

FACT SHEET

Application for Establishment of Planned Development Area ("PDA") Based on Approval of a Development Plan and Development Impact Project Plan for Planned Development Area No. 43

595 Commonwealth Avenue
Planned Development Area No. 43

Zoning
Commission
Action

Trustees of Boston University (the "Applicant") is requesting the Commission's approval of a Development Plan and a Development Impact Project Plan for a Planned Development Area of not less than one acre and the establishment of such a Planned Development Area. 595 Commonwealth Avenue (the "Project") will be constructed on the parcel of land bounded by a Howard Johnson motor lodge, a university residence hall, Commonwealth Avenue and Sherborne Street.

Developer

The developer of the Project is Trustees of Boston University, a Massachusetts nonprofit, educational corporation, its successors and assigns.

Legal Counsel

Legal Counsel for the Project is Hale and Dorr, 60 State Street, Boston, MA 02109.

Architect

The Project Architect is Cannon, 148 State Street, Boston, MA 02109.

Site

The development site (the "Site") for 595 Commonwealth Avenue consists of approximately 49,686 square feet, or 1.14 acres, located in the Kenmore Square area of Boston within the Boston University campus and bounded generally by a Howard Johnson motor lodge, a university residence hall, Commonwealth Avenue and Sherborne Street. A site plan is attached as Exhibit A.

General
Description
of Develop-
ment Plan

The Project will house Boston University's School of Management and administrative offices and is planned to include educational and other institutional uses, eating places, office uses, parking and uses ancillary, accessory,

incidental and/or auxiliary to any of the foregoing uses, including roadways and pedestrian areas for access through the Site. The Project will consist of a nine-story building and a three-story parking garage accommodating up to 270 cars. The gross floor area of the Project will not exceed 322,959 square feet. The parking garage will be situated below the average grade of Commonwealth Avenue as it abuts the Site.

Development
Costs

The estimated total development cost for the Project is \$70,000,000.

Real Estate
Taxes

The Applicant makes direct payments to the City of Boston in the form of taxes, in-lieu-of-tax payments, fees and permits. In 1991, the Applicant paid the City of Boston, a total of \$2,200,000. This reflects \$1,600,000 in real estates taxes, \$300,000 in in-lieu-of-tax payments and \$300,000 in fees and permits. Under a 1980 agreement with the City of Boston, the Applicant pays real estates taxes on taxable properties acquired after 1980. The Applicant will continue to pay property taxes on a portion of the Site which was acquired from Texaco. This amounts to an annual payment of \$23,714.

Anticipated
Number of
Employees

It is anticipated that the development of 595 Commonwealth Avenue will generate approximately 300 construction jobs and that approximately 480 people will be employed at the Site when the Project is completed.

Development
Impact
Project
Contribution

It is presently estimated that the Developer will contribute approximately \$1,108,500 in housing linkage payments or cause the creation of low and moderate income housing of an equivalent value pursuant to Article 26A of the Boston Zoning Code. It is also further anticipated that the Developer will make jobs linkage contributions totalling approximately \$221,700 pursuant to Article 26B of the Boston Zoning Code.

Estimated
Construction
Time

Assuming that the necessary approvals are obtained, the Applicant will proceed immediately with its construction schedule. Excavation for the garage

and subsurface and foundation work is scheduled to occur during the first quarter of 1994. It is estimated that the Project will be constructed during the period 1994 to 1995.

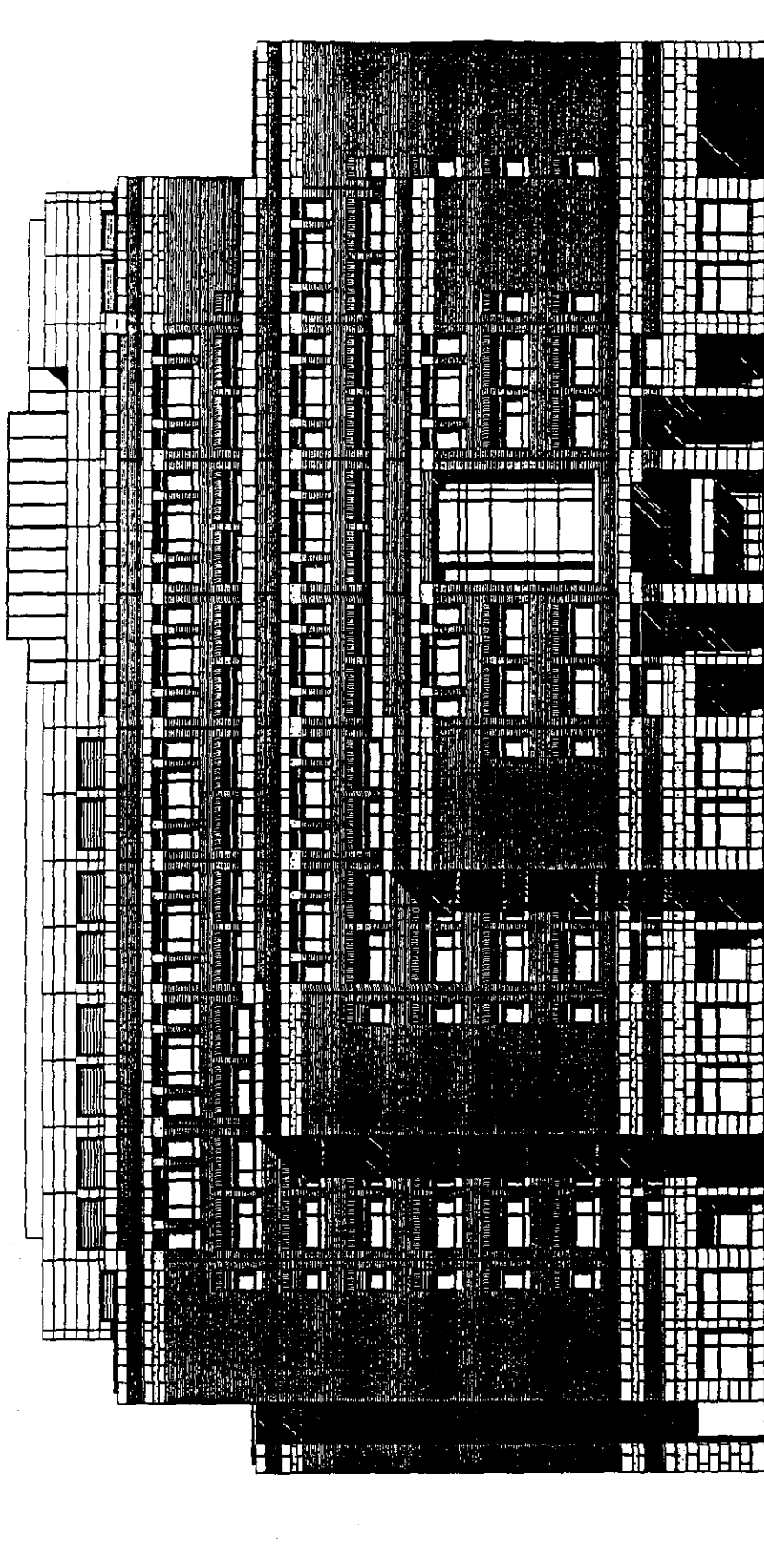
Proposed
Densities

The Site is presently zoned B-4, a Business Zoning District, with a maximum floor area ratio ("FAR") of 4.0. The Development Plan provides for an overall FAR for the Site of 6.5 based upon the ratio of 322,959 square feet of gross floor area (calculated as described in the Boston Zoning Code) to the total land area of the Site of approximately 49,686 square feet.

