

MEMORANDUM

SEPTEMBER 12, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: KAIROS SHEN, CHIEF PLANNER
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
DAVID CARLSON, SENIOR ARCHITECT/URBAN DESIGNER
CASEY HINES, PROJECT MANAGER

SUBJECT: PUBLIC HEARING TO CONSIDER THE FIRST AMENDMENT TO
MASTER PLAN FOR PLANNED DEVELOPMENT AREA NO. 80,
CHRISTIAN SCIENCE PLAZA, THE DEVELOPMENT PLAN FOR THE
EASTERN PORTION OF THE BELVIDERE/DALTON SITE WITHIN
PLANNED DEVELOPMENT AREA NO. 80, AND THE DEVELOPMENT
PLAN FOR THE WESTERN PORTION OF THE BELVIDERE/DALTON
SITE WITHIN PLANNED DEVELOPMENT AREA NO. 80, ALL IN THE
PRUDENTIAL CENTER/HUNTINGTON AVENUE AREA OF BOSTON,
AND TO CONSIDER THE EASTERN DEVELOPMENT PROJECT AND
THE WESTERN DEVELOPMENT PROJECT AS A DEVELOPMENT
IMPACT PROJECT

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (the "BRA" or "Authority"): (1) approve the First Amendment to Master Plan for Planned Development Area No. 80, Christian Science Plaza, Huntington Avenue/Prudential Center, Boston, Massachusetts (the "First Master Plan Amendment"); (2) approve the Development Plan for the Eastern Portion of the Belvidere/Dalton Site within Planned Development Area No. 80, Christian Science Plaza (the "Eastern Development Plan"), which is proposed by CL BD LLC (the "Eastern Proponent"); (3) approve the Development Plan for the Western Portion of the Belvidere/Dalton Site within Planned Development Area No. 80, Christian Science Plaza (the "Western Development Plan"), which is proposed by PRG BD Investors LLC (the "Western Proponent"); (4) approve the Eastern Development Project and the Western Development Project as a Development Impact Project within the meaning of Section 80B-7 of the Boston Zoning Code (the "Code"), (5) authorize the Director of the Authority to (i) issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Code for the Eastern Development Project and the Western Development Project, (ii) issue Certifications of Compliance pursuant to Section 80B-6 of the Code, upon successful completion of Article 80 Large Project Review, and (iii) issue Certifications

of Consistency pursuant to Section 80C-8 of the Code, upon successful completion of Article 80 Planned Development Area Review; (6) petition the Boston Zoning Commission to approve the First Master Plan Amendment, Eastern Development Plan and Western Development Plan in substantial accord with the versions presented to the Authority at its hearing on September 12, 2013; and (7) authorize the Director of the Authority to take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering Development Impact Project Agreements, Boston Residents Construction Employment Plans, Cooperation Agreements, an Affordable Rental Housing Agreement and Restriction, an Affordable Housing Agreement, an Affordable Housing Contribution Agreement and any and all other documents as may be deemed necessary and appropriate by the Director.

AREAS OF THE PROJECTS

The Eastern Development Plan Area includes two parcels located at the intersection of Belvidere and Dalton Streets. Lot 1A is a triangular vacant parcel surrounded by Belvidere Street to the north, 101 Belvidere Street (the former Church Colonnade Building) to the east, and Dalton Street to the west. This parcel is approximately 28,352 square feet. The proposed high-rise building will be built on this parcel. Lot 1B is located on the west side of Dalton Street at its intersection with Saint Germain Street. It is currently used as a surface parking lot. This parcel is approximately 4,678 square feet. This parcel will be converted into public open space. The proposed high-rise building on Lot 1A and related improvements and the conversion of Lot 1B to open space comprise the “Eastern Development Project.”

The Western Development Plan Area includes Lot 2 and is located west of Dalton Street at its intersection with Belvidere Street. It is currently used as a surface parking lot and contains approximately 12,376 square feet. The proposed mid-rise building and related improvements (the “Western Development Project”) will be built on this parcel.

