

DCA APPROVAL: 1/29/09  
ZC APPROVAL: 2/25/09  
EFFECTIVE: 2/26/09

**PDA DEVELOPMENT PLAN**  
**for**  
**FENWAY CENTER**  
**within**  
**FENWAY / KENMORE SQUARE / AUDUBON CIRCLE AREA**  
**No.74**

**Boston, Massachusetts**

**January 29, 2009**

**PDA Development Plan:** Pursuant to Section 3-1A and Article 80C of the Zoning Code of the City of Boston, Massachusetts (the “**Zoning Code**”), this plan constitutes a Planned Development Area (“**PDA**”) Development Plan (the “**Plan**”) for the development of air rights over the Massachusetts Turnpike (the “**Turnpike**”) and adjacent rail corridor between the Brookline Avenue and Beacon Street overpasses, as well as on adjacent land currently used as parking lots along the south side of Beacon Street between the Turnpike and Maitland Street, all in the Kenmore/Fenway/Audubon Circle area of Boston (the “**Site**”). The Site is depicted on the locus map attached hereto as **EXHIBIT A**.

The Massachusetts Turnpike Authority (the “**MTA**”) owns most of the approximately 4.5-acre Site, and is negotiating with MK Parcel 7 Development LLC (the “**Proponent**”) for a long-term lease. The remainder of the Site consists primarily of parcels of land (collectively, the “**CSX Parcels**”) owned or controlled by CSX Transportation, Inc. (“**CSX**”). The Proponent is negotiating with CSX for acquisition of this land, and may convey this land to the MTA for inclusion in the long-term lease. Finally, certain areas immediately south of the Site will be improved by the City of Boston (the “**City**”) or Proponent with public roadways providing access to and from the Site and to a newly renovated Yawkey Commuter Rail Station (“**Yawkey Station**”), but are not included in this Plan. Measuring approximately 5.7 acres, the PDA itself is larger than the Site, because it extends beyond the Site to the centerlines of adjacent Brookline Avenue, Maitland Street and Beacon Street, to align with the boundaries of the underlying (existing) zoning districts. A legal description of the PDA is attached hereto as **EXHIBIT B**. Drawings depicting both the underlying zoning districts and the PDA overlaying them are included amongst other drawings attached hereto as **EXHIBIT E**.

The Proponent proposes to develop the Site with a transit-oriented project that locates up to 1,099,000 square feet of residential, office, retail and parking uses (and/or the other uses permitted by this Plan) around new open space and a new Yawkey Station, and within one block of the Kenmore Square and Fenway Green Line Stations of the Massachusetts Bay Transportation Authority (the “**MBTA**”), all as more fully described below (the “**Project**”). The Project has been designed to transform unutilized air space, surface parking lots and a broken urban grid into a vibrant, mixed-use residential and commercial community. Several new and inviting pedestrian connections through the

Site will tie together Audubon Circle and Boston University to Yawkey Station, Kenmore Square, Fenway Park and the Lansdowne Street Entertainment District.

This Plan sets forth information on the Project, including the proposed location and appearance of structures, open spaces and landscaping, uses, densities, traffic circulation, parking and loading facilities, access to public transportation, and dimensions of structures proposed as part of the Project. Upon approval, this Plan will constitute permanent zoning for the Site in accordance with Section 3-1A and Article 80C of the Zoning Code. Under Section 80C-8 of the Zoning Code, no building, use or occupancy permit for the Project or for any Project Component (hereinafter defined) will be issued until the Boston Redevelopment Authority (the “**BRA**”) has issued a Certification of Consistency under Article 80C-8 for such Project or Project Component. To the extent that the Director of the BRA (the “**Director**”) certifies consistency with this Plan, the Project or Project Component will be deemed to be in compliance with the requirements of the underlying zoning to the extent that such requirements have been addressed in the Development Plan, pursuant to Section 80C-9 of the Zoning Code.

The Plan consists of 17 pages of text plus attachments designated EXHIBITS A through E. All references to this Plan contained herein shall pertain only to such pages and exhibits. Unless otherwise set forth herein, all references to terms defined by the Zoning Code will have the meanings set forth therein.

**Project Proponent:** The Proponent, MK Parcel 7 Development LLC, is a Massachusetts limited liability company, and has its business address at One Bridge Street, Suite 300, Newton, MA 02458-1101. Members of the Project team are identified on EXHIBIT C.

**Site:** The Site comprises air rights above the Turnpike and railroad tracks and adjacent land measuring approximately 4.5 acres (approximately 196,904 square feet) in the aggregate. The MTA owns all of the air rights as well as some *terra firma* extending southwesterly from the Turnpike. The remainder of the Site consists of the CSX Parcels as described above.

The Site is located at the confluence of the Kenmore Square, Fenway and Audubon Circle neighborhoods of Boston. It is bounded generally by Beacon Street to the north, Maitland Street to the west, Brookline Avenue to the east, and commercial buildings and surface parking lots to the south. The Turnpike and adjacent rail tracks run roughly east-west under the northerly portion of the Site.

The broader context of the Site includes: Boston University, which owns much of the property along Commonwealth Avenue to the north of the Site; Kenmore Square to the northeast; Fenway Park and the Lansdowne Street Entertainment District to the east; commercial properties along Brookline Avenue to the south; and the residential areas of the Audubon Circle neighborhood along Beacon Street, Mountfort Street, Miner Street and other Boston University-owned properties along Beacon Street to the west. The Site

is also near the Longwood Medical and Academic Area (the "LMA"), to the southwest across the Sears Rotary.

The Proponent has been designated by the MTA as the developer of the MTA's property at the Site commonly known as Turnpike Extension Air Rights Parcel 7, and the parties have entered into a development agreement memorializing this arrangement (the "**Development Agreement**"). The Proponent or its nominee will enter into one or more long-term lease agreements with the MTA for the Site. As indicated above, the Proponent intends to acquire the CSX Parcels, and is working with the City and abutting landowners regarding the new public roadways to be constructed to the south of the Site, using funds authorized under Chapter 123 of the Acts of 2006 by the Massachusetts Legislature (the "**2006 Economic Investments Act**"). The overall Site, including Turnpike Extension Air Rights Parcel 7 and the other adjacent land to be acquired is planned to be known as "Fenway Center."

Various transportation/railroad companies operate in the vicinity of the Site. The MBTA operates the commuter rail line below a portion of the Site, at the level of the Turnpike. The Proponent has been designated by the MBTA to design and construct a new Yawkey Station, which will serve the commuter rail line and will greatly enhance rail service in this area, also using funds authorized under the 2006 Economic Investments Act. In addition, CSX operates on the same or adjacent rails pursuant to easements or similar arrangements. The Proponent will obtain any required consents from CSX for construction above the rail tracks.

**Zoning:** Private development of air rights over the Boston Extension of the Turnpike was first authorized by the Massachusetts Legislature in 1963. An Air Rights Study undertaken by the MTA in 1993 identified individual disposition parcels along the Turnpike Extension and discussed their development potential. Turnpike Extension Air Rights Parcel 7 was included in the study.

The MTA and the City entered into a Memorandum of Understanding (the "**MOU**") dated June 1, 1997, establishing the public review process for air rights development over the Turnpike. As provided for in the MOU, air rights development is subject to design review by the BRA. Project review is similar to that required under Article 80 of the Zoning Code, and includes review by a project-specific Citizens Advisory Committee ("**CAC**") appointed by the Mayor of the City and the MTA.

In 1998, the Mayor appointed a Strategic Development Study Committee (the "**SDSC**") to assist the BRA in studying the parameters for air rights development over the Turnpike from Chinatown to the Allston toll plaza. In 2000, following almost two years of planning, analysis and public meetings, the BRA and the SDSC issued *A Civic Vision for Turnpike Air Rights in Boston* (the "**Civic Vision**"). On December 21, 2000, the BRA Board of Directors formally voted to adopt the Civic Vision "as the plan and development guidelines which will be the framework" for the BRA and future CAC's to review proposed development projects using air rights over the Turnpike in Boston. The

Project has been designed in accordance with the Civic Vision as described in detail below.

The Site is located within multiple zoning districts. The northerly portion of the Site (*i.e.* that portion of the Site directly above the Turnpike) is located within the B-4 Subdistrict of Boston Proper (see Zoning Code Art. 3). The middle and southwesterly portion of the Site is in the Multifamily Residential (“MFR”) Subdistrict of the Audubon Circle Neighborhood District, as well as a Neighborhood Design Overlay District and a Special Study Area within that District (see Zoning Code Art. 61). The southern end of the Site, comprised primarily of the CSX Parcels, is located in the Brookline Avenue Community Commercial Subdistrict of the Fenway Neighborhood District (see Zoning Code Art. 66). The underlying (existing) zoning districts are shown on one of the drawings attached as **EXHIBIT E**.

Section 61-16 of the Zoning Code lists height and floor area ratio (“FAR”) limits for PDAs within the Audubon Circle Neighborhood District. A portion of the Project that will be located within the Audubon Circle Neighborhood District will exceed these limitations. Accordingly, concurrently with this Plan, the Proponent, with the support of the BRA and the CAC, seeks approval of a limited text amendment to the Zoning Code to permit the height and FAR of the Project at the relevant location.

The entire Site is within the Restricted Parking Overlay District, and a small portion of the Site, consisting of part of the CSX Parcels, is located within the Groundwater Conservation Overlay District. Parking and groundwater issues are addressed below.

A Planned Development Area is an overlay district that may be designated by the Boston Zoning Commission to provide greater flexibility for large project development while preserving City and public review of project features and impacts (see Zoning Code Secs. 3-1A(a) and 80C-1). The Site is eligible for development as a PDA in compliance with the provisions of the Zoning Code because it contains more than one acre, and PDAs are permitted in all zoning districts in which the Site is located.

**Project:** The Project will include four major new buildings, ranging from seven (7) to twenty-seven (27) stories (80 to up to 305 feet) in height. Altogether, they will include up to 1,099,000 square feet of gross floor area, including approximately 330 residential units. The Project also includes approximately 1,290 parking spaces, of which approximately 700 will be in an above-ground, shared-use garage (the “**Shared-Use Parking Garage**”), and approximately 590 will be in a private underground garage (the “**Private Parking Garage**”). The Proponent may include 50 additional parking spaces (whether on a temporary or permanent basis) within one or both of the garages if and to the extent such additional parking is used to replace parking spaces which are (i) in existence as of the date of this Plan, (ii) owned or controlled by abutters to the Site, and (iii) lost as a result of construction or use of Yawkey Station or the new roadway network to be constructed at and around the Site. The maximum FAR for the Project is 5.6

(subject to the qualification contained in the description of Private Parking Garage below). A list of permitted uses at the Site is attached as **EXHIBIT D**.

A preliminary site plan, floor plans and elevations (“**Drawings**”) are attached as **EXHIBIT E**. All streetscape modifications shown in the Drawings were designed in cooperation with BRA and Boston Transportation Department (“**BTD**”) staff. Those streetscape modifications shown in the Drawings located outside of the Site are solely illustrative, and subject to ongoing discussions with the City and abutters regarding such modifications. Throughout this Plan, all references to “floor area”, “gross floor area” and the like shall refer to “gross floor area” as defined in the Zoning Code, and all references to “height” shall refer to “height of building” as defined in the Zoning Code.

The Project will comply with the requirements of Article 37 of the Zoning Code by being certifiable under the U.S. Green Building Council’s (“**USGBC’s**”) Leadership in Energy and Environmental Design (“**LEED®**”) green building rating system to evaluate Core and Shell Construction. Under a pre-certification checklist dated July 9, 2008, the Project scored 29 points out of a possible 61 points. This would be enough to earn “Silver” level certification from USGBC. A further 20 points fall into the “undetermined” category, making an even higher rating possible.

Since January 2007, when the MTA designated the Proponent as the developer of the property it owns within the Site, the Proponent has met regularly with the MTA, the BRA, the MBTA and the CAC established for the Project, and has pursued various permits and approvals required for the Project. A more detailed description of permits and approvals required for the Project is set forth below.

**Proposed Location, Uses, Dimensions, Densities and Appearance of the Structures:** The proposed location, uses, dimensions, densities and appearance of the structures after completion of the Project are shown in the Drawings, attached hereto as **Exhibit E**. The final location and appearance of these structures may change insofar as is required by the BRA during final design review of the Project, or by other governmental agencies and authorities. Interior demising walls and garage striping shown on the plans are illustrative and may be modified as design plans evolve.

The following table summarizes major aspects of the Project, subject to the qualifications and details set forth further below:

<b>Project Element</b>	<b>Size</b>	<b>Height</b>
Project Site	196,904 sf	n.a.
Building 1	Up to 124,000 sf	Up to 80 ft. (seven stories)
Building 2	Up to 245,000 sf	Up to 146 ft. (10 stories)
Building 3	Up to 337,000 sf	Up to 305 ft. (27 stories)
Building 4	Up to 113,000 sf	Up to 80 feet (seven stories)
Shared-Use Parking Garage	Up to 280,000 sf	Up to 77 ft. (seven stories)

	(approximately 700 spaces)	
Private Parking Garage <sup>1</sup>	Up to 230,000 sf (approximately 590 spaces)	Up to three levels beneath Buildings 1 and 2
Total Gross Floor Area	Up to 1,099,000sf	n.a.
Floor Area Ratio (FAR)	5.6 (subject to the qualification in the description of the Private Parking Garage below, which indicates an FAR of approximately 6.5 if a portion of the Private Parking Garage is converted to retail use as described below)	n.a.

(a) **Building 1:** Building 1 will be an up to 80 foot-high (seven-story), up to 124,000 square-foot building built on land at the southwesterly end of the Site, adjacent to Beacon and Maitland Streets. The Private Parking Garage will be located on three levels beneath Buildings 1 and 2 (see the separate description of the Private Parking Garage below). It is currently anticipated that Building 1 will contain primarily residential uses and some retail uses.

(b) **Building 2:** Building 2 will be an up to 146 foot-high (ten-story), up to 245,000 square-foot building built on land northerly of Building 1, southerly of the Turnpike and adjacent to Beacon Street. The Private Parking Garage will be located on up to three levels beneath Buildings 1 and 2. It is anticipated that Building 2 will contain primarily commercial (including office) uses and some retail uses.

(c) **Building 3:** Building 3 will be an up to 305 foot-high (27-story), up to 337,000 square-foot mixed-use building built on the new deck over the rail corridor and the Turnpike. It is anticipated that Building 3 will contain primarily commercial (including office) and residential uses and some retail uses.

(d) **Building 4:** Building 4 will be an up to 80 foot-high (seven-story), up to 113,000 square-foot building fronting on Brookline Avenue and located over the rail corridor and the Turnpike. It will “wrap” around the Shared-Use Parking Garage to block views of that structure. It is anticipated that Building 4 will contain primarily residential uses and some retail uses.

(e) **Shared-Use Parking Garage:** Located over the Turnpike, and wrapped by Building 4, the Shared-Use Parking Garage will be an approximately 700-space parking

<sup>1</sup> The Private Parking Garage will be located beneath Buildings 1 and 2. The space within that garage and Yawkey Station are not counted toward gross floor area (“GFA”) pursuant to Zoning Code sec. 2A, subject, however, to the qualification in the description of the Private Parking Garage below.

garage, measuring up to 280,000 square feet and rising up to 77-feet (seven stories) high. Parking will also occur on the roof of this garage. All space in this above-ground garage is counted as gross floor area for purposes of calculating FAR.

(f) Private Parking Garage: The Private Parking Garage will be an approximately 590-space, underground parking garage, measuring up to 230,000 square feet located on up to three levels underneath Buildings 1 and 2. Subject to the following sentence, none of the space in this underground garage is counted as gross floor area for purposes of calculating FAR. Building 1 and/or Building 2 may include a large retail store, such as a supermarket or department store, occupying ground level as well as some below-grade space. In that case, (i) up to 180,000 square feet of the Private Parking Garage may be converted to retail space (parking within the remaining garage space would be reconfigured using mechanical stackers to retain approximately the same number of parking spaces in the Private Parking Garage), and (ii) any such converted space in the Private Parking Garage would be counted toward FAR, resulting in an overall Project FAR of approximately 6.5.

The portion of the Site on *terra firma*, including the CSX Parcels, is currently used primarily for, and may continue to be used for, surface parking.

The Proponent may re-allocate gross floor area among the buildings described above provided that the overall FAR for the Project does not exceed 5.6 (or, in the event that the Private Parking Garage contain a large retail store as described above, 6.5). Notwithstanding the use descriptions set forth above, the approved uses for the Project are set forth in Exhibit D of this Plan, and the Proponent may change the uses or the Project or re-allocate uses from one building to another provided all such uses are consistent with Exhibit D and other applicable provisions of this Plan.