MAXIMUM BUILDING HEIGHTS AND GROSS FLOOR AREA

	<u>Gross Floor Area Not to Exceed (square feet)</u>	<u>Height Not to Exceed (stories/feet and inches above grade, as defined in the Code)</u>
595 Commonwealth Avenue	322,959	9 (plus mechanical penthouse)/166'2"

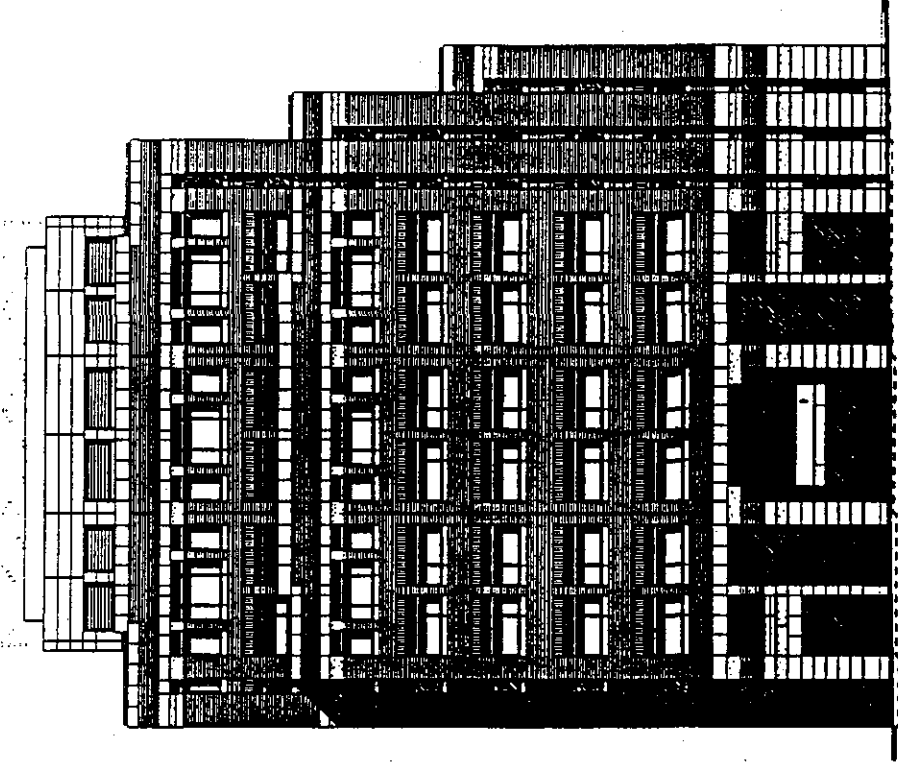
The parking garage to be located in 595 Commonwealth Avenue will be situated below the average grade of Commonwealth Avenue as it abuts the Site. Because the Code excludes from the definition of "gross floor area" any garage space which is in the basement of a building, and because the Code defines basement as "that portion of a building which is partly or completely below grade", the floor space devoted to parking which is to be located in 595 Commonwealth Avenue is not included in the "gross floor area" figure provided on this table or elsewhere in this Development Plan.



BOSTON UNIVERSITY
SCHOOL OF MANAGEMENT

SOUTH ELEVATION
(9 STORY BUILDING)

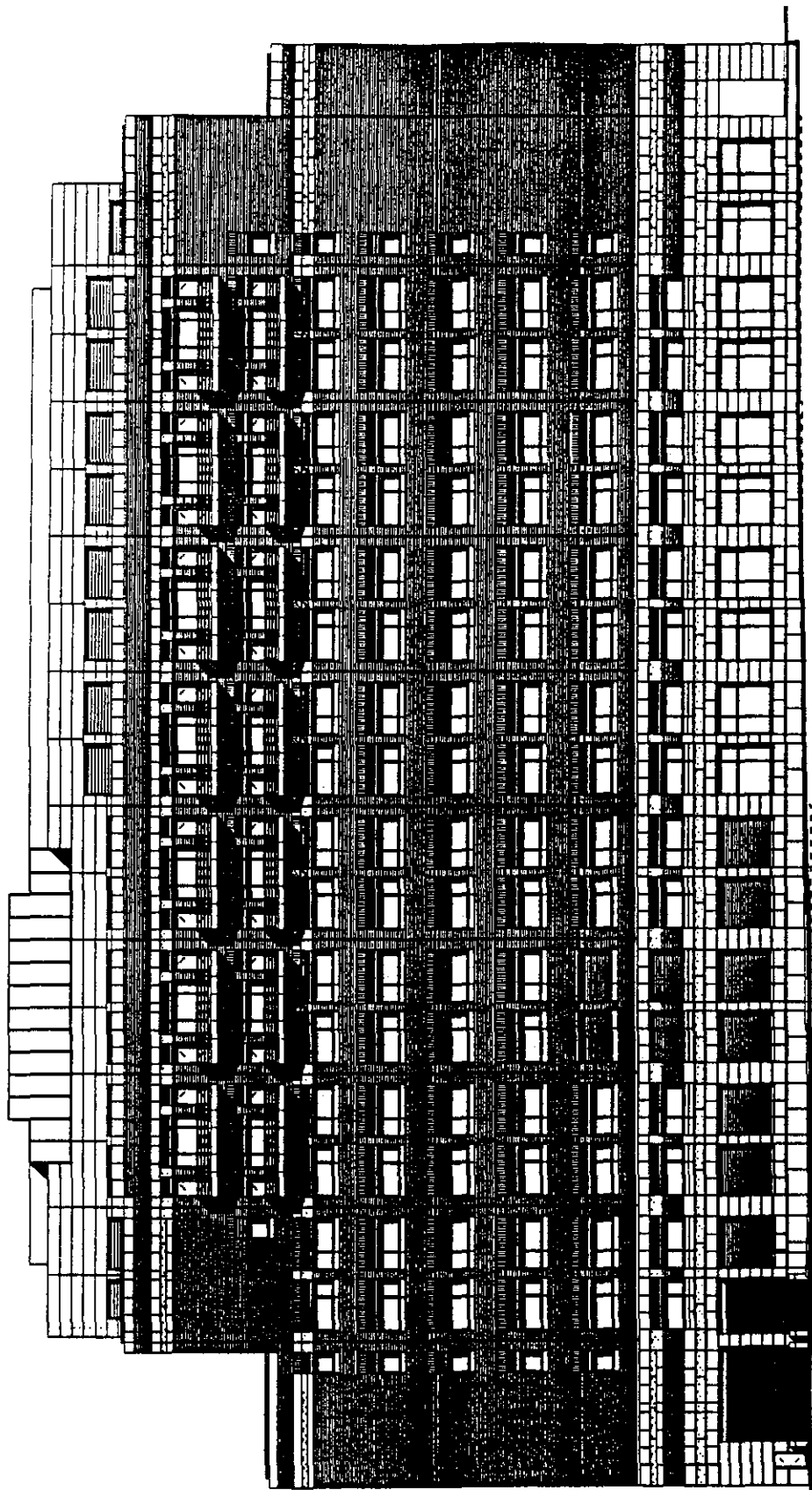
7 JUNE 1993



BOSTON UNIVERSITY
SCHOOL OF MANAGEMENT

WEST ELEVATION
(9 STORY BUILDING)

