

ANDOVER PLANNING BOARD

APPLICATION FOR SPECIAL PERMIT

For: Special Permit to Reduce Number of Parking Spaces

Section of Bylaw: 5.1.9

APPLICATION MUST BE COMPLETE

(Please print or type)

This application, completed and signed, shall be submitted with 18 copies of the application and narrative, 12 copies of the plans, 1 CD with PDFs of the plans and 7 copies of any drainage report.

Application is hereby made for a Special Permit for Special Permit to Section 5.1.9
of the Zoning By-Law. Reduce Number of Parking Spaces

1. Applicant(s): IQHQ-1 Corporate, LLC and IQHQ-4 Corporate, LLC
Contact Name: William Ashton
Mailing Address: One Boston Place, 201 Washington ST., STE 3920. Boston, MA 02108
Telephone Number: (858) 779-1111
2. Record Owner(s) Name: IQHQ-1 Corporate, LLC and IQHQ-4 Corporate, LLC
Mailing Address: One Boston Place, 201 Washington ST., STE 3920. Boston, MA 02108
3. Interest in Property: Owner Other
The Applicants own adjoining parcels. The Applicants intend to combine the parcels via an ANR Plan and,
(Describe): following issuance of the required permits and approvals, operate the combined lots as single project.
4. Engineer: Linden Engineering Partners, LLC
Contact Name: William Jones
Mailing Address: 100 TradeCenter, Suite G700, Woburn, MA 01801
Telephone Number: (781) 933-3711
Name of Professional Surveyor: Frederick Dewsnap, Jr. PLS # 30318
Name of Professional Engineer: Richard G. Cutts, PE#29034
5. Property Address: One and Four Corporate Drive
Assessors Map 166 Lot(s) 23E(Lot 1) & 12(Lot 2)
Zoning District(s) including overlay districts: Industrial D
6. Lot square footage/acres: 1,045,535± s.f., 24.00± acres
7. Frontage: 451.346 feet on Shattuck Road
8. Square footage of existing building: 67,990 s.f. (One Corp.), 202,778 s.f. (Four Corp.)
stories: 2 square footage per floor: See Below height: 24 ft. exist. Bldg One, 31 ft, prop. addn

The Gross floor Area ("GFA") of the existing two story One Corporate Drive building is 67,990 s.f. (34,290 S.f. on the first floor and 33,700 s.f. on the second floor). As a result of the improvements being made to a portion of the building's glass façade and interior floor changes, the GFA of the building will be slightly reduced to 67,885 s.f. (34,240 S.f. on the first floor and 33,645 s.f. on the second floor). The Project does not include any structural changes to the existing two story building located at Four Corporate Drive.

9. Existing Use(s) Business Office (One Corp.) Proposed Use(s): rooms/Pharmaceutical Mfg.

10. Square footage of proposed building or addition: 95,640 s.f. see below*

Total building coverage percentage: 20.097% landscaping percentage: 42.9%

Total square footage: 163,525 s.f. total percentage: total building area on the site. The addition represents a 35.3% change in the

11. Square footage of total land disturbance: 274,500 s.f. (6.3± acres)

12. Parking: existing 495 total proposed 458 total

13. Number of: Buildings 2 Total Exist., 2 Total Proposed Units: 2 Total Exist., 2 Total Proposed

14. Building Height: Existing 1 Corp - 25 feet, Proposed Addition - 30 feet

15. Open Space: Acreage 11.6 Percentage 48.3%

Percentage of Accessible Open Space 87% of the Open Space

16. Square Footage of Roadway Construction Land Disturbance: N/A

Square Footage of Total Land Disturbance: 274,500 s.f. (6.3± acres)

17. Deed of Property Recorded In Essex North Registry of Deeds,

Book 16870/16218 Page 231/270, or Certificate of Title N/A

Easements and Restrictions of Record (Include description and deed reference): _____

See Attachment A

18. Certified Statement as to Encumbrances on the land: See Attachment A

19. Describe any previous Special Permit Application or approvals for these premises _____

See Attachment A

20. Provide a narrative of the project and how it meets the zoning bylaw requirements.

See attached Project Narrative

*The proposed addition to the One Corporate Drive Building has a GFA of 95,640 s.f. (49,200 S.f. on the first floor and 46,440 s.f. on the second floor). The total GFA of the building located at One Corporate Drive after renovation and construction of the new addition will be 163,525 s.f. The Project does not include any structural changes to the existing two story building located at Four Corporate Drive.

I understand and agree to comply with the requirements of the Andover Planning Board's Rules Governing Special Permits.

