

April 22, 2016

VIA COURIER

Brian P. Golden, Director
Boston Redevelopment Authority
Boston City Hall
One City Hall Square, 9th Floor
Boston, Massachusetts 02201

2016 APR 22 P 1:43
BRA

Re: **Planned Development Area No. 87**
Notice of Project Change: 40 Guest Street at Boston Landing

Dear Director Golden:

This Notice of Project Change (“NPC”) is being submitted on behalf of Courtside Realty, LLC (“Proponent”) under Article 80 of the Boston Zoning Code (the “Code”), to inform you of certain proposed modifications that were provided for in the Third Amendment to the Master Plan for Planned Development Area No. 87 (the “Third Amendment”) and are now detailed in the First Amendment to the Amended and Restated Development Plan for the Office Buildings / Sports Project (the “Proposed Project”) for the Boston Landing project, by Boston Landing LLC, (the “Developer”), within Planned Development Area No. 87 (the “Proposed Development”). This notification is made in accordance with the provisions of Section 80A-6 of the Code which requires that an applicant notify the Boston Redevelopment Authority (the “BRA”) of any “material change” in a proposed project or project phase and any lapse of time. The purpose of this letter is to describe the proposed modifications to the Proposed Development, and to request a Determination Waiving Further Review that the modifications will not result in any significantly increased impacts from the Proposed Project located within Planned Development Area No. 87, and, accordingly, that no further review is required under Section 80A-6 on account of the proposed modifications.

The Third Amendment, approved by the BRA on August 14, 2014, approved by the Boston Zoning Commission on September 3, 2014 and which became effective on September 5, 2014, modified the Proposed Development by (i) deleting reference to the Single Office Project; and (ii) outlined the

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construction of one or more buildings to be located on the north side of Guest Street, located west of 100 Guest Street (the New Balance World Headquarters Building), Athletes Park and 180 Guest Street (the Hotel Site), and to the east of an existing office building with an address of 20 Guest Street. The Proposed Project was described in the Third Amendment as containing up to 720,000 square feet of Floor Area, Gross and a variety of uses, such as: Office Use; Clinic Use; Research and Development Use; and sports uses that may contain venues for ice hockey and basketball, together with parking, loading, Restaurant Use, Retail Use and Service Use.

The Third Amendment, in essence, increased the total Floor Area, Gross on the north side of Guest Street, otherwise referred to as C-Block, from 650,000 to 720,000 square feet to accommodate the ice skating arena. As a result the Sports Facility, otherwise referred to as B-Block located on the south side of Guest Street, was reduced in kind from a total allowable Floor Area, Gross of 345,000 to 275,000 square feet.

Following the approval of the Third Amendment, the Developer submitted the Amended and Restated Development Plan for the Office Buildings / Sports Project, approved by the BRA on October 16, 2014, adopted by the BZC on November 19, 2014, and which became effective on November 21, 2014. This Amended and Restated Development Plan allowed for the construction of the first building on C-Block, directly west of 100 Guest Street, of two components:(i) an Office Component up to 190,000 square feet of Floor Area, Gross, which will be up to 165 feet in Building Height and which may contain Office Use, Clinic Use (but not to establish a Hospital or Institutional Use), Research and Development Use, including a Biotechnical and Laboratory Use (provided that no laboratory classified as a BSL-3 or BSL-4 shall be permitted) and Studio Production Use; and (ii) a Sports Component up to 75,000 square feet of Floor Area, Gross, which will be up to 75 feet in Building Height and may contain an ice skating rink together with locker rooms and associated office space, concession areas, and skate rentals, along with seating areas for approximately 650 spectators. The street address for this first building is 80-82 Guest Street. Construction on the first building is expected to be completed on or about September 1, 2016.

The Proposed Development within the entirety of Planned Development Area No. 87 underwent a robust community process during the Article 80B Large Project Review in 2012. On September 13, 2012 the BRA Board of Directors voted to approve what became known as the Boston Landing Project, and such vote authorized the Director to issue a Certification of Compliance and Consistency for each Future Proposed Project. Since that time there have been four (4) amendments to the PDA Master Plan along with Development Plans and Amended and Restated Development Plans to outline and provide details of each Future Proposed Project as part of the Proposed Development.

This NPC outlines and details the First Amendment to the Amended and Restated Development Plan for the Proposed Project, which provides for the second building on C-Block to be located at 40 Guest Street. The site for this second building is bounded by Life Street Extension to the east, the Massachusetts Turnpike to the north, the office building with an address of 20 Guest Street to the west, and Guest Street to the south (the "Site"). The Site will contain one building which is located on a lot

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containing approximately 1.26 acres (approximately 54,761 square feet). The Proposed Project, constitutes the second building on C-Block located at 40 Guest Street and may contain the following components (the "Components"):

(a) **The Office Component.** The Office Component will be up to 135,000 square feet of Floor Area, Gross, will be up to 99 feet in Building Height, and may contain an Office Use, Clinic Use (but not to establish a Hospital or Institutional Use), Research and Development Use, including a Biotechnical and Laboratory Use (provided that no laboratory classified as a BSL-3 or BSL-4 shall be permitted), an athletic use dedicated to private athlete training purposes that may include locker rooms, treatment areas, fitness uses, basketball uses, private food service, Studio Production Uses, and other Uses typical of a professional sports organization and their guests (which may include the hosting of private media, sponsorship and community activities) and that may include seating areas for up to 195 spectators. The Office Component will be on four (4) levels/floors. Currently, the two (2) lower floors are expected to be Office Use/Research and Development Use, and currently, the upper two (2) floors are expected to be Office Use/athletic use dedicated to private athlete training purposes.

(b) **The Restaurant, Retail and Service Component.** The Restaurant, Retail and Service Component will be up to 7,000 square feet of Floor Area, Gross, and may contain Restaurant Uses, Retail Uses and/or Service Uses, including, without limitation, Local Retail Business Uses, Take-out Restaurant Uses, Banking and Postal Uses, Bank Uses, Automatic Teller Machine Uses, Bar Uses, Barber Shop Uses, Beauty Shop Uses, yoga studio uses, and Entertainment Uses. These Uses are expected to line Guest Street, consistent with the Proposed Development.

(c) **The Parking and Loading Component.** The Parking and Loading Component will be up to 84,000 square feet of Floor Area, Gross, containing up to 190 parking spaces at Grade and two levels above Grade. Access to both the Parking and Loading Component will be by means of Life Street Extension at the western terminus of the Service Road.

A Future Proposed Project, which will entail the third building on C-Block, is anticipated within the Office Buildings / Sports Project and will be detailed in a future filing that will be entitled as the Second Amendment to the Amended and Restated Development Plan for the Office Buildings / Sports Project. The street address of this Future Proposed Project is expected to be 60 Guest Street.

Based upon the foregoing, the Proponent respectfully requests that you determine that the proposed modifications to the Proposed Development, specifically the Proposed Project described above, will not significantly increase the impacts of the Proposed Development, within the scope of the required review, and that no further review is required under Article 80B of the Code.

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Thank you very much for your consideration. Please feel free to contact me about this request.

Sincerely,

A handwritten signature in cursive script that reads "Lawrence E. Kaplan" followed by a small "lyt" monogram.

Lawrence E. Kaplan

LEK:lyt

cc: James M. Halliday
Keith C. Craig
Jay Rourke