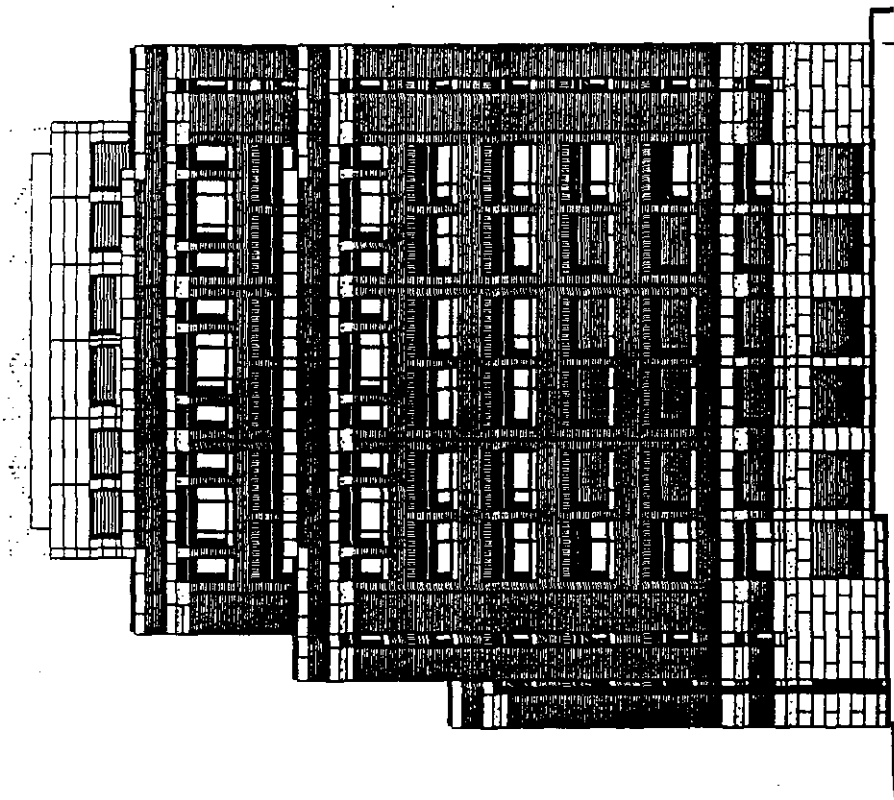
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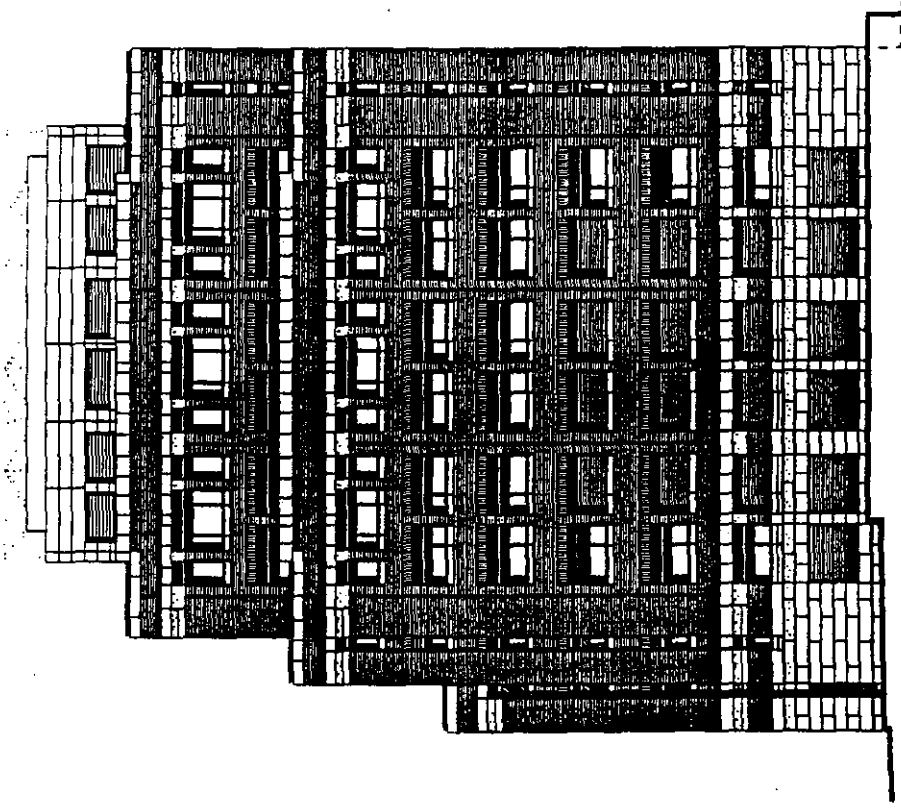


BOSTON UNIVERSITY
SCHOOL OF MANAGEMENT

NORTH ELEVATION
(9 STORY BUILDING)

7 JUNE 1993

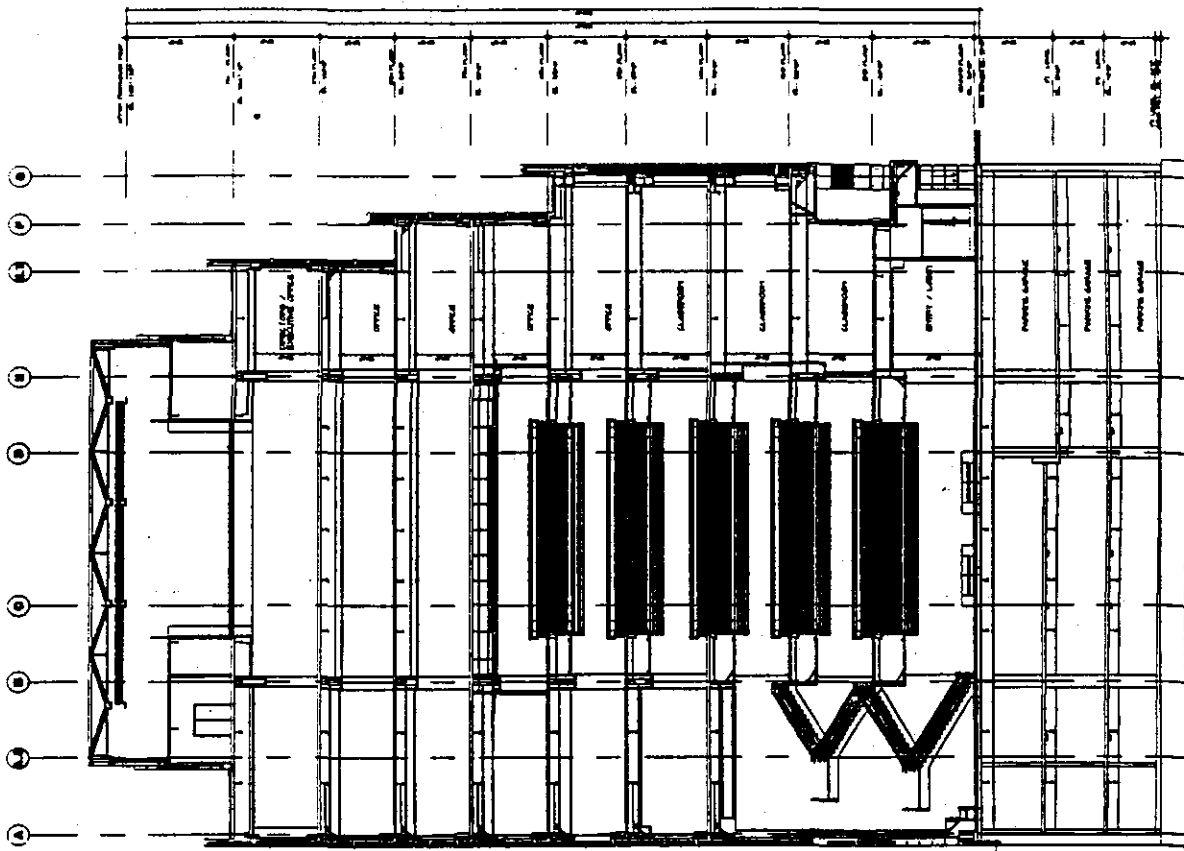




BOSTON UNIVERSITY
SCHOOL OF MANAGEMENT

EAST ELEVATION
(9 STORY BUILDING)

7 JUNE 1993



BOSTON UNIVERSITY
SCHOOL OF MANAGEMENT

BUILDING SECTION
(9 STORY BUILDING)

7 JUNE 1993

EXHIBIT F
to PDA Development Plan
(exhibit begins on next page)

TABLE OF PROPOSED USES

<u>USE NO.</u>	<u>USE</u>
16A	College or university granting degrees by authority of the Commonwealth of Massachusetts
18	Trade, professional or other school
20A	Library or museum not conducted for profit, and accessory to, a use listed under Use Item No. 16A, 18, 22, 23, or 24, whether or not in the same lot
24	Scientific research and teaching laboratories not conducted for profit and accessory to a use listed under Use Item No. 16, 16A, 18, 22, or 23, whether or not on the same lot, provided that all resulting cinders, dust, flashing, fumes, gases, odors, refuse matter, smoke and vapor are effectively confined to the lot or so disposed of as not to be a nuisance or hazard to health or safety; and provided also that no noise or vibration is perceptible without instruments more than fifty feet from the lot or any part of the lot.
29	Adult education center building
34	Store primarily serving the local retail business needs of the residents of the neighborhood, but not constituting a business as described in Use Item No. 34A, including, but not limited to, store retailing one or more of the following: food, baked goods, groceries, packaged alcoholic beverages, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware and minor household appliances
36A	Sale over the counter, not wholly incidental to a use listed under Use Item