EASTERN DEVELOPMENT PROJECT AND WESTERN DEVELOPMENT PROJECT

The Authority approved the Master Plan for Planned Development Area No. 80, Christian Science Plaza, Huntington Avenue/Prudential Center, Boston (the “Master Plan”), on August 16, 2011. In connection with its review and approval of the Master Plan, the Authority also reviewed proposed minor modifications to the Urban Renewal Plan for the Fenway Urban Renewal Area, Project No. Mass. R-115, which includes the parcels within the Eastern Development Plan Area and Western Development Plan Area. On August 16, 2011 the Authority approved minor modifications to the Urban Renewal Plan for the Fenway Urban Renewal Area, Project No. Mass. R-115, to permit commercial and residential uses on the parcels in the Eastern Development Plan Area

and Western Development Plan Area. The Urban Renewal Plan for the Fenway Urban Renewal Area, Project No. Mass. R-115, as adopted by the Authority on November 24, 1965, and as amended through the Minor Modification to said Urban Renewal Plan, Project No. Mass. R-115, dated August 16, 2011, is referred to herein as the “Urban Renewal Plan.”

The Eastern Development Project and the Western Development Project are considered one project for Development Impact Project purposes, but will be developed separately. The Eastern Development Project will be developed by the Eastern Proponent, as set forth in the Eastern Development Plan, and the Western Development Project will be developed by the Western Proponent, as set forth in the Western Development Plan.

The Eastern Development Project includes a high-rise building with approximately 58 stories and will be used for (i) hotel and related uses, including restaurants, lounges, meeting rooms, ballrooms, function space, an exercise facility and spa and accessory uses, including storage, employee facilities, housekeeping, food preparation and administrative areas, and (ii) multi-family residential dwelling uses. The Eastern Development Project will contain hotel and related uses comprising no less than 200,000 square feet and no more than 350,000 square feet, and the number of hotel guest room keys will be no less than 150 keys and no more than 300 keys. The multi-family residential dwelling uses in the Eastern Development Project will comprise no less than 300,000 square feet and no more than 500,000 square feet, and the number of residential condominium units will be no less than 100 units and no more than 250 units. In no event will the Eastern Development Project exceed 712,500 square feet of gross floor area. The Eastern Development Project will provide new open space of not less than 4,300 square feet on St. Germain Street. The newly created open space will provide an amenity for the neighbors and abutters and is currently designed to include a lawn area, trees and seating. The Eastern Proponent will be responsible for perpetually maintaining the open space and the improvements to be constructed therein. The final design is subject to approval of the BRA pursuant to its design review process.

The Western Development Project includes a mid-rise building that will contain a maximum of 237,500 square feet, of which approximately 235,700 square feet will be multi-family residential dwelling uses and approximately 1,800 square feet will be retail uses. The retail uses will be located on the ground floor. The Western Development Project will contain a minimum of 200 and a maximum of 250 residential rental dwelling units.

BUILDING HEIGHT

The Master Plan authorizes development of up to 950,000 square feet of gross floor area on three sites in the Planned Development Area. These three sites are the Eastern Development Plan Area, the Western Development Plan Area, and a third site located on Huntington Avenue adjacent to the Church’s Sunday School

Building. Because the Huntington Avenue site was viewed during the Master Plan approval process as a less favorable location for substantial development, the BRA's Planning Division asked the Eastern Proponent and Western Proponent to study the possibility of including in the Eastern Development Plan Area and the Western Development Plan Area all or substantially all of the 950,000 square feet of gross floor area authorized by the Master Plan. As a result, the current proposals for the Eastern Development Project and the Western Development Project provide for the allocation of all of the Master Plan's 950,000 square feet of development to the Eastern Development Plan Area and the Western Development Plan Area. In order to accommodate that allocation, the First Master Plan Amendment would increase the permitted building height within the Eastern Development Plan Area from 512 feet to 691 feet and would increase the permitted building height within the Western Development Plan Area from 251 feet to 285 feet. The Eastern Development Project's high-rise building will be in Substantial Accord (as defined in Article 41 of the Code) with a building height of 691 feet. The Western Development Project's mid-rise building will be in Substantial Accord (as defined in Article 41 of the Code) with a building height of 285 feet.