Open Spaces and Landscaping: Approximately 1.6 acres of new, publicly accessible open space will be created throughout the Site, adjacent to retail, restaurants and cafes, and highlighted by a new central green space located between Buildings 2 and 3 over the Turnpike, along Beacon Street and adjacent to the new Yawkey Station. The City's Parks Department recently published its *Open Space Plan 2008-2012*. The open space plan identifies a need for more open space in the Fenway/Kenmore neighborhood, noting that the area has fewer than three acres of protected open space for each 1,000 residents, compared to an average of almost 7.5 acres per 1,000 residents city-wide. The Project will implement the open space plan's recommendation that the Site include a public square fronting Beacon Street, activated by Yawkey Station.

The Project will also significantly improve the pedestrian experience along Beacon Street and Brookline Avenue, and create new accessible connections between them. The design encourages "cut-throughs" across the Site between Beacon Street and Brookline Avenue to reach Yawkey Station and access the Site's open space areas. New paving, sidewalks and landscaping will be installed on most surfaces surrounding the Site, and barrier-free pedestrian access will be provided to the proposed buildings, Yawkey Station, the new green space, and between Beacon Street and Brookline Avenue.

**Parking and Loading Facilities:** Of the approximately 700 spaces in the Shared-Use Parking Garage, approximately 620 will be available to the general public, and approximately 80 will be reserved for private users. Of the approximately 590 spaces in the Private Parking Garage, approximately 510 will be reserved for private users, and approximately 80 will be available to the general public.

The dumpsters and loading docks for Buildings 1 and 2 will be situated within the building footprints and entirely off-street. They will be accessed from the parking driveway off the new Yawkey Way Extension. Trucks will be able to maneuver within designated loading areas that are away from pedestrian and bicyclist paths. Buildings 3 and 4 will be serviced from within the Shared-Use Garage. The garage design will accommodate truck maneuvers on the ground floor and provide any appropriate service vehicle parking areas away from general traffic and pedestrian/bicycle activity.

**Proposed Traffic Circulation:** Access to and from the Shared-Use Parking Garage will be from Beacon Street and Brookline Avenue. Access to and from the Private Parking Garage will be from Maitland Street and the new Yawkey Way Extension. Other new roadways will better connect Mountfort Street with Maitland Street and Overland Street to reach Brookline Avenue. In addition, there will be a new connection from Beacon and Maitland Streets directly to Yawkey Station, Brookline Avenue and Fenway Park and the Lansdowne Street Entertainment District.

**Access to Public Transportation:** Users of the Project will have several transit options available, including the MBTA's commuter rail lines at the new Yawkey Station, and at its Green Line stops at Kenmore, Fenway and Blandford Street Stations.

The MBTA plans to redevelop the Yawkey Station to serve as a full-time commuter rail station, with extended platforms, improved pedestrian access, and other improvements. When completed, the new station will have pedestrian connections to the Green Line, the LMA shuttle bus system, local and express MBTA bus routes, and shared-use parking. The new station will also be fully integrated into the design of the Project, and will have direct access from the open green space and headhouses on Brookline Avenue, Beacon Street and the new Yawkey Way Extension.

The 2006 Economic Investments Act included funding to upgrade Yawkey Station (\$12 million) and to improve bus, shuttle and pedestrian access to Yawkey Station and the Fenway Station (\$12.5 million). Under a Memorandum of Agreement executed with the MBTA (the "MOA"), the Proponent is primarily responsible for design and construction of Yawkey Station using these funds, and is currently in negotiations with the MBTA regarding all aspects of this arrangement.

Both Yawkey Station and Fenway Station are planned as bus rapid transit stops on The Urban Ring project planned by the Massachusetts Executive Office of Transportation ("EOT"). Currently undergoing environmental analysis under federal and state law, The Urban Ring is a phased set of transit improvements in a corridor around



the downtown core of Boston. The project corridor forms a loop that passes through Boston, Brookline, Cambridge, Chelsea, Everett, Medford and Somerville. The corridor encompasses some of the Boston area's fastest growing districts, including the LMA, the South Boston Waterfront, and the Kendall Square area in Cambridge.

**Consistency with the Civic Vision:** The Project is designed to be fully consistent with the Civic Vision, including the following four objectives of the Civic Vision:

(a) Foster increased use and capacity of public transportation and decrease reliance on private automobiles by taking tangible steps to expand public transportation and other alternatives to the automobile, improve the pedestrian realm, and limit parking: The Project will concentrate mixed-use space around the redeveloped Yawkey Station, at a site with frontage along Beacon Street and Brookline Avenue. As a result, residents, employees, and retail patrons will have easy access to commuter rail, as well as to Green Line stations within a short walk to the east and west. The buildings included in the Project will conform to the existing street walls along Beacon Street and Brookline Avenue to allow for active sidewalks and streetscape. This convenience of public transit and emphasis on the pedestrian environment exemplifies "smart-growth" development. As part of the Transportation Demand Management ("TDM") measures for the Project, the parking garages will include car-sharing services (e.g. ZipCar) with preferential parking provided on site and available to residents of surrounding neighborhoods, secure bicycle storage areas as well as changing and shower facilities, and an introductory MBTA pass program offered to Project employees and residents.

(b) Strengthen the vitality and quality of life in neighborhoods along the Turnpike corridor by balancing the larger scale inherent in these projects with uses and massing that are compatible with adjacent neighborhoods and respecting the very different planning context presented by each of the communities along the Turnpike: The Project is particularly mindful of the unique urban context of the Site. The area is distinguished from any other neighborhood along the corridor in scale, use and architecture by the presence of the Turnpike and underutilized surface parking lots, as well as the close proximity of the LMA, Fenway Park and the Lansdowne Street Entertainment District, Kenmore Square, Audubon Circle, and the array of nearby residences. The Project's mix of uses includes a substantial amount of new housing within an easy walk to Boston University, the LMA, Fenway Park, and the Back Bay. Meanwhile, by including commercial space, the Project will significantly enhance the vitality and quality of life in the adjoining neighborhoods by helping to create a lively, mature and stable, year-round destination, economic generator and transit hub for the City and state. The buildings making up the Project transition in scale from the residential areas and shorter buildings westerly of the Site, to the 27-story tower in the middle of the Site, directly over the Turnpike, making a distinctly visible addition to the skyline. This massing will clearly mark Yawkey Station at the western edge of Kenmore Square, just as the CITGO sign marks its eastern edge.

(c) Enhance Boston as a place to live, work, and invest by taking advantage of exceptional opportunities to accommodate projects that generate broad civic benefits:

The Site is uniquely located near established neighborhoods, universities, entertainment facilities, the LMA, and to many of Boston's important cultural assets and centers of employment. The placement of the buildings, the proposed improvements to Yawkey Station and its direct connections to the public transit system and the pedestrian environment, and the blending of new activities with the existing uses that the neighborhood values, will help to make the area a culturally sophisticated and highly desirable place to live, work and invest.

(d) Repair and enrich the City's public realm by capturing unique opportunities to create a wide range of lively public spaces and design buildings with public spaces to contribute to Boston's distinctive character: The Project will transform a series of surface parking lots and unutilized space over a rail corridor and the Turnpike into lively public streets, pedestrian-friendly open space and mixed uses, all linked to Yawkey Station. This promises to create an enriched, vibrant and coherent public realm accessible by public transit, walking or bicycle, and enjoyable by all of the City's residents. The Project offers a rare opportunity to cover up the Turnpike and railroad tracks, and to connect important and diverse neighborhoods, as well as to provide stability and a mix of housing and commercial options, open spaces and amenities to a district that has labored under the perception that it is primarily for entertainment use, and marred by underutilized surface parking lots and windswept bridges over the Turnpike.

**Public Benefits of the Project:** Expected public benefits from the Project include improvements to the public realm, environmental benefits, transportation benefits, economic benefits, and an improved quality of life in the neighborhood, more fully described as follows:

(a) Public Realm Benefits: The Project will benefit the public realm by covering a large expanse of the Turnpike and the adjacent rail corridor with new, high-quality, mixed-use development. Specific improvements include:

- Transforming air rights, unused railroad rights-of-way and surface parking lots into an active mix of new housing, office, retail and green space;
- Constructing an exciting, architecturally interesting project that responds to the BRA's directive to create a compelling architectural statement and gateway building on the Site;
- Creating approximately 94,000 square feet of retail space, restaurants, and cafés;
- Creating two new city blocks and activating the street edges and wind-swept bridges bordering Beacon Street, Brookline Avenue, Maitland Street, and along the new Yawkey Way Extension;
- Creating new pedestrian connections and approximately 1.6 acres of new green open space, including a pedestrian park adjacent to Beacon Street and Yawkey Station; and
- Improving the sidewalks bordering the Site along Beacon Street, Brookline Avenue, and new Yawkey Way Extension.

(b) Environmental Benefits: The Project incorporates a number of smart-growth and transit-oriented features to make the Project pedestrian-friendly and help to give vitality and a sense of community to the neighborhood. These features include locating housing in a downtown location adjacent to a variety of public transportation options and mixed uses, as well as providing for walkable venues for residents and workers. The Project will be LEED™-certifiable as required by Article 37 of the Zoning Code. As indicated above, under a pre-certification checklist dated July 9, 2008, the Project scored 29 points out of a possible 61 points, and a higher point total may be possible.

(c) Transportation Benefits: The Project is a transit-oriented development centered on the MBTA's major upgrade of the Yawkey Station, which will become a multi-modal center with pedestrian connections to buses and the MBTA's Green Line at the Fenway, Kenmore and Blandford Street Stations. Yawkey Station is a planned stop on The Urban Ring BRT system. In this way, the Project will help to minimize auto trip generation and auto ownership levels for its residents. Specific transportation benefits include:

- Helping to intercept area parking demands before they spread onto residential streets, and to reduce the current problem of recirculating traffic through the Sears Rotary, Audubon Circle and Kenmore Square from drivers who are searching for a parking space or traveling to one of the smaller lots located in the surrounding neighborhood;
- Implementing shared-use parking for the Medical Academic and Scientific Community Organization, Inc. ("MASCO"), which operates in the nearby LMA, the Boston Red Sox, Lansdowne Street Entertainment District uses, and Kenmore Square businesses and neighborhood residents;
- Making possible the consolidation of the numerous shuttle bus routes through the area, many of which rely on an already busy Brookline Avenue; and
- Including other TDM measures, such as car-sharing services (e.g. ZipCar) with preferential parking provided on site and available to residents of surrounding neighborhoods, secure bicycle storage areas as well as changing and shower facilities, and an introductory MBTA pass program offered to Project employees and residents.

(d) Economic Benefits: The Project will have numerous economic benefits to the neighborhood, city and region, including:

- As a Development Impact Project ("DIP") under the Zoning Code, paying a housing exaction of \$7.87 for each gross square foot of office or retail floor area in excess of 100,000 square feet, and a jobs exaction of \$1.57 for each gross square foot of office or retail floor area in excess of 100,000 square feet, all as set forth in a DIP Agreement;

- During construction, creating approximately 1,200 total construction jobs, with a stabilized construction work force of approximately 350, all in accordance with the City's guidelines for Resident/Minority/Women employment;
- Adding approximately 200 permanent new jobs with the City; for example, in retail, facility operations, parking management and restaurants;
- Generating substantial new annual real estate taxes, estimated to be in the millions of dollars, which will be available to support City services, such as fire, police and schools;
- Generating substantial new sales and food and beverage taxes from retail and restaurant uses within the Project;
- Provision of affordable housing in accordance with applicable requirements (it is currently anticipated that the Project will include approximately 33 on-site and approximately 16 off-site units, which comprises a 15% affordable housing component, using current unit count estimates);
- Bringing new residents and business, which will help to stabilize Kenmore Square and mature the Lansdowne Street Entertainment District by generating a more diversified, seven-day-a-week, year-round economy.

(e) Quality-of-Life Benefits: The Project will improve the quality of life in the neighborhood, including by:

- Implementing a design that is consistent with the Civic Vision, which encourages reuse of surface parking lots for other more desirable uses;
- Including a community center to provide much needed meeting space for neighborhood residents;
- Improving access to public transportation;
- Improving public safety by adding new residents and businesses, as well as new and improved pedestrian walkways, and emergency evacuation routes for Fenway Park and the Lansdowne Street Entertainment District;
- Covering a large expanse from the Beacon Street to the Brookline Avenue bridges over the Turnpike and the adjacent rail corridor;
- Increasing the number of non-student residents in the area, which currently has a very low rate of non-student residents; and
- Providing new green spaces and tree-lined pedestrian ways between Audubon Circle, Boston University, Kenmore Square, Fenway Park, the Lansdowne Street Entertainment District and Yawkey Station.

**Project Impacts and Mitigation**: The CAC voted unanimously to support the Project on November 6, 2008. Furthermore, as indicated above, the BRA is conducting design review of the Project pursuant to the MOU (akin to Large Project Review of the

Project under Article 80B of the Code). In the course of that review, as well as environmental review under the Massachusetts Environmental Policy Act (“MEPA”), the impacts of the Project upon the surrounding neighborhoods have been fully addressed.

Under both the MOU and the MEPA process, appropriate mitigation has been proposed and will be incorporated into the Project, as follows:

- Prevailing pedestrian-level winds will remain similar to current conditions. The Project will include plantings and wind screens as wind mitigation.
- Shadows and daylight obstruction values from the Project will be typical for densely built urban areas, and there will be little impact to open spaces and historic buildings. The profile of the upper floors of Building 3 has been made slender to help to reduce shadow impacts and daylight obstruction.
- The Project will reflect some solar glare onto roadways during limited times of the day at certain times of the year, however the use of window walls and glass having only 50% reflectivity will help to reduce substantially the amount of reflected glare.
- To minimize light pollution, all lighting equipment used will be standardized for energy efficiency, low glare and light pollution features, and the effective operation and maintenance of the lighting system. Lighting equipment will be shielded and directed downward to provide the best lighting for public safety.
- The Project will comply with National Ambient Air Quality Standards and reduce both direct and indirect emissions of carbon dioxide.
- The Project includes numerous noise mitigation elements, including sound-proof enclosures for cooling towers and mechanical penthouses, and enclosed parking garage fans.
- The drainage collection system for the Project, including hooded deep-sump catch basins to minimize total suspended solids, will help to ensure that the Project will reduce peak runoff rates and improve water quality of runoff.
- Below-grade portions of the Project are designed so as to not impact area groundwater levels. Specifically, the below-grade portions will include substantially watertight excavation support walls to prevent any significant withdrawal of groundwater. In addition, the Project is designed to achieve the standards for groundwater protection set forth in Article 32 of the Zoning Code. For example, the Project will include a system to infiltrate one inch of rainfall for any portion of the Project within the Groundwater Protection Overlay District.
- The Project is anticipated to generate approximately 885 tons of solid waste yearly, which is typical of other residential/mixed-use projects. The Proponent will provide space throughout the Project for recycling by residents as well as for office and retail tenants.
- Because of the historic use of portions of the Site by railroads, it is possible the Site may contain residues of hazardous materials. The Proponent will pre-

characterize the soils and dispose of any contaminated soils in full compliance with applicable regulations.

- The siting, design and materials of the Project have been planned to minimize visual impacts on any nearby historic properties.
- The Project will have only a minor impact on City sewers and water supplies. The Proponent will develop an inflow/infiltration management (“I/I”) management program with the BWSC to reduce the entering of extraneous water into the City sewers. The Project includes several measures to reduce water consumption, including the installation of low-flow plumbing fixtures and a rainwater-harvesting system for irrigation.
- Construction impacts will be typical for a large urban project. To mitigate these impacts, the Proponent will execute with BTM a Construction Management Plan (“CMP”) in compliance with the City’s Construction Management Program.

**Other Necessary Government Approvals:** In addition to this Plan and various agreements with the MTA, the MBTA, and CSX, the Project is anticipated to require several local, state and federal permits and approvals. The following permits and approvals represent the most important of those anticipated.

(a) *MEPA and BRA Design Review:* On January 17, 2008, the Proponent filed a Project Notification Form (“PNF”) with the BRA to begin the Project’s review in compliance with the terms of the MOU. The BRA held a city agency scoping meeting on February 7, 2008, and a public meeting to accept comment on the Project on February 13, 2008. The written comment period ended on March 3, 2008.

Following public review of the PNF, BRA issued a Scoping Determination that was functionally equivalent to a Preliminary Adequacy Determination (“PAD”). The Scoping Determination stated which environmental studies were complete and which required further information and analysis to be included in the Project Impact Report for the Project (the “DPIR”).

The Project is also subject to review under MEPA. On January 16, 2008, the Proponent filed an Environmental Notification Form (“ENF”) to begin the Project’s review under MEPA. The MEPA Office held a consultation session to accept public comments on the Project on February 5, 2008. Written comments were accepted until February 12, 2008. On February 22, 2008, the Secretary of the Massachusetts Executive Office of Energy and Environmental Affairs (“EOEEA”) issued a Certificate on the ENF, outlining the issues to be studied in a Draft EIR.