Signature of Record Owner

William Ashton

Print Name

January 26, 2022

Date

Signature of Applicant

William Ashton

Print Name

January 26, 2022

Date

ATTACHMENT A
 IQHQ
 1 & 4 CORPORATE DRIVE
 SPECIAL PERMIT APPLICATIONS ITEM NOS. 17, 18 & 19
 (last revised 1/24/2022)

Item No. 17 – Easements and Restrictions of Record:

The table below provides a list of all of the easements and restrictions that impact 1 Corporate Drive and 4 Corporate Drive as disclosed in the Title Commitment prepared by Fidelity National Title Insurance for 1 Corporate Drive, dated January 29, 2021 (Commitment File No. 21-0032KW-FN) (the “1 Corporate Drive Title Commitment”), and the Title Policy prepared by Fidelity National Title Insurance for 4 Corporate Drive, dated March 9, 2020 (Policy Number BLC-27036-OP) (the “4 Corporate Drive Title Policy”).

	<u>Easement or Restriction</u>	<u>Book and Page Reference</u>
<i>1 Corporate Drive</i>		
1.	Declaration of Industrial Park covenants dated July 2, 1975, as affected by First Amendment dated March 12, 1979	Book 1263, Page 317 Amendment – Book 1388, Page 208
2.	Grant of Easement to American Property Investors II, dated July 31, 1981	Book 1522, Page 266
3.	Grant of Easement set forth in Deed dated July 31, 1981	Book 1522, Page 273
4.	Easement granted to New England Telephone and Telegraph, dated Feb. 25, 1980	Book 1422, Page 33
5.	Easement granted to Massachusetts Electric Company dated May 20, 1982	Book, 1586. Page 282
6.	Rights and easements reserved by GCA Corporation in its deed to Trustees of CC&F Andover II Trust, dated Jan. 9, 1986	Book 2112, Page 213
7.	Easement granted to New England Telephone and Telegraph, dated Jan. 4, 1988.	Book 2661, Page 336
8.	Easement granted to Massachusetts Electric Company dated March 13, 1989	Book 2914, Page 327
9.	Easement to Verizon New England Inc. dated Sept. 26, 2006	Book 10425, Page 291
10.	Terms and Provisions of Declaration of Easements dated May 6, 2016	14627, Page 311

4 Corporate Drive		
1.	Grant of Easement to American Property Investors II, dated July 31, 1981	Book 1522, Page 266
2.	Grant of Easement set forth in Deed dated July 31, 1981	Book 1522, Page 273
3.	Easement granted to Massachusetts Electric Company dated May 20, 1982	Book, 1586, Page 282
4.	Easement granted to New England Telephone and Telegraph	Book 2661, Page 336
5.	Easement granted to Massachusetts Electric Company dated March 13, 1989	Book 2914, Page 327
6.	Rights and easements reserved by GCA Corporation in its deed to Trustees of CC&F Andover II Trust, dated Jan. 9, 1986	Book 2112, Page 213
7.	Easement granted to New England Telephone and Telegraph	Book 3045, Page 191
8.	Easement to Verizon New England Inc. dated Sept. 26, 2006	Book 10425, Page 291
9.	Declaration of Easements by Eisai, Inc. dated, May 6, 2016	Book 14627, Page 311
10.	Order of Conditions, MassDEP File No. 090-1369	Book 17096, Page 198

Item No. 18 – Certified Statement to Encumbrances

All of the encumbrances impacting the property as listed above as disclosed in the 1 Corporate Drive Title Commitment and the 4 Corporate Drive Title Policy. We are not aware of any additional encumbrances or matters of title that have been recorded against 4 Corporate Drive since the issuance of the 4 Corporate Drive Title Policy.

Item No. 19 – Describe any previous Special Permit Application or approvals for these premises:

1 Corporate Drive

1. Notice of Variance – December 7, 1999 (Book 5701, Page 136) (Decision or Case No. 2972): Variance granted by the Andover Zoning Board of Appeal (“ZBA”) to Cellco Partnership, d/b/a Bell Atlantic Mobile.

2. Variance for Setback – Gazebo – October 4, 2002 (Book 7208, Page 353) (Decision No. 3244): Variance from the ZBA allowing structure (a gazebo) to be “situated 71.9 feet from the property line” (Zoning Bylaw required a 100-foot setback).
3. Special Permit for Major Non-Residential Project under Section 9.4.8 of the Zoning Bylaw from Planning Board – April 22, 2004 (Book 8859, Page 217) (Decision: SP04-05): Issued by Planning Board to Eisai Research Institute of Boston, Inc., to allow construction of a two-story 150,000 sq. ft. research and office facility along with associated parking on the property owned by the applicant (Lot 12, Map 167).
4. Special Permit for a Change in Parking Space Requirements under Section 5.1.9 of the Zoning By-Law – April 21, 2004 (Book 8859, Page 224) (Decision: SP04-06): Permit granted by Planning Board to Eisai for reduction in the required number of parking spaces associated with the 150,000 sq. ft. biotech campus.

