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(Amendments Appended Separately)

BOSTON REDEVELOPMENT AUTHORITY

URBAN RENEWAL PLAN

SOUTH COVE URBAN RENEWAL AREA

Project No. Mass. R-92

June 8, 1965

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APPLICATION FOR LOAN AND GRANT
PART I: FINAL PROJECT REPORT
PROJECT NO. MASS. R-92

South Cove Urban Renewal Area
Boston Redevelopment Authority
Boston, Massachusetts

CHAPTER I: DESCRIPTION OF PROJECT

SECTION 101: Project Boundaries are shown on Map 3, Property Map, enclosed herein as Exhibit C.

SECTION 102: Project Boundary Description

The South Cove Urban Renewal Project Area is bounded and described as follows:

Beginning at the westerly corner of the tract herein described at the intersection of the centerline of the Clarendon Street Right-of-Way and the centerline of the Stuart Street Right-of-Way;

Thence in an easterly direction along the centerline of the Stuart Street and Kneeland Street Right-of-Way for approximately 3950 feet to the intersection of the centerline of the Kneeland Street Right-of-Way, and the projection of the westerly boundary line of property of the Massachusetts Turnpike Authority;

Thence in a southerly direction along said projection and said westerly boundary line of property of the Massachusetts Turnpike Authority for approximately 1450 feet;

Thence in a westerly direction along the northerly boundary line of the Massachusetts Turnpike to a point which is the intersection of the northerly boundary line of the Massachusetts Turnpike and the easterly Right-of-Way line of Harrison Avenue;

Thence turning approximately ninety degrees and running in a southerly direction along the easterly Right-of-Way line of Harrison Avenue for approximately 250 feet to a point which is the intersection of

the easterly Right-of-Way of Harrison Avenue and the northerly Right-of-Way line of Herald Street;

Thence turning approximately ninety degrees in a westerly direction along the northerly Right-of-Way line of Herald Street, which is coincident with the northern boundary of the New York Streets Project, for approximately 420 feet to a point which is the intersection of the northerly Right-of-Way line of Herald Street and the centerline of Washington Street;

Thence turning approximately ninety degrees and running in a northerly direction along the centerline of Washington Street Right-of-Way to a point which is the intersection of the centerline of Washington Street Right-of-Way and the Right-of-Way line separating the Boston and Albany Railroad and the New York, New Haven and Hartford Railroad;

Thence turning approximately ninety degrees and running westerly along the Right-of-Way line separating the Boston and Albany Railroad and the New York, New Haven and Hartford Railroad, which is coincident with the northern boundary line of the South End Project, for approximately 2500 feet to a point which is the intersection of the Right-of-Way line separating the Boston and Albany Railroad and the New York, New Haven and Hartford Railroad and the centerline of the Clarendon Street Right-of-Way;

Thence turning approximately one hundred degrees and running in a northwesterly direction along the centerline of Clarendon Street Right-of-Way for approximately 520 feet to a point which is the intersection of the centerline of Clarendon Street Right-of-Way and the centerline of the Stuart Street Right-of-Way, and which is the point of the beginning.

CHAPTER II: OBJECTIVES

SECTION 201: Basic Objectives

The basic objective of urban renewal action in the South Cove Urban Renewal Area is to eliminate severe conditions of blight, deterioration, obsolescence, traffic congestion, and incompatible land uses in order thereby to facilitate sound development and orderly growth, and to achieve neighborhood stability. Specifically, the objectives are:

1. To promote and expedite public and private development.
2. To cause the rehabilitation and redevelopment of the South Cove as a stable neighborhood compatible in function and design with the neighboring Central Business District, the Back Bay, and the South End area.
3. To preserve and strengthen the residential character of the area in such a way as to promote and insure its future.
4. To facilitate efficient use of land in the area for housing, commercial and institutional use.
5. To strengthen and expand the real property tax base of the city.

SECTION 202: Planning Objectives

Planning objectives of the Project are as follows:

1. To improve the quality and condition of existing residential property through rehabilitation techniques so that all housing conforms with the standards set forth in Chapter VIII of this plan.
2. To remove deteriorated and deteriorating buildings which depress the physical condition and character of the area.
3. To intensify utilization of land to achieve more economically and socially productive uses.
4. To provide sites for the necessary expansion and reorganization of medical and educational facilities.

5. To assemble and make available suitable sites for private development, and to so guide the development of private and public land uses that they do not conflict unduly with the functioning of each other.
6. To meet the housing needs of minority groups and moderate income families.
7. To create decent, safe and sanitary dwellings, providing adequate levels of amenities, convenience, usefulness and livability for the occupants thereof.
8. To provide sites for appropriate community facilities.
9. To provide for improved traffic circulation, particularly with regard to abutting land uses, by separating through traffic from local service traffic, and by clarifying the street pattern.
10. To develop a system of pedestrian and vehicular ways that will allow effective access to all points in the area.
11. To improve street conditions and utilities and the landscaping of public areas.
12. To prevent future obsolescence, deterioration, and congestion.

