

**BOSTON REDEVELOPMENT AUTHORITY**

**DEVELOPMENT PLAN**

**PLANNED DEVELOPMENT AREA N**

**NO. \_\_**

Central Artery Parcel 9

Haymarket Parcel 9 Investor LLC

\_\_\_\_\_, 2016

Development Plan: In accordance with Sections 3-1A, 49-5, 49-11, 45-9 through 45- 13 and Section 80C of the Boston Zoning Code (the “**Code**”), this Development Plan for the Parcel 9 Project, Planned Development Area No. \_\_ (the “**Development Plan**”), sets forth information on the proposed development (the “**Project**”) of the site known as MassDOT Central Artery Parcel 9, including the proposed location and appearance of structures, open spaces and landscaping, proposed uses, densities, proposed traffic circulation, parking and loading facilities, access to public transportation and proposed dimensions of structures. This Development Plan sets forth the zoning for the Project. The Project has undergone review through Article 80B of the Code. An Expanded Project Notification Form (“**PNF**”) for the Project was filed with the Boston Redevelopment Authority (the “**BRA**”) on October 14, 2014. Based upon that process and approval of this Development Plan, final plans and specifications for the Project will be submitted to the BRA pursuant to Section 3-1A and Section 80C of the Code for final design review approval and certification as to consistency with this Development Plan.

This Development Plan consists of 5 pages of text and Exhibits A, B and C. All references to this Development Plan contained herein shall pertain only to such 5 pages and Exhibits A, B and C. Exhibit C and the Project described herein are subject to final design, environmental and other development review by the BRA and other governmental agencies and authorities, and the Project as described herein may evolve in the course of such review. As long as the Director of the BRA (the “**Director**”) certifies that the Project is consistent with this Development Plan, then the Project shall be deemed to be in compliance with the Development Plan. Unless otherwise set forth herein, all references herein to terms set forth in the Code shall have the meanings set forth in the Code, as amended to the effective date hereof, and not as the same may be amended hereafter.

In accordance with Section 80C-9 of the Code, within the PDA, if the Project has received a Certification of Consistency pursuant to Section 80C-8, (1) the Project and (2) the parcels or lots and any improvements thereon that are the subject of this Development Plan shall

be deemed to be in compliance with the requirements of the underlying zoning to the extent that such requirements have been addressed in this Development Plan.

Proponent: The Proponent is Haymarket Parcel 9Investor, LLC, a Delaware limited liability company, its successors and assigns (the “**Developer**”), an affiliate of Normandy Real Estate Partners and Harbinger Development, with an address c/o Normandy Real Estate Partners and Harbinger Development, 99 Summer Street, Boston, MA 02109.

Proposed Location: The Project is located on a site bounded by John F. Fitzgerald Surface Road facing the Rose Fitzgerald Kennedy Greenway to the north, Hanover Street to the west, Blackstone Street to the south, and North Street to the east, together with Blackstone Street (the “**Project Site**”). The Project Site, which is currently unimproved, is located in the Central Artery Special District and the Government Center/Markets District, as well as in the Restricted Parking District and the Greenway Overlay District, and consists of approximately 52,598 square feet or 1.21 acres of land area as shown on **Exhibit A**. The legal description for the Project Site subject to the PDA overlay district is set forth on **Exhibit B**.

Appearance and Proposed Dimensions of Structures and Proposed Density. The Project consists a 5 to 6-story building, with an attached one level market pavilion, that conforms to the Joint Development Guidelines from the Historic Resources Considerations for the Central Artery (I-93) / Tunnel (I-90) Project. The main building element is a 5 to 6-story hotel with up to 225 keys with first floor retail. While most of the retail will be located on the first level of the Project, including in the attached market pavilion, additional retail may also be located in the basement level and on the second floor. The Project will contain up to 145,000 square feet of gross floor area. The Floor Area Ratio (“**FAR**”) of the Project to the Project Site will not exceed 3.0. The height of the Project will not exceed 65 feet, excluding the mechanical penthouse, mechanical equipment located therein, and the elevators and stairways serving the mechanical penthouse (“**Mechanical Equipment**”), which Mechanical Equipment shall not be subject to Section 16-8 of the Code provided that all such Mechanical Equipment is located on the roof of the 6-story portion of the building. The height of the Project steps down to 55 feet along the John F. Fitzgerald Surface Road facing the Rose Fitzgerald Kennedy Greenway. Conceptual plans, renderings and elevations of the Project are attached hereto as **Exhibit C**, and are hereby approved. The plans for the Project will be refined as review of the project continues, and the plans are subject to design, environmental and other development review by the BRA and other governmental agencies and authorities.

