

MEMORANDUM

Approved

April 15, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: Minor Amendments to Planned Development Area No. 6:
Babcock and Gardner Streets, Brighton

Planned Development Area No. 6, at Babcock and Gardner Streets in Brighton, was approved by the Authority on December 2, 1970, and was amended on February 8, 1973, after public hearing, to allow three more dwelling units, to increase the floor area ratio from 4.0 to 4.1 (by enclosing the ground floor of the tower), and to allow 8,000 square feet of commercial space on the ground floor. In actuality, the working drawings adopted as part of the amendment showed the 8,000 square feet of commercial space divided among the ground floor, the mezzanine, and the lower level below the ground floor.

A minor amendment is sought by Pasquale Franchi, general partner of Commonwealth Babcock Associates, to correct the error in describing the location of the commercial space, to authorize the relocation of a laundry room from the lower level to the mezzanine (recommended by MHFA), to allow commercial use of space on the lower level formerly designated as a laundry room, to increase the allowed commercial space from 8,000 to 8,200 square feet, and to specify the commercial uses to be allowed. These can be described generally as local retail stores, restaurants, offices, and service establishments such as barber shop, tailor, hand laundry, dry cleaning shop, etc.

Appropriate votes are attached. Recommend approval.

VOTED: That pursuant to the provisions of Section 3-1 of the Boston Zoning Code as amended, and following a public hearing held at the offices of the Authority on April 15, 1976, the Boston Redevelopment Authority hereby amends the Development Plan for Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, Pasquale Franchi, Developer, dated December 2, 1970, and amended on February 8, 1973, as follows:

By striking out, under Item A, Permitted Uses, the paragraph headed Gardner Street Parcel and inserting in place thereof the following paragraph:

Gardner Street Parcel. Apartment tower for no more than 210 units, commercial space located on the lower, first and mezzanine levels not exceeding a total of 8,200 square feet, parking garage for not less than 205 cars, swimming pool and health club facilities. The areas designated below for commercial uses may be occupied by any use listed in Table A of Section 8-7 under Use Item No. 34, 37, 39, 40, 41, 43, 44 or 78.

Said commercial uses may occupy spaces identified on the working drawings as follows:

Lower Level A-5): spaces designated "commercial area", "commercial storage", and "laundry room";

First Floor and Terrace (A-4)): spaces designated "commercial shop" and "commercial shops";

Mezzanine Level (A-4X)): spaces identified as "office space".

One of the three rooms on the Mezzanine Level (A-4X) identified as "community rooms" may be used as a laundry room.

And it is further

VOTED: That in connection with amendments to the Development Plan for Planned Development Area No. 6, at the southwest corner of Babcock and Gardner Streets and fronting in part on Commonwealth Avenue in Brighton, presented at a public hearing on April 15, 1976, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) the said Plan as amended conforms to the General Plan of the City of Boston as a whole;
- (2) nothing in the said Plan as amended will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) the said Plan as amended does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area subdistrict designation, as set forth by the Zoning Code of the City of Boston as amended.

MEMORANDUM

Voted

May 6, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: Authorization to Petition the Zoning Commission for a Confirmation of Map Amendment No. 84: "D" Designation for Babcock Tower, Babcock and Gardner Streets, Brighton

Corporation Counsel for the City of Boston has ruled that an amendment to a Development Plan for a Planned Development Area, after being approved by the Boston Redevelopment Authority, must be the subject of a public hearing before the Zoning Commission of the City of Boston, after which the Commission either would confirm the map amendment which had granted a "D" (Planned Development Area) zoning designation or would withdraw the previously granted "D" designation.

I request that the Authority authorize the Advisor to the Zoning Commission to confirm the "D" designation for Planned Development Area, Babcock Tower, Babcock and Gardner Streets, Brighton, after considering two amendments made to said Plan by the Authority, on February 8, 1973, and April 15, 1976. A suitable vote follows:

VOTED: That in connection with two amendments to Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, adopted by the Boston Redevelopment Authority after public notice and hearing on February 8, 1973, and April 15, 1976, the Authority hereby authorizes the Advisor to the Zoning Commission to petition the Zoning Commission of the City of Boston for a confirmation of the "D" (Planned Development Area) designation granted by said Commission. Said "D" designation was granted by Map Amendment No. 84, effective February 17, 1971.