In response to both the BRA Scoping Determination and the MEPA Certificate, a joint DPIR/DEIR was prepared by Epsilon Associates, Inc. (the “DPIR/DEIR”). The DPIR/DEIR was completed on August 15, 2008, and the state issued a MEPA Certificate for the DPIR/DEIR on November 14, 2008. The Proponent will prepare a subsequent filing that responds to the MEPA Certificate and any requirements of the BRA.

(b) Zoning Text Amendment: Because of height and FAR limits for PDAs within the Audubon Circle Neighborhood District, the Project requires a limited text amendment to the Zoning Code by the Boston Zoning Commission to permit the height and FAR of the Project at the relevant location.

(c) BCDC: The Project is subject to design review and approval by the Boston Civic Design Commission (“BCDC”).

(d) Large Project Review and Ancillary Agreements: Because the Site is subject to the MOU, the Project must undergo design review akin to Large Project Review under Article 80B of the Zoning Code, including the execution of a Cooperation Agreement with the BRA and other ancillary documents with the BRA and other City departments, such as a Transportation Access Plan Agreement (“TAPA”) with BTM.

(e) Parking Permits: Approvals of a Parking Freeze Permit and/or confirmation of exemptions by the Boston Air Pollution Control Commission (the “APCC”), and a Parking Garage Permit by the Boston Committee on Licenses are required.

(f) Street and Sidewalk Permits: Because the Project includes the creation of new City streets, it will require approval by the Boston Public Improvement Commission (the “PIC”) of Street Layout and a Special Repair Plan. For construction, the Project will require a Street and Sidewalk Occupation Licenses from the PIC. The Project may also require various licenses from PIC for groundwater monitoring wells, canopies, and the like.

(g) FAA Determination: To ensure that the new buildings and construction equipment at the Site will not interfere with federally regulated aviation, the Project will require a Finding of No Hazard by the Federal Aviation Administration (the “FAA”).

(h) MHC Determination: The Project will be reviewed by the Massachusetts Historical Commission (“MHC”) to demonstrate compliance with M.G.L. Chapter 9, Sec. 26-27c, as amended by Chapter 254 of the Acts of 1988 (950 CMR 71.00).

(i) Building Permits: Construction of the Project will require building and occupancy permits from the Boston Inspectional Services Department (“ISD”) (or other agency with jurisdiction over MTA-owned property) under the State Building Code.

(j) Dewatering and Runoff Permits: The Project will require a Sewer Use Discharge Permit and Construction Dewatering Permit from the BWSC and the Massachusetts Water Resources Authority (the “MWRA”), as well as a National Pollutant Discharge Elimination System (“NPDES”) General Permit from the United States Environmental Protection Agency (the “EPA”).

(k) Sewer Permits: The Project will require a Sewer Connection and Extension Permit from the Division of Water Pollution Control of the Massachusetts Department of Environmental Protection (“DEP”) and the Boston Water and Sewer Commission (the “BWSC”).

(l) Groundwater Conservation Overlay District: The Project is located within the Groundwater Conservation Overlay District. The Proponent will incorporate systems into the Project that meet the groundwater conservation standards of Article 32. The Proponent will obtain a written determination from the BWSC as to whether said standards are met satisfactorily. The Proponent will provide a copy of this letter to the BRA and to Boston Groundwater Trust prior to the issuance of a Certification of Consistency. Accordingly, the Proponent will not be required to obtain a conditional use permit from the Board of Appeal and the Project shall be deemed in compliance with Article 32.

(m) EOT: The Project will require review by EOT under M.G.L. Ch. 40, Sec. 54A, and acquisition of the CSX Parcels as aforesaid is subject to the requirements of M.G.L. Ch. 161C, Sec. 7.

**Development Schedule:** Construction of the Project is expected to occur in multiple phases over at least three (3) years. The Proponent currently estimates that initial site work will begin within 18 months. The foregoing dates may be expedited or extended depending on market conditions and permitting considerations. The Site may be reconfigured into multiple parcels or lease areas, which may be under common or separate ownership and may include subdivision or condominium ownership, developed sequentially or simultaneously, and separately developed and/or financed. Each such parcel is referred to as a “**Project Component.**” One or more of the Project Components may be further subdivided into one or more separate parcels which may be under separate ownership, or one or more of the Project Components may be combined to create one single parcel, or a condominium ownership structure may be created for all or part of the Project.

**Applicability of this Plan:** Consistency of the Project with this Plan constitutes compliance with the dimensional, use, and other requirements of the Code, in accordance with Section 80C-9 of the Code. Moreover, this Plan constitutes approval for any zoning nonconformity created or increased by the future separation of ownership of individual Project Components, provided that the use limitations and dimensional requirements of this Plan that are applicable to each Project Component are met.

Without limitation of the foregoing, compliance of each Project Component with the requirements of this Plan shall be determined on an individual rather than a Site-wide basis, and each Project Component will be eligible to receive its own Certificate of Consistency. The delay or non-completion of any Project Component shall not affect the compliance or consistency of any other Project Component with this Plan.



Subsequent to completion of the Project, modifications which are determined by the BRA Director to be minor in nature will be eligible to receive a supplemental Certificate of Consistency evidencing compliance and consistency with this Plan.

**Miscellaneous:** Notwithstanding anything set forth in this Plan to the contrary, under no circumstances will the Proponent be obligated to proceed with the Project or any Project Component. In the event that the Proponent does proceed with the Project in its entirety, the Proponent will satisfy the public benefit obligations described herein. In the event that the Proponent proceeds with only one or more Project Components, the Proponent will satisfy only those portions of the public benefit obligations that are clearly associated with or required by the specific Project Components that actually proceed.

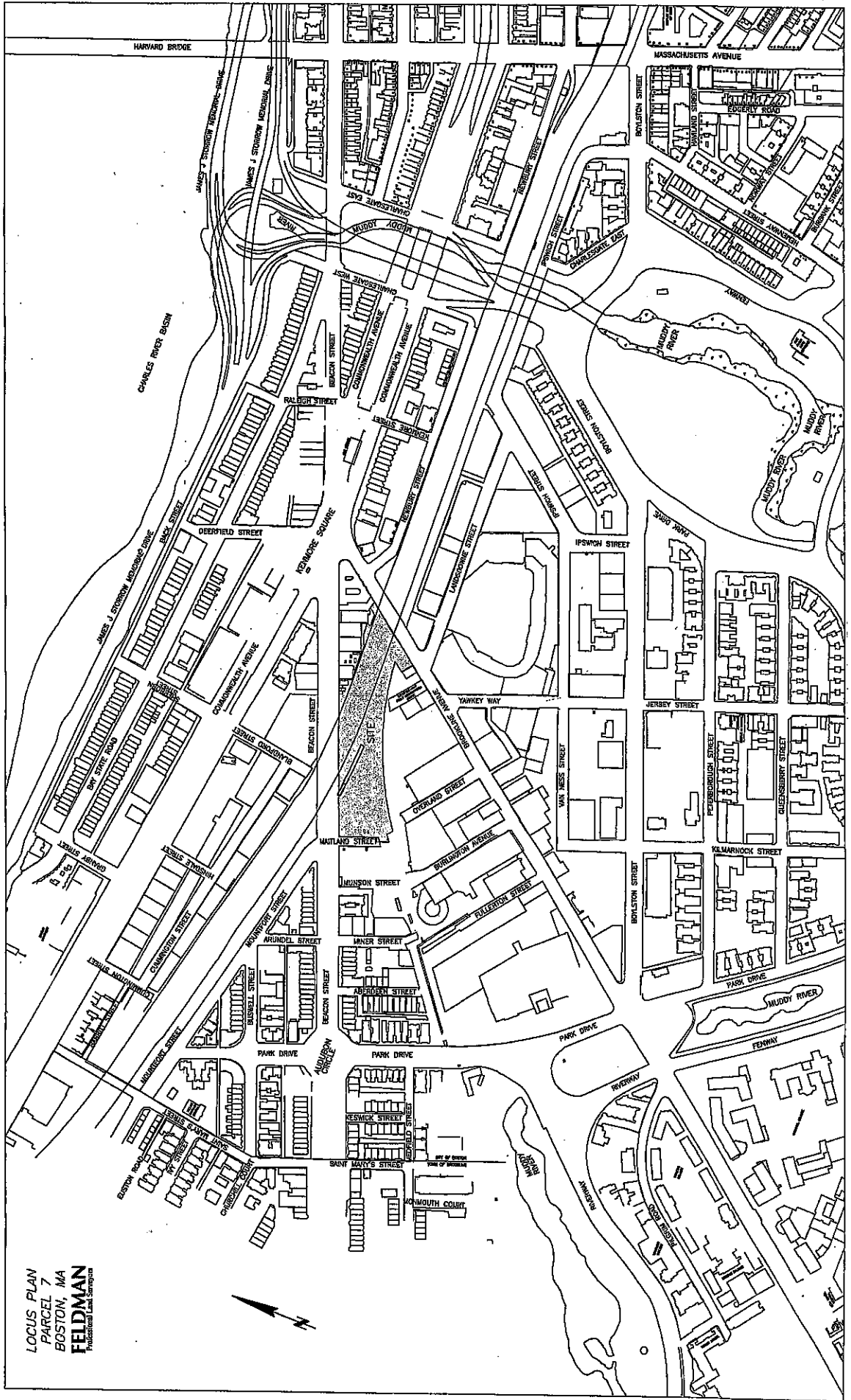
**Amendment of this Plan:** The owner of the Project or of an individual Project Component may seek amendment of this Plan as to the Project or such Project Component in accordance with the procedures prescribed by the Code, without the consent of the owner(s) of any other Project Component. In the event that any such amendment to this Plan is proposed by an owner of the Project or an individual Project Component, then such amendment shall only be approved as an amendment to this Plan in order to ensure overall compliance with this Plan.

## **LIST OF EXHIBITS**

<b>Exhibit A</b>	Locus Plan
<b>Exhibit B</b>	Legal Description of the PDA Overlay District
<b>Exhibit C</b>	Project Team
<b>Exhibit D</b>	Permitted Uses
<b>Exhibit E</b>	Drawings <ul style="list-style-type: none"><li>- Underlying (Existing) Zoning Districts</li><li>- PDA Overlay District</li><li>- Existing Conditions Plan</li><li>- Proposed Site Plan</li><li>- Proposed Floor Plans</li><li>- Proposed Elevations</li><li>- Renderings</li></ul>

**EXHIBIT A**

LOCUS PLAN



LOCUS PLAN  
 PARCEL 7  
 BOSTON, MA  
**FELDMAN**  
 Professional Land Surveyors

**EXHIBIT B**

**LEGAL DESCRIPTION OF THE PDA OVERLAY DISTRICT**

A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF BOSTON, COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTERLINE OF MAITLAND STREET AND THE CENTERLINE OF BEACON STREET;

THENCE RUNNING BY SAID CENTERLINE OF BEACON STREET N 69°23'21" E, A DISTANCE OF 723.94 FEET TO A POINT;

THENCE TURNING AND RUNNING S 20°36'39" E, A DISTANCE OF 111.63 FEET TO A POINT, IN PART ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 8.83 FEET TO A POINT;

THENCE TURNING AND RUNNING S 01°18'31" E, A DISTANCE OF 2.17 FEET TO A POINT;

THENCE TURNING AND RUNNING N 88°41'05" E, A DISTANCE OF 14.29 FEET TO A POINT;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 7.57 FEET TO A POINT;

THENCE TURNING AND RUNNING N 88°41'07" E, A DISTANCE OF 102.06 FEET TO A POINT;

THE PREVIOUS FIVE COURSES ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY THE TRUSTEES OF BOSTON UNIVERSITY S 20°36'39" E, A DISTANCE OF 2.64 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°42'29" E, A DISTANCE OF 23.37 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND AND LAND NOW OR FORMERLY OF COLES HOLDING LTD. N 69°23'21" E, A DISTANCE OF 54.78 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 85°14'36" E, A DISTANCE OF 51.16 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 14°51'12" W, A DISTANCE OF 17.15 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 75°09'59" E, A DISTANCE OF 7.90 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°41'07" E, A DISTANCE OF 43.12 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 37°46'26" E, A DISTANCE OF 35.84 FEET TO A POINT;

THENCE TURNING AND RUNNING BY LAND NOW OR FORMERLY OF BUCKMINSTER ANNEX CORPORATION S 75°09'59" E, A DISTANCE OF 32.64 FEET TO A POINT ON THE NORTHWESTERLY SIDELINE OF BROOKLINE AVENUE;

THENCE TURNING AND RUNNING S 52°14'30" E, A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF BROOKLINE AVENUE;

THENCE RUNNING BY SAID CENTERLINE OF BROOKLINE AVENUE S 37°45'30" W, A DISTANCE OF 325.20 FEET TO A POINT;

THENCE TURNING AND RUNNING, IN PART ALONG LAND OF 51 BROOKLINE LIMITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 89.00 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST N 37°41'58" E, A DISTANCE OF 52.81 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 84°48'24" W, A DISTANCE OF 44.00 FEET TO A POINT OF CURVATURE;

THENCE TURNING AND RUNNING ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 87.40 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 81°18'47" W AND A CHORD LENGTH OF 87.39 FEET TO A POINT OF NON-TANGENCY;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF SO-HO REALTY UNITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 2.93 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 67°28'15" W, A DISTANCE OF 10.60 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 620.61 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 67°08'37" W AND A CHORD LENGTH OF 616.08 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF CSX CORPORATION, INC. N 52°14'29" W, A DISTANCE OF 31.29 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 36.10 FEET, A RADIUS OF 1511.35 FEET, A CHORD BEARING OF S 54°06'28" W AND A CHORD LENGTH OF 36.10 FEET TO A POINT;

THENCE TURNING AND RUNNING IN PART ALONG LAND NOW OR FORMERLY OF CHILDRENS MEDICAL CENTER AND BY THE CENTERLINE OF MAITLAND STREET N 20°36'39" W, A DISTANCE OF 277.11 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 246,232 SQUARE FEET OR 5.653 ACRES.

**EXHIBIT C**

**PROJECT TEAM**

**Proponent:** MK Parcel 7 Development LLC  
One Bridge Street, Suite 300  
Newton, MA 02458-1101  
(617) 965-2200, ext. 150  
John Rosenthal  
Jerry Belair

**Architects:** Carlos Zapata Studios  
444 Broadway, 3<sup>rd</sup> Floor  
New York, NY 10013  
(212) 966-9292  
Carlos Zapata  
Anthony Montalto  
Matthew Stofen

**Landscape Architect:** Coley Wolff Design Group  
160 Boylston Street, 3<sup>rd</sup> Floor  
Boston, MA 02116  
(617) 654-9000  
Lynn Wolff

**Legal Counsel:** Goulston & Storrs, P.C.  
400 Atlantic Avenue  
Boston, MA 02110  
(617) 482-1776  
Paul McDonough  
Adam Hundley

**Permitting Consultants:** Epsilon Associates, Inc.  
Three Clock Tower Place, Suite 250  
Maynard, MA 01754  
(978) 897-7100  
Cindy Schlessinger  
David Hewett



Transportation, Civil  
Engineering and LEED®  
Consultants: Vanasse Hangen Brustlin, Inc.  
101 Walnut Street  
Watertown, MA 02471  
(617) 924-1770  
Ruth Bonsignore  
Michael Regan  
Mark Junghans  
Tristan Cooke  
Leo P. Roy

Air Quality and Greenhouse:  
Gas Emissions Consultant: Harris Miller Miller & Hanson, Inc.  
77 South Bedford Street  
Burlington, MA 01803  
(781) 229-0707  
Philip M. DeVita

Parking Operations  
Consultant: Pilgrim Parking, Inc.  
160 North Washington Street  
Boston, MA 02114  
(617) 723-1448  
Michael Gery

Structural Engineer: Leslie E. Robertson Associates, RLLP  
30 Broad Street, 47-48<sup>th</sup> Floor  
New York, NY 10004-2304  
(212) 750-9000  
William Faschan.