Proposed Uses of the Area. The Project will be used for hotel and retail use, with up to 225 keys in the hotel and up to 25,000 square feet of retail, and may include restaurant use. The Project will also contain facilities for the Haymarket Pushcart Association (“**HPA**”) including trash, storage and restrooms.

Proposed Traffic Circulation. Current traffic circulation around the Project Site is expected to remain as is: one-way southeasterly traffic on the portion of John F. Fitzgerald Surface Road adjacent to the Project Site, with northwesterly traffic separated by the Rose Fitzgerald Kennedy Greenway; two-way easterly and westerly traffic on North Street, one-way southeasterly traffic on Blackstone Street; and two-way easterly and westerly traffic on Hanover Street. Drop-off/pick-up areas for the hotel will be located on John F. Fitzgerald Surface Road near the main entrance to the hotel.

Proposed Parking and Loading Facilities. Parking will not be provided in the Project. Vehicular access to the Project by automobiles will not be permitted. Project traffic will be accommodated by a valet service that will be accessed from the existing curb along Surface Road. Typical of an urban hotel, it is anticipated that the majority of the guests will either arrive by taxi or public transportation, and will not have a need for parking. The proximity to Haymarket Station and the other nearby MBTA stations in downtown Boston provide the hotel guests easy access to and from North Station, South Station, and Logan Airport. The valet service will use one or more nearby parking garages for parking needs. Two on-site, ground-level loading docks/bays will provide space for trash and loading truck operations, one serving the hotel and the other retail uses and HPA operations. The entrance to both of these areas is from Blackstone Street at the rear of the building. (See **Exhibit C** attached.)

Open Spaces and Landscaping. The Project Site will be improved with new sidewalks and street trees on John F. Fitzgerald Surface Road, Hanover Street and North Street. In addition, Blackstone Street will be completely rebuilt. This will involve: (i) the raising of the finished grade of Blackstone Street its entire length between North Street and Hanover Street so as to be level with the sidewalk adjacent to the Building to facilitate use of Blackstone Street by HPA vendors; (ii) all associated utility relocation and installation necessary by reason of the change in grade of the street; (iii) all earthwork and paving; (iv) the design, fabrication and installation of approximately fifty (50) permanent steel-reinforced stanchions and specialty awnings along the length of Blackstone Street; (v) installation of adequate and appropriate exterior lighting and electrical power for use by HPA vendors; and (vi) provision of outdoor hose bibs along the Blackstone Street façade of the Building for use by HPA vendors and the hotel operator. The Developer will also work with the artist of the existing public art piece “Asaroton” and the Boston Art Commission to remove the portion located in Blackstone Street and reinstall an art piece on Blackstone Street.

Access to Public Transportation. The Project Site is located in an ideal location to take advantage of Boston’s public transportation system. The Project Site is one block away from the MBTA Haymarket Station, which provides access to Orange and Green line subway service, as well as a number of local and express bus services. Additionally, there are several other MBTA stations within a quarter-mile, or about a 7-minute walk, of the Project Site, including those on the Orange Line at State Street station, the Green Line at Government Center Station (closed until 2016), and the Blue Line at Bowdoin, Government Center, and State Street stations. North Station, located one stop north on the Orange and Green lines, also provides access to the MBTA’s regional commuter rail trains serving the northern and northwestern suburbs of Boston. Connection to the Red Line subway service is also available one stop south of the State Street station at Downtown Crossing. Nine express bus routes and four local bus routes travel within a quarter-mile walk of the Project Site.

