

August 8, 2006

The Honorable Michael Flaherty
President
Boston City Council
One City Hall Square
Boston, MA 02201

Re: Proposed Minor Modification of the Central Business District –South Station
Urban Renewal Plan

Dear Councilor Flaherty:

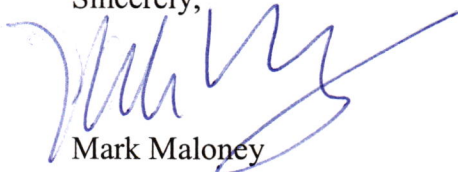
In accordance with the policies adopted by the Boston Redevelopment Authority (“BRA”) Board on December 21, 2004, with respect to proposed urban renewal actions of the BRA, I am hereby notifying the Boston City Council that the BRA proposes to adopt a minor modification to the Central Business District – South Station Urban Renewal Plan.

The purpose of the proposed BRA action is to facilitate the development of the air rights above South Station. The BRA proposes to take action on this minor modification on September 21, 2006.

I enclose copies of the proposed minor modification resolution. If you have any questions about this matter, please do not hesitate to contact Tom Miller, Director of Economic Development, at (617) 918-4424.

Thank you.

Sincerely,



Mark Maloney

cc (all with enclosures):

Members, Boston City Council
Tom Miller, BRA
Heather Campisano, BRA
Michael Kineavy, Office of the Mayor
Amy Dwyer, Office of the Mayor

**RESOLUTION OF THE
BOSTON REDEVELOPMENT AUTHORITY**

Re: Proclaimer of Minor Modification of Central Business District – South Station Urban Renewal Plan, Project No. Mass. R-82C

WHEREAS, the Urban Renewal Plan for the Central Business District – South Station Urban Renewal Area, Project No. Mass. R-82C (the “Plan”) was adopted by the Boston Redevelopment Authority (the “Authority”) on May 23, 1968, and approved, as amended, by the City Council of the City of Boston on May 12, 1969; and

WHEREAS, Section 1201 of Chapter XII of said Plan, entitled “Modification,” provides in pertinent part that the Plan may be modified at any time by the Authority without further approval where the proposed modification will not substantially or materially alter or change the Plan; and

WHEREAS, on September 26, 1991 the Authority designated TUDC LLC as the redeveloper of an air rights project to be located within the Central Business District –South Station Urban Renewal Area (the “Project Area”) and, on June 25, 1998, Hines Interests Limited Partnership, which now acts through its wholly-owned corporation, South Union Station LLC, was designated as co-redeveloper (collectively, TUDC LLC and South Union Station LLC are the “Proponents”); and

WHEREAS, the Proponents propose to construct a mixed-use project in the Project Area that will be located on portions of Parcels C-1 and C-3; and

WHEREAS, it is the opinion of the Authority that the minor modifications with respect to Parcels C-1 and C-3 are consistent with the objectives of the Plan and may be adopted within the discretion of the Authority pursuant to Section 1201 of the Plan; and

WHEREAS, the Authority is cognizant of the requirements of Massachusetts General Laws Chapter 30, Section 61 through 62H, as amended, and its implementing regulations (collectively, “MEPA”) with respect to minimizing and preventing damage to the environment; and

WHEREAS, the proposed amendments to the Plan are necessary to effectuate the redevelopment of Parcels C-1 and C-3;

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

That, pursuant to Section 1201 of the Renewal Plan for the Central Business District – South Station Urban Renewal Area, Project No. Mass. R-82C, such plan is hereby amended as follows:

1. Section 606 is amended by deleting in its entirety the requirements for Parcel C-1 and Parcel C-3 and inserting in place thereof the following requirements:

Parcel C-1

Permitted Uses: Office, commercial, transportation terminal, residential and hotel uses

F.A.R.: To be determined by the Authority

Parking: Not required; permitted ancillary to other uses only

Other Requirements: Easements for railroad use; and for MBTA entrance must be respected. For as long as a rail or bus terminal exists in the Parcel, adequate waiting room space shall be provided.

Parcel C-3

Permitted Uses: Parking, commercial, office, transportation, residential and hotel uses

F.A.R.: To be determined by the Authority

Parking: 5,200 cars maximum

Other Requirements: Easements for railroad use; and for public utility lines through the site must be respected.

2. The off-street loading requirements of Section 602(C)(2) shall not apply to Parcels C-1 and C-3 and these Parcels shall be governed by the applicable off-street loading requirements of the Boston Zoning Code.
3. That the proposed modifications are found to be minor modifications which do not substantially or materially alter or change the Plan.
4. That it is hereby found and determined pursuant to MEPA that the foregoing modifications of the Plan and any proposed development undertaken pursuant thereto, will not result in significant damage to or impairment of the environment and, further, that all practicable and feasible means and measures have been taken and are being utilized to avoid and minimize damage to the environment.
5. That all other provisions of said Plan not inconsistent herewith be, and hereby are, continued in full force and effect.

6. That the Director be, and hereby is, authorized to proclaim by certificate these minor modifications of the Plan, all in accordance with the provisions of the Urban Renewal Handbook, RHM 7207.1 Circular dated August, 1974, if applicable.

-- End --