Mechanical, Electrical and  
Plumbing Consultants: DSA Engineering  
77-79 Farringdon Road  
London, England EC1M3JU  
+ 44 (0) 20-7242-7272  
David Stillman

Cosentini Associates  
One Broadway, 10<sup>th</sup> Floor  
Cambridge, MA 02142  
(617) 494-9090  
Robert Leber

Geotechnical Consultant: Haley & Aldrich  
465 Medford Street Suite 200  
Boston, MA 02129  
(617) 886-7400  
Mark Haley

Surveyor: Harry R. Feldman, Inc.  
112 Shawmut Avenue, 4<sup>th</sup> Floor  
Boston, MA 02118  
(617) 357-9740  
Michael Feldman  
Sean McDonagh

Construction Manager: Bovis/Lend Lease LMB, Inc.  
99 Chauncy Street  
Boston, MA 02111  
(617) 598-4300  
Jon Dunsford

Deck and Tunnel  
Consultant: Parsons Brinckerhoff  
75 Arlington Street, 9<sup>th</sup> Floor  
Boston, MA 02116  
(617) 426-7330  
Andy Boyd

Deck and Tunnel  
Contractor: J.F. White  
10 Burr Street  
Framingham, MA 01701  
(617) 426-0353  
Keven Lampron

## EXHIBIT D

### PERMITTED USES

#### 1) Accessory and Ancillary Uses

Any use customarily incident to a main use, including: accessory clinic or office for hospital; accessory home occupation; accessory parking; accessory personnel quarters; accessory professional office; accessory services for apartment and hotel residents; accessory services incidental to educational uses; or accessory services incidental to hospitals.

#### 2) Community Uses

- a) Adult education center
- b) Community center
- c) Day care center or elderly day care center
- d) Place of worship, monastery, convent or parish house

#### 3) Cultural Uses

- a) Art gallery or exhibit space

#### 4) Educational Uses

- a) Professional school

#### 5) Entertainment Uses

- a) Amusement game machines in commercial or noncommercial establishment
- b) Bar or bar with live entertainment
- c) Fitness center or gymnasium
- d) Private club either serving or not serving alcohol
- e) Restaurant with live entertainment

#### 6) Institutional Uses

- a) College or University Use limited to administrative and research space
- b) Health care uses limited to administrative and research space

**7) Office Uses**

- a) Agency or Professional Office
- b) Back office
- c) Banking and postal uses, including, without limitation: automatic teller machine; bank; or post office
- d) General office

**8) On-Premise Signs, subject to BRA design approval**

**9) Open Space Uses**

- a) Open space, in private or public ownership, dedicated to or appropriated for active or passive recreational use, including: park; public garden; or playground
- b) Pedestrian facility that allows public passage

**10) Public Service Uses**

- a) Automatic telephone exchange, telephone exchange or payphone(s)

**11) Research and Development Uses**

- a) Scientific laboratory limited to dry laboratory space

**12) Residential Uses**

- a) Multifamily dwellings
- b) Accessory services for multifamily dwellings

**13) Hotel and accessory services for a hotel, and bed and breakfast**

**14) Restaurant Uses, including outdoor cafes and take-out restaurants**

**15) Retail and Service Uses**

**16) Transportation Uses**

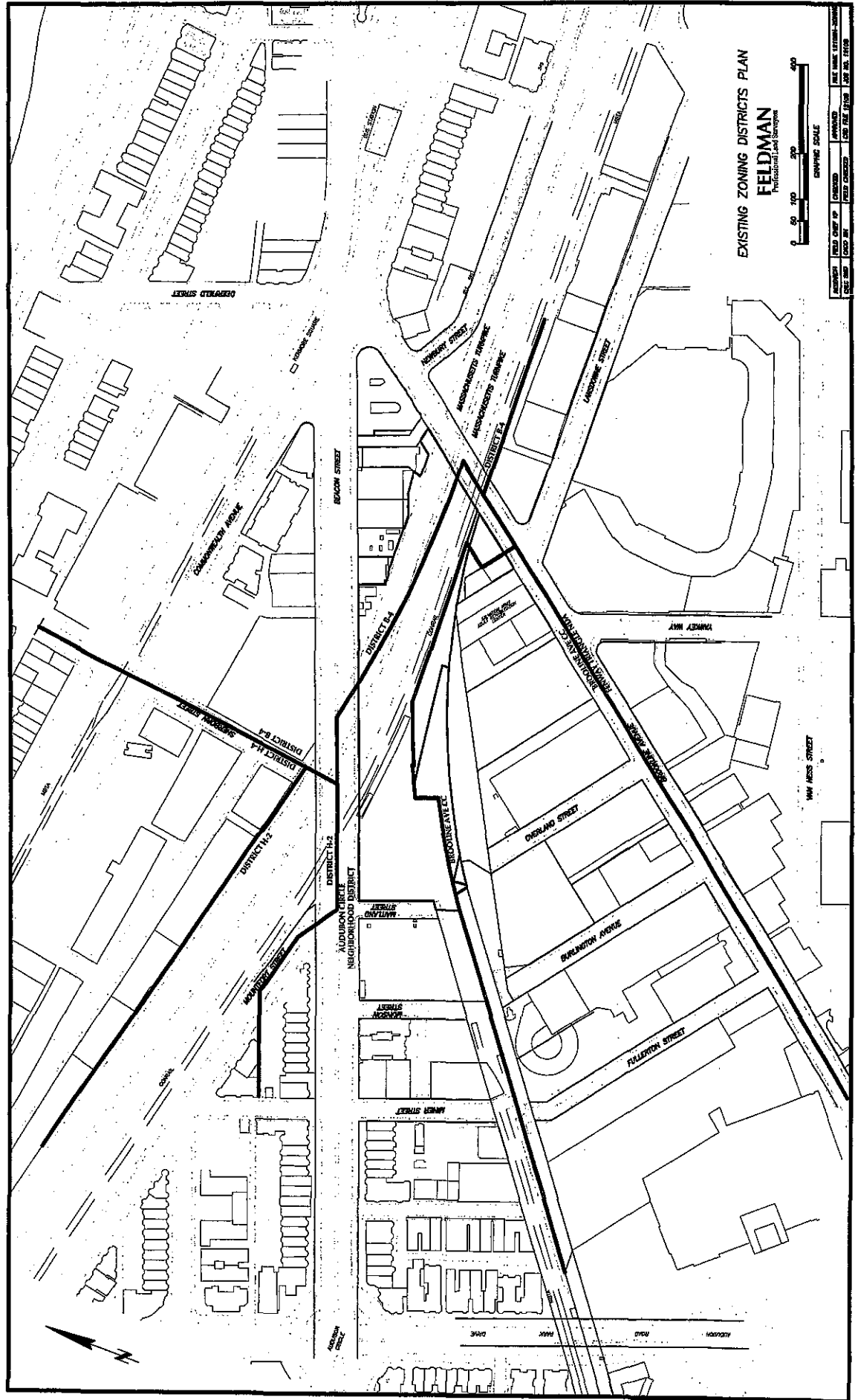
- a) Bus terminal
- b) Railroad passenger station, including commuter rail station

**17) Vehicular Uses**

- a) Parking garage and surface parking
- b) Rental agency for cars

**EXHIBIT E**

**DRAWINGS**



EXISTING ZONING DISTRICTS PLAN

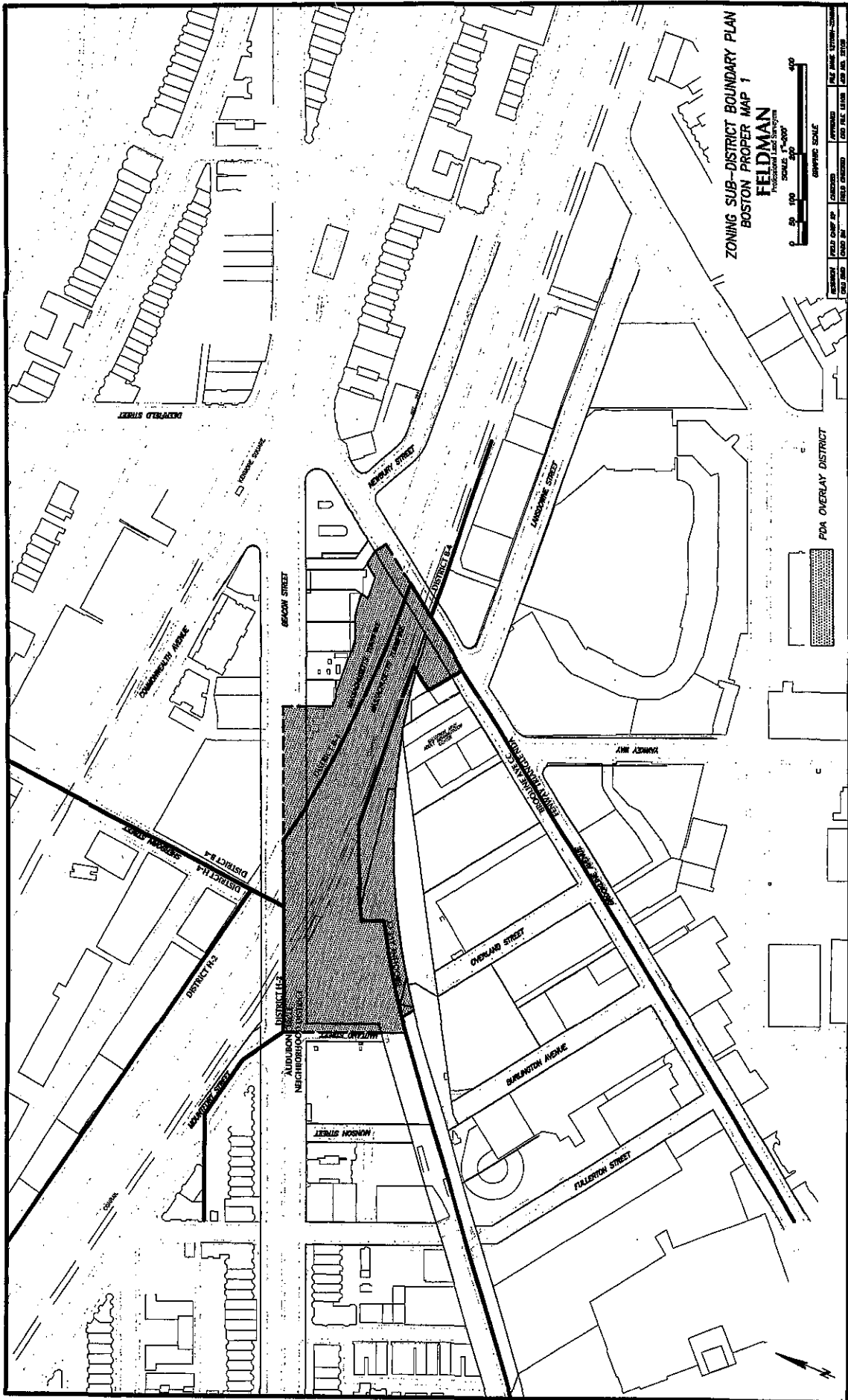
FELDMAN

Professional Land Surveyors



CONVERT	FEET TO METERS	1:100	1:200	1:500	1:1000
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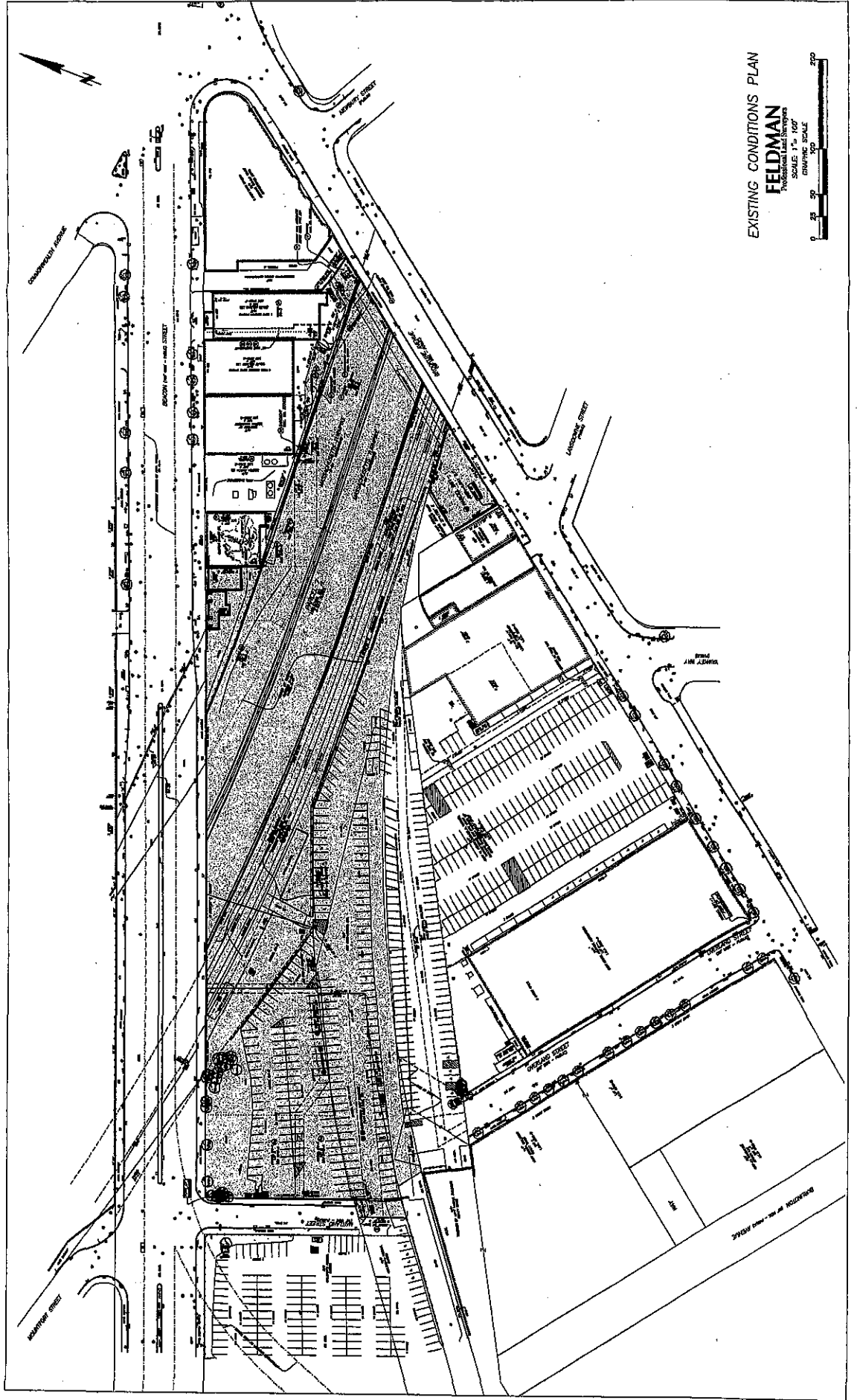
ZONING SUB-DISTRICT BOUNDARY PLAN  
 BOSTON PROPER MAP 1

FELDMAN  
 PROFESSIONAL LAND SURVEYOR



DATE OF MAP	DATE OF REVISION	DATE OF REVISION	DATE OF REVISION





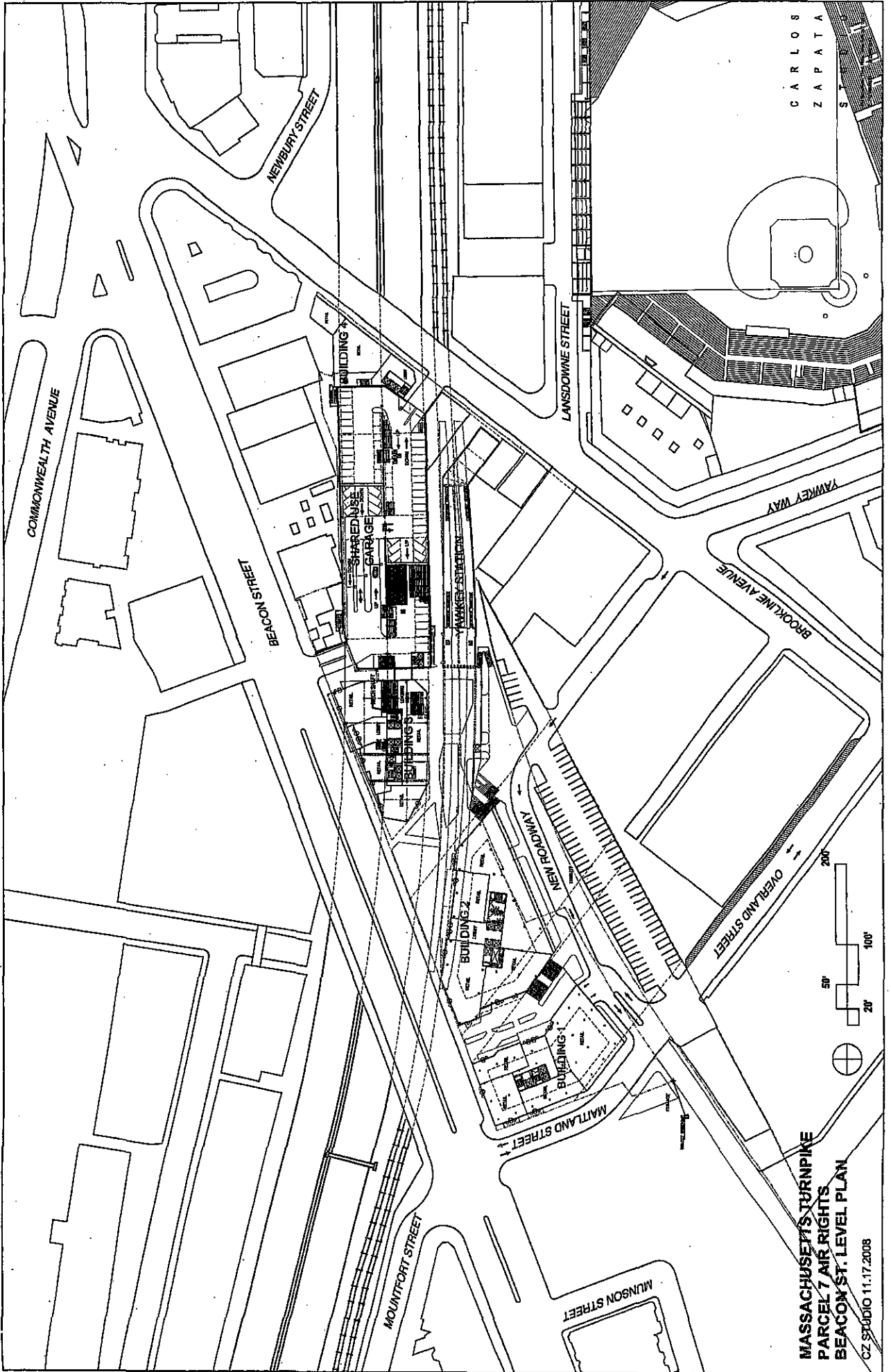
EXISTING CONDITIONS PLAN

FELDMAN  
Professional Land Surveyors

SCALE: 1" = 100'