SECTION 203: General Design Objectives

The design objectives are as follows:

1. To use and capitalize on the urban nature of the area in all development, recognizing the significance of building masses and other urban characteristics.
 - (a) Buildings to be generally multi-story and close to the street line.
 - (b) Open spaces to be generally intimate in scale, largely enclosed by buildings, and functional areas in themselves, not merely building settings or areas free of buildings.

2. To encourage diversity in construction and in land use as long as respect for neighboring development is maintained.
3. To recognize by special treatment and by the design of abutting buildings the proposed public square as a major common open space, as a unifying focus for development in the area, and as a visual link with the Common and the Public Garden.
4. To take into consideration the non-residential aspects of the Turnpike and railroad cut in the design of development adjacent to the Turnpike.
5. To provide pedestrian access across large development sites where desirable for circulation in the vicinity.
6. To restrict access to off-street parking and loading areas to local, service streets only, wherever possible.
7. To include in residential developments sufficient and safe outdoor play and sitting areas for small children and adult residents.

SECTION 204: Sub-Area Design Objectives

The design objectives of the South Cove Urban Renewal Area can be described in terms of five major sections of the Project.

1. Tyler-Hudson Street Residential Community (Parcels R-1, R-2, R-2a, R-3, R-3a, P-1)

The primary objective in this area is to preserve the present character of the area by retaining as much as possible of the existing housing and local street patterns. All new housing should be compatible with the existing structures and building layout. The non-residential characteristics of the Massachusetts Turnpike and railroad cut, as well as the Turnpike retaining wall along Hudson Street, should also be mitigated.

High-rise construction is acceptable as long as existing low-rise buildings are not overshadowed. Because of the small size of this residential community, and because it is and will be closed in by the Turnpike, it is important that all pedestrian

walkways and building layouts give a sense of connection with the residential areas to the west.

In order to preserve the specific character of this community and provide shopping convenience to its residents, stores related to the neighborhood are acceptable and even encouraged on the first floor of residential structures in some locations. For the same reasons, community facilities related to the neighborhood are acceptable in most locations.

2. New England Medical Center (Parcels P-2, P-2a, P-3, P-3a, P-4 through P-12, P-12a)

The major objective in this area is to provide designs which meet the functional purposes of the Medical Center and the adjacent Don Bosco High School and at the same time relate to the surrounding neighborhood. In keeping with this purpose, and in view of the large areas to be occupied by the Center and by Don Bosco, there should be pedestrian access through these areas connecting the various parts of the South Cove. Where appropriate, public open spaces should be part of these institutional developments to serve nearby residential areas as well as the institutions themselves.

Housing for Medical Center personnel should be compatible in design with existing row and town houses in the vicinity. Construction over public rights-of-way should enhance the general utility and appearance of the right-of-way rather than subordinate it. Design and layout of structures adjacent to or in view of public open spaces should relate to these spaces.

3. Bay Village (Parcels R-6, R-6a, R-7, R-7a, R-7b, P-14a)

The most important feature of the Urban Renewal Plan in this area is the retention of the intimate character of the neighborhood, while integrating Bay Village with other residential neighborhoods in the vicinity.

New housing will be in keeping as much as possible with existing architecture, and where possible will be oriented away from major streets.

Neighborhood stores and other local service and gathering areas

may be located on Charles Street Extension and on Church Street. If necessary, adjustments in the connections of local streets and surrounding major streets will be made. Traffic unrelated to the neighborhood should be discouraged. Where appropriate, pedestrian ways and public open spaces will be provided along Charles Street Extension to tie Bay Village to the proposed public square, the proposed new MBTA Station and the housing areas to the east.

4. Tremont-Shawmut Residential Area (Parcels R-4, R-5, P-14, P-15)

The major purpose in this area is to construct new housing that will form a suitable part of the larger housing area of the South Cove, and which will take advantage of the focal characteristics of the site. A combination of town houses and high rise structures is in order.

The housing should be constructed so that the ground floor will have the same elevation as the adjacent proposed public square. This could allow at least 2 stories of parking below the new ground grade, direct connection of the site with the public square over the intervening street, and a view from even the lower stories of the new housing which will be beyond that of the Railroad-Turnpike cut. On-site neighborhood retail and community facilities in appropriate locations are encouraged as well as possible institutional use on a limited part of the area. Pedestrian access should be provided to facilitate movement within the site and between the site and surrounding areas.

The proposed public square, which will be surrounded by most of the proposed new uses and which will be the site of the new subway station, will be the center of pedestrian activity in the Project Area. Benches, plantings and attractive paving will be provided to enhance the character of the square as a place for strolling, a place for pausing in the day's activities, and as a siting element for surrounding uses.

5. Entertainment and Commercial District (Parcels C-1, C-2, C-3 C-3a, C-3b, C-4, C-5, C-6, C-8)

The objectives in this area are to enhance its character as an entertainment district, to substantially increase the supply of off-street parking and to meet the potential market in this

part of Downtown for retail, office and other commercial space.