- No. 34 or Use Item No. 37 or Use Item No. 50, of on-premises prepared food or drink for off-premises consumption or for on-premises consumption if, as so sold, such food or drink is ready for take-out
- 37 Lunch room, restaurant, cafeteria or other place for the service or sale of food or drink for on-premises consumption, provided that there is no dancing nor entertainment other than phonograph, radio and television, and that neither food nor drink is served to, or consumed by, persons while seated in motor vehicles
- 38 Place for sale and consumption of food and beverages (other than drive-in restaurant) providing dancing or entertainment or both; theatre (including motion picture theatre but not drive-in theatre); concert hall; dance hall; ... provided that such establishment is customarily open to the public at large and does not exclude any minor by reason of age as a prevailing practice
- 39 Office of accountant, architect, attorney, dentist, physician, or other professional person, not accessory to a main use
- 40 Real estate, insurance or other agency office
- 41 Office building, post office, bank (other than drive-in bank) or similar establishment
- 59 Parking garage
- 71 Any use on a lot adjacent to, or across the street from, but in the same district as, a lawful use to which it is ancillary and ordinarily incident and for which it would be a lawful accessory use if it were on the same lot; any such use on such a lot in another district unless such use is

ANTICIPATED ZONING EXCEPTIONS

Use Item Nos. 16A, 18, 20A, 24, 36A, 59, 71, 72, 79 and 85

3-1A(c) Restricted Parking District

11 Signs

22 Yard Regulations

<u>Article</u>		<u>Requirements</u>	<u>Proposed</u>
15	Floor Area Ratio	4.0	6.5
19	Side Yards	East - 16.75'	.17'
20	Rear Yards	20'	8.5'
21	Setbacks of Parapet	North - 81.2' South 31.2' East - 50.2' West - 20.2'	North 8.5' South - none East - .17' West - 20.66'
24	Off-Street Loading	5	3, with one devoted to a trash compactor/dumpster

As required by the Code, the calculation of parapet, setback requirements set forth above is based on the formula $\frac{H+L}{6}$ and the provisions of Article 21. Determining the applicable requirement for each face of a building wall, as anticipated by the Code, would require several calculations for each side of the building because of the numerous setbacks in building depth and height. Instead, the requirements set forth above are based upon the "worst case", viewing each side of the building as a whole, by inserting the maximum height and length of each side of the building into the formula. The proposed parapet setbacks of the building are the minimum anticipated setback from lot lines of each side of the building although these numbers (like the side yard and rear yard parapet setbacks) may change based upon continuing development review.

BRA ANNUAL: 6/24/93
ZC ANNUAL: 8/18/93
EFFECTIVE: 9/2/93

BOSTON REDEVELOPMENT AUTHORITY
DEVELOPMENT PLAN
and
DEVELOPMENT IMPACT PROJECT PLAN
for
PLANNED DEVELOPMENT AREA NO. 43

595 Commonwealth Avenue
Trustees of Boston University

June 10, 1993

Development Plan: In accordance with Section 3-1A of the Boston Zoning Code (the "Code"), this development plan and development impact project plan (the "Development Plan") sets forth information on the proposed development (the "Project") of 595 Commonwealth Avenue, a site of approximately 1.14 acres (the "Site"), including the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the Site, densities, proposed traffic circulation, parking and loading facilities, access to public transportation and proposed dimensions of structures. This Development Plan represents the first stage in the planning process for the improvement of the Site. In the next stages of the development process, design development plans and final plans and specifications for the Project will be submitted to the Boston Redevelopment Authority (the "BRA") pursuant to Section 3-1A of the Code for final design review approval and certification as to consistency with this Development Plan. This Development Plan consists of 6 pages of text plus attachments designated Exhibits A through G. All references to this Development Plan contained herein shall pertain only to such 6 pages and exhibits. Exhibits A through G are subject to final design, environmental and other development review by the BRA and by other governmental agencies and authorities. This Development Plan is also intended to satisfy the requirements of Article 26A and Article 26B of the Code regarding Development Impact Project Plans.

Developer: Trustees of Boston University, a Massachusetts nonprofit, educational corporation, its successors and assigns (the "University").

Location and Description of Site: The Site consists of a parcel of land containing approximately 49,686 square feet or approximately 1.14 acres, located at 595 Commonwealth Avenue, Boston, Suffolk County, Massachusetts, as more particularly bounded and described in Exhibit A attached hereto and as shown on a plan entitled "Topographic Site Plan Boston University 587-599 Commonwealth Avenue Boston, Mass", dated January 6, 1992, revised February 11, 1992, October 29, 1992, March 23, 1993 and April 27, 1993, prepared by Harry R. Feldman, Inc. and attached hereto as Exhibit B.

Proposed Location and Appearance of Structures: As currently planned, the Project will include the construction of a single structure ("595 Commonwealth Avenue"), rising nine (9) stories above the grade of Commonwealth Avenue. This above-grade structure will be constructed above a three (3) level parking facility located below the grade of Commonwealth Avenue. It is currently anticipated that 595 Commonwealth Avenue will be located approximately as shown on Exhibit C attached hereto. 595 Commonwealth Avenue will have heights and a gross floor area not in excess of those set forth on Exhibit D attached hereto. All references herein to "gross floor area" refer to that term as defined in the Code.

The elevations and the building section attached hereto as Exhibit E illustrate the general appearance of 595 Commonwealth Avenue. The final location and appearance of 595 Commonwealth Avenue are subject to final design, environmental and other development review by the BRA and other governmental agencies and authorities.

Incidental to the construction of the Project will be the demolition of the buildings currently located on the Site.

Proposed Open Spaces and Landscaping: The creation of new landscaping along Commonwealth Avenue and Sherborn Street as well as new sidewalk materials and other streetscape improvements are presently planned in connection with the Project. These improvements will include a variety of paving materials, lighting, trees, shrubs and ground cover.

Proposed Uses of the Area: The Project is planned to include educational and other institutional uses, eating places, office uses, parking and uses ancillary, accessory, incidental and/or

auxiliary to any of the foregoing uses, including roadways and pedestrian areas for access through the Site. The proposed uses planned for the Project may include those uses listed in Exhibit F attached hereto.

Proposed Dimensions of Structures: 595 Commonwealth Avenue will have heights and a gross floor area not in excess of those set forth on Exhibit D attached hereto. Upon establishment of the PDA, the Site will be located in a B-4-D zoning district. In such districts, relief from the requirements of the Code may be sought as exceptions pursuant to Article 6A of the Code. Exhibit G attached hereto sets forth a list of anticipated zoning exceptions required for the Project. Because the design of the Project is subject to further design, environmental and other development review by the BRA and other governmental agencies and authorities, the zoning relief required for the Project may change correspondingly.

Proposed Densities: The Site is located in a B-4, General Business Zoning District, in which the maximum floor area ratio ("FAR") under the Code is 4.0. This Development Plan provides for an overall FAR of 6.5 for the Site based upon the ratio of 322,959 square feet of gross floor area (calculated as described in the Code) to the existing land area of the Site of approximately 49,686 square feet.

Development Impact Project Contribution: As required under Section 26A-3 of the Code, the University will enter into a Development Impact Project Agreement (the "DIP Agreement") with the BRA and will be responsible for making a Development Impact Project Contribution (the "DIP Contribution") with regard to the Project, to the extent required by the DIP Agreement. As required under Section 26B-3 of the Code, the University will also be responsible for making a Jobs Contribution with regard to the Project, to the extent required by the DIP Agreement. It is anticipated that 595 Commonwealth Avenue will contain approximately 321,700 square feet of gross floor area devoted to certain uses enumerated in Table D of Article 26A of the Code and Table E of Article 26B of the Code, including, without limitation, use No. 16A under the Code and other institutional and educational uses.