PARKING

All parking for the Eastern Development Project will be provided in the existing underground garage beneath the Christian Science Plaza (the "Existing CSC Garage") and the basement of the so-called "Colonnade Building" at 101 Belvidere Street, which will be modified and converted to parking use and connected to the Existing CSC Garage (which, together with said modification, conversion and connection of the basement of the Colonnade Building at 101 Belvidere Street, is referred to herein as the "Garage"). The area currently within the Master Plan includes 613 parking spaces, 550 of which are located in the Existing CSC Garage, and 63 of which are located in a commercial parking lot on the Western Development Plan Area and on the portion of the Eastern Development Plan Area that will be the site of the future open space. Once the modification, conversion and connection of the basement of the Colonnade Building at 101 Belvidere Street to the Existing CSC Garage are completed and the 63 commercial parking spaces are relocated to the Garage as permitted by the First Master Plan Amendment, parking for a total of approximately 726 cars will be available in the Garage, as self-park, valet and tandem spaces. The Eastern Proponent has obtained legally binding easement rights for 99 years to park up to 400 vehicles in the Garage. The Eastern Proponent will make available to the Western Proponent the right to park up to 60 vehicles in the Garage from its 400 vehicle allocation. The Western Development Project will also include approximately 21 parking spaces, including tandem spaces, in an underground garage below the Western Development Plan Area.

ARTICLE 80 REVIEW

The Eastern Development Project and the Western Development Project are subject to Large Project Review under Article 80 of the Code. Formal Article 80 Review began when the Eastern Proponent and Western Proponent submitted the PNF to the Authority on July 12, 2013. The public comment period for the PNF, which was extended by the Proponent for almost four weeks, ended on September 6, 2013. Comprehensive studies were conducted in connection with review and approval of the Master Plan for Planned Development Area No. 80 including alternative building locations, height, massing, environmental impacts, including transportation, wind, shadow, geotechnical conditions, groundwater, water and sewer infrastructure, sustainability and urban design. In addition, the PNF includes a thorough analysis of urban design, shadow, daylight, wind and historical impacts.

There has been extensive public involvement in the review of both the Eastern Development Project and the Western Development Project, including a public meeting held on August 22, 2013. The Proposed Project has also received significant Impact Advisory Group ("IAG") input through the benefit of three meetings, in addition to the twenty-one meetings held by the former Citizen Advisory Committee in connection with the Master Plan. The IAG has reached a general consensus regarding impacts and their satisfactory mitigation.

The Eastern Development Project and Western Development Project are also undergoing Planned Development Area Review pursuant to Section 80C of the Code. The Eastern Proponent and Western Proponent submitted the First Master Plan Amendment, the Eastern Development Plan and the Western Development Plan to the Authority on July 19, 2013. The Eastern Proponent and Western Proponent seek to achieve zoning compliance by approval of the First Master Plan Amendment, the Eastern Development Plan and the Western Development Plan. The Belvidere/Dalton Site is located entirely within the Huntington Avenue/Prudential Center District established by Article 41 of the Code.

BOSTON CIVIC DESIGN COMMISSION REVIEW

The Proposed Project comes under the jurisdiction of the Boston Civic Design Commission (the "BCDC") pursuant to Article 28 of the Code. Following review at subcommittee level, the BCDC Design Committee in September expressed a recommendation to approve the Proposed Project at its full Commission meeting on September 3, 2013.