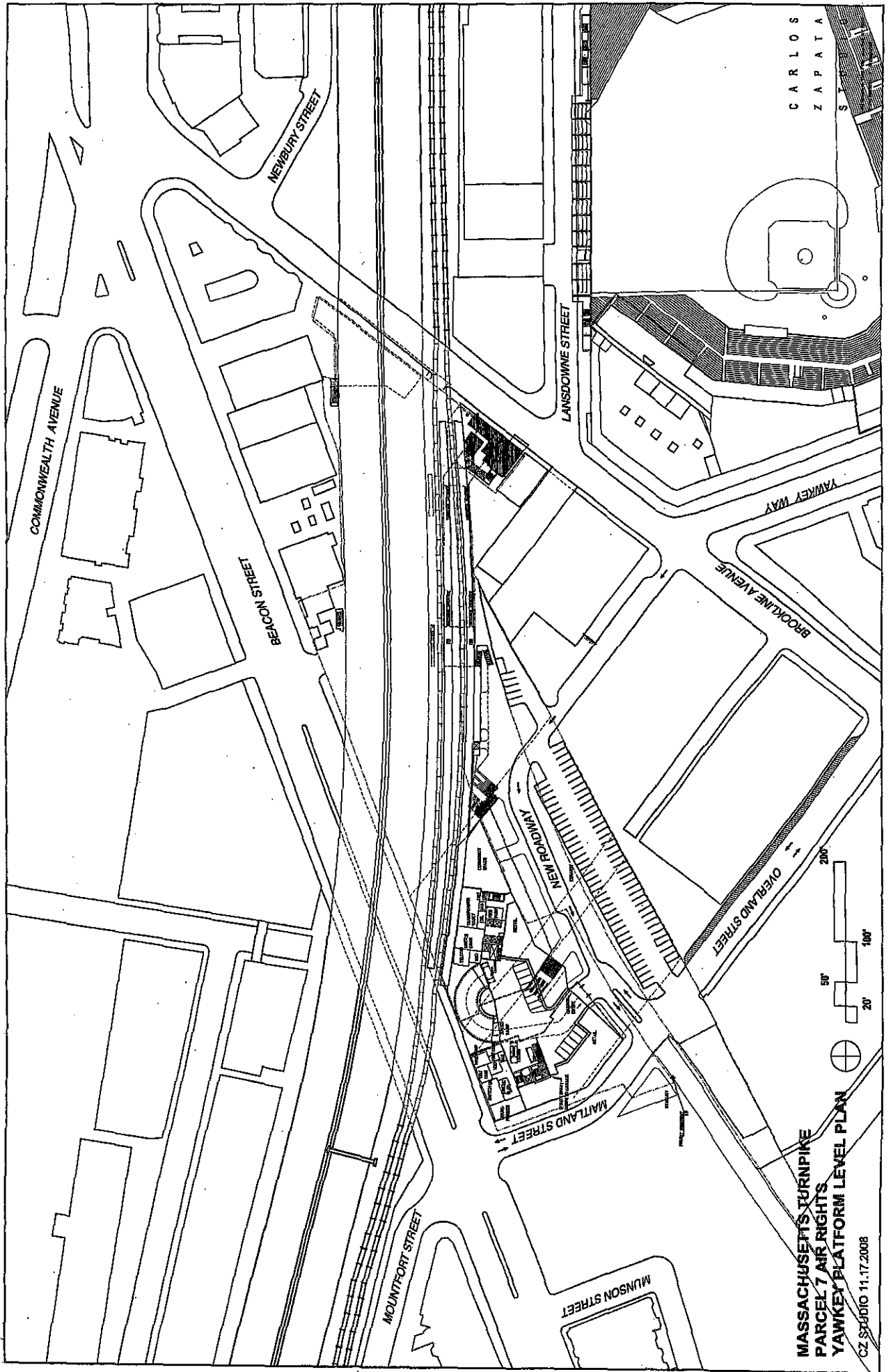
GRAPHIC SCALE





CARLOS  
ZAPATA

MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
BEACON ST. LEVEL PLAN  
CZ STUDIO 11.17.2008

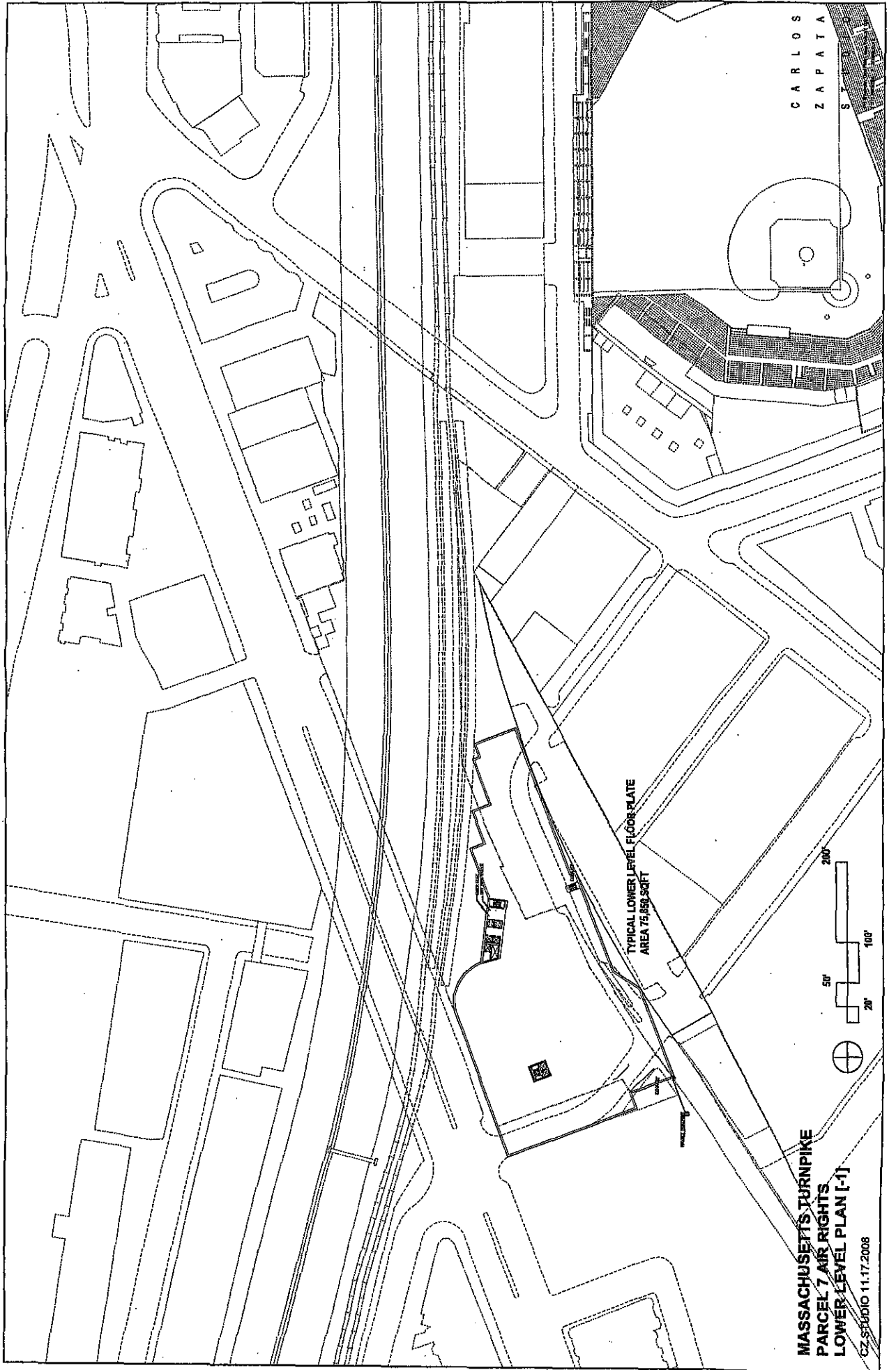


MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 YAWKEY PLATFORM LEVEL PLAN

CZ ST-001D 11.17.2008

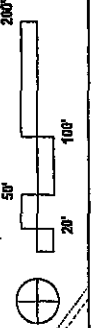
CARLOS  
ZAPATA

PLATE 1000 P

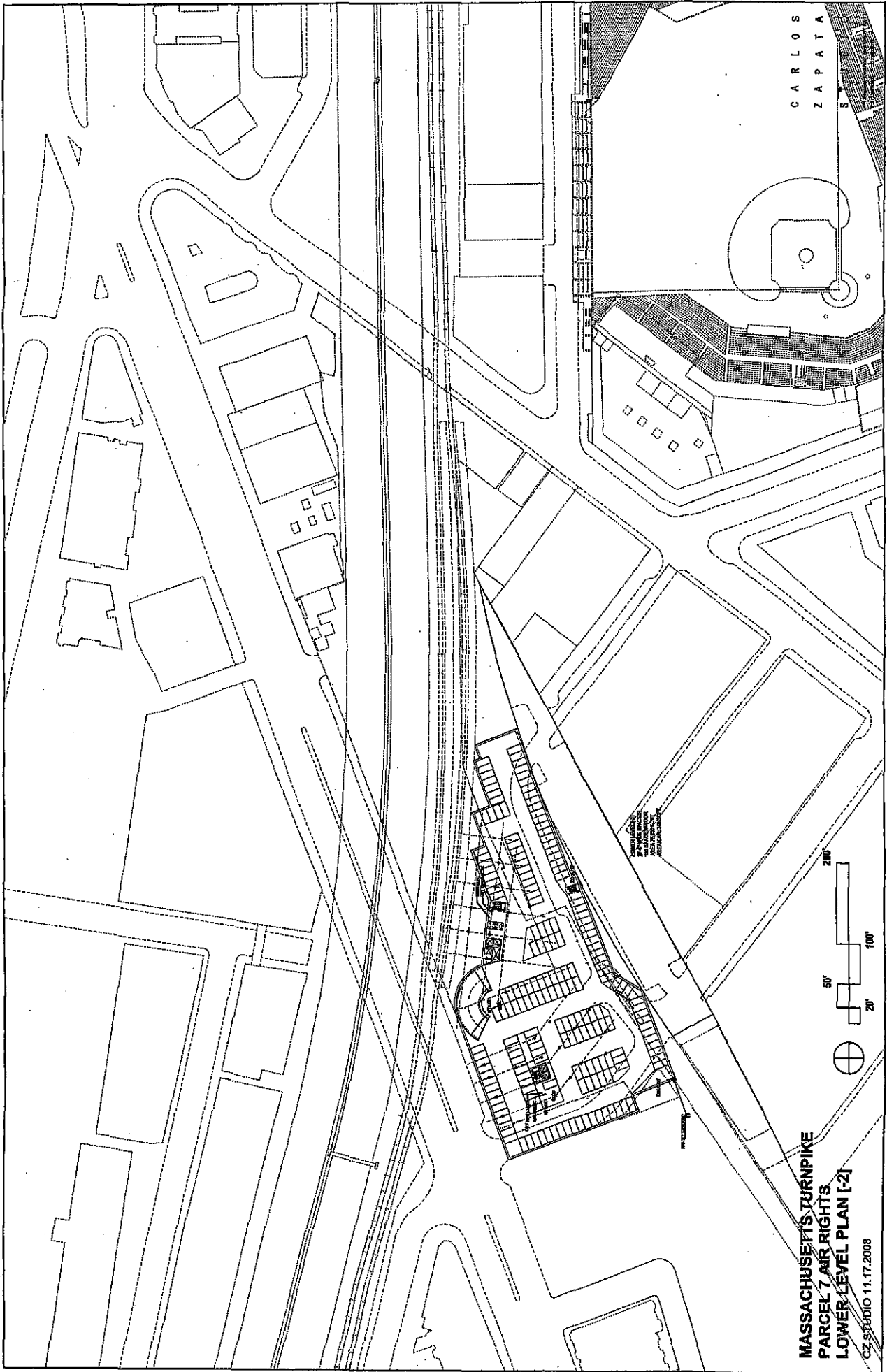


MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
LOWER LEVEL PLAN (-1)  
CZ STUDIO 11.17.2008

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ZAPATA  
ST



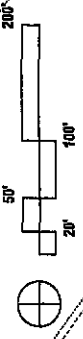
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ZAPATA

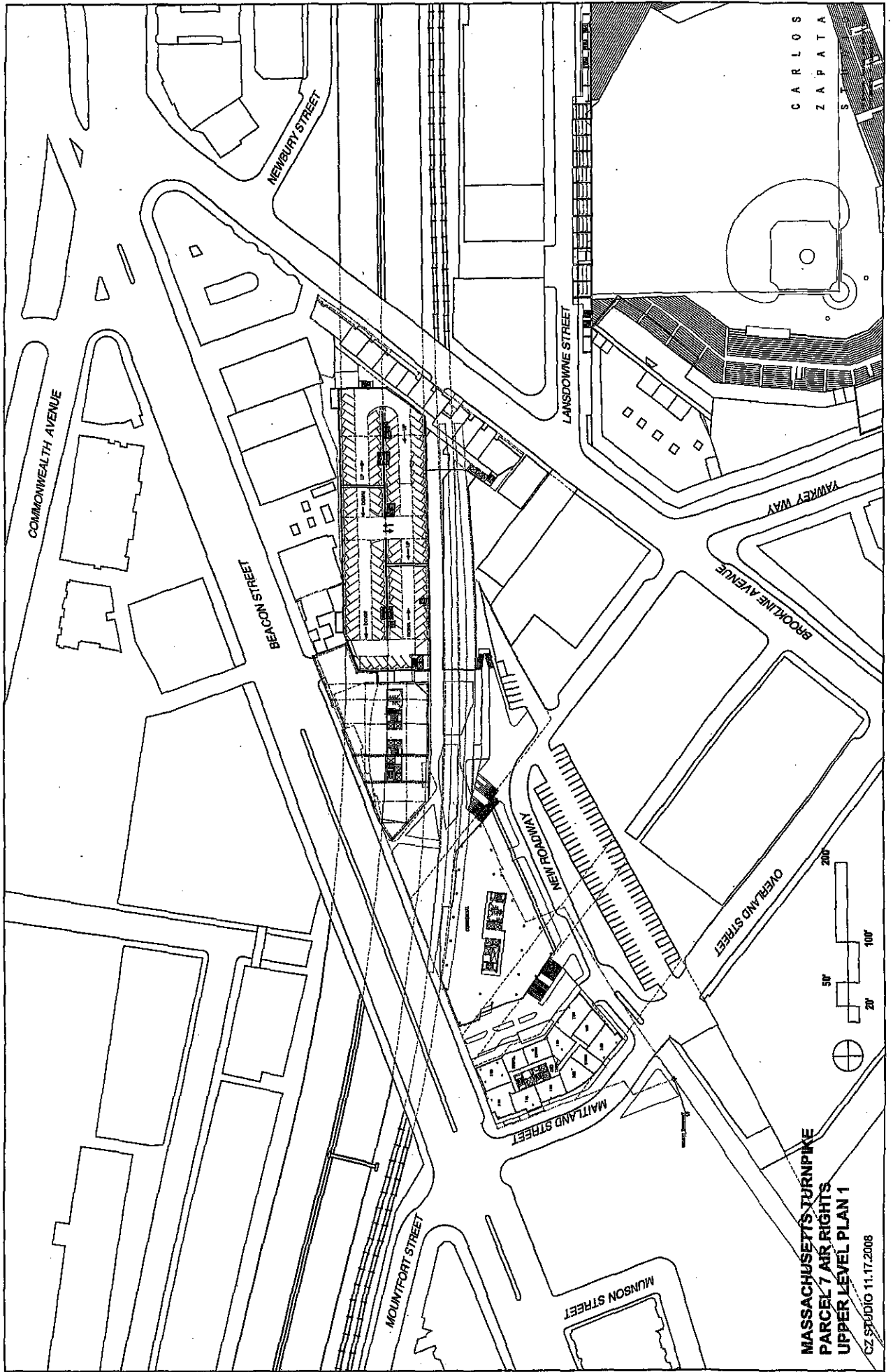
PROJ. 11/17/2008

PROJ. 11/17/2008



MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
LOWER LEVEL PLAN [-2]