Projected Number of Employees: It is estimated that the Project will generate approximately 300 construction jobs in the City of Boston and that approximately 480 people will be employed at the Site when the Project is completed.

Proposed Traffic Circulation: Vehicular access to and egress from 595 Commonwealth Avenue is expected to be on Commonwealth Avenue and Sherborn Street. Current plans provide for an entrance to the parking garage to be located along the southeast corner of 595 Commonwealth Avenue. Interior circulation within the garage will be via a ramp system.

Proposed Parking and Loading Facilities: The garage planned for the Site will provide up to 270 parking spaces. As currently planned, the Project will include a three bay loading dock with one bay being devoted to a trash compactor/dumpster.

Access to Public Transportation: The Site is located on the Commonwealth Avenue branch of the MBTA Green Line. A trolley stop is located directly in front of the Site, on Commonwealth Avenue at Sherborn Street. MBTA buses running between Watertown and Kenmore Square travel along Commonwealth Avenue with a stop at the corner of Commonwealth Avenue and Sherborn Street, and MBTA buses running between Central Square in Cambridge and Boston City Hospital in the South End also travel along Commonwealth Avenue with a stop at the BU Bridge. In addition, Kenmore Square, to the east of the Site, is a major public transportation hub.

Development Review Procedures: All design plans for the Project are subject to ongoing development review and approval by the BRA. Such review is to be conducted in accordance with the BRA's "Development Review Procedures" dated 1985, revised 1986 in the form attached to, and as affected by, the Cooperation Agreement for the Site.

Public Benefits: The Project is expected to result in positive benefits to the City and to several neighborhoods which are adjacent to or near the University. These public benefits are expected to include (1) added vitality and safety along sections of Commonwealth Avenue and Sherborn Street bordering the Site, (2) the satisfaction of urban design objectives by filling the visual gap presented by the existing uses of the site, (3) the creation of a visual gateway at the eastern end of the University's Commonwealth Avenue campus, (4) pedestrian improvements with new landscaped areas and streetscaping elements, (5) improved pedestrian and traffic safety along Commonwealth Avenue, (6) the expansion of markets for Kenmore Square area businesses due to an influx of students and University employees and (7) providing that abutting landowners approve, the paving of the alley to the rear of the Site, leading to improved access and safety.

From a financial and economic perspective, the Project is expected to contribute significantly to Boston's economy by adding

approximately 300 construction jobs in the City of Boston. It is also anticipated that approximately 480 people will be employed at the Site when the Project is completed. With approximately 9,600 employees, the University is among the largest private employers in Boston.

Attachments:

- Exhibit A: Legal Description
- Exhibit B: Plan entitled "Topographic Site Plan Boston University 587-599 Commonwealth Avenue Boston, Mass"
- Exhibit C: Plan showing approximate location of 595 Commonwealth Avenue
- Exhibit D: Maximum Building Heights and Gross Floor Area
- Exhibit E: Elevations and Building Section
- Exhibit F: Table of Proposed Uses
- Exhibit G: Anticipated Zoning Exceptions

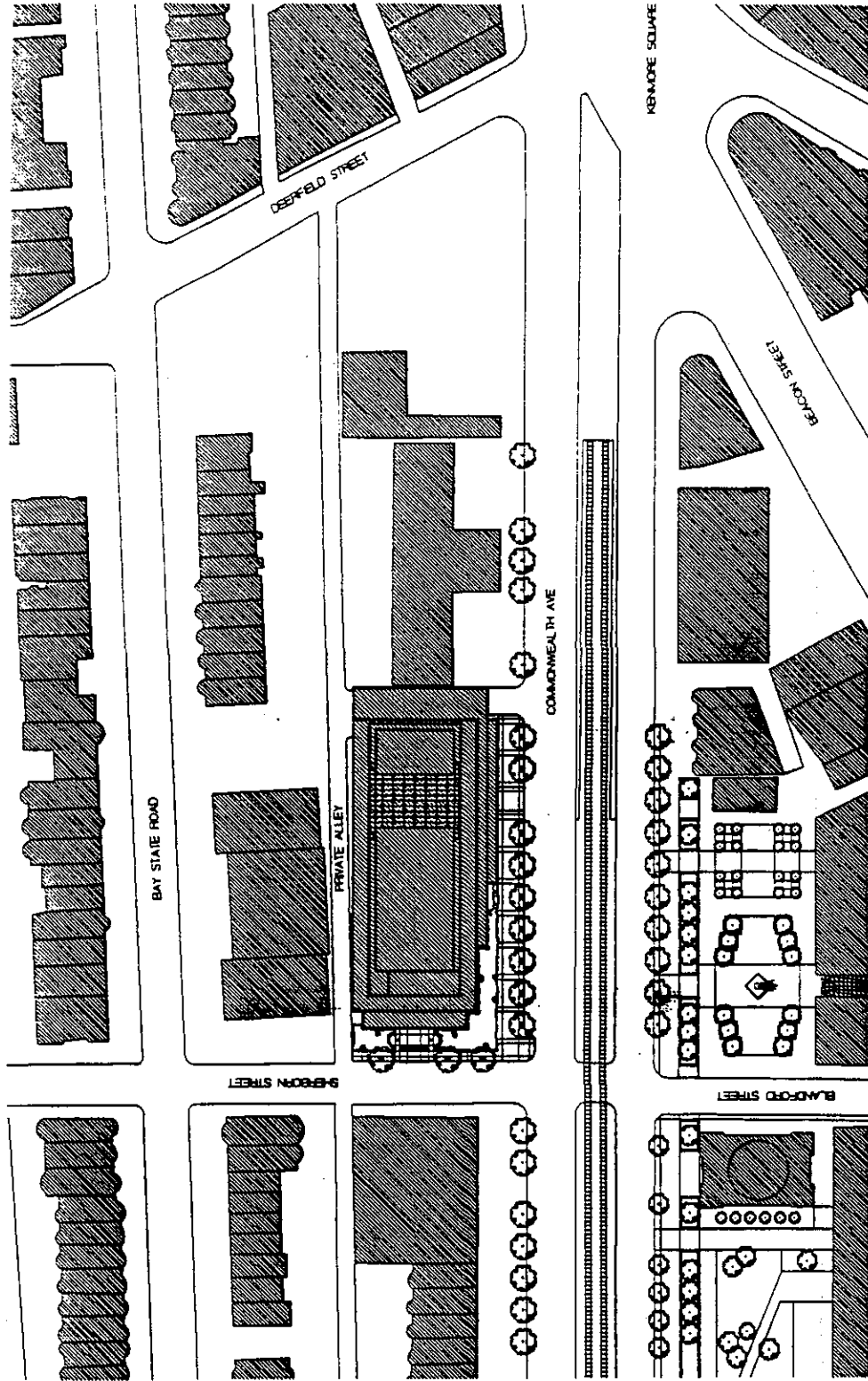
EXHIBIT A
to PDA Development Plan
(exhibit begins on next page)

A parcel of land, in Boston, Suffolk County, Massachusetts, shown on a plan entitled "Topographic Site Plan Boston University 587-599 Commonwealth Avenue Boston, Mass", dated January 6, 1992, revised February 11, 1992, October 29, 1992, March 23, 1993 and April 27, 1993, prepared by Harry R. Feldman, Inc., bounded and described according to said plan as follows:

SOUTHERLY	by Commonwealth Avenue, 341.50 feet;
WESTERLY	by Sherborn Street, 142.00 feet;
NORTHERLY	by the center line of a Private Alley, 341.42 feet; and
EASTERLY	by land now or formerly of Louis Puro, Trustee, 141.00 feet.

Containing 49,686 square feet according to said plan.