PUBLIC BENEFITS

The Eastern Development Project will bring substantial benefits to the City and include the following:

- The Eastern Development Project will provide new affordable housing units pursuant to a plan approved by the Authority that complies with the Mayor's Executive Order on Inclusionary Development;
- The Eastern Development Project will provide street improvements that include the extension of Clearway Street in the location of the existing driveway to form a connection to Belvidere Street. New sidewalks will be included along the extended portion.
- The Eastern Development Project is projected to produce approximately \$9,000,000 annually in real estate taxes for the City of Boston, and a total of approximately \$6,000,000 annually in hotel occupancy and meals tax revenues for the City of Boston and the State.
- The Eastern Development Project will contribute directly to the economy of the City by providing an estimated 750 to 900 construction jobs with a goal of employing at least 50% Boston residents, 25% minorities and 10% women, and by creating an estimated 250 permanent jobs.
- The Eastern Development Project will also include open space as an amenity, currently designed to include a lawn area, trees and seating.
- The Eastern Development Project will result in the development of underutilized real estate and contribute to the vibrancy and long-term stability of the Huntington Avenue/Prudential Center District and the Christian Science Plaza.
- The Eastern Development Project will help to increase the supply of hotel rooms within the City of Boston for tourists, conventioners, neighborhood residents, and guests.

The Western Development Project will bring substantial benefits to the City and include the following:

- The Western Development Project will provide new affordable housing units pursuant to a plan approved by the Authority that complies with the Mayor's Executive Order on Inclusionary Development;
- The Western Development Project will provide street improvements that include the redesign of the intersection of Belvidere Street and Dalton Street and make improvements to Belvidere Street west of the intersection of Belvidere Street and Dalton Street. The redesigned intersection and these improvements will improve usability of the intersection, site access and neighborhood traffic circulation.

- The Western Development Project is projected to produce approximately \$1,000,000 annually in real estate taxes for the City of Boston.
- The Western Development Project will contribute directly to the economy of the City by providing an estimated 250 to 300 construction jobs with a goal of employing at least 50% Boston residents, 25% minorities and 10% women, and by creating an estimated 12 permanent jobs.
- The Western Development Project will result in the development of underutilized real estate and contribute to the vibrancy and long-term stability of the Huntington Avenue/Prudential Center District and the Christian Science Plaza.

DEVELOPMENT IMPACT PROJECT EXACTION

The Eastern Development Project and the Western Development Project are considered one project for Development Impact Project purposes. The Eastern Development Project and the Western Development Project includes an estimated 291,800 square feet dedicated to Development Impact Uses. Therefore, the Eastern Proponent and the Western Proponent will provide estimated linkage funds of \$ 1,509,466.00 for Housing and \$301,126.00 for Jobs pursuant to the provisions of Article 80, Section 80B-7 of the Code. These estimated linkage payments are calculated as follows:

Housing Linkage	
DIP Uses	291,800 square feet
Exclusions	<u>(100,000)</u>
	191,800
	<u>X \$7.87/square foot</u>
	\$ 1,509,466.00
Jobs Linkage	
DIP Uses	291,800 square feet
Exclusions	<u>(100,000)</u>
	191,800
	<u>X \$1.57/square feet</u>
	\$ 301,126.00

RECOMMENDATIONS

Based on the foregoing, BRA staff recommends that the Authority: (1) approve the First Master Plan Amendment, the Eastern Development Plan and the Western Development Plan, all in accordance with Article 80C of the Code; (3) authorize the Director to (i) issue a Scoping Determination waiving further review pursuant to Section 80B-5.3(d) of the Code, (ii) issue Certifications of Compliance pursuant to Section 80B-6 of the Code,