MEMORANDUM

Voted

May 6, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

FROM: Robert T. Kenney, Director

SUBJECT: Authorization to Petition the Zoning Commission for a Confirmation of Map Amendment No. 84: "D" Designation for Babcock Tower, Babcock and Gardner Streets, Brighton

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I request that the Authority authorize the Advisor to the Zoning Commission to confirm the "D" designation for Planned Development Area, Babcock Tower, Babcock and Gardner Streets, Brighton, after considering two amendments made to said Plan by the Authority, on February 8, 1973, and April 15, 1976. A suitable vote follows:

VOTED: That in connection with two amendments to Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, adopted by the Boston Redevelopment Authority after public notice and hearing on February 8, 1973, and April 15, 1976, the Authority hereby authorizes the Advisor to the Zoning Commission to petition the Zoning Commission of the City of Boston for a confirmation of the "D" (Planned Development Area) designation granted by said Commission. Said "D" designation was granted by Map Amendment No. 84, effective February 17, 1971.

Voted

MEMORANDUM

May 6, 1976

TO: BOSTON REDEVELOPMENT AUTHORITY

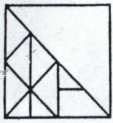
FROM: Robert T. Kenney, Director

SUBJECT: Authorization to Petition the Zoning Commission for a Confirmation of Map Amendment No. 84: "D" Designation for Babcock Tower, Babcock and Gardner Streets, Brighton

Corporation Counsel for the City of Boston has ruled that an amendment to a Development Plan for a Planned Development Area, after being approved by the Boston Redevelopment Authority, must be the subject of a public hearing before the Zoning Commission of the City of Boston, after which the Commission either would confirm the map amendment which had granted a "D" (Planned Development Area) zoning designation or would withdraw the previously granted "D" designation.

I request that the Authority authorize the Advisor to the Zoning Commission to confirm the "D" designation for Planned Development Area, Babcock Tower, Babcock and Gardner Streets, Brighton, after considering two amendments made to said Plan by the Authority, on February 8, 1973, and April 15, 1976. A suitable vote follows:

VOTED: That in connection with two amendments to Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, adopted by the Boston Redevelopment Authority after public notice and hearing on February 8, 1973, and April 15, 1976, the Authority hereby authorizes the Advisor to the Zoning Commission to petition the Zoning Commission of the City of Boston for a confirmation of the "D" (Planned Development Area) designation granted by said Commission. Said "D" designation was granted by Map Amendment No. 84, effective February 17, 1971.



BOSTON REDEVELOPMENT AUTHORITY City Hall / 1 City Hall Square / Boston, Massachusetts 02201 / Telephone (617) 722-4300

May 26, 1976

Mr. Richard B. Fowler, Chairman
Zoning Commission
City Hall - Room 907
Boston, Massachusetts 02201

Dear Mr. Fowler:

Re: Map Amendment No. 84 - Confirmation
Boston Redevelopment Authority
Brighton: Planned Development Area No. 6
Babcock and Gardner Streets

In accordance with Chapter 665 of the Acts of 1956 as amended and with Chapter 652 of the Acts of 1960, and in connection with two amendments to the Development Plan for Planned Development Area No. 6 in the Brighton district of Boston, the Boston Redevelopment Authority has authorized the Advisor to the Zoning Commission to petition the Zoning Commission for a confirmation of its adoption of Map Amendment No. 84. Following is the authorizing vote.

VOTED: That in connection with two amendments to Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, adopted by the Boston Redevelopment Authority after public notice and hearing on February 8, 1973, and April 15, 1976, the Authority hereby authorizes the Advisor to the Zoning Commission to petition the Zoning Commission of the City of Boston for a confirmation of the "D" (Planned Development Area) designation granted by said Commission. Said "D" designation was granted by Map Amendment No. 84, effective February 17, 1971.

Attached are Certificates of said votes of February 8, 1973, and April 15, 1976, adopting the amendments to the Development Plan.

Very truly yours,

BOSTON REDEVELOPMENT AUTHORITY

By Kenneth J. Sullivan
Secretary

Attachments

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority:

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on April 15, 1976 and duly recorded in this office:

VOTED: that pursuant to the provisions of Section 3-1 of the Boston Zoning Code as amended, and following a public hearing held at the offices of the Authority on April 15, 1976, the Boston Redevelopment Authority hereby amends the Development Plan for Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, Pasquale Franchi, Developer, dated December 2, 1970, and amended on February 8, 1973, as follows:

By striking out, under Item A, Permitted Uses, the paragraph headed Gardner Street Parcel and inserting in place thereof the following paragraph:

Gardner Street Parcel. Apartment tower for no more than 210 units, commercial space located on the lower, first and mezzanine levels not exceeding a total of 8200 square feet, parking garage for not less than 205 cars, swimming pool and health club facilities. The areas designated below for commercial uses may be occupied by any use listed in Table A of Section 8-7 under Use Item No. 34, 37, 39, 40, 41, 43, 44 or 78.