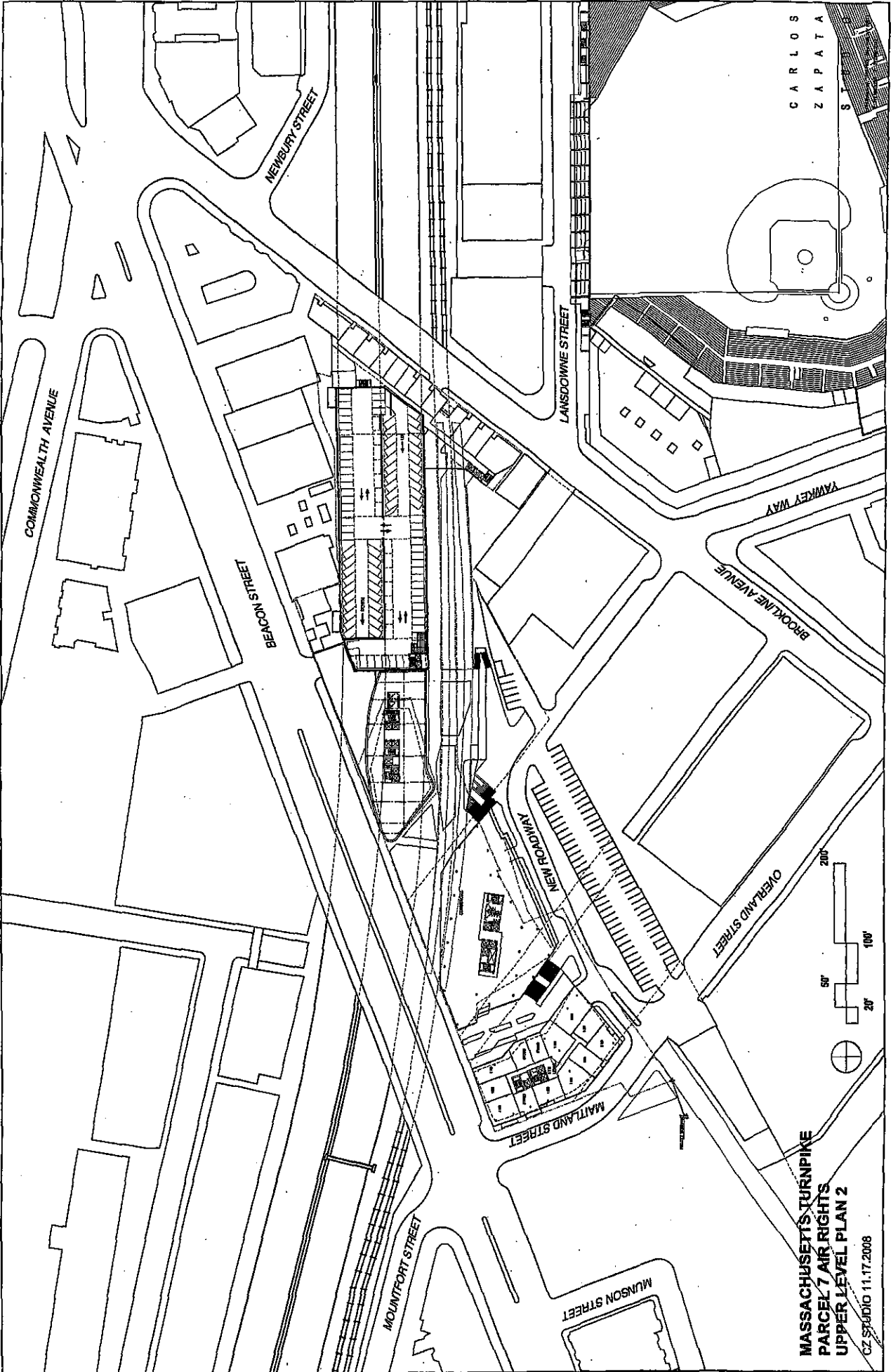
CZ STUDIO 11.17.2008



CARLOS  
ZAPATA

EXHIBIT E

MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
UPPER LEVEL PLAN 1  
CZ STUDIO 11.17.2008

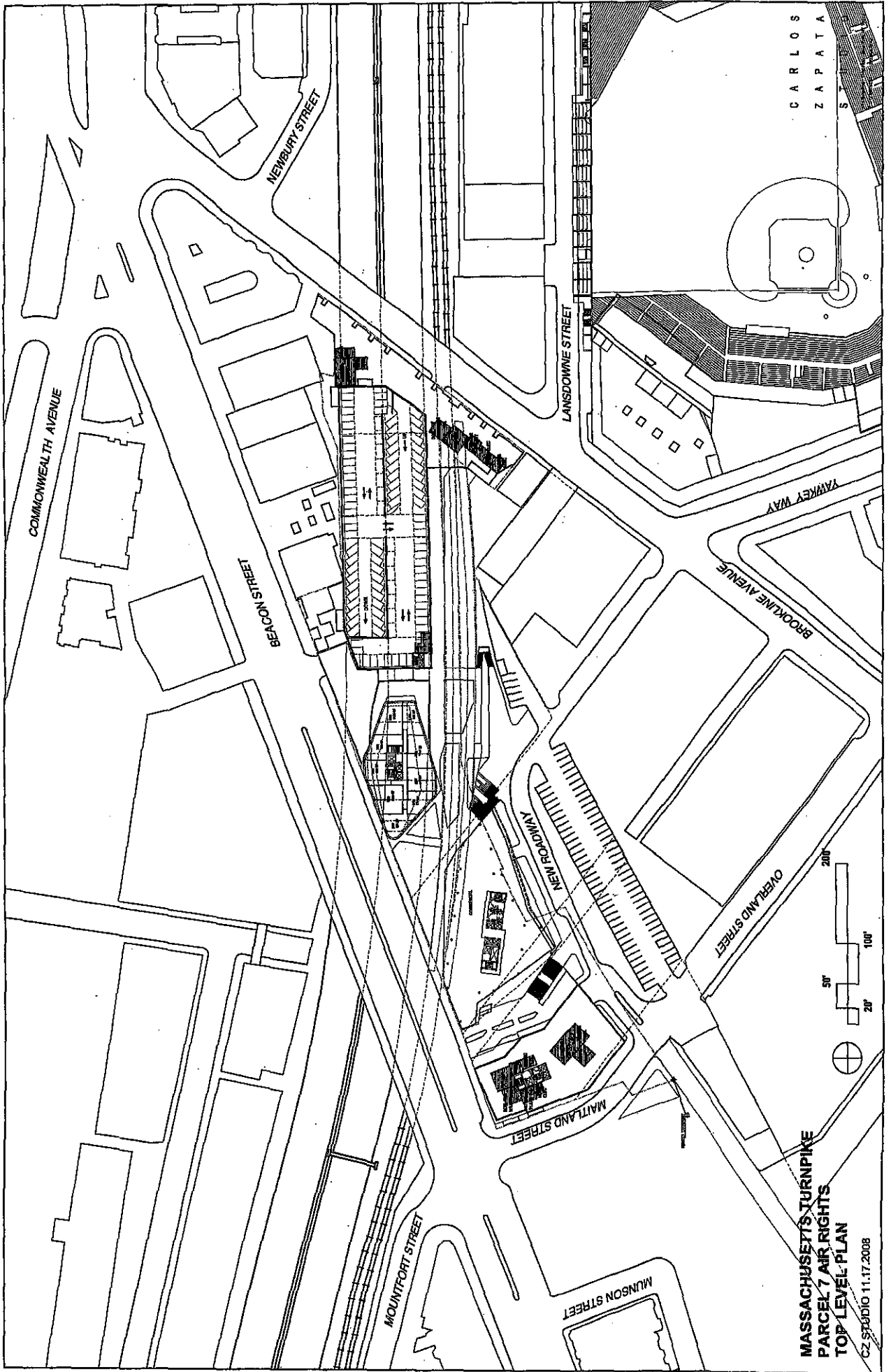


CARLOS  
ZAPATA

MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
UPPER LEVEL PLAN 2

OZ STUDIO 11.17.2008

PLAN 11.17.08

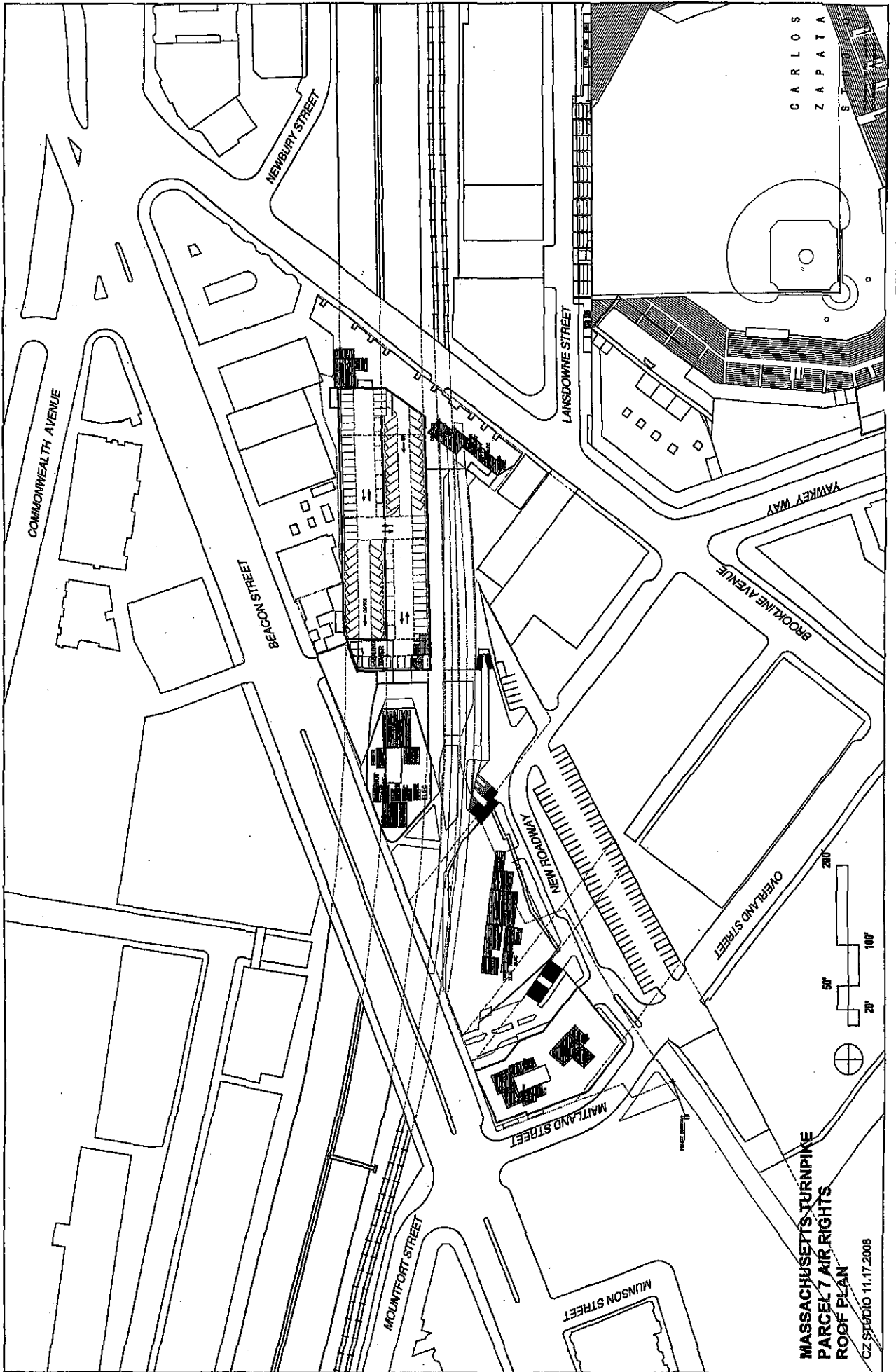


CARLOS  
ZAPATA

MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
TOP LEVEL PLAN  
CZ S710D10 11.17.2008