4 Corporate Drive

1. Special Permit from the Planning Board for a Major Non-Residential Project—South Addition –July 23, 2003—Decision SP03-07—(Book 8141, Page 138): Allowed for an addition to then existing Four Corporate Drive.
2. Variance from the ZBA – March 9, 2007 (Decision No. 36940 (Book 10832, Page13): Allowed for addition of a 2,665 sq. ft. addition to existing 52,778 sq. ft. R&D facility. Variance to allow rear setback of 87 feet (100 feet required under Zoning). Extended by Decision Number 3766, dated May 2, 2008.
3. Special Permit from the Planning Board for Major Non-Residential Project – Second Addition—April 17, 2008—Decision SP08-03—(Book 11245, Page 297): This Special Permit allows for an addition to the then existing project.

PROJECT NARRATIVE

To accompany the Application for Special Permit
to Reduce the Number of Parking Spaces
One and Four Corporate Drive, Andover, MA
January 26, 2022

IQHQ-1 Corporate, LLC and IQHQ-4 Corporate, LLC (together, the “Applicant”) submit this Project Narrative in support of their application for a Special Permit to Reduce the Number of Parking Spaces for the Project (defined below) located at 1 Corporate Drive and 4 Corporate Drive (the “Property”). For the reasons set forth in this Narrative, the Applicant requests that the total number of parking spaces required for the Project be reduced to 458. This narrative provides background on the Property, description of the Project and summary of the Project’s compliance with the Zoning By-law’s requirements for issuance of the requested zoning relief.

The Property

The Property is located at One and Four Corporate Drive in Andover, MA. According to the Town of Andover Zoning Map, the Property is located in an Industrial D Zoning District. The portion of the Property known as One Corporate Drive (“Existing Lot 1”) is owned by IQHQ-1 Corporate, LLC.¹ The portion of the Property known as Four Corporate Drive (“Existing Lot 2”) is owned by IQHQ-4 Corporate, LLC.² The Applicant submitted an Approval Not Required (“ANR”) Plan to the Planning Board to combine Existing Lot 1 and Existing Lot 2 into one lot (“Lot A”) on January 14, 2022 and the ANR Plan was subsequently endorsed by the Board. The Applicant intends to convey title to the respective properties to a single, to-be-formed affiliated entity that will own the fee to all of Lot A.

The Project

The Project includes (i) the renovation of the existing two story building located at One Corporate Drive to repurpose the building from Business Office use to Research/Lab use; (ii) an addition to the existing One Corporate Drive building to allow for manufacturing in connection with Research/Lab use; and (iii) modification to the existing parking facilities on the site. The Applicant is submitting an application for a Special Permit for Major Non Residential Project for the Project together with this application for a Special Permit to Reduce the Number of Parking Spaces. This application focuses on parking associated with the Project. For additional detail regarding the renovation and addition to the building located at One Corporate Drive, please see the application for a Special Permit for Major Non Residential Project submitted herewith.

As noted above, the Project includes modification of the existing parking facilities located adjacent to the building located at One Corporate Drive as shown on the plans included as part of this application. The Project does not include any modification of the existing parking facilities located adjacent to the building located at Four Corporate Drive.

The Project will provide a total of 458 parking spaces to serve One Corporate Drive and Four Corporate Drive. The parking is distributed as follows:

¹ For title, see deed from Rhino Andover Collection, LLC dated April 7, 2021, which is recorded in the Essex County Registry of Deeds, Northern District in Bk 16870, Pg. 230.

² For title, see deed from Eisai, Inc. dated March 6, 2020, which is recorded with the Essex County Registry of Deeds, Northern District in Bk. 16218, Pg. 270.

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- Adjacent to the 4 Corporate Drive Bldg.: 250 Regular + 8 Handicapped = 258 Total Parking Spaces
- Adjacent to the 1 Corporate Drive Bldg.: 190 Regular + 3 Compact + 7 Handicapped = 200 Total Spaces

The existing parking serving Four Corporate Drive is subject to a previously granted Special Permit to Reduce the Number of Parking Spaces. This previously granted special permit allows for a parking ratio of 1 parking space per 785.96 s.f. of GFA and the building located at Four Corporate Drive has functioned well under these conditions.

The Applicant's request for a new Special Permit to Reduce the Number of Parking Spaces would provide the Project with a parking ratio of 1 parking space per 799.78 s.f. of GFA. This is a modest and reasonable modification to the current condition of the Property with respect to parking.