Said commercial uses may occupy spaces identified on the working drawings as follows:

Lower Level (A-5) : spaces designated "commercial area", "commercial storage", and "laundry room";

First Floor and Terrace (A-4): spaces designated "commercial shop" and "commercial shops";

Mezzanine Level (A-4X): spaces identified as "office space".

One of the three rooms on the Mezzanine Level (A-4X) identified as "community rooms" may be used as a laundry room.

And it is further

VOTED: that in connection with amendments to the Development Plan for Planned Development Area No. 6, at the southwest corner of Babcock and Gardner Streets and fronting in part on Commonwealth Avenue in Brighton, presented at a public hearing on April 15, 1976, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) the said Plan as amended conforms to the General Plan of the City of Boston as a whole;
- (2) nothing in the said Plan as amended will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) the said Plan as amended does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area subdistrict designation, as set forth by the Zoning Code of the City of Boston as amended.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) ~~That the~~ _____
~~to which this certificate is attached is in substantially the form as that presented~~
~~to said meeting~~

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

(6) ~~That~~ _____ ~~is the~~ _____
~~of the Authority~~

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand this
twenty-first _____ day of _____ April _____, 1976 .

BOSTON REDEVELOPMENT AUTHORITY

By Kaus Simonian
Secretary

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on February 8, 1973 and duly recorded in this office:

Copies of a Resolution entitled "Resolution of the Boston Redevelopment Authority re: Amendment of Development Plan, Planned Development Area No. 6, Babcock and Gardner Streets, Brighton - Pasquale Franchi, Developer" was introduced, read and considered.

On motion duly made and seconded, it was unanimously

VOTED: to adopt the Resolution as read and considered.

The foregoing Resolution is filed in the Document Book of the Authority as Document No. 2424.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the Resolution to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

~~(b) / The Authority~~ _____
~~(b) / The Authority~~

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand this twelfth day of February, 1973.

LS

BOSTON REDEVELOPMENT AUTHORITY
By Klaus J. M. M. M.
Secretary

February 8, 1973

VOTED 4/8/73

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: AMENDMENT OF DEVELOPMENT PLAN, PLANNED DEVELOPMENT AREA NO. 6, BABCOCK AND GARDNER STREETS, BRIGHTON - PASQUALE FRANCHI, DEVELOPER

WHEREAS, the Boston Redevelopment Authority, acting under Section 3-1 of the Boston Zoning Code, and after due notice and hearing, did approve on December 2, 1970, the Development Plan for Planned Development Area No. 6, located at Babcock and Gardner Streets, Brighton; and

WHEREAS, Item A of the plan as approved under the heading, "Permitted Uses" read in part "apartment tower containing no more than 207 dwelling units", and did not provide for commercial uses in the apartment tower; and

WHEREAS, the interior design of the building has been modified to provide 210 dwelling units within the same space originally allocated to 207 dwelling units; and

WHEREAS, the exterior design of the building has been modified to enclose 8,000 square feet of space on the ground floor which was originally to be left open; and

WHEREAS, the Urban Design Department of the Boston Redevelopment Authority has approved these modifications in use and design; and

WHEREAS, the working drawings for Babcock Tower submitted this day to the Boston Redevelopment Authority essentially conform with the schematic plans incorporated in this Development Plan on December 2, 1970, with the exceptions noted above;

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

1. That the "Development Plan for Planned Development Area: Babcock and Gardner Streets, Brighton: Pasquale Franchi, Developer" dated December 2, 1970, is hereby amended as follows:

A. By striking out, under Item A. Permitted Uses, the paragraph headed Gardner Street Parcel and inserting in place thereof the following item:

Gardner Street Parcel. Apartment tower for no more than 210 dwelling units, commercial space on the ground floor level not exceeding 8,000 sq. ft., parking garage for not less than 205 cars, swimming pool and health club facilities.

B. By striking out Item C. Open Spaces and Landscaping and inserting in place thereof the following item:

Open Spaces and Landscaping shall consist of not less than the open spaces and landscaping shown on the 1st Floor and Terrace Plan, numbered A-4 of the series of plans for Babcock Tower prepared by Stahl Associates, dated June 12, 1972, and revised June 18, 1972. If the athletic facilities indicated by said plan are not built, they shall be replaced by landscaped open spaces.