upon successful completion of Article 80 Large Project Review, and (iii) issue a Certifications of Consistency pursuant to Section 80C-8 of the Code, upon successful completion of Article 80 Planned Development Review; (4) petition the Boston Zoning Commission to approve the First Master Plan Amendment, Eastern Development Plan and Western Development Plan in substantial accord with the versions presented to the Authority at its public hearing on September 12, 2013; and (5) authorize the Director of the Authority to take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering Development Impact Project Agreements, Boston Residents Construction Employment Plans, Cooperation Agreements, an Affordable Rental Housing Agreement and Restriction, an Affordable Housing Agreement, an Affordable Housing Contribution Agreement, and any and all other documents as may be deemed necessary and appropriate by the Director.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code (the "Code") which (1) finds that the Project Notification Form submitted to the Boston Redevelopment Authority ("BRA") by CL BD LLC ("Eastern Proponent") and PRG BD Investors LLC ("Western Proponent") on adequately describes the impacts of the Belvidere/Dalton Site Development consisting of (a) an up to 300-room hotel, up to 250 residential condominium units and related retail and landscaping on the Eastern Portion of the Belvidere/Dalton Site ("Eastern Development Project"), and (b) up to 250 residential rental units, 1,800 square feet of ground floor retail space, 21 underground parking spaces and landscaping on the Western Portion of the Belvidere/Dalton Site ("Western Development Project") (together, the "Proposed Project") and provides sufficient mitigation measures to minimize these impacts; and (2) waives the requirement for the preparation and submission of a Draft Project Impact Report and Final Project Impact Report under subsections 4 and 5 of Section 80B-5 of the Code, subject to continuing design review by the BRA; and

FURTHER

VOTED: That the Boston Redevelopment Authority (the "Authority") hereby finds and determines that the Proposed Project conforms to the general plan for the City of Boston as a whole, and that nothing in such Proposed Project will be injurious to the neighborhood or otherwise detrimental to the public welfare; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute one or more Development Impact Project Agreements for the Proposed Project or the components thereof in accordance with Article 80, Section 80B-7 of the Code; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certification(s) of Compliance for the Eastern Development Project after the Director has determined that the Eastern Development Project complies with (1) the conditions of the Scoping Determination, and (2) to the extent applicable, the following provisions of the Code: (a) Section 80B-8, Disclosure of Beneficial Interests, (b) Section 80C-8, Planned Development Area Review, and (c) Article 28, Boston Civic Design Commission review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Western Development Project after the Director has determined that the Western Development Project complies with (1) the conditions of the Scoping Determination, and (2) to the extent applicable, the following provisions of the Code: (a) Section 80B-8, Disclosure of Beneficial Interests, (b) Section 80C-8, Planned Development Area Review, and (c) Article 28, Boston Civic Design Commission review; and

FURTHER

VOTED: That in connection with the First Amendment to Master Plan for Planned Development Area No. 80, Christian Science Plaza, Huntington Avenue/Prudential Center, Boston (the "First Master Plan Amendment") presented to the Authority at its public hearing on September 12, 2013, relating to the Eastern Development Project, located at the intersection of Belvidere and Dalton Streets, which is proposed by CL BD LLC (the "Eastern Proponent"), and the Western Development Project located west of Dalton Street at its intersection with Belvidere Street, which is proposed by PRG BD Investors LLC (the "Western Proponent"), (1) the Authority finds that: (a) the First Master Plan Amendment is not for a location or proposed project for which Planned Development Areas are forbidden by underlying zoning, (b) each of the Eastern Development Project and the Western Development Project complies with any provisions of the underlying zoning that establish use, dimensional, design or other requirements for proposed projects in Planned Development Areas, (c) the First Master Plan Amendment complies with any provisions of the underlying zoning that establish planning and development criteria,

including public benefits, for Planned Development Areas, (d) the First Master Plan Amendment conforms to the plan for the district, subdistrict, or similar geographic area in which the Planned Development Area is located, and to the general plan for the City as a whole, (e) on balance, nothing in the First Master Plan Amendment will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and (f) the First Master Plan Amendment adequately and sufficiently satisfies all other development plan criteria and specifications for a Planned Development Area and Master Plan as set forth in the Boston Zoning Code; and (2) the Authority hereby approves the First Master Plan Amendment; and