To this end, multi-purpose structures combining retail, parking, and general commercial uses are encouraged on Stuart Street, and theatres, night clubs, restaurants and related entertainment facilities are encouraged on the proposed public square as well as on Stuart and Tremont Streets. Sidewalk restaurants, community theatres, and similar uses which could particularly relate to the adjacent public open space and to the nearby residential areas are especially encouraged in Parcels C-1 and C-2.

CHAPTER III: PROPOSED RENEWAL ACTIONS

SECTION 301: Proposed Types of Renewal Actions.

Proposed types of renewal actions within the Project Area will consist of a combination of clearance and redevelopment activities; changes in land use; provision of public improvements and public facilities; rights-of-way and utilities changes; zone district changes and rehabilitation activities.

SECTION 302: Clearance and Redevelopment Activities.

Clearance and redevelopment activities will include:

1. The acquisition of real property;
2. The management of acquired property;
3. The relocation of the occupants thereof;
4. The Clearance of land and buildings;
5. The installation, construction, and reconstruction of improvements; and
6. The disposition of land and other property for uses in accordance with the building requirements, land use and other provisions of the Urban Renewal Plan.

SECTION 303: Rehabilitation Activities

Rehabilitation activities may include, but are not limited to:

1. The systematic enforcement of rehabilitation standards set forth in Chapter VIII;
2. The provision of technical assistance to property owners to facilitate rehabilitation;
3. The acquisition and disposition of real property which is not made to conform to the rehabilitation standards of the plan;

4. The undertaking of rehabilitation demonstrations;
5. The acquisition and disposition for rehabilitation of real property in accordance with the land use requirements and rehabilitation standards set forth in the plan.

SECTION 304: Public Improvements

Public improvements will include, as necessary, the abandonment provision, improvement, extension, construction, reconstruction and installation of public buildings, open space, rights-of-way, streets, new tree plantings and utilities, such as water, sewers, traffic and street lighting systems, mass transit facilities, and police and fire communication systems, in order to carry out the provisions of the Urban Renewal Plan.

The location of public buildings, open space and rights-of-way, shall be as shown on Map 4: Proposed Land Use. Streets and public utility changes shall conform to the rights-of-way shown on the Proposed Land Use Map.

CHAPTER IV: PROPERTY TO BE ACQUIRED

SECTION 401: Acquisitions

The Boston Redevelopment Authority may acquire property that is designated as "property to be acquired" on Map 3, Property Map.

SECTION 402: Conditional Acquisitions

1. Certain property designated on Map 3, Property Map, as "conditional acquisitions, Group A," may be acquired, provided that such properties shall not be acquired if the following conditions are met:
 - (a) There is presented by the property owner(s) to the Authority within a specified time period after approval of the Urban Renewal Plan by the City Council and the Mayor, a proposal acceptable to the Authority for development and/or rehabilitation of the property in accordance with the building requirements and controls of this Plan;
 - (b) Within a specified time period after acceptance by the Authority of such a proposal, an agreement satisfactory to the Authority binding the owner to undertake the development and/or rehabilitation is executed;
 - (c) The development and/or rehabilitation is completed in accordance with such agreement.

The schedule on page 12a applicable to Conditional Acquisitions, Group A, identifies the properties to which the above conditions are applicable, the number of months for the submission of a proposal, and the execution of an agreement as set forth in (a) and (b) above.

2. Certain property designated on Map 3, Property Map, as "conditional acquisitions Group B," may be acquired if either of the following conditions are met:

- (a) The owner of the property sends written notification to the Authority requesting that his property be acquired and re-used in accordance with this Plan;
- (b) The property is no longer used for its present use.

The latter condition shall be satisfied if the owner sells or leases the property to anyone other than a successor to, or assignee of, the business presently conducted on the property, clears the structures on the property, files an application for a building permit in order to substantially alter the building on the property for the purpose of accommodating some other use, or abandons or vacates the property for a period greater than three months.

The Authority shall, within a reasonable period of time after the effective date of the Urban Renewal Plan, notify the owner or owners of any such property of the applicability of the provisions of this section to such property and the procedures that will be followed by the Authority if it is found that either of the above conditions have been met. Such notice shall be in writing, shall be addressed to the owner or owners of such property as recorded by the City of Boston Assessing Department at the time of the effective date of the Plan, and shall be sent by certified or registered mail to the last and usual place of abode of such owner or owners.

The schedule applicable to Conditional Acquisitions, Group B on page 12b identifies the properties to which the above conditions are applicable.