C. By striking out Item. D. Density and inserting in place thereof the following item:

Density. No more than 210 dwelling units shall be built on this site, which constitutes a density of 183 units per acre, or 238 square feet of lot size per dwelling unit. The floor area ratio is not to exceed 4.1.

D. By striking out in Item H. Proposed Dimensions of Structures, the item headed Apartment Tower and inserting in place thereof the following item:

Apartment Tower. Height is not to exceed 22 stories or 225 feet measured from the mean elevation of abutting sidewalks; the gross floor area is not to exceed 194,000 square feet.

E. By striking out Item J. Schematic Layout Drawings and inserting in place thereof the following item:

Working Drawings. A series of twenty-two working drawings, prepared by Stahl Associates dated June 12, 1972, as revised June 28, 1972, are to be incorporated into and shall be made part of the Development Plan in place of the seven schematic drawings prepared by Stahl Associates dated November 25, 1970.

AND IT IS FURTHER VOTED: That in connection with amendments to the Development Plan for a parcel of land in the Brighton section of Boston at the southwest corner of Babcock and Gardner Streets, and fronting on part of Commonwealth Avenue, presented at a Public Hearing duly held at the offices of this Authority on Thursday, February 8, 1973, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) The said Plan as amended conforms to the General Plan of the City of Boston as a whole;
- (2) Nothing in the said Plan as amended will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) The said Plan as amended does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area sub-district designation, as set forth by the Zoning Code of the City of Boston, as amended.

4

C I T Y O F B O S T O N

Z O N I N G C O M M I S S I O N

Thursday, May 27, 1976 - 10:00 A.M.

Room 701, City Hall, Boston.

AGENDA

PUBLIC HEARING

10:00 A.M. Confirmation of Map Amendment No. 84
Planned Development Area No. 6 (Babcock Tower)
Babcock and Gardner Streets, Brighton
Two minor amendments to Development Plan

OTHER BUSINESS

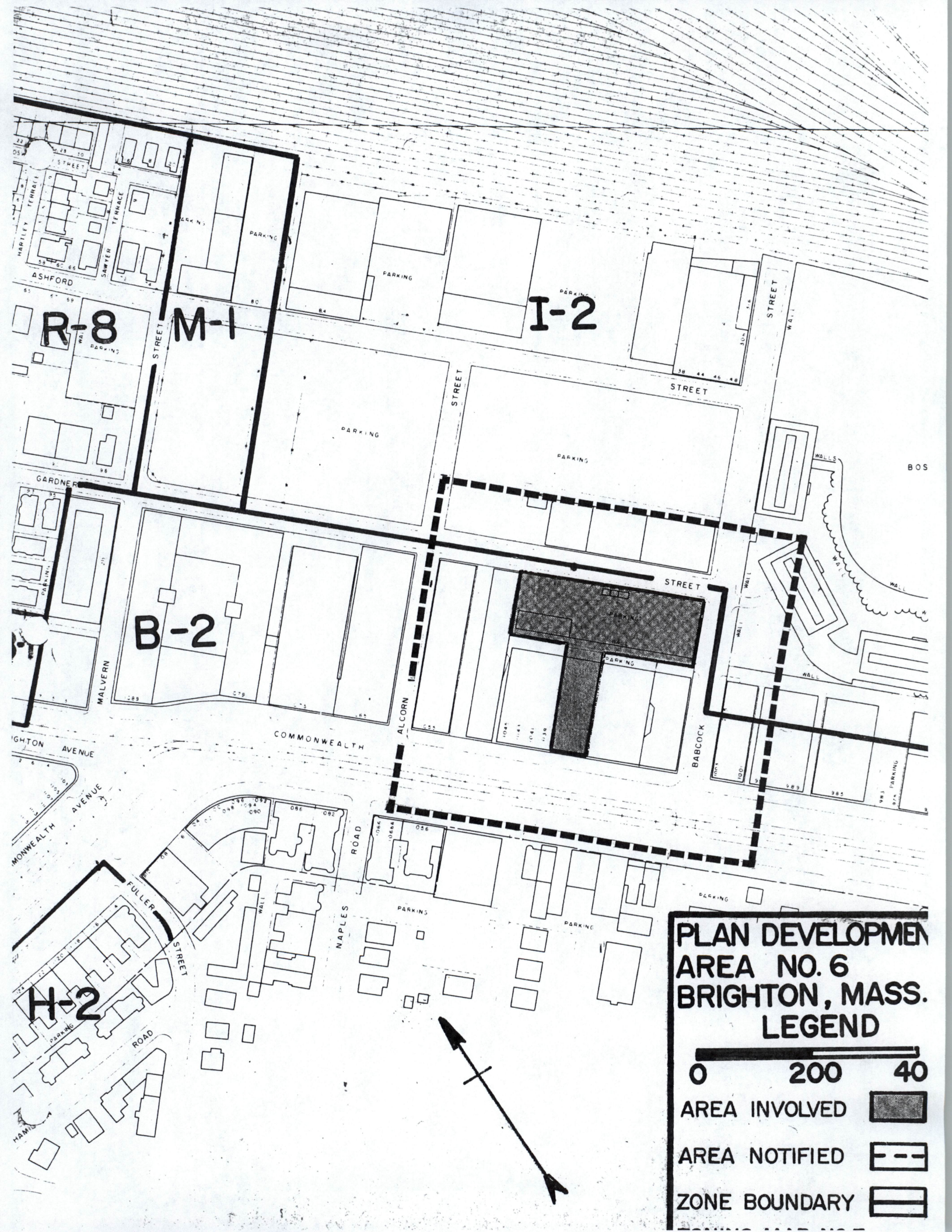
Organizational Meeting: Election of Officers