FURTHER

VOTED:

That in connection with the Development Plan for the Eastern Portion of the Belvidere/Dalton Site within Planned Development Area No. 80, Christian Science Plaza, Huntington Avenue/Prudential Center, Boston (the "Eastern Development Plan") presented to the Authority at its public hearing on September 12, 2013, relating to the Eastern Development Project, which is proposed by the Eastern Proponent in accordance with Article 80C of the Code, (1) the Authority hereby finds that: (a) the Eastern Development Plan is not for a location or proposed project for which Planned Development Areas are forbidden by underlying zoning, (b) the Eastern Development Project complies with any provisions of the underlying zoning that establish use, dimensional, design or other requirements for proposed projects in Planned Development Areas, (c) the Eastern Development Plan complies with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas, (d) the Eastern Development Plan conforms to the plan for the district, subdistrict, or similar geographic area in which the Planned Development Area is located, and to the general plan for the City as a whole, (e) on balance, nothing in the Eastern Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and (2) the Authority hereby approves the Eastern Development Plan; and

FURTHER

VOTED:

That in connection with the Development Plan for the Western Portion of the Belvidere/Dalton Site within Planned Development Area No. 80, Christian Science Plaza, Huntington Avenue/Prudential Center, Boston (the "Western Development Plan") presented to the Authority at its public hearing on September 12, 2013, relating to the Western Development Project, which is proposed by the Western Proponent in accordance with

Article 80C of the Code, (1) the Authority hereby finds that: (a) the Western Development Plan is not for a location or proposed project for which Planned Development Areas are forbidden by underlying zoning, (b) the Western Development Project complies with any provisions of the underlying zoning that establish use, dimensional, design or other requirements for proposed projects in Planned Development Areas, (c) the Western Development Plan complies with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas, (d) the Western Development Plan conforms to the plan for the district, subdistrict, or similar geographic area in which the Planned Development Area is located, and to the general plan for the City as a whole, (e) nothing in the Western Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and (2) the Authority hereby approves the Western Development Plan;

FURTHER

VOTED: That the Director be, and hereby is, authorized to petition the Boston Zoning Commission pursuant to the provisions of Section 3-1A.a. and Article 80C of the Code to approve the First Master Plan Amendment, Eastern Development Plan and Western Development Plan in substantial accord with the versions presented to the Authority at its public hearing on September 12, 2013; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Consistency for Planned Development Area Review for the Eastern Development Project pursuant to Section 80C-8 of the Code when the Director finds that (1) the Eastern Development Project is consistent with the Eastern Development Plan and (2) the Eastern Development Plan has been approved by the Authority and the Boston Zoning Commission in accordance with the applicable provisions of Section 3-1A.a. and Article 80C of the Code; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Consistency for Planned Development Area Review for the Western Development Project pursuant to Section 80C-8 of the Code when the Director finds that (1) the Western Development Project is consistent with the Western Development Plan and (2) the Western Development Plan has been approved by the Authority and the Boston Zoning Commission in accordance with the applicable provisions of Section 3-1A.a. and Article 80C of the Code; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to take all actions and execute all documents deemed necessary and appropriate in connection with the foregoing, including, without limitation, executing and delivering Development Impact Project Agreements, Boston Residents Construction Employment Plans, Cooperation Agreements, an Affordable Rental Housing Agreement and Restriction, an Affordable Housing Agreement, an Affordable Housing Contribution Agreement, and any and all other documents as may be deemed necessary and appropriate by the Director upon terms and conditions determined to be in the best interest of the BRA, in connection with the First Master Plan Amendment, the Eastern Development Plan, the Western Development Plan, the Eastern Development Project and the Western Development Project.