LIST OF PROPERTIES SUBJECT TO CONDITIONAL ACQUISITION, GROUP A and SCHEDULE OF DEVELOPMENT PROPOSALS

<u>Property Designated for Acquisition</u>	<u>Block Number</u>	<u>Parcel Number</u>	<u>Reuse Parcel Number</u>	<u>Number of Months for Submission of Proposal</u>	<u>Number of Months for Execution of Agreement</u>
239-245 Tremont Street 114-116 Stuart Street	6	2,6	C-4	18	6
4 Seaver Place, Lot 109 Warrenton Street, Lots 100, 101, 102, 105, 106, Stuart Street	6	3	C-4	18	6
95-97 Warrenton Street Lot 108 Warrenton Street Lot 107 Warrenton Street	6	4 5 7	C-4 C-5 C-6	18	6
140-144 Berkeley Street 205 & 215 Columbus Avenue	15	1	C-7	18	6
357-367 Tremont Street	26	1	C-9	6	3
231-235 Harrison Avenue	49	20	R-3b	1	1

LIST OF PROPERTIES SUBJECT TO CONDITIONAL ACQUISITION, GROUP B

<u>Block</u>	<u>Parcel</u>	<u>Address</u>
18	6	37-41 Piedmont Street 60 Church
21	1	52 Church
22	1	48 Church 42 38 Winchester SW Cor 34
	2	40 Winchester 44
23	7	41-43 Church
	1	95-97 Broadway
24	1	111-115 Broadway

SECTION 403: Special Conditions

Property not designated for acquisition as shown on the Property Map may be acquired by the Boston Redevelopment Authority if such property is not made to conform to the rehabilitation standards set forth in Chapter VIII, and if the procedures prescribed in Section 808 are followed. Such an acquisition can be made only upon a finding that the property owner has failed to conform to the above rehabilitation standards and that either the property is blighted, decadent, deteriorated or deteriorating, or constitutes a non-conforming, incompatible, or detrimental land use according to the provisions of the Urban Renewal Plan.

SECTION 404: Use of Property Acquired under Special Conditions.

The Boston Redevelopment Authority may, where necessary, conduct clearance and redevelopment activities, or sell or lease for redevelopment, renewal or rehabilitation, or make any other lawful use and disposition of all or any portion of property which it has acquired under the Special Conditions set forth in Section 403. Where such property is sold or leased for redevelopment, the Authority shall establish controls relating to land use and building requirements in conformity with objectives and design principles of the Urban Renewal Plan and consistent with the requirements and controls imposed upon similar property by the provisions of the Urban Renewal Plan.

SECTION 405: Interim Use of Acquired Property

The Boston Redevelopment Authority may devote property acquired under the provisions of this Plan to temporary use prior to the time such property is needed for redevelopment. Such uses may include, but are not limited to project office facilities, parking, relocation purposes, public transportation or recreational uses, all in accordance with such standards, controls, and regulations as the Authority may deem appropriate.

CHAPTER V: RELOCATION OF FAMILIES AND INDIVIDUALS

SECTION 501: Families to be Displaced.

Approximately 130 families and 400 individuals in the Project Area are expected to be relocated. Information about the characteristics and housing needs of these households is primarily from family surveys conducted by the Boston Redevelopment Authority and by the Chinese Consolidated Benevolent Association of New England, Inc., under contract with the Authority, in the winter of 1964 and 1965. These surveys were analyzed on the basis of income, rent-paying ability, age, family-size, and similar factors.

SECTION 502: Availability of Relocation Housing.

A relocation schedule staged over a two year period will average approximately 65 household moves and 200 single person moves a year. Housing to meet these needs will become available in existing sales and rental opportunities; in units which may be available under the rehabilitation demonstration program; and in new housing construction provided for under the Plan.

SECTION 503: Relocation Program.

The Boston Redevelopment Authority will prepare and carry out a suitable relocation program which will include:

1. A trained relocation staff which will determine the needs of individuals, families and businesses to be relocated and which will render appropriate assistance to them;
2. Payments for moving expenses, as permitted under applicable regulations, to eligible individuals, families and businesses;
3. Special attention to the relocation problems of low income and elderly individuals or families;
4. The establishment of standards for relocation which will take into account the ability to pay, the location preferences and the space requirements of the individuals, families and businesses to be relocated;
5. Inspection of temporary or permanent relocation accommodations to assure that they are in compliance with applicable codes and ordinances.

CHAPTER VI: LAND USE AND BUILDING REQUIREMENTS

SECTION 601: Land Use Plan

The use of land in the Project Area shall be as shown on Map 4, Proposed Land Use Plan, which indicates proposed land uses and rights-of-way.

SECTION 602: Land Use and Building Requirements

A. General

1. The use and development of land and improvements shall be in accordance with the requirements of this section.
2. The Boston Redevelopment Authority may subdivide disposition parcels as appropriate with the permitted uses made applicable to sub-parcels. In the event of subdivision, parking requirements will be divided as appropriate.
3. The provisions of this Chapter shall apply to all disposition parcels unless specifically excepted.
4. Use controls as set forth in this Chapter shall be interpreted to permit supporting and ancillary uses which are reasonably associated with the primary use.