Signage. Signage for the proposed Project will include: (a) those permitted by Article 11 and any other applicable provision of the Zoning Code; and (b) any additional signs that are approved by the BRA under its development review procedures.

Development Review Procedures. All design plans for the Project are subject to ongoing design, environmental and development review and approval by the BRA. Such review will be

conducted in accordance with Large Project Review under Article 80B of the Code. The plans for the Project will be refined as review of the Project continues.

Development Impact Project Exaction. The Developer will enter into a Development Impact Project Agreement with the BRA under which such owner will make a housing contribution grant and a jobs contribution grant with respect to Development Impact Uses exceeding 100,000 square feet of gross floor area in accordance with the provisions of Section 80B-7 of the Code and other applicable requirements. These grants are anticipated to total up to approximately \$450,450 in accordance with Section 80B-7 of the Code, with the housing contribution grant to be up to approximately \$375,300 based upon a payment of \$8.34 per square foot of gross floor area of the Project in excess of 100,000 square feet that is occupied by a Development Impact Use, and the jobs contribution grant to be up to approximately \$75,150 based upon a payment of \$1.67 per square foot of gross floor area of the Project in excess of 100,000 square feet that is occupied by a Development Impact Use.

Public Benefit Criteria. The Project provides substantial street improvements to streets adjacent to and in the vicinity of the PDA. As discussed above, Blackstone Street will be rebuilt to better serve the Haymarket vendors and other streets around the Project will be improved with new paving, lighting and landscaping. Trash and storage for the HPA will be taken off the street and located inside the new structure. Electrical and water connections located in Blackstone Street will obviate the need for unsightly hoses and electrical wire in Blackstone Street on market days. With the reconstructed Blackstone Street, since the street will be level with adjacent sidewalks, platforms will no longer be required for Haymarket vendors to set up their stalls and sell their wares, and a fire lane will be maintained even during market days. Such street improvements are consistent with applicable street improvement regulations and guidelines and will improve the appearance, condition, quality of design and materials, and accessibility and usability of the affected streets by pedestrians, taking into account increased vehicular and pedestrian flows. The Project will also create new job opportunities in businesses occupying the Proposed Project which will be newly created in the Government Center/Markets District.

Other Public Benefits. The Project will revitalize a vacant parcel along the Rose Fitzgerald Kennedy Greenway in Boston's emerging Market District bringing life and vitality to a blighted site. The retail uses in the Project will complement the uses provided by the Haymarket vendors and the vendors in the new Boston Market. The hotel will provide much needed hotel rooms to service the area. When fully operational, the Project is estimated to produce over \$780,000 annually in real estate taxes for the City of Boston. In addition, the hotel will generate room occupancy taxes for the City of Boston and the Commonwealth of Massachusetts. The construction of the Project will contribute directly to the economy of Boston by providing approximately 300 construction jobs and up to approximately 125 permanent jobs with a goal of employing at least 50% Boston residents, 25% minorities and 10% women.

Groundwater Conservation: The Project is located within the Groundwater Conservation Overlay District, governed by Article 32 of the Code. Thus, the Developer shall incorporate systems into its Project, set forth in this Development Plan, that meet the groundwater conservation standards and requirements set forth in Article 32 of the Code. The Developer shall obtain a written determination from the Boston Water and Sewer Commission as to whether said standards and requirements are met. The Developer shall provide a copy of said written determination to the BRA and Boston Groundwater Trust prior to the BRA's issuance of a

Certification of Consistency. Accordingly, the Developer will not be required to obtain a conditional use permit from the Board of Appeal and shall be deemed in compliance with Article 32 of the Code.