EXHIBIT C
to PDA Development Plan
(exhibit begins on next page)



SITE PLAN

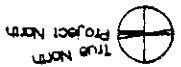


EXHIBIT D
to PDA Development Plan
(exhibit begins on next page)

MEMORANDUM

JUNE 24, 1993

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PAUL L. BARRETT, DIRECTOR

FROM: BEVERLEY E. JOHNSON, ASSISTANT DIRECTOR FOR
INSTITUTIONAL PLANNING AND DEVELOPMENT
E. OWEN DONNELLY, DEPUTY DIRECTOR
LAWRENCE BROPHY, SENIOR PLANNER

SUBJECT: PUBLIC HEARING CONCERNING A DEVELOPMENT IMPACT
PROJECT PLAN AND A PLANNED DEVELOPMENT AREA
DEVELOPMENT PLAN SUBMITTED BY BOSTON UNIVERSITY IN
CONNECTION WITH THE PROPOSED SCHOOL OF MANAGEMENT
PROJECT

SUMMARY: This project was taken under advisement by the Board at the June 10, 1993 meeting. This memorandum requests that the Authority:

- (1) Approve the Development Plan and Development Impact Project Plan submitted by Boston University in connection with the proposed School of Management Project ("the Development Plan");
- (2) Authorize the Director to enter into a Development Impact Project Agreement and a Cooperation Agreement with Boston University;
- (3) Authorize the Director to petition the Zoning Commission for the designation of the Planned Development Area;
- (4) Authorize the Director to recommend approval, conditional upon design review, of the petition to the Board of Appeal for zoning relief in connection with the Proposed Project;
- (5) Authorize the Director to issue an Adequacy Determination upon completion of the Authority's Article 31 Development Review Process;
- (6) Approve the Schematic Design; and
- (7) Authorize the Director to take all actions and execute all documents deemed necessary and appropriate relative to the Development Plan.

INTRODUCTION

On June 10, 1993, the Boston Redevelopment Authority held a public hearing concerning the Development Plan and the Development Impact Project Plan submitted by Boston University in connection with the proposed School of Management Project. At the conclusion of the hearing, the Authority voted to take the project under advisement so that issues raised could be addressed. On June 21, 1993, the Director met with representatives of area residents to discuss their concerns. Sufficient

SBMEM/24
062493/1

agreement was reached at the meeting to confirm that the outstanding issues can be resolved as a part of the completion of the Authority's Article 31 process.

Boston University proposes to construct a School of Management and an executive administration center on their Charles River campus at 595 Commonwealth Avenue. The proponent requests approval of a Development Impact Project Plan and a Planned Development Area Development Plan. Boston University has voluntarily agreed to have the project undergo a review process pursuant to Article 31 of the Boston Zoning Code. The Proposed Project (the "Proposed Project") was programmed in the Boston University Master Plan 1986-1996 which was approved by the Boston Redevelopment Authority on March 26, 1987.

PROJECT DESCRIPTION

Boston University proposes to construct a \$70 million new School of Management and administration center at 595 Commonwealth Avenue. The Proposed Project will be privately financed. The building will contain approximately 321,700 square feet of gross floor area devoted to academic and administrative uses and 270 parking spaces on three levels below grade. The new facilities will accommodate the School's enrollment of approximately 3,400 graduate and undergraduate students and 112 full-time and 81 part-time faculty. The need for the new building is not only created by expanded programs over the years but also by the changes in teaching techniques and technology. The building will contain specialized classrooms, small case-study rooms, extensive computer facilities, a library, an auditorium, offices and support facilities. The structure will contain 9 stories and have a floor-area-ratio (FAR) of 6.5. The public sidewalks adjacent to the site will be landscaped.

The Project is located on the Boston University campus at the corner of Commonwealth Avenue and Sherborne Street near Kenmore Square. The site is approximately 49,686 square feet or 1.14 acres in size. Currently the parcel is used as a parking lot with a capacity of 181 cars and is located in a B-4 zone. The site is bounded by a Howard Johnson Motor Lodge (owned by Boston University) to the east, a University residence hall to the north, Commonwealth Avenue to the south, and Sherborne Street to the west. The buildings in the area contain a mix of commercial, academic, and residential uses. The more prominent buildings in the area have a FAR range of 5.5 to 8. The site is adjacent to the Bay State Road-Back Bay West Historic District to the north. The majority of buildings along this section of Bay State Road are owned by Boston University.

BOSTON UNIVERSITY MASTER PLAN

In 1987, Boston University completed a Master Plan for its Charles River campus through 18 months of cooperative effort with community residents, area merchants, University officials and representatives of the City of Boston and the Boston Redevelopment Authority. In order to facilitate the participation of the community

interests in the planning process, a University Task Force was organized to function as the mechanism for facilitating the review process. The Boston Redevelopment Authority approved the Master Plan on March 26, 1987. Among other provisions, the Plan identifies a number of major parcels on campus that the University envisions as potential development sites within a ten year timeframe. In the Plan each site was analyzed and appropriate uses were proposed. The Proposed Project is located on a portion of Site Q. The Master Plan calls for the development of the School of Management on Site Q, along with other contemplated uses including expanded hotel facilities, a conference center, office, retail and other uses.

PROJECT REVIEW

Boston University has voluntarily agreed to comply with the Development Review Requirements set forth in Article 31 of the Boston Zoning Code. Accordingly, Boston University submitted a Project Notification Form to the BRA on August 25, 1992 and a Draft Project Impact Report on February 22, 1993. The University is currently preparing a Final Project Impact Report.

Community review of the Proposed Project has taken place within the context of the Article 31 process. Meetings have also been held with the Boston University Task Force which was established during the master planning process. In response to concerns raised by the community, Boston University has reduced the height of the project. The University Task Force has voted to support the project.

On March 19, 1993, the Executive Office of Environmental Affairs issued a determination that the Proposed Project would require the preparation of an Environmental Impact Report by Boston University. This report is currently being prepared.

BOSTON CIVIC DESIGN COMMISSION REVIEW

The Proposed Project was initially presented for review to the Boston Civic Design Commission (BCDC) on May 5, 1992. At that time, the Project was referred to the Subcommittee on Design of the BCDC. Several working meetings were held between the Subcommittee and the project proponent. Issues related to density and massing were not resolved to the satisfaction of both parties. On March 3, 1993 the BCDC voted to recommend disapproval of the project. The BCDC vote included a recommendation that the overall height of the building be reduced by at least two floors and that the massing also be reduced. Subsequently, Boston University reduced the project size from 366,000 GSF to 321,700 GSF (11%), reduced the project height the equivalent of two floors and reduced the FAR from 7.7 to 6.5 (15%).

TRANSPORTATION ACCESS PLAN AGREEMENT

The Proposed Project has been reviewed by the Boston Transportation Department. A Transportation Access Plan Agreement has been prepared and includes mitigation measures and provisions for the Proposed Project. A TAP Agreement satisfactory to the Commissioner of BTD will be executed prior to the issuance of a building permit for the construction of the Proposed Project.

THE GENERAL PLAN FOR THE CITY AS A WHOLE

In approving a development plan or a development impact project plan, the Authority must find that such plan conforms to the general plan for the City, as a whole.

By turning an underutilized site into a School of Management and Administration Center, the project will convert the site into a physical and financial asset and will improve land values and provide economic stimulus. By using materials and designs which are harmonious with the surrounding neighborhood, the Project will strengthen the neighborhood without compromising the historic and architectural integrity of the area. The project is consistent with the official general plan of the City as a whole as well as the "Boston University Charles River Campus Master Plan - 1986-1996."

With respect to this project, it has also been determined that nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare. Instead, the project will provide numerous positive impacts. Set forth below are some of the benefits which the public will receive as a result of the Proposed Project.

PUBLIC BENEFITS

The Proposed Project is a "Development Impact Project" (DIP) under Articles 26A and 26B of the Boston Zoning Code and therefore subject to housing and job linkage obligations. The DIP Agreement anticipates that approximately \$1,108,500 in housing linkage funds and approximately \$221,700 in job linkage funds will be generated by the Project.

The project cost is estimated to be \$70 million and will generate approximately 300 construction jobs over a three year period. From a financial and economic perspective, the project is expected to contribute significantly to Boston's economy. It is anticipated that approximately 480 people will be employed at the site when the project is completed. With approximately 9,600 employees, the University is among the largest private employers in Boston.

