restaurant. Margarita's lease expired in 2019 and no longer operates a restaurant on the Property. Applicant's understanding is that the Property owner's plan for retail use of no more than 7,500 SF as agreed above has not been finalized, but that the Property owner intends to comply with what is allowed as use in the Zoning Bylaw (ZBL) Use Table for the CM Hartwell Avenue District.

The 7,500 SF maximum retail component of the development is consistent with the Town's encouraging some retail use in conjunction with new lab-science building use. The 7,500 SF maximum is also consistent with what has been previously permitted at the Property for restaurant use. If the Property Owner opts for retail use as a restaurant, I note that restaurants providing outdoor as well as indoor food operations will require a later Special Permit from the Board of Appeals; however, any later permitting required for the retail component would be separate and apart from the Planning Board's (Board) current Site Plan Review of a proposed new lab-science building on the Property.

While not yet knowing the Property's exact plan for the 7,500 SF retail component, Applicant in its Zoning Table and Notes filed with the application, provided parking requirements and analysis for the retail component based upon restaurant use to give the Board a fuller approximate range of the Property's total projected parking use; which also can then be taken into consideration for producing Applicant's traffic study and Parking Transportation Demand Management Plan (PTDMP) for the application. The numbers of the Traffic Study/PTDMP are anticipated for end of this month completion and will be filed within a few days of this application.

#### PROPERTY DESCRIPTION/OTHER PERMITTING

The Property contains 261,368 SF and 310 feet of frontage. In connection with previous permitting, the Conservation Commission (Commission) had issued an Order of Conditions and a new Order is required for the proposed re-development. Applicant intends to file for the Order forthwith so that the permitting process before the Board and Commission are concurrent and consistent in the plans to be approved.

#### PROPOSED CONSTRUCTION/ZONING COMPLIANCE/PROCEDURE

As indicated on the Layout Plan, Applicant proposes a life science building of 354,971 SF with parking garage to the rear of 31,944 SF, each containing six stories or levels.

In June, Applicant had a preliminary meeting with Planning Director Amanda Loomis and Conservation Commission Administrator Karen Mullins. Thereafter Applicant met with the Town's Development Review Team (DRT) and has had various meetings with Town departments to obtain input and guidance for its proposal.

To the best of our knowledge, this application is the first development proposal filed with the Town following Town Meeting's adoption last November of the Article 16 amendment to the ZBL for the CM-Manufacturing District which included the Property within that Amendment. Town Meeting's passage of Article 16 and the Property's inclusion encourages the prospect of a

modern, updated use that would substantially increase the Town 's commercial revenue from the Property.

The Applicant is also mindful of Town Meeting's adoption of Article 44 at this year's Annual Town Meeting, which featured Off-Street Parking and Loading, Preferential Ridershare Parking, Bicycle Parking, and electric charging stations. While Article 45, proposed then to finalize the Town's extensive plans for Hartwell Innovative Park (C-HIP District), is still in deliberation, Applicant has attempted as best as possible to follow the spirit of Article 45 provisions given the likelihood of its future adoption .

As indicated in the detailed Zoning Table and Notes, Applicant has made a diligent effort to comply with the ZBL. It believes it has achieved compliance with zoning for the CM District as most recently amended in November and the spring above. Although the proposed buildings are larger than the existing, the proposal provides a reduction of impervious site coverage approximating 41,700 SF and resulting replication of green space. The Property's obsolete stormwater system maintenance will be replaced with a much improved stormwater system in accordance with the Town Stormwater Bylaw.

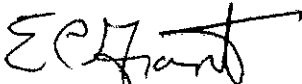
As required by the Transportation Management Overlay (TMO) District in the ZBL that applies to the Hartwell Avenue corridor CM District, Applicant has elected to provide the Parking Transportation Demand Management Plan (PTDMP) and pay the regulatory mitigation fee that is required with it. The fee is \$5/SF for each SF of increased net floor area (nfa). Subtracting the existing nfa from the proposed nfa yields 268,645 SF less 71,126 SF, or 197,519 SF of increased nfa, which at \$5/SF, results in a mitigation fee approximating \$987,595.

The proposed project confers considerable public benefit: upgraded site improvements with amenities replacing obsolescent structures and facilities; a new, modern building and parking structure in keeping with Lexington's strong life science market and employment; an innovative PTDM Plan with a very substantial mitigation fee; and clearly enhanced Town revenue from a commercial area specifically zoned by the Town for that purpose.

Based on all the above, we respectfully request the Board approve this application for SPR.

Thank you for your time and consideration.

Very truly yours,

  
Edmund C. Grant

ECG/lsg

cc: Elisha Long