The Project Complies with Section 5.1.9 for a Special Permit to Reduce Number of Parking Spaces

The Project complies with the criteria for issuance of a special permit to reduce the number of parking spaces required for a project set forth in Section 5.1.9 of the Zoning By-law. Section 5.1.9 of the Zoning By-law requires (i) the Planning Board to find that special circumstances render a lesser number of spaces adequate for all parking needs and (ii) an applicant to submit plans that meet certain requirements in order to grant a special permit to reduce the number of parking spaces. The special circumstances impacting the Project and the Project's plan are discussed below.

Special Circumstances Rendering a Lesser Number of Spaces Adequate

Pursuant to Section 5.1.9 of the Zoning By-law, in the Industrial Districts, the number of parking spaces required by Appendix A, Table 3 of the Zoning By-law may be reduced upon the grant of a special permit by the Planning Board upon its finding that special circumstances render a lesser number of spaces adequate for all parking needs.

As noted above, parking serving the building located at Four Corporate Drive operates pursuant to a previously granted special permit. Pursuant to this special permit, there is a parking ratio of 1 parking space per 785.96 s.f. of GFA which provides adequate parking for the current use of this building.

The Applicant's request for a new Special Permit to Reduce the Number of Parking Spaces to 458 parking spaces would provide the Project with a parking ratio of 1 parking space per 799.78 s.f. of GFA. This is a reasonable modification of the existing parking ratio based on current operations and planned changes to less parking intense uses. Accordingly, the Planning Board can find that the existing condition with respect to parking and the proposed changes to less intense uses are special circumstances that render a lesser number of parking spaces adequate for the Project.

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One and Four Corporate Drive, Andover, MA
January 26, 2022

Plans Compliant with Requirements of Section 5.1.9

In order to qualify for a special permit, Section 5.1.9 of the Zoning By-law requires that the petitioner must present a site plan showing that all parking spaces needed to meet the requirements of Appendix A, Table 3 could be built on the site. Those spaces to be waived must be marked "Reserve Parking Area(s)" on the plan. The reserve parking area(s) must be maintained as landscaped areas unless and until construction of additional parking spaces is required by the Planning Board. No building other than parking spaces will ever be allowed in this area.

As part of the filing, the Applicant submitted "Future Parking Plans" which comply with each of the requirements of Section 5.1.9 and the Applicant is willing to agree with the conditions applicable to the "Reserve Parking Area(s)." The Plans comply with the requirements of Section 5.1.9 and the Project is eligible for a Special Permit to Reduce the Number of Parking Spaces to reduce the number of parking spaces to 458.

X:\Linden Engineering\Projects\Andover MA - IQHQ - 1 Corporate Drive - LEPJOB#21055\PB SP SUBMITTAL\IQHQ - One and Four Corporate Drive - PARKING Special Permit Narrative 1-26-2022 FINAL.doc

IQHQ LP
674 Via De La Valle
Suite 206
Solana Beach, CA 92075

Citizens Bank, N.A.
1 Citizens Drive
Riverside, RI 02915

011500120

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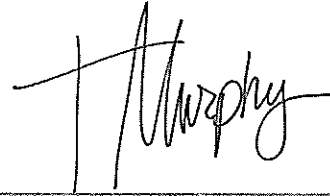
**** FIVE HUNDRED AND 00/100 DOLLARS

TO THE
ORDER OF

Town of Andover

02/03/2022

\$500.00*****



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DATE:02/03/2022 CK#:918 TOTAL:\$500.00***** BANK:IQHQ LP Lockbox(lplock)
PAYEE:Town of Andover(v0000565)

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				<hr/> 500.00

IQHQ LP
674 Via De La Valle
Suite 206
Solana Beach, CA 92075

Citizens Bank, N.A.
1 Citizens Drive
Riverside, RI 02915

011500120

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NON-NEGOTIABLE

IQHQ LP
674 Via De La Valle
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Solana Beach, CA 92075

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1 Citizens Drive
Riverside, RI 02915

919

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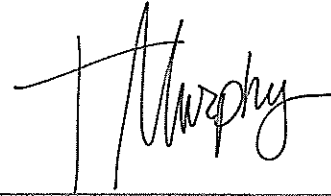
*** FIFTY AND 00/100 DOLLARS

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02/03/2022

\$50.00*****

Town of Andover



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DATE:02/03/2022 CK#:919 TOTAL:\$50.00***** BANK:IQHQ LP Lockbox(lplock)
PAYEE:Town of Andover(v0000565)

Job(Prop)	Categ(Acct)	Invoice - Date	Description	Amount
10700_dev(10700)	110076(1700-1000-0)	01262022-4-01/26/2022	Mail the check to Boston Office	50.00
				<hr/> 50.00

IQHQ LP
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Suite 206
Solana Beach, CA 92075

Citizens Bank, N.A.
1 Citizens Drive
Riverside, RI 02915

919

011500120

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