B. Definitions

1. Height. The vertical distance of the highest point of the roof, excluding penthouses and roof structures, above the mean grade of the sidewalk at the line of the street or streets on which the building abuts, or, in the case of a building not abutting on a street, above a given grade adjoining the building line; or as more fully defined in the Zoning Code of the City of Boston.
2. Floor Area Ratio (F.A.R.) The ratio of gross floor area of a structure or group of structures to total parcel area. Gross floor area ratio is exclusive of basements, unenclosed

porches and that portion of enclosed floor space for motor vehicle parking which is needed to meet the parking requirements contained herein.

C. Building Requirements and Restrictions

1. Landscaping and Screening. All open areas must be suitably landscaped so as to provide a visually attractive environment.
2. Off-Street Loading. Developers and owners of all buildings shall demonstrate to the satisfaction of the Authority that the off-street loading needs of the property will be met adequately, or that the lack of such loading facilities will not be detrimental to surrounding areas of the Project. In lieu of such demonstration, the following off-street loading bay guidelines shall apply:

NUMBER OF BAYS REQUIRED BY GROSS FLOOR AREA OF STRUCTURES

Gross Floor Area (in thousands of square feet)	Office & General Commercial	Retail & Wholesale
Under 15	0	0
15 - 50	1	1
50 - 100	1	2
100 - 150	2	3
150 - 300	3	4
300 & over	4*	5*

*Plus 1 for each additional 150,000 square feet.

3. Other On-Site Improvements. All improvements on the land, including buildings, landscaped areas, and parking areas, shall be properly maintained in good repair, and in clean,

sanitary and attractive condition. Sufficient and suitable refuse and garbage storage and disposal facilities, including structural enclosures where appropriate, shall be provided and properly maintained. Open storage of materials, equipment or merchandise shall not be permitted in any section of the Project Area.

4. Sign Control. Signs within the Project Area shall be restricted to an identification of the establishment and the nature of its products. All signs must be suitably integrated with the architectural design of the structure which they identify. No signs or advertising shall be placed on the exterior facade on or above the floor level of the third floor of any structure. No sign shall project above the roof of the structure on which it is mounted. The size, design, location and number of signs, the placement or replacement of any sign or any exceptions to the above controls shall be subject to the approval of the Authority.
5. Subway Facilities. Provision shall be made for subway tunnels, stations, and access facilities in accordance with the proposed Land Use Plan, and disposition parcels shall be subject to easements and other rights as appropriate in accordance therewith.
6. Utilities. The placement or replacement of all private and public utilities shall be underground.
7. Handicapped Persons Provisions. All new buildings in the Project Area shall be so designed that persons in wheelchairs can enter and leave and travel about the building in a reasonable manner without undue obstruction.

SECTION 603: Specific Land Use and Building Requirements.

Land use and building requirements for each disposition parcel and certain alternative uses are set forth in Table A, which follows. The purpose of alternative uses, where applied, is to establish an alternative use which is entirely consistent with this plan, and which may be utilized if conditions so warrant at the time of disposition.

Requirements for disposition parcels subject to Section 402 of this plan are set forth in Table B.

SECTION 604: Properties Not to be Acquired.

In the event that the Authority disposes of a re-use parcel or any subdivision of a re-use parcel to a developer who owns a contiguous parcel not part of the clearance or disposition area, the Authority reserves the right to impose such controls as are necessary on the non-acquired property to bring its use into conformity with the objectives of the Plan.

SECTION 605: Interpretation

In the event of any question regarding the meaning or construction of any or all of the land use and building requirements in this Chapter, the interpretation or construction thereof by the Authority shall be final and binding.

LAND USE AND BUILDING REQUIREMENTS
TABLE A: REQUIREMENTS FOR DISPOSITION PARCELS

<u>Site Designation</u>	<u>Permitted Uses</u>	<u>Max. F.A.R.</u>	<u>Minimum Parking Spaces</u>	<u>Ground Floor Setback</u>
R-1	Housing	8	1 per d.u.	5 ft from streets
R-2 & R-2a	Housing*	4	1 per d.u.	20 ft from frontage rd 5 ft from all other sts
R-3 & R-3a	Housing* (Alt: Public or Institutional)	4	1 per d.u.	20 ft from frontage rd 5 ft from all other sts
R-4	housing*, Institutional	8	1 per d.u. (may be provided in R-5)	20 ft from frontage rd 5 ft from all other sts
R-5	Housing*, Institutional	8	1 per d.u. (no open parking)	20 ft from frontage rd 5 ft from all other sts
R-6	Housing*	4	1 per d.u.	20 ft from frontage rd 5 ft from all other sts
R-7, R-7a & b	Housing	4	1 per d.u.	5 ft from all sts but no setback from Fayette St.
P-1	Semi-public (Alt: Housing)	4	Demonstration of Adequacy	5 ft from all streets
P-2 & P-2a	Institutional	4	" "	To be determined at time of disposition
P-3 & P-3a	Housing & Institutional	4	" "	5 ft from all streets
P-4, P-4a	Housing & Institutional	4	" "	To be determined at time of disposition
P-5	Institutional	8	" "	" " "
P-6 & P-7	Institutional, Commercial	8	" "	" " "
P-8 to P-11	Institutional	8	" "	" " "
P-12, P-12a & b	Institutional	8	" "	" " "
P-13	Public (Alt: Housing)	8	" "	" " "
P-14 & P-14a	Public Open Space	-	-	-