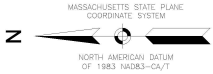
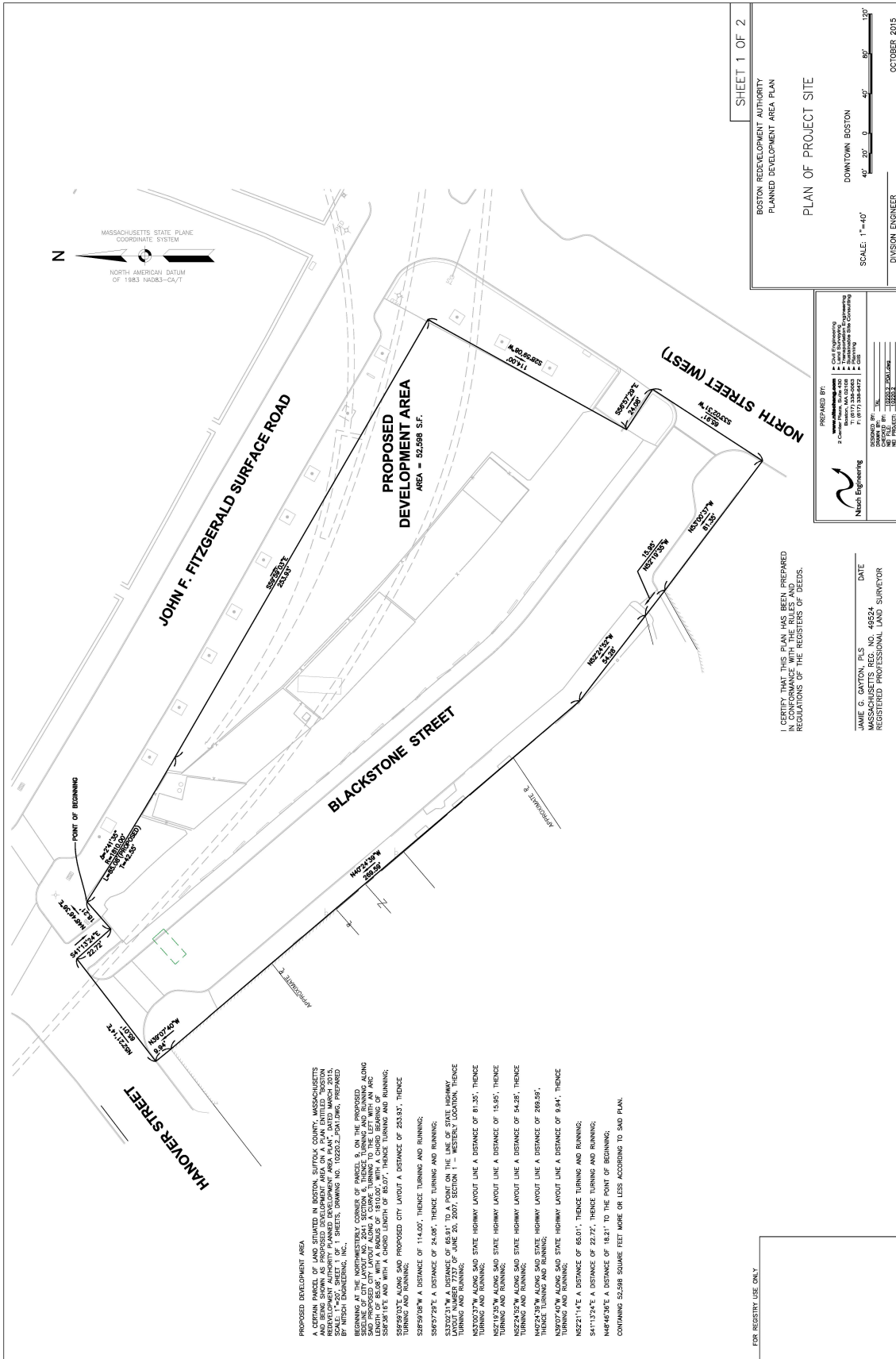
Green Building Requirements: The Project is a large project pursuant to Article 80B of the Code. As such, the Project is subject to Article 37, Green Buildings, of the Code. The Developer shall ensure that the Project is in compliance with Article 37 of the Code.