EXHIBIT E



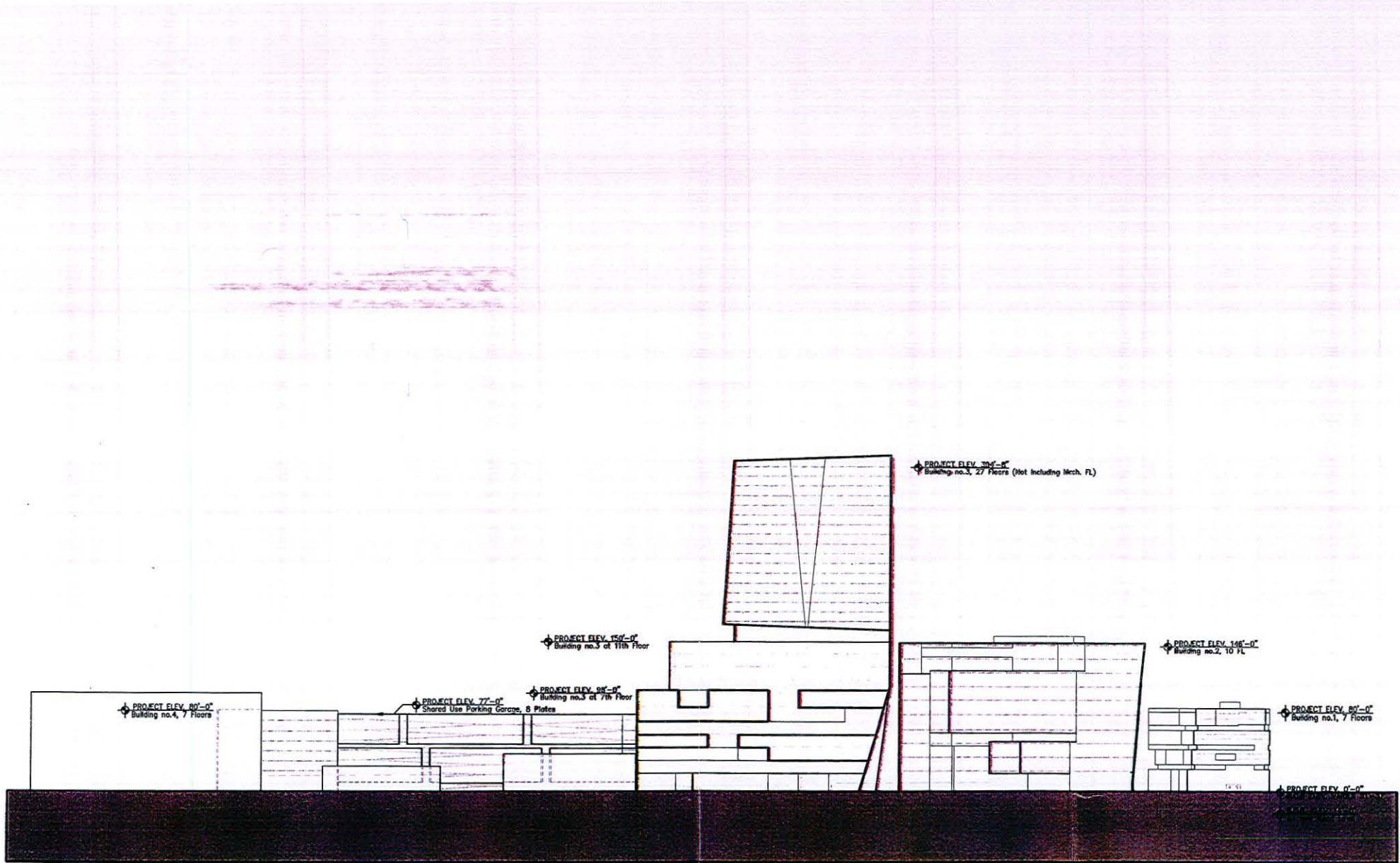


**MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 ROOF PLAN**

CZ STUDIO 11.17.2008

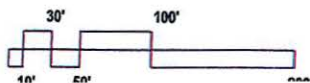
CARLOS  
ZAPATA

EXHIBIT E



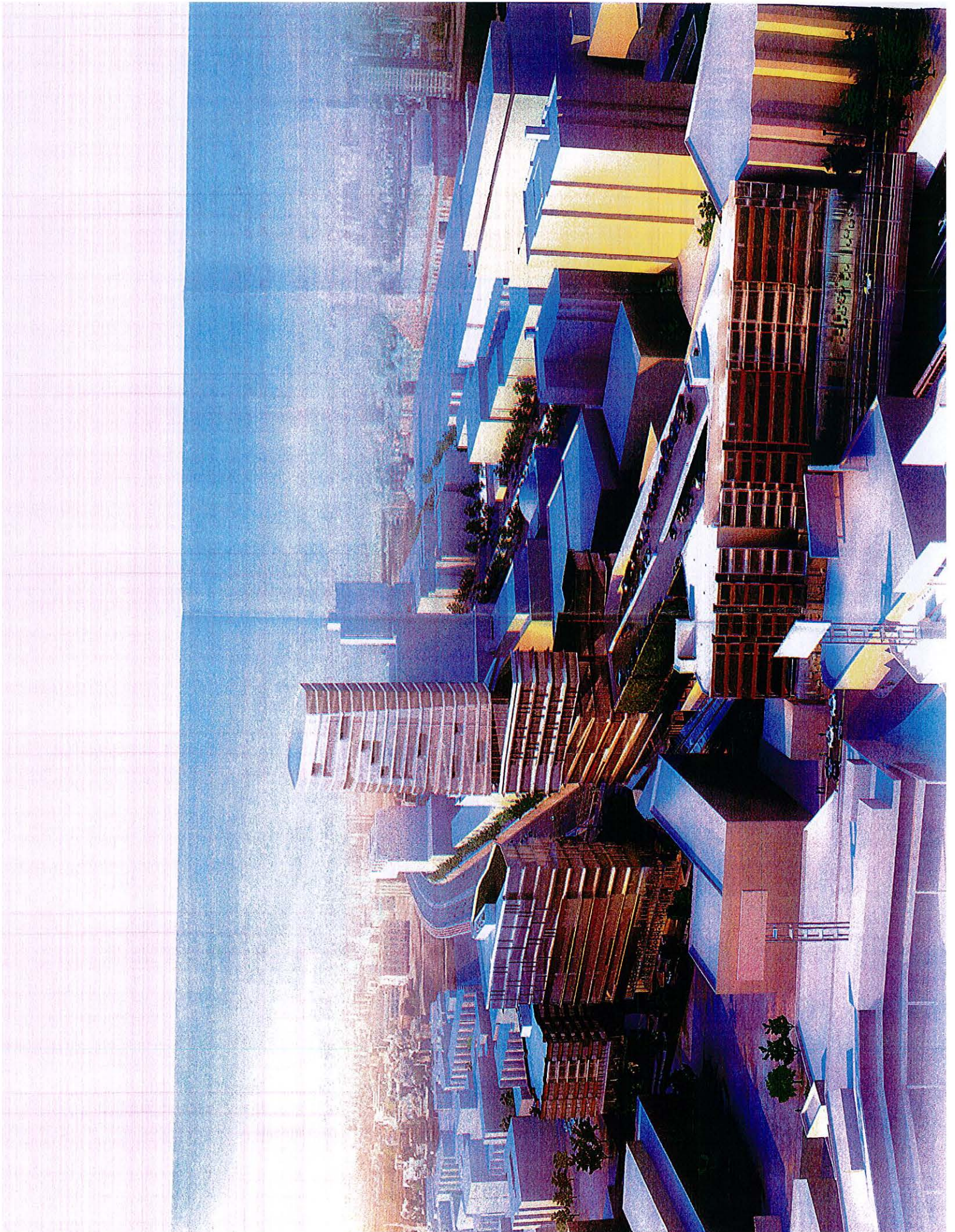
**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS**

**NORTH SITE ELEVATION**



CARLOS  
ZAPATA  
STUDIO



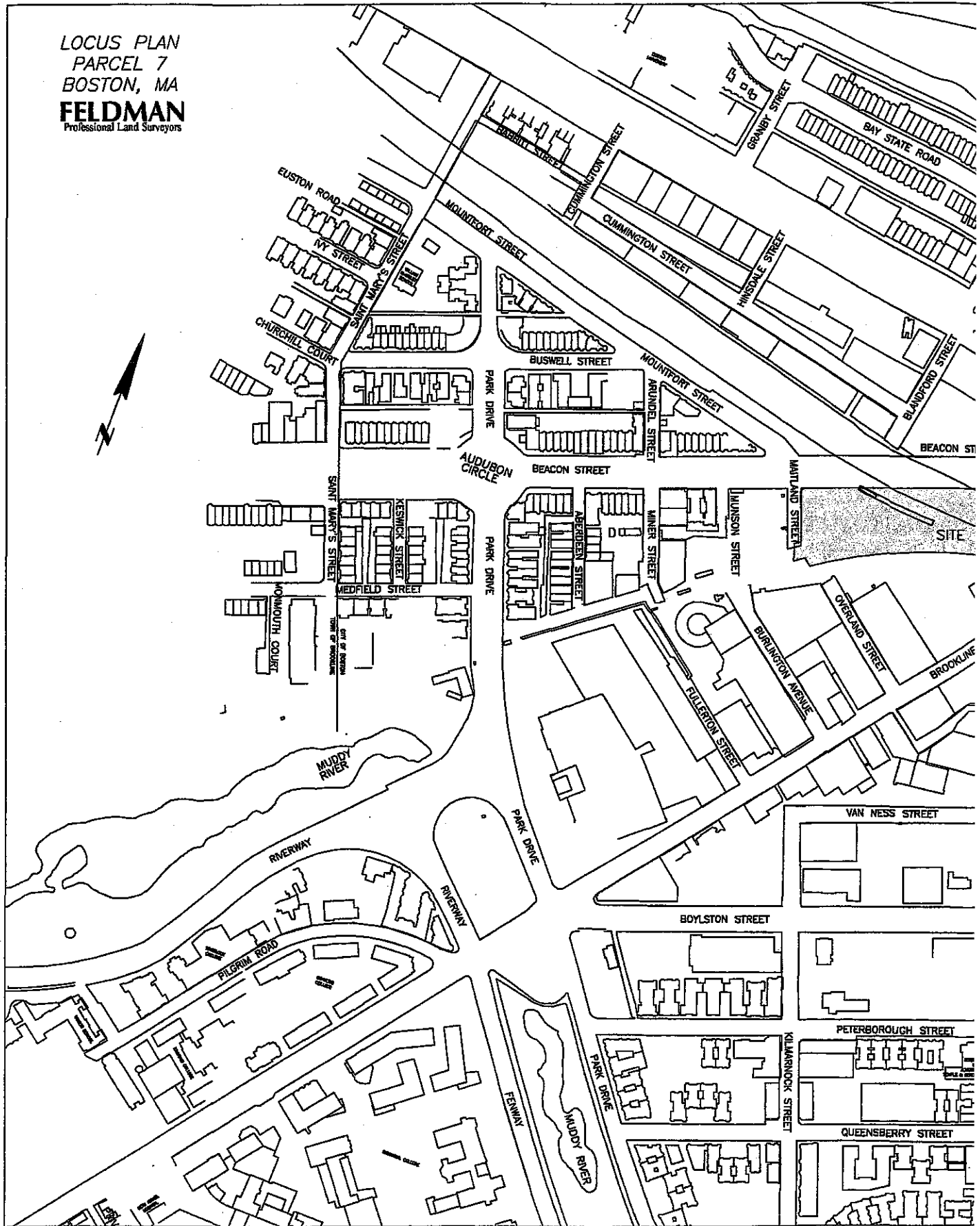




**EXHIBIT A**

**LOCUS PLAN**

LOCUS PLAN  
PARCEL 7  
BOSTON, MA  
**FELDMAN**  
Professional Land Surveyors



**EXHIBIT B**

LEGAL DESCRIPTION OF THE PDA OVERLAY DISTRICT

A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF BOSTON, COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTERLINE OF MAITLAND STREET AND THE CENTERLINE OF BEACON STREET;

THENCE RUNNING BY SAID CENTERLINE OF BEACON STREET N 69°23'21" E, A DISTANCE OF 723.94 FEET TO A POINT;

THENCE TURNING AND RUNNING S 20°36'39" E, A DISTANCE OF 111.63 FEET TO A POINT, IN PART ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 8.83 FEET TO A POINT;

THENCE TURNING AND RUNNING S 01°18'31" E, A DISTANCE OF 2.17 FEET TO A POINT;

THENCE TURNING AND RUNNING N 88°41'05" E, A DISTANCE OF 14.29 FEET TO A POINT;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 7.57 FEET TO A POINT;

THENCE TURNING AND RUNNING N 88°41'07" E, A DISTANCE OF 102.06 FEET TO A POINT;

THE PREVIOUS FIVE COURSES ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY THE TRUSTEES OF BOSTON UNIVERSITY S 20°36'39" E, A DISTANCE OF 2.64 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°42'29" E, A DISTANCE OF 23.37 FEET TO A POINT;



THENCE TURNING AND RUNNING ALONG SAID LAND AND LAND NOW OR FORMERLY OF COLES HOLDING LTD. N 69°23'21" E, A DISTANCE OF 54.78 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 85°14'36" E, A DISTANCE OF 51.16 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 14°51'12" W, A DISTANCE OF 17.15 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 75°09'59" E, A DISTANCE OF 7.90 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°41'07" E, A DISTANCE OF 43.12 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 37°46'26" E, A DISTANCE OF 35.84 FEET TO A POINT;

THENCE TURNING AND RUNNING BY LAND NOW OR FORMERLY OF BUCKMINSTER ANNEX CORPORATION S 75°09'59" E, A DISTANCE OF 32.64 FEET TO A POINT ON THE NORTHWESTERLY SIDELINE OF BROOKLINE AVENUE;

THENCE TURNING AND RUNNING S 52°14'30" E, A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF BROOKLINE AVENUE;

THENCE RUNNING BY SAID CENTERLINE OF BROOKLINE AVENUE S 37°45'30" W, A DISTANCE OF 325.20 FEET TO A POINT;

THENCE TURNING AND RUNNING, IN PART ALONG LAND OF 51 BROOKLINE LIMITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 89.00 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST N 37°41'58" E, A DISTANCE OF 52.81 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 84°48'24" W, A DISTANCE OF 44.00 FEET TO A POINT OF CURVATURE;

THENCE TURNING AND RUNNING ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 87.40 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 81°18'47" W AND A CHORD LENGTH OF 87.39 FEET TO A POINT OF NON-TANGENCY;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF SO-HO REALTY UNITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 2.93 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 67°28'15" W, A DISTANCE OF 10.60 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 620.61 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 67°08'37" W AND A CHORD LENGTH OF 616.08 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF CSX CORPORATION, INC. N 52°14'29" W, A DISTANCE OF 31.29 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 36.10 FEET, A RADIUS OF 1511.35 FEET, A CHORD BEARING OF S 54°06'28" W AND A CHORD LENGTH OF 36.10 FEET TO A POINT;

THENCE TURNING AND RUNNING IN PART ALONG LAND NOW OR FORMERLY OF CHILDRENS MEDICAL CENTER AND BY THE CENTERLINE OF MAITLAND STREET N 20°36'39" W, A DISTANCE OF 277.11 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 246,232 SQUARE FEET OR 5.653 ACRES.

**EXHIBIT C**

**PROJECT TEAM**

**Proponent:** MK Parcel 7 Development LLC  
One Bridge Street, Suite 300  
Newton, MA 02458-1101  
(617) 965-2200, ext. 150  
John Rosenthal  
Jerry Belair

**Architects:** Carlos Zapata Studios  
444 Broadway, 3<sup>rd</sup> Floor  
New York, NY 10013  
(212) 966-9292  
Carlos Zapata  
Anthony Montalto  
Matthew Stofen

**Landscape Architect:** Coley Wolff Design Group  
160 Boylston Street, 3<sup>rd</sup> Floor  
Boston, MA 02116  
(617) 654-9000  
Lynn Wolff

**Legal Counsel:** Goulston & Storrs, P.C.  
400 Atlantic Avenue  
Boston, MA 02110  
(617) 482-1776  
Paul McDonough  
Adam Hundley

**Permitting Consultants:** Epsilon Associates, Inc.  
Three Clock Tower Place, Suite 250  
Maynard, MA 01754  
(978) 897-7100  
Cindy Schlessinger  
David Hewett

Transportation, Civil  
Engineering and LEED®  
Consultants:

Vanasse Hangen Brustlin, Inc.  
101 Walnut Street  
Watertown, MA 02471  
(617) 924-1770  
Ruth Bonsignore  
Michael Regan  
Mark Junghans  
Tristan Cooke  
Leo P. Roy

Air Quality and Greenhouse:  
Gas Emissions Consultant:

Harris Miller Miller & Hanson, Inc.  
77 South Bedford Street  
Burlington, MA 01803  
(781) 229-0707  
Philip M. DeVita

Parking Operations  
Consultant:

Pilgrim Parking, Inc.  
160 North Washington Street  
Boston, MA 02114  
(617) 723-1448  
Michael Gery

Structural Engineer:

Leslie E. Robertson Associates, RLLP  
30 Broad Street, 47-48<sup>th</sup> Floor  
New York, NY 10004-2304  
(212) 750-9000  
William Faschan

Mechanical, Electrical and  
Plumbing Consultants:

DSA Engineering  
77-79 Farringdon Road  
London, England EC1M3JU  
+ 44 (0) 20-7242-7272  
David Stillman

Cosentini Associates  
One Broadway, 10<sup>th</sup> Floor  
Cambridge, MA 02142  
(617) 494-9090  
Robert Leber

Geotechnical Consultant:

Haley & Aldrich  
465 Medford Street Suite 200  
Boston, MA 02129  
(617) 886-7400  
Mark Haley

Surveyor: Harry R. Feldman, Inc.  
112 Shawmut Avenue, 4<sup>th</sup> Floor  
Boston, MA 02118  
(617) 357-9740  
Michael Feldman  
Sean McDonagh

Construction Manager: Bovis/Lend Lease LMB, Inc.  
99 Chauncy Street  
Boston, MA 02111  
(617) 598-4300  
Jon Dunsford

Deck and Tunnel  
Consultant: Parsons Brinckerhoff  
75 Arlington Street, 9<sup>th</sup> Floor  
Boston, MA 02116  
(617) 426-7330  
Andy Boyd

Deck and Tunnel  
Contractor: J.F. White  
10 Burr Street  
Framingham, MA 01701  
(617) 426-0353  
Keven Lampron

## **EXHIBIT D**

### **PERMITTED USES**

#### **1) Accessory and Ancillary Uses**

Any use customarily incident to a main use, including: accessory clinic or office for hospital; accessory home occupation; accessory parking; accessory personnel quarters; accessory professional office; accessory services for apartment and hotel residents; accessory services incidental to educational uses; or accessory services incidental to hospitals.