TABLE A - Continued

<u>Site Designation</u>	<u>Permitted Uses</u>	<u>Max. F.A.R.</u>	<u>Minimum Parking Spaces</u>	<u>Ground Floor Setback</u>
P-15	Institutional	8	Demonstration of Adequacy	To be determined at time of disposition
P-16	Public	8	" "	" " "
C-1 & C-2	Commercial	8	" "	" " "
C-3, C-3a & b	Commercial, including parking	8	" "	" " "
C-8	Commercial & Residential	8	" "	" " "

Note*: No Vehicular Access from Turnpike Frontage Road

TABLE B: REQUIREMENTS FOR PARCELS SUBJECT TO SECTION 402

<u>Parcel(s)</u>	<u>Permitted Uses</u>	<u>Maximum F.A.R.</u>	<u>Minimum Parking Spaces</u>	<u>Vehicular Access</u>
C-4, C-5 C-6 together*	Commercial	8	Demonstration of Adequacy	To be determined at time of disposition
C-7**	Commercial --	Rehabilitation controls as set forth in Chapter VIII		
C-9	Commercial and/or rehabilitation controls as set forth in Chapter VIII	4	-----	To be determined at time of disposition
R-3b	Residential --	Rehabilitation controls as set forth in Chapter VIII		

Alternative Parcelization

C-4	Commercial	8	Demonstration of Adequacy	To be determined at time of disposition
C-5	Commercial	8	" "	" "
C-6	Commercial	8	" "	" "

Conditional Acquisitions, Group B (Page 11b)

Re-use shall be in accordance with zoning requirements for these parcels.

note*: The objective of this parcelization is to encourage an integrated proposal for the 3 parcels. However, proposals for each individual parcel will also be acceptable.

note**: The objective for this parcel is to retain the present building in productive use because of its architectural merit.

CHAPTER VII: REDEVELOPER'S OBLIGATIONS

SECTION 701: Applicability.

The provisions of this Chapter shall apply to each parcel acquired upon its disposition and shall be implemented by appropriate covenants and provisions in disposition documents.

SECTION 702: Compliance with Plan.

Redevelopment of the land in the Project Area shall be made subject to the regulations and controls set forth in the Urban Renewal Plan. The purpose of such regulations and controls is to assure that the redevelopment of land within the Project Area will conform to the planning and design objectives of the Urban Renewal Plan. It is therefore the obligation of all redevelopers not only to comply with these regulations and controls but also to familiarize themselves with the overall Urban Renewal Plan and to prepare redevelopment proposals which conform to the Plan.

SECTION 703: Design Review.

All redevelopment and rehabilitation proposals will be subject to design review, comment and approval by the Boston Redevelopment Authority prior to land disposition and/or prior to the commencement of construction.

In addition to assuring compliance with the specific controls set forth in this Plan and as more specifically set forth in disposition documents, the Authority will establish design review procedures and evaluate the quality and appropriateness of redevelopment proposals with reference to the design objectives and requirements set forth in this Plan and in the disposition documents.

SECTION 704: General Obligations.

The Authority shall obligate redevelopers and purchasers of land in the Project Area, and their successors and assigns, by covenants and conditions running with the land or other appropriate means providing for reasonable action in the event of default or noncompliance by such redevelopers and purchasers;

1. To devote, develop or otherwise use such land only for the purpose and in the manner stated in the Plan;
2. To comply with such terms and conditions relating to the use and maintenance of such land and improvements thereon as in the opinion of the Authority are necessary to carry out the purpose and objectives of the Plan and of the relevant provisions of Chapter 121, Massachusetts General Laws;
3. To commence, execute and complete construction and improvements in accordance with reasonable time schedules as determined, agreed on and established by the Authority;
4. Where appropriate to give preference in the selection of tenants for dwelling units or tenants for commercial space built in the Project Area to persons displaced from such area on account of action taken pursuant to this Urban Renewal Plan, who desire to rent such dwelling units or such commercial space and who will be able to pay rents or prices equal to rents or prices charged other tenants for similar or comparable space built as a part of the same redevelopment;
5. To make adequate provisions for works of art and other amenities in accordance with the policy as established by the Authority.

SECTION 705: Disposition by Redeveloper.

The redeveloper shall not dispose of all or part of his interest within the Project Area without the written consent of the Boston Redevelopment Authority until the full completion by the re-developer of all improvements required by and in conformity with the terms and conditions of both the Urban Renewal Plan and the land disposition Agreement entered into between the Redeveloper and the Authority. Such consent shall not be granted except under conditions that will prevent speculation, protect the interest of the Boston Redevelopment Authority and the City of Boston, and effect compliance with and achieve the objectives of Chapter 121 and, where applicable, Chapter 121A, of the Massachusetts General Laws, and amendments thereto.