Amendments: Any owner of an individual Phase may seek amendment of this Development Plan as to such Phase in accordance with the procedures prescribed by the Zoning Code without the consent of any other owner of a Phase, provided that such amendment does not change any obligations or requirements applicable to any other Phase. The provisions of this Development Plan applicable to a Phase may be amended only with the consent of the owner of such Phase.

No Duty to Develop the Project: Notwithstanding anything to the contrary set forth in this Development Plan, under no circumstances shall the Developer be obligated to proceed with the Project.

# Exhibit A

## PLAN OF THE PROJECT SITE



SHEET 1 OF 2

BOSTON REDEVELOPMENT AUTHORITY  
PLANNED DEVELOPMENT AREA PLAN

PLAN OF PROJECT SITE

DOWNTOWN BOSTON

SCALE: 1"=40'

DIVISION ENGINEER

OCTOBER 2015

PREPARED BY:  
www.nitcheng.com  
2 Cambridge Street, Boston, MA 02142  
F: (617) 338-8472

DESIGNED BY:  
Nitch Engineering  
700  
CONTRACT NO.: 15030000000000000000

I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMANCE WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS.

JAMIE G. GAYTON, P.E.  
DATE  
MASSACHUSETTS REG. NO. 48524  
REGISTERED PROFESSIONAL LAND SURVEYOR

PROPOSED DEVELOPMENT AREA

A CERTAIN PARCEL OF LAND SITUATED IN BOSTON, SUFFOLK COUNTY, MASSACHUSETTS AND BEING SHOWN AS PROPOSED DEVELOPMENT AREA ON A PLAN ENTITLED "BOSTON PLANNED DEVELOPMENT AREA PLAN, SHEET 1 OF 2, SHEETS, DRAWING NO. 10200.2\_PDA1916, PREPARED BY NITCH ENGINEERING, INC., 2015, BEING HEREBY RECORDED.

THE BOUNDARIES OF THIS AREA, AS SHOWN ON THE PROPOSED DEVELOPMENT AREA PLAN, ARE AS FOLLOWS: BEGINNING AT THE POINT OF BEGINNING, THENCE RUNNING ALONG THE WEST LINE OF SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 81.35', THENCE TURNING TO THE RIGHT TO THE POINT OF BEGINNING OF SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 54.28', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 253.93', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 114.05', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 24.05', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 81.35', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 15.95', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 54.28', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 289.59', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 9.94', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 81.35', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 22.72', THENCE TURNING AND RUNNING ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 18.21' TO THE POINT OF BEGINNING, CONTAINING 52,596 SQUARE FEET MORE OR LESS ACCORDING TO SAID PLAN.

FOR REGISTRY USE ONLY

## Exhibit B

### LEGAL DESCRIPTION

A CERTAIN PARCEL OF LAND SITUATED IN BOSTON, SUFFOLK COUNTY, MASSACHUSETTS AND BEING SHOWN AS PROPOSED DEVELOPMENT AREA ON A PLAN ENTITLED "BOSTON REDEVELOPMENT AUTHORITY PLANNED DEVELOPMENT AREA PLAN", DATED MARCH 2015, SCALE: 1"=20', SHEET 1 OF 1 SHEETS, DRAWING NO. 10220.2\_PDA1.DWG, PREPARED BY NITSCH ENGINEERING, INC.,

BEGINNING AT THE NORTHWESTERLY CORNER OF PARCEL 9, ON THE PROPOSED SIDELINE OF CITY LAYOUT NO. 2041 SECTION 6, THENCE TURNING AND RUNNING ALONG SAID PROPOSED CITY LAYOUT ALONG A CURVE TURNING TO THE LEFT WITH AN ARC LENGTH OF 85.08', WITH A RADIUS OF 1810.00', WITH A CHORD BEARING OF S58°38'16"E AND WITH A CHORD LENGTH OF 85.07', THENCE TURNING AND RUNNING;