Confirmation of
Map Amendment No. 84 (Application No. 118)
Advisor to the Zoning Commission
PDA No. 6 - Babcock and Gardner Streets,
Allston-Brighton

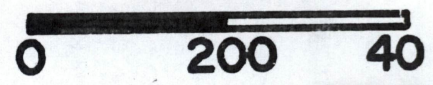
TO THE ZONING COMMISSION
OF THE CITY OF BOSTON:

The Advisor to the Zoning Commission, acting under Chapter 665 of the Acts of 1956, as amended, hereby petitions for confirmation of Map Amendment No. 84 (Map Amendment Application No. 118), which changed from a B-2 district to a B-2-D (Planned Development Area) subdistrict a parcel of land at the southwest corner of Babcock and Gardner Streets and fronting part on Commonwealth Avenue, in the Allston-Brighton district of the City of Boston.


Petitioner: *Mace Weiringer*
Advisor to the Zoning Commission
Address: City Hall, Room 907
Boston, Massachusetts 02201
Tel. No.: 722-4300, extension 245 or 246
Date: May 13, 1976




**PLAN DEVELOPMENT
AREA NO. 6
BRIGHTON, MASS.
LEGEND**



AREA INVOLVED 

AREA NOTIFIED 

ZONE BOUNDARY 

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority:

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on April 15, 1976 and duly recorded in this office:

VOTED: that pursuant to the provisions of Section 3-1 of the Boston Zoning Code as amended, and following a public hearing held at the offices of the Authority on April 15, 1976, the Boston Redevelopment Authority hereby amends the Development Plan for Planned Development Area No. 6, Babcock and Gardner Streets, Brighton, Pasquale Franchi, Developer, dated December 2, 1970, and amended on February 8, 1973, as follows:

By striking out, under Item A, Permitted Uses, the paragraph headed Gardner Street Parcel and inserting in place thereof the following paragraph:

Gardner Street Parcel. Apartment tower for no more than 210 units, commercial space located on the lower, first and mezzanine levels not exceeding a total of 8200 square feet, parking garage for not less than 205 cars, swimming pool and health club facilities. The areas designated below for commercial uses may be occupied by any use listed in Table A of Section 8-7 under Use Item No. 34, 37, 39, 40, 41, 43, 44 or 78.

Said commercial uses may occupy spaces identified on the working drawings as follows:

Lower Level (A-5) : spaces designated "commercial area", "commercial storage", and "laundry room";

First Floor and Terrace (A-4): spaces designated "commercial shop" and "commercial shops";

Mezzanine Level (A-4X): spaces identified as "office space".

One of the three rooms on the Mezzanine Level (A-4X) identified as "community rooms" may be used as a laundry room.