CHAPTER VIII: REHABILITATION

SECTION 801: Identification and Applicability

Property not designated for acquisition as shown on Map 3, Property Map, but including property designated for conditional acquisition, not acquired under Section 402, shall be made to conform with the rehabilitation objectives and standards set forth in this Chapter. All properties and buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on said Map, are to be maintained at or brought to a level which meets the standards of this Chapter.

Any property or building which is not maintained at or brought to conformity with such standards will, if appropriate, be acquired by the Boston Redevelopment Authority as provided in Sections 403 and 808.

SECTION 802: General Objectives

The basic objectives of rehabilitation activity in the Project Area shall be to secure and maintain all structures and their environment so as:

1. To prevent the spread of blight and substandard conditions;
2. To restore deteriorating areas to sound conditions;
3. To improve the quality of individual properties; and
4. To create decent, safe, and sanitary structures providing a sufficient degree of amenity, convenience, usefulness and livability for the occupants and users thereof.

SECTION 803: Planning and Design Objectives

1. To achieve land uses which will be complementary, and will not adversely affect each other;
2. To insure that nonresidential traffic generators will not create traffic congestion or other adverse effects.
3. To regulate nonconforming uses that they do not produce crowding, noise, odors, air pollution, glare, heat, vibration, dirt, and the like, and are not detrimental to the health, safety and general welfare of the community.

4. To require that the physical character of buildings be aesthetically pleasing and architecturally consistent with the surrounding neighborhood in order to eliminate deteriorating or blighting influences, to encourage neighborhood stability, maintenance of property, and a high calibre of land use; and that all open areas be attractively landscaped in order to enhance the character of the neighborhood.
5. To require that buildings be structurally sound.
6. To provide adequate off-street parking.

SECTION 804: Health Objectives.

Sanitary objectives must be attained in order to eliminate conditions which cause disease or which are otherwise detrimental to the public health and safety, and the general welfare of the community. To achieve this, all facilities necessary for adequate heat, light, plumbing, and general sanitation must be properly installed and maintained in good working condition. Structural and environmental conditions necessary for the provision of adequate space for occupants, and for healthy living conditions and use must be maintained.

SECTION 805: Safety Objectives.

Safety objectives must be achieved to prevent unsafe conditions which can cause injury to persons or damage to adjacent buildings.

To achieve this: potential fire hazards must be eliminated; unsafe conditions in yards and open spaces must be eliminated; the exterior and interior of structures and buildings and all facilities must provide maximum safety. Satisfactory means of egress must be provided.

SECTION 806: Additional Objectives for Nonresidential Rehabilitation.

The following additional objectives for nonresidential rehabilitation shall apply:

1. To require, where appropriate, that commercial, industrial, and other nonresidential traffic generators provide adequate off-street parking and loading facilities;

2. To provide for the control by users of noxious by-products of their operations;
3. To insure that any changes in the physical character of buildings to remain will be architecturally consistent with buildings in the immediate vicinity in order to eliminate deteriorating or blighting influences and to achieve an aesthetically pleasing environment, thereby encouraging neighborhood stability, maintenance of property, and maintenance of proper land uses;
4. To promote attractive landscaping in all open areas in order to enhance the character of the neighborhood;
5. To require that buildings be structurally sound;
6. To integrate signs with the over-all structural appearance that they will not adversely affect the general character or appearance of the areas;
7. To require nonresidential uses which are allowed to remain to place and maintain an appropriate landscaped or architectural screen between the commercial, industrial or other uses, and any adjoining residential uses;
8. a) To reface unfinished facades in a manner which will make them harmonious with the rest of the building;
b) To demolish and remove all nonfunctioning or nonusable mechanical equipment (and housings for same), vents, flues and chimneys; the only new structure above the present roof level to be permitted to be housings for mechanical equipment which must be of a design, detail, size, material and workmanship so as to be in harmony with the motifs of the building.

SECTION 807: Rehabilitation Standards.

All structures and buildings within the Project Area which are not designated for acquisition by the Boston Redevelopment Authority as shown on the Property Map, shall be maintained at or made to conform to:

1. The Sanitary Code of the Commonwealth of Massachusetts: "Article II, Minimum Standards of Fitness for Human Habitation."
2. The "Building Code of the City of Boston," and revisions and amendments thereto;

3. The "Fire Prevention Code" of the City of Boston, set out in Chapter 3 of the City Ordinances of 1959, and ratified by Chapter 314, Massachusetts Acts of 1962;
4. The City of Boston Zoning Code, and revisions and amendments thereto; and
5. All other applicable state and local laws, ordinances, codes and regulations. Provided, however, that deviations from such laws, ordinances, codes and regulations may be granted and approved as provided under Chapter 121A, Massachusetts General Laws, and amendments thereto, and as otherwise provided under such laws, ordinances, codes and regulations where applicable. Failure to set forth herein any provision of any such law, ordinance, code or regulation shall not be deemed to make such provision inapplicable.