S59°59'03"E ALONG SAID PROPOSED CITY LAYOUT A DISTANCE OF 253.93', THENCE TURNING AND RUNNING;

S28°59'08"W A DISTANCE OF 114.00', THENCE TURNING AND RUNNING;

S56°57'29"E A DISTANCE OF 24.08', THENCE TURNING AND RUNNING;

S33°02'31"W A DISTANCE OF 65.91' TO A POINT ON THE LINE OF STATE HIGHWAY LAYOUT NUMBER 7737 OF JUNE 20, 2007, SECTION 1 - WESTERLY LOCATION, THENCE TURNING AND RUNNING;

N53°00'37"W ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 81.35', THENCE TURNING AND RUNNING;

N52°19'35"W ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 15.95', THENCE TURNING AND RUNNING;

N52°24'52"W ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 54.28', THENCE TURNING AND RUNNING;

N40°24'39"W ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 269.59', THENCE TURNING AND RUNNING;

N39°07'40"W ALONG SAID STATE HIGHWAY LAYOUT LINE A DISTANCE OF 9.94', THENCE TURNING AND RUNNING;

N52°21'14"E A DISTANCE OF 65.01', THENCE TURNING AND RUNNING;

S41°13'24"E A DISTANCE OF 22.72', THENCE TURNING AND RUNNING;

N48°46'36"E A DISTANCE OF 18.21' TO THE POINT OF BEGINNING;

CONTAINING 52,598 SQUARE FEET MORE OR LESS ACCORDING TO SAID PLAN.