Additionally, the project is expected to result in positive benefits to the City and to several neighborhoods which are adjacent to or near the University. These public benefits are expected to include (1) added vitality and safety along sections of

Commonwealth Avenue and Sherborne Street bordering the site; (2) the satisfaction of urban design objectives by filling the visual gap presented by the existing uses of the site; (3) the creation of a visual gateway at the eastern end of the University's Commonwealth Avenue campus; (4) pedestrian improvements with new landscaped areas and streetscaping elements; (5) improved pedestrian and traffic safety along Commonwealth Avenue; (6) the expansion of markets for Kenmore Square area businesses due to an influx of students and University employees; and (7) providing that abutting landowners approve, the paving of the alley to the rear of the site, leading to improved access and safety.

Boston University makes direct payments to the City of Boston in the form of taxes, in-lieu-of-tax payments, fees, and permits. In 1991, the University paid the City of Boston a total of \$2.2 million. This reflects \$1.6 million in real estate taxes, \$300,000 in-lieu-of-tax payments, and \$300,000 in fees and permits. Under a 1980 agreement with the City of Boston, Boston University pays real estate taxes on taxable properties acquired after 1980. Boston University will continue to pay property taxes on a portion of the Proposed project site which was acquired from Texaco. This amounts to an annual payment of \$23,714.

CONCLUSION

The Proposed Project is critically important to the sensible growth of the Kenmore Square area. The urban design elements of the Proposed Project reflect the needs of Kenmore Square, while respecting the public goals and guidelines established for development in Boston, and the Proposed Project will aid the City financially. Further, the Development Plan satisfies the criteria for Development Plans and Development Impact Project Plans set forth in Sections 3-1A, 26A-3 and 26B-3 of the Code and otherwise complies with Sections 3-1A, 26A-3 and 26B-3 of the Code.

Additionally, the extensive review process has altered the project reducing its height and bulk, thereby resulting in a building more compatible with the surrounding community. An understanding has been reached with area residents regarding their concerns which provides a sound basis for resolving outstanding issues during the completion of the Article 31 process. In light of these improvements and the public benefits from the Proposed Project, BRA staff recommends that the Authority:

(1) approve the attached Development Plan and Development Impact Project Plan and authorize the Director to execute the attached Development Impact Project Agreement and the Cooperation Agreement for the Proposed Project; (2) authorize the Director to petition the Zoning Commission for the designation of the Planned Development Area; (3) authorize the Director to recommend approval, conditional upon design review, of the petition to the Zoning Board of Appeal for conditional use permits, variances, or exceptions required in connection with the Proposed Project; (4) authorize the Director to issue an Adequacy Determination with respect to the Final Project Impact Report upon completion of the Article 31 review process; (5) approve the Schematic Design;

and (6) authorize the Director to take all actions and execute all documents deemed necessary and appropriate relative to the Development Plan.

Appropriate votes follow:

- VOTED:** That with respect to the Proposed Project at 595 Commonwealth Avenue (the "Proposed Project"), presented to the Boston Redevelopment Authority at a public hearing on June 10, 1993 by Boston University (the "Applicant" or the "University"), the Boston Redevelopment Authority hereby issues the following findings, approvals, and authorizations:
- VOTED:** That in connection with the Development Plan and Development Impact Project Plan for Planned Development Area No. 43 (the "Development Plan"), presented at a public hearing duly held at the offices of the Boston Redevelopment Authority (the "Authority") on June 10, 1993 and after consideration of evidence presented at, and in connection with, the hearing and in connection with the proposed development described in the Development Plan, including a report entitled "Boston University School of Management Draft Project Impact Report," submitted by the University to the Authority and dated February, 1993, the Authority finds with respect to the Development Plan that (1) the Development Plan conforms to the general plan for the City as a whole; (2) nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare; and (3) the Development Plan does adequately and sufficiently satisfy all other development plan criteria and specifications for a Planned Development Area and for a Development Impact Project Plan, as set forth in the Boston Zoning Code, as amended (the "Code"); and further
- VOTED:** That the form and substance of the Development Plan and Development Impact Project Plan, and the procedures employed in reviewing and approving the Development Plan and Development Impact Project Plan, conform with the requirements of the Code as applied to a Development Plan for a Planned Development Area under Section 3-1A of the Code and a Development Impact Project Plan under Articles 26A and 26B of the Code; and further
- VOTED:** That the Authority hereby waives any procedural requirements of the Authority's "Zoning Procedures for the Master Plan/PDA" dated March 14, 1986 with which the request submitted by the Applicant for a Planned Development Area designation for the parcel of land which is the subject of the Development Plan and for approval of the Development Plan is not in conformity; and further

VOTED: That pursuant to the provisions of Section 3-1A and Articles 26A and 26B of the Code, the Authority hereby approves the Development Plan and the Development Impact Project Plan. The Development Plan and the Development Impact Project Plan is embodied in a written document entitled "Development Plan and Development Impact Project Plan for Planned Development Area No. 43," dated June 10, 1993, consisting of 6 pages of text plus attachments designated Exhibits A through G, and is attached hereto as Exhibit A. The Development Plan shall be on file at the office of the Authority; and further

VOTED: That with respect to the Development Impact Project Agreement and the Cooperation Agreement presented to the Authority at its public hearing on June 10, 1993, the BRA hereby authorizes the Director in the name and on behalf of the Authority (1) to execute (a) a Development Impact Project Agreement for the Proposed Project, in the form attached hereto as Exhibit B with such changes as deemed necessary and appropriate by the Director and the Chief General Counsel; and (b) to execute all other necessary agreements and documents incidental to the Development Plan with such changes as the Director and Chief General Counsel determine to be necessary or desirable; (2) to execute a Cooperation Agreement in the form attached hereto as Exhibit C with such changes as deemed necessary and appropriate by the Director and the Chief General Counsel; and (3) to certify in the name of the Authority that plans submitted to the Inspectional Services Commissioner in connection with said project are in conformity with said Development Plan, the Director's certification to be conclusive evidence of said determination; said agreements to be on file in the Office of the Authority; and further

VOTED: That the BRA hereby authorizes the Director to petition the Zoning Commission of the City of Boston (the "Commission") for a Planned Development Area designation for the parcel of land which is the subject of the Development Plan for Planned Development Area No. 43 and to recommend to the Commission that it approve such petition and the Development Plan pursuant to Section 3-1A of the Code; and further

VOTED: (a) That whereas in order for the Board of Appeal of the City of Boston (the "Board of Appeal") to grant certain exceptions from the provisions of the Boston Zoning Code, including exceptions with respect to the floor area ratio, setbacks, yard requirements, certain other dimensional features of the Development, parking, loading, uses, and procedural requirements in accordance with

Section 6A-3 of the Code, it must find (1) that each requested exception is "in harmony with the general purpose and intent" of the Code; (2) that each requested exception is in conformity with the applicable Development Plan, and that the Authority has so certified; and (3) that the Development complies with the Development Impact Project requirements of the Code, the Authority finds that, for reasons set forth above, and based upon a review of the Applicant's Development Plan, the above-stated criteria are satisfied as to each of the exceptions listed in the schedule entitled "Anticipated Zoning Exceptions" attached as Exhibit G to the Development Plan (the "Zoning Requests"); and further

- (b) That pursuant to Section 6A-2 of the Code, the Authority hereby authorizes the Director of the Authority to recommend to the Board of Appeal approval of the Zoning Requests, with such changes as the Director of the Authority, in his discretion, shall determine to be necessary or desirable, his taking of any such action to be conclusive evidence of his determination and of the authority granted to him hereunder; which approvals are recommended by the Authority provided that the Commission will have adopted a Map Amendment designating the land involved as a B-4-D Zoning District. The Authority hereby authorizes the Director of the Authority to certify to the Commission and the Board of Appeal that said exceptions requested on appeal are in conformity with the Development Plan; and further

VOTED: That with respect to Development Review of the Proposed Project under Article 31 of the Boston Zoning Code, as amended, the BRA hereby authorizes the Director to execute, in the name and on behalf of the BRA, an Adequacy Determination upon completion of the Authority's Article 31 process with respect to the Final Project Impact Report for the Boston University School of Management Project, 595 Commonwealth Avenue; and further

VOTED: That the Authority hereby approves the Schematic Design for the Project which is the subject of the Development Plan (as set forth on the documents listed on Exhibit D to the Cooperation Agreement attached hereto as Exhibit D); and, in accordance with Section 28-15 of the Code, hereby approves the design for the Proposed Project; and further

VOTED: That the Authority hereby authorizes the Director to certify to the Inspectional Services Commission that the Development complies with the Development Review Requirements of the Code, his certification of such to be conclusive evidence of his determination and of the authority granted to him hereunder; and further

VOTED: That the Authority hereby authorizes the Director to take all actions and execute all documents deemed necessary and appropriate by the Director and the Chief General Counsel in connection with the Development Plan and the Development Impact Project Plan.