And it is further

VOTED: that in connection with amendments to the Development Plan for Planned Development Area No. 6, at the southwest corner of Babcock and Gardner Streets and fronting in part on Commonwealth Avenue in Brighton, presented at a public hearing on April 15, 1976, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) the said Plan as amended conforms to the General Plan of the City of Boston as a whole;
- (2) nothing in the said Plan as amended will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) the said Plan as amended does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area subdistrict designation, as set forth by the Zoning Code of the City of Boston as amended.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) ~~The/ the~~ _____
~~to which this certificate is attached is in substantially the form as that presented~~
~~to said meeting.~~

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

(6) ~~MAN~~ _____ ~~As the~~ _____
~~of the Authority.~~

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand this
twenty-first _____ day of _____ April _____, 1976 .

BOSTON REDEVELOPMENT AUTHORITY

By Kaus Jumanian
Secretary

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on February 8, 1973 and duly recorded in this office:

Copies of a Resolution entitled "Resolution of the Boston Redevelopment Authority re: Amendment of Development Plan, Planned Development Area No. 6, Babcock and Gardner Streets, Brighton - Pasquale Franchi, Developer" was introduced, read and considered.

On motion duly made and seconded, it was unanimously

VOTED: to adopt the Resolution as read and considered.

The foregoing Resolution is filed in the Document Book of the Authority as Document No. 2424.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the Resolution to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

~~(b) That~~ the Resolution
~~of the Authority.~~

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand
this twelfth day of February, 1973.

LS

BOSTON REDEVELOPMENT AUTHORITY

By Klaus J. M. M. M.
Secretary

February 8, 1973

VOTED 4/8/73

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY

RE: AMENDMENT OF DEVELOPMENT PLAN, PLANNED DEVELOPMENT AREA NO. 6, BABCOCK AND GARDNER STREETS, BRIGHTON - PASQUALE FRANCHI, DEVELOPER

WHEREAS, the Boston Redevelopment Authority, acting under Section 3-1 of the Boston Zoning Code, and after due notice and hearing, did approve on December 2, 1970, the Development Plan for Planned Development Area No. 6, located at Babcock and Gardner Streets, Brighton; and

WHEREAS, Item A of the plan as approved under the heading "Permitted Uses" read in part "apartment tower containing no more than 207 dwelling units", and did not provide for commercial uses in the apartment tower; and

WHEREAS, the interior design of the building has been modified to provide 210 dwelling units within the same space originally allocated to 207 dwelling units; and

WHEREAS, the exterior design of the building has been modified to enclose 8,000 square feet of space on the ground floor which was originally to be left open; and

WHEREAS, the Urban Design Department of the Boston Redevelopment Authority has approved these modifications in use and design; and

WHEREAS, the working drawings for Babcock Tower submitted this day to the Boston Redevelopment Authority, essentially conform with the schematic plans incorporated in this Development Plan on December 2, 1970, with the exceptions noted above;

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

1. That the "Development Plan for Planned Development Area: Babcock and Gardner Streets, Brighton: Pasquale Franchi, Developer" dated December 2, 1970, is hereby amended as follows:

A. By striking out, under Item A. Permitted Uses, the paragraph headed Gardner Street Parcel and inserting in place thereof the following item:

Gardner Street Parcel. Apartment tower for no more than 210 dwelling units, commercial space on the ground floor level not exceeding 8,000 sq. ft., parking garage for not less than 205 cars, swimming pool and health club facilities.

B. By striking out Item C. Open Spaces and Landscaping and inserting in place thereof the following item:

Open Spaces and Landscaping shall consist of not less than the open spaces and landscaping shown on the 1st Floor and Terrace Plan, numbered A-4 of the series of plans for Babcock Tower prepared by Stahl Associates, dated June 12, 1972, and revised June 18, 1972. If the athletic facilities indicated by said plan are not built, they shall be replaced by landscaped open spaces.

C. By striking out Item. D. Density and inserting in place thereof the following item:

Density. No more than 210 dwelling units shall be built on this site, which constitutes a density of 183 units per acre, or 238 square feet of lot size per dwelling unit. The floor area ratio is not to exceed 4.1.

D. By striking out in Item H. Proposed Dimensions of Structures, the item headed Apartment Tower and inserting in place thereof the following item:

Apartment Tower. Height is not to exceed 22 stories or 225 feet measured from the mean elevation of abutting sidewalks; the gross floor area is not to exceed 194,000 square feet.

E. By striking out Item J. Schematic Layout Drawings and inserting in place thereof the following item:

Working Drawings. A series of twenty-two working drawings, prepared by Stahl Associates dated June 12, 1972, as revised June 28, 1972, are to be incorporated into and shall be made part of the Development Plan in place of the seven schematic drawings prepared by Stahl Associates dated November 25, 1970.