SECTION 808: Inspection and Notice

The Boston Redevelopment Authority will inspect every property not designated for acquisition as shown on the Property Map.

Whenever it has been found on inspection that a residential or nonresidential property or structure does not meet the objectives, standards, and controls of Chapter VIII of this Plan, the Authority shall, within a reasonable period of time after the inspection, give notice of such nonconformance to the owner thereof. Such notice shall be in writing, addressed to the owner, and to other persons required to be notified, at their last known address, and shall be sent by certified or registered mail. Such notice shall state why it is being issued and shall specify the respects in which the property fails to meet the objectives, standards and controls of the Plan. Such notice may also set a schedule for beginning and completing each part of the work, provided that a reasonable time is allowed for the performance of any act required.

If at the end of such period, satisfactory conformance with the standards and objectives of Chapter VIII has not been achieved, the Boston Redevelopment Authority may acquire the property, pursuant to Section 403.

SECTION 809: Technical Assistance

Technical assistance for rehabilitation will be provided by the Boston Redevelopment Authority for the purpose of developing an awareness and understanding of rehabilitation objectives, standards, requirements, and methods, and for the purpose of

providing guidance in planning, design, construction, financing, and execution of individual rehabilitation activities as necessary to carry out the provisions of the Urban Renewal Plan.

SECTION 810: Property to be Acquired for Rehabilitation

Property to be acquired by the Boston Redevelopment Authority and disposed of for rehabilitation shall be made subject to the requirements of this Chapter and Chapter VI.

CHAPTER IX: ZONE DISTRICT CHANGES

SECTION 901: Identification of Changes

Proposed zone district changes are shown on Map 6: Zoning Plan submitted herewith.

CHAPTER X: RELATION OF PLAN TO LOCAL OBJECTIVES

SECTION 1001: Conformity of General Plan

The Urban Renewal Plan is in conformity with the General Plan for the City of Boston and its program for Community Improvements.

SECTION 1002: Relationship to Definite Local Objectives

1. Land Use

The Project plans will help achieve the local objectives of providing new and improved commercial and institutional space in downtown Boston and the creation of new residential units available to a wide range of income levels. The new uses will be supported by accessory uses, including a new elementary school, additional public open space, a community center, a new fire station and parking facilities.

2. Traffic Improvements

The Plan will enable selective improvement within the overall street system of the Project Area in keeping with traffic and parking requirements for the new improvements within the Project and will provide sufficient off-street loading throughout the Project. It will thus meet the local objective of reducing congestion, reducing accidents, and providing suitably located parking areas.

3. Improvement of Public Utilities

The Urban Renewal Plan proposes the relocation, abandonment or replacement, as necessary, of all existing sub-standard or inadequate underground public utilities with new underground lines adequate in capacity and flow and in conformance with local standards.

4. Recreation and Community Facilities

The Plan will provide a system of public open spaces within the Project which will facilitate pedestrian access and heighten the appeal of the new buildings. This goal is an important part of the planning objectives for the area.

CHAPTER XI: ANTI-DISCRIMINATION PROVISIONS

SECTION 1101: Affirmative Covenant

Every agreement, lease, conveyance, or other instrument by which land in the project area is disposed of for uses which may include housing or facilities related to residential use, shall include an affirmative covenant binding on the contractor, lessee, grantee, or other party to such instrument and on the successors in interest to such contractor, lessee, grantee, or other party, that there shall be no discrimination upon the basis of race, color, creed, or national origin, in the sale, lease, or rental, or in the use or occupancy of such land or any improvements erected or to be erected thereon, and the Boston Redevelopment Authority will take all steps necessary to enforce such covenants and will not itself so discriminate.

SECTION 1102: Compliance with Anti-Discrimination Laws

All property and all transactions affecting or respecting the installation, construction, reconstruction, maintenance, rehabilitation, use, development, sale, conveyance, leasing, management, or occupancy of real property within the Project Area shall be subject to the applicable provisions of Chapter 151B of the Massachusetts General Laws, and amendments thereto, and to all other applicable federal, state, and local laws prohibiting discrimination or segregation by reason of race, creed, color, or national origin.

A resolution covering non discrimination has been approved by the Boston Redevelopment Authority.

CHAPTER XII: MODIFICATION AND TERMINATION

SECTION 1201: Modification

The Urban Renewal Plan may be modified at any time by the Boston Redevelopment Authority, provided that, if the general requirements, controls, or restrictions applicable to any part of the Project Area shall be modified after the lease or sale of such part, the modification is consented to by the redeveloper or redevelopers of such part, or their successors and assigns.

Where proposed modifications will in the reasonable opinion of the Authority, substantially or materially alter or change the Plan, such modifications must also receive the necessary Federal, State and local approvals.

SECTION 1202: Termination

The provisions and requirements established in this Urban Renewal Plan shall be maintained in effect for a period of forty (40) years from the date of the original approval of the Urban Renewal Plan by the City Council and Mayor of the City of Boston, except for sections 1101 and 1102 which shall remain in effect for one hundred (100) years from said date.