VOTED: That Boston University, through its private geotechnical consultant, shall prepare a plan to address any and all changes in the water table both during the construction phase and following project completion. Such plan shall be reviewed by the Authority.

Map Amendment Application No. 359
Boston Redevelopment Authority in behalf
of Trustees of Boston University
Planned Development Area No. 43
"D" Designation at 595 Commonwealth
Avenue

MAP AMENDMENT NO. 300

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

EFFECTIVE
September 2, 1993*

IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956 as amended, after due report, notice, and hearing does hereby amend "Map 1 Boston Proper," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as follows:

By adding to the B-4 zoning designation of the land described below the suffix "D", indicating a Planned Development Area overlay district. Said land is bounded and described according to a plan entitled, "Topographic Site Plan Boston University, 587-599 Commonwealth Avenue Boston, Mass", dated January 6, 1992, revised February 11, 1992, October 29, 1992, March 23, 1993 and April 27, 1993, prepared by Harry R. Feldman, Inc. as follows:

Beginning at a point on the northerly side of Commonwealth Avenue at the southeasterly corner of said parcel as shown on said plan, thence running

NORTH 80° 45' 13" W	by Commonwealth Avenue for a distance of three hundred and forty-one and 50/100 (341.50) feet; thence turning and running
NORTH 09° 15' 47" E	for a distance of one hundred forty-two (142) feet; thence turning and running
SOUTH 81° 54' 40" E	for a distance of three hundred forty-one and 42/100 (341.42) feet; thence turning and running

* Date of public notice: August 7, 1993 (see St. 1956, c. 665, s. 5).

SOUTH 59° 15' 47" W for a distance of one hundred forty-nine (149)
feet to point of beginning;

Containing approximately 49,686 square feet more or less, according to said
plan.

CHARLES

RIVER

H-1

STORROW

DRIVE

BAYSTATE

ST.

ST.

RALEIGH

RD.

CHARLESGATE

ST.

H-4

DEERL

ST.

GRANBY

SHERBORN

ST.

AVENUE

COMMONWEALTH

H-4

B-4

KENMORE SQ.

H-4

WEST

CUMMINGTON

HINSDALE

ST.

ST.

BLANDFORD

ST.

KENMORE

ST.

MASS. TURNPIKE

M-2

NEWBURY

BOSTON AND ALBANY R.R.

MOUNTFORT

PARK

H-2

B-2

M-2

FENWAY PARK

B-2

H-3

BEACON

L-2

M-2

OVERLAN

IMP

ST.

TED WILLIAMS

WAY

IPSWICH

ST.

AUDUBON

CIRCLE

DRIVE

M.B.T.A.

BURLINGTON

VE.

B-2

YANKEY

FENWAY PARK

ST.

VAN NESS

FULLERTON

ST.

M-2-D

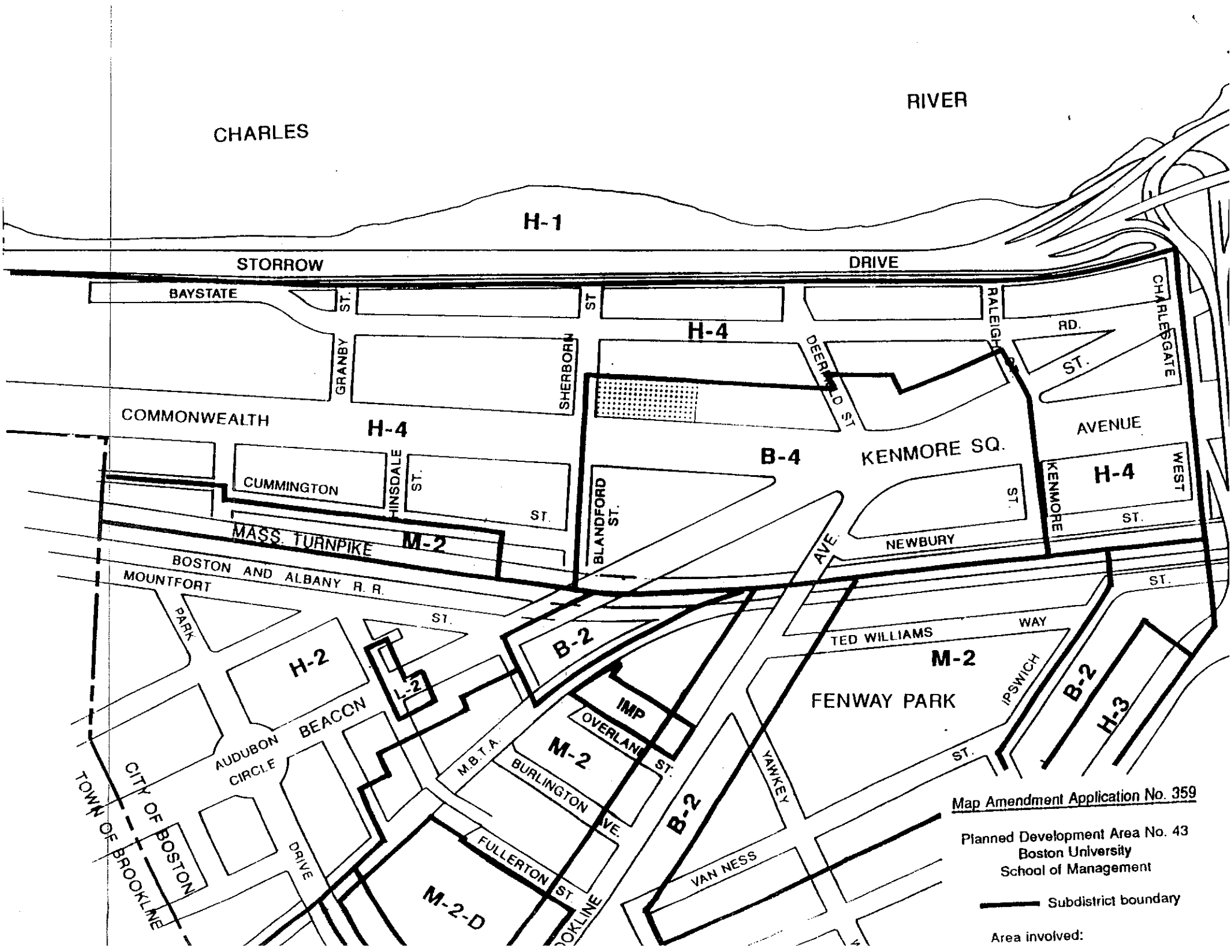
DOKLINE

Map Amendment Application No. 359

Planned Development Area No. 43
Boston University
School of Management

Subdistrict boundary

Area involved:



Richard B. Winter
Chairman

R. H. Mann
Vice Chairman

John M. Mc Grath
John Bean

Brent E. Gray

Robert Anderson

Edward J. Agostino

In Zoning Commission

Adopted August 18, 1993

Attest: Sheila Kroch
Secretary

Thomas R. Menino

Mayor, City of Boston

Date: 9/2/93

The foregoing amendment was presented to the Mayor on August 25, 1993, and was signed by him on September 2, 1993, whereupon it became effective on September 2, 1993, in accordance with Section 3 of Chapter 665 of the Acts of 1956.

Attest: Shirley Keogh
Secretary to the Zoning Commission