AND IT IS FURTHER VOTED: That in connection with amendments to the Development Plan for a parcel of land in the Brighton section of Boston at the southwest corner of Babcock and Gardner Streets, and fronting on part of Commonwealth Avenue, presented at a Public Hearing duly held at the offices of this Authority on Thursday, February 8, 1973, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) The said Plan as amended conforms to the General Plan of the City of Boston as a whole;
- (2) Nothing in the said Plan as amended will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) The said Plan as amended does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area sub-district designation, as set forth by the Zoning Code of the City of Boston, as amended.

BOSTON REDEVELOPMENT AUTHORITY

December 2, 1970

Development Plan for Planned Development Area
Babcock and Gardner Streets, Brighton
Pasquale Franchi, Developer

Site: A parcel of land in the Brighton section of the City of Boston bounded and described as follows:

Beginning at a point on the southwesterly side of Gardner Street at the northeasterly corner of Appellant's lot;

Thence running southeasterly, southerly and southwesterly along a curved line at the southwesterly corner of the intersection of Gardner and Babcock Streets, having a radius of twelve (12) feet;

Thence running southwesterly along the northwesterly side of Babcock Street, one hundred seven (107) feet to the center line of a right-of-way thirty (30) feet wide;

Thence running northwesterly along the center line of said right-of-way, one hundred sixty-five and 68/100 (165.68) feet;

Thence running southwesterly across the southwesterly side of said right-of-way and through the center of the southeasterly wall of Appellant's single story building now known as and numbered 1035 Commonwealth Avenue (being a party wall separating Appellant's said building from the building adjacent thereto on the southeasterly side thereof), one hundred eighty-five (185) feet to Commonwealth Avenue;

Thence running northwesterly along the northeasterly side of Commonwealth Avenue, sixty-three and 07/100 (63.07) feet;

Thence running northeasterly through the center of the said northwesterly wall of said single story building now known as and numbered 1035 Commonwealth Avenue (being a party wall separating said single story building from the building adjacent thereto on the northwesterly side thereof), one hundred seventy (170) feet to the southwesterly side line of the aforesaid right-of-way;

Thence running southeasterly 34/100 (0.34) feet along the southwesterly side line of said right-of-way, by the northeasterly wall of said single story building;

Thence running northeasterly across said right-of-way, by land now or formerly of Conveyancers Realty Co., by a line parallel with the center line of the northwesterly wall of said single story building, twenty-three (23) feet;

Thence running northwesterly by land now or formerly of Conveyancers Realty Co., by a line parallel with the north-easterly side line of said right-of-way, one hundred (100) feet;

Thence running northeasterly by land now or formerly of Noyes Buick Company, one hundred ten and 99/100 (110.99) feet to the southwesterly side of Gardner Street;

Thence running southeasterly along the southwesterly side of Gardner Street three hundred sixteen and 54/100 (316.54) feet to the point of beginning.

Containing 49,967.36 square feet of land.

A. Permitted Uses

Gardner Street Parcel. Apartment tower containing no more than 207 dwelling units, parking garage for not less than 205 cars, swimming pool and health club facilities.

Commonwealth Avenue Parcel. Use Item No. 34 (stores primarily serving the local business needs of the residents of the neighborhood); Use Item No. 37 (coffee shop, restaurant, etc.) only if approved by the Design Review staff of the Boston Redevelopment Authority; Use Item No. 39 (office of accountant, architect, attorney, dentist, physician or other professional person, or clinic not accessory to a main use); Use Item No. 40 (Real estate, insurance or other agency office) and Use Item No. 43 (Barber shop; beauty shop; shoe repair shop; self-service laundry; pick up and delivery station of laundry or dry-cleaner; or similar use).

B. Proposed location and appearance of buildings shall be essentially as shown by a series of preliminary drawings prepared by Stahl Associates dated November 25, 1970. The existing building facing on Commonwealth Avenue is to remain as it now exists, subject, however, to a possible future amendment to this Development Plan. The height of the residential tower (exclusive of minor roof structures such as elevator headhouses) is not to exceed two hundred and twenty-five (225) feet measured from the mean elevation of abutting sidewalks, nor twenty-two (22) stories.

C. Open Spaces and Landscaping shall consist of not less than the open spaces and landscaping shown on the Ground Floor Plan, Numbered 6 of the aforementioned series of plans prepared by Stahl Associates. If the handball court, gymnasium and locker rooms are not built as shown, they shall be replaced by landscaped open spaces.