Exhibit C  
CONCEPTUAL PLANS AND RENDERINGS







**PARCEL 9** VIEW DOWN BLACKSTONE STREET SOUTH

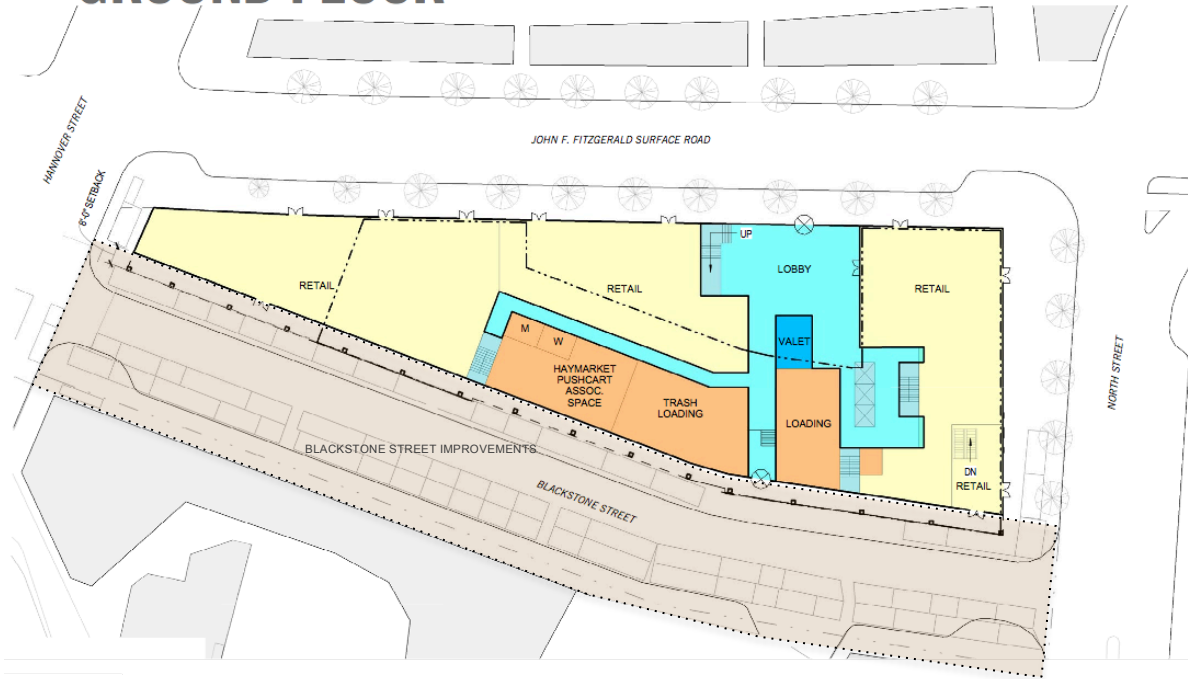




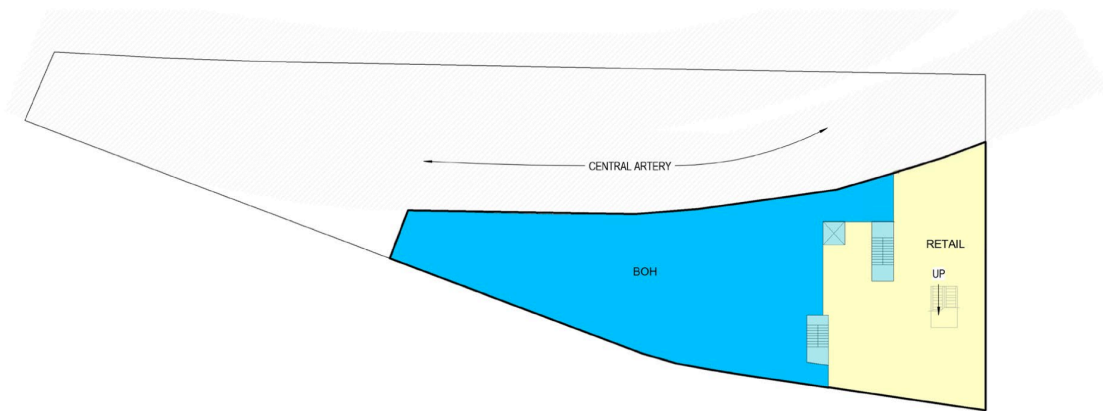
# PARCEL 9\_VIEW FROM HANOVER STREET



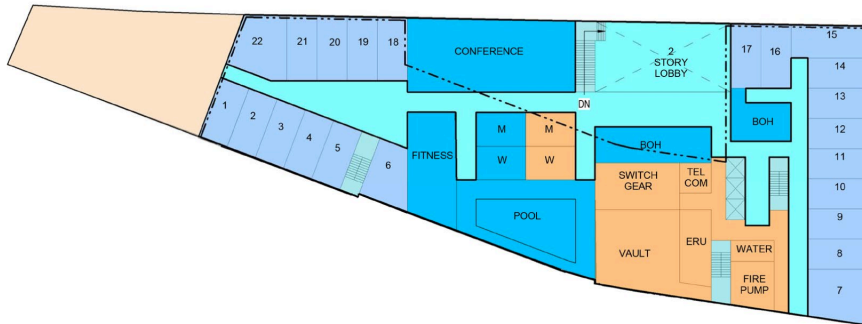
# GROUND FLOOR



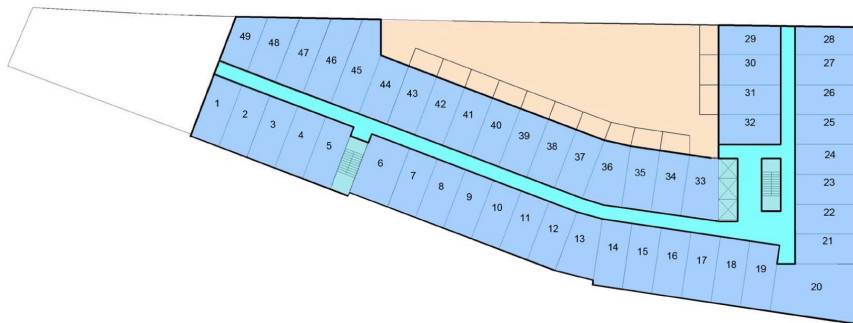
# BASEMENT



# 2ND FLOOR



# 3RD, 4TH & 5TH FLOORS



# 6TH FLOOR