- D. Density: No more than 207 dwelling units shall be built on this site, which constitutes a density of 180 dwelling units per acre, or 241.3 square feet per dwelling unit. The floor area ratio is not to exceed 4.0.
- E. Proposed Traffic Circulation will be provided by existing streets. Auto access to the parking garage from Gardner Street. Pedestrian access to the building is from Babcock Street, at a point approximately 250 feet from Commonwealth Avenue.
- F. Parking and Loading Facilities: No off-street loading facilities are required by the Zoning Code; none are needed nor provided. An underground parking garage shall be provided which shall provide for no fewer than 205 parking stalls.
- G. Access to Public Transportation: The site is served by two MBTA lines, the Boston College Green Line subway surface trolley, and the Kenmore Square - Watertown bus line. Both lines have stops at Commonwealth Avenue and Babcock Streets, less than a block from the Babcock Street pedestrian entrance to the proposed building.
- H. Proposed Dimensions of Structures:
- Apartment Tower: Height not to exceed 22 stories or 225 feet measured from the mean elevation of abutting sidewalks; the gross floor area not to exceed 185,000 square feet.
- Garage: The garage shall be underground and accommodate not fewer than 205 unobstructed parking stalls.
- Commonwealth Avenue Store: This structure, a one story brick store, shall remain as it now stands unless and until an alteration or replacement is approved by an amendment to this Development Plan and is approved by the Boston Redevelopment Authority.
- I. Exterior Building Materials: The proposed tower is to be of concrete; the existing store on Commonwealth Avenue is brick.
- J. Schematic Layout Drawings: A series of seven schematic drawings prepared by Stahl Associates dated November 25, 1970, are to be incorporated into and shall be part of this Development Plan.
- K. Design Review: Materials and treatment of the buildings, garage and open space, plus the location, size, design, illumination, color and materials of exterior signs shall be subject to the design review process of the Boston Redevelopment Authority.

CERTIFICATE OF VOTE

The undersigned hereby certifies as follows:

Assistant

(1) That he is the duly qualified and acting/Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority;

(2) That the following is a true and correct copy of a vote as finally adopted at a meeting of the Authority held on December 2, 1970 and duly recorded in this office:

Copies of a memorandum dated December 2, 1970 were distributed re Proposed Planned Development Area, Babcock and Gardner Streets, Brighton, attached to which were copies of three (3) proposed votes, and a map indicating the location of the area.

On motion duly made and seconded, it was unanimously

VOTED: that in connection with the Development Plan for a parcel of land in the Brighton section of Boston at the southwest corner of Babcock and Gardner Streets, and fronting on part of Commonwealth Avenue, presented at a Public Hearing duly held at the offices of this Authority on Wednesday, December 2, 1970, and after consideration of the evidence presented at that hearing, the Boston Redevelopment Authority finds that:

- (1) The said Plan conforms to the General Plan of the City of Boston as a whole;
- (2) Nothing in the said Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare; and
- (3) The said Plan does adequately and sufficiently satisfy all other criteria and specifications for a Planned Development Area sub-district designation, as set forth by the Zoning Code of the City of Boston, as amended; and further

VOTED: Pursuant to the provisions of Article 3, Section 1 of the Zoning Code of the City of Boston, as amended, the Boston Redevelopment Authority hereby approves the Development Plan for a parcel of land in Brighton at the southwest corner of Babcock and Gardner Streets and fronting in part on Commonwealth Avenue, containing 49,967 square feet. Said Development Plan consists of a written document entitled "Development Plan for Planned Development Area - Babcock and Gardner Streets, Brighton - Pasquali Franchi, Developer" and of a series of seven preliminary drawings prepared by Stahl Associates for an apartment complex at 195 Gardner Street, Boston, Massachusetts, dated November 25, 1970; and further

VOTED: the Boston Redevelopment Authority hereby authorizes the Director to petition the Zoning Commission of the City of Boston for a Planned Development Area subdistrict designation for said parcel and to certify, in the name of the Authority, that plans submitted to the Building Commissioner in connection with this Plan are in conformity with the said Development Plan.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in a proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the _____
to which this certificate is attached is a duly authorized officer of the Authority and that he is duly qualified to execute the same.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

(6) That _____
is the duly authorized officer of the Authority.

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand
this seventeenth day of December 1970.

BOSTON REDEVELOPMENT AUTHORITY

By William Johnson
Assistant Secretary

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