#### **2) Community Uses**

- a) Adult education center
- b) Community center
- c) Day care center or elderly day care center
- d) Place of worship, monastery, convent or parish house

#### **3) Cultural Uses**

- a) Art gallery or exhibit space

#### **4) Educational Uses**

- a) Professional school

#### **5) Entertainment Uses**

- a) Amusement game machines in commercial or noncommercial establishment
- b) Bar or bar with live entertainment
- c) Fitness center or gymnasium
- d) Private club either serving or not serving alcohol
- e) Restaurant with live entertainment

#### **6) Institutional Uses**

- a) College or University Use limited to administrative and research space
- b) Health care uses limited to administrative and research space

**7) Office Uses**

- a) Agency or Professional Office
- b) Back office
- c) Banking and postal uses, including, without limitation: automatic teller machine; bank; or post office
- d) General office

**8) On-Premise Signs, subject to BRA design approval**

**9) Open Space Uses**

- a) Open space, in private or public ownership, dedicated to or appropriated for active or passive recreational use, including: park; public garden; or playground
- b) Pedestrian facility that allows public passage

**10) Public Service Uses**

- a) Automatic telephone exchange, telephone exchange or payphone(s)

**11) Research and Development Uses**

- a) Scientific laboratory limited to dry laboratory space

**12) Residential Uses**

- a) Multifamily dwellings
- b) Accessory services for multifamily dwellings

**13) Hotel and accessory services for a hotel, and bed and breakfast**

**14) Restaurant Uses, including outdoor cafes and take-out restaurants**

**15) Retail and Service Uses**

**16) Transportation Uses**

- a) Bus terminal
- b) Railroad passenger station, including commuter rail station

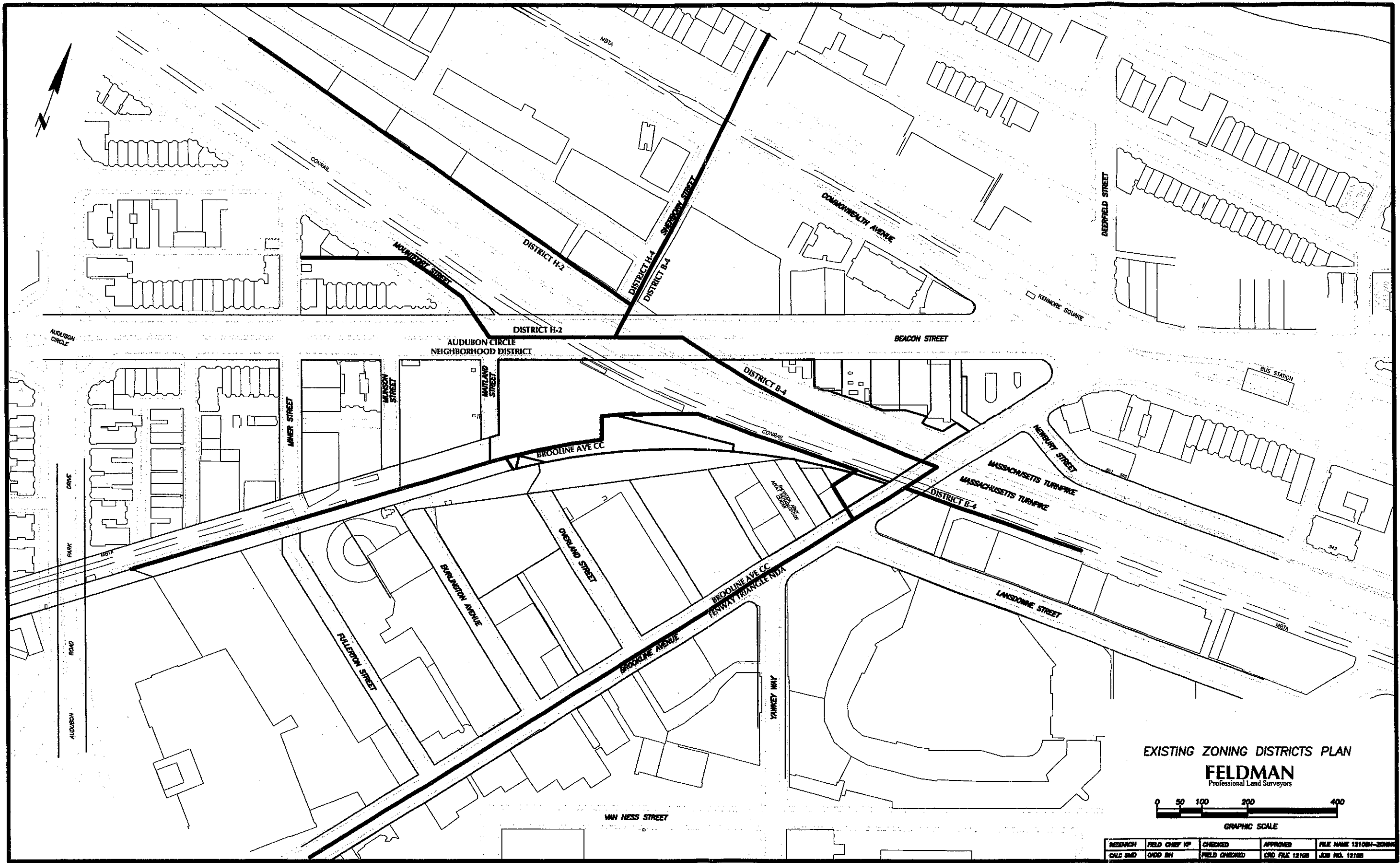
**17) Vehicular Uses**

- a) Parking garage and surface parking
- b) Rental agency for cars



**EXHIBIT E**

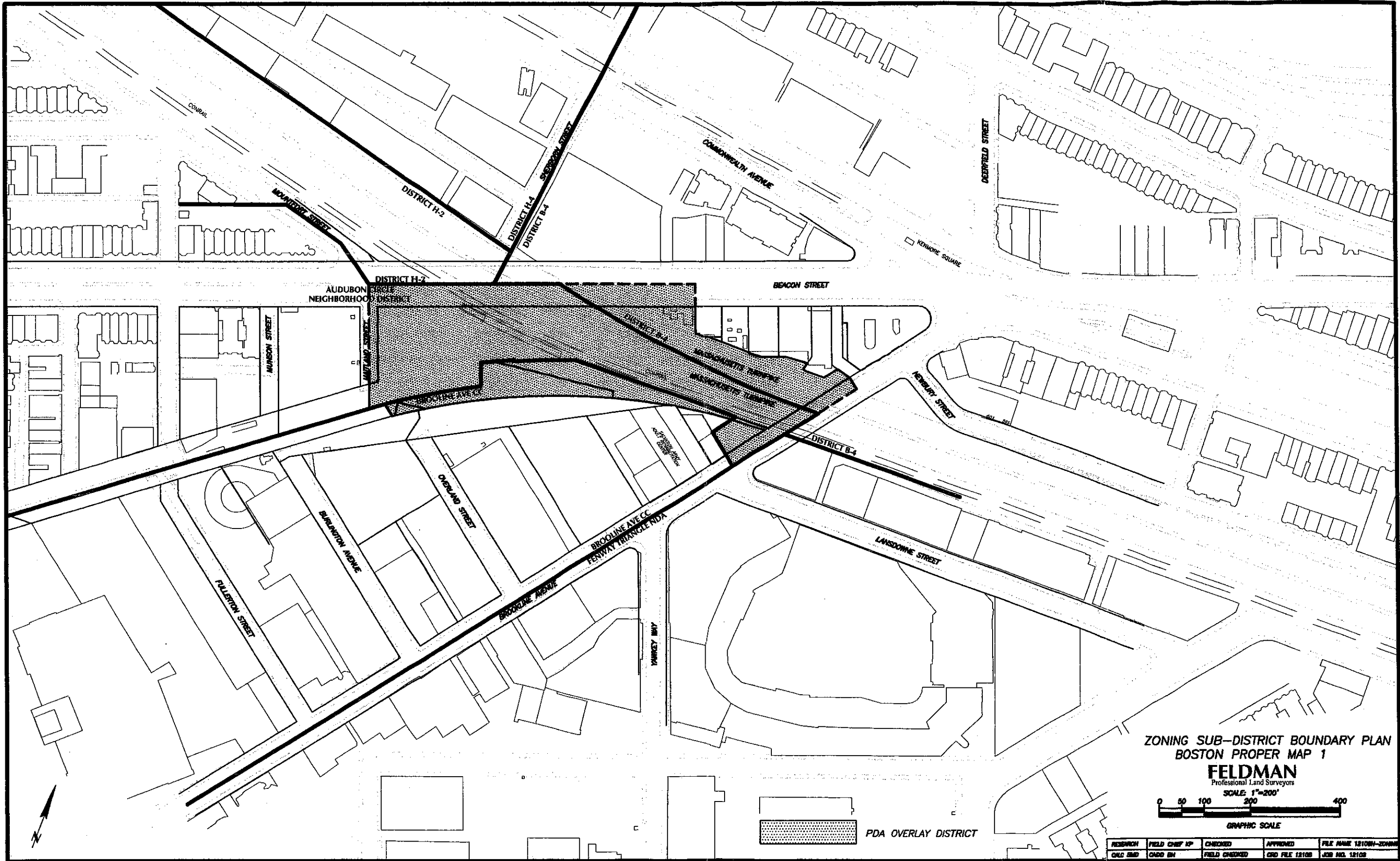
**DRAWINGS**



EXISTING ZONING DISTRICTS PLAN  
**FELDMAN**  
 Professional Land Surveyors

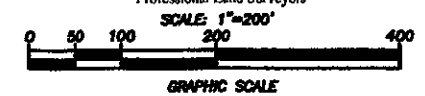


RESEARCH	FIELD CHIEF	CHECKED	APPROVED	FILE NAME
CALC SMD	DGD BH	FIELD CHECKED	CDD FILE 12108	JOB NO. 12108



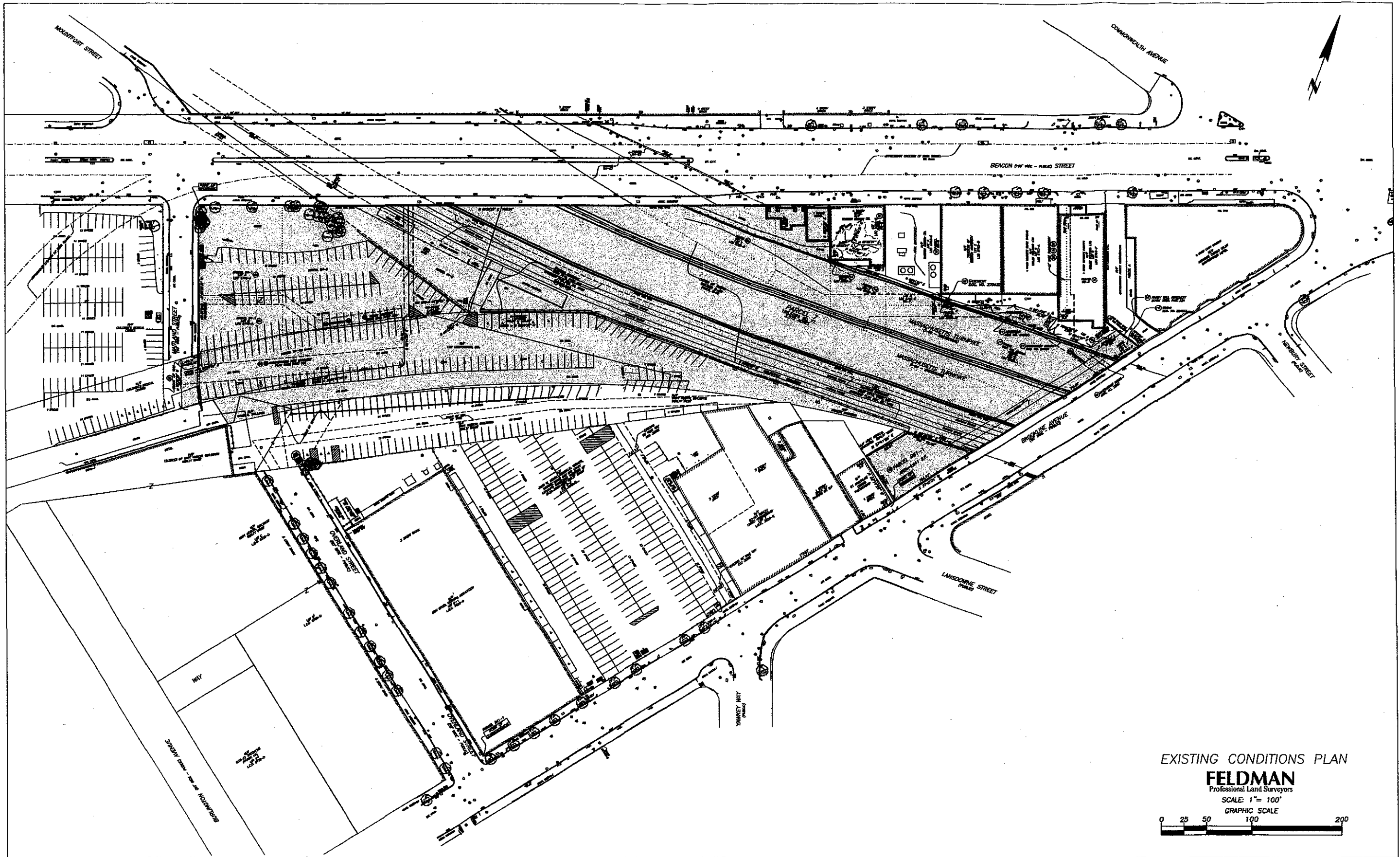
ZONING SUB-DISTRICT BOUNDARY PLAN  
 BOSTON PROPER MAP 1

**FELDMAN**  
 Professional Land Surveyors

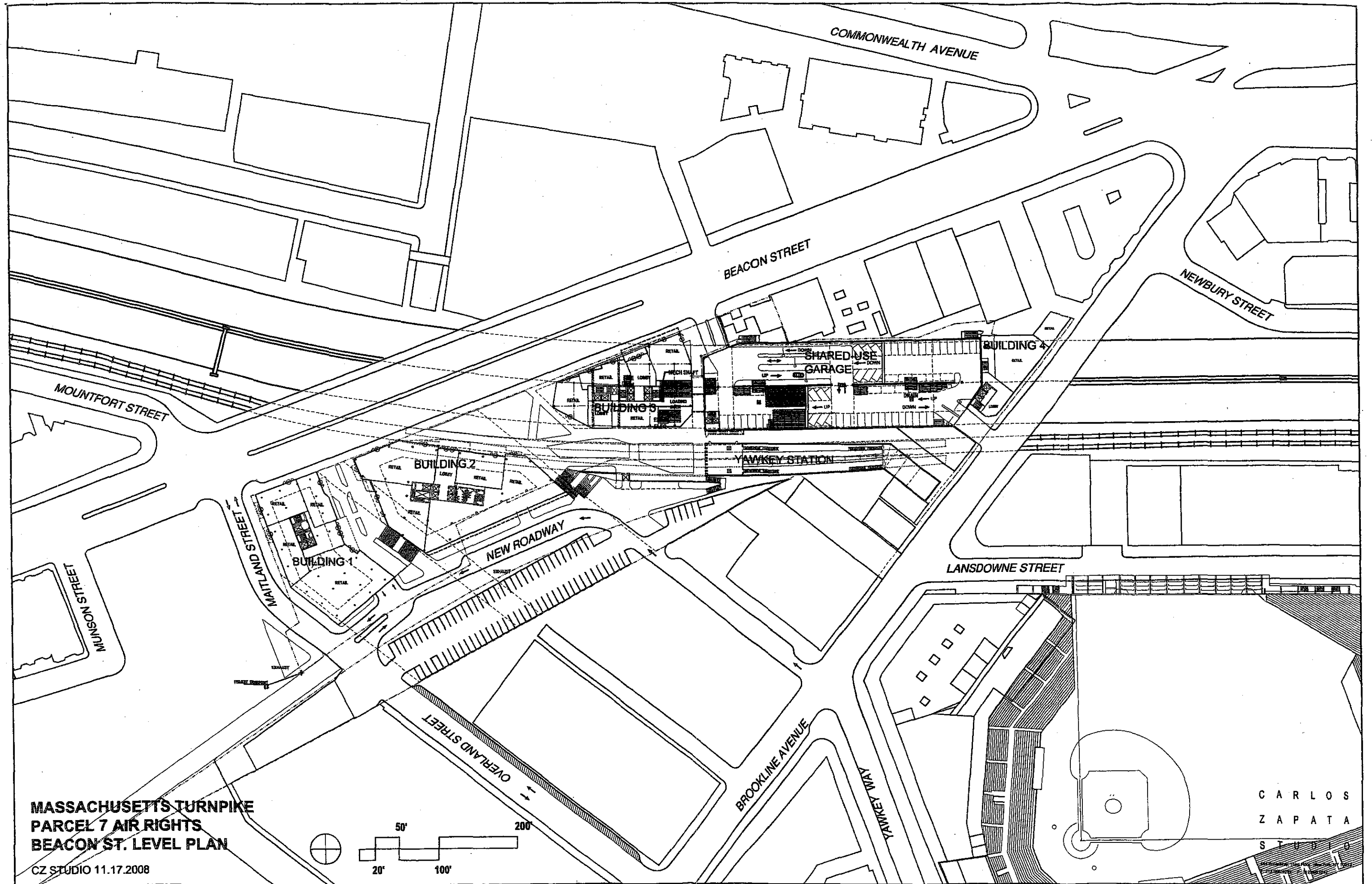


PDA OVERLAY DISTRICT

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CHC BMD	CHD BH	FIELD CHECKED	CHD FILE 12108	JOB NO. 12108

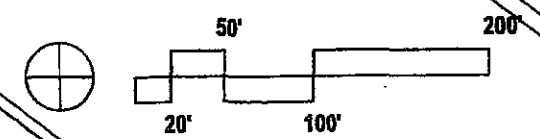


EXISTING CONDITIONS PLAN  
**FELDMAN**  
Professional Land Surveyors  
SCALE: 1" = 100'  
GRAPHIC SCALE  
0 25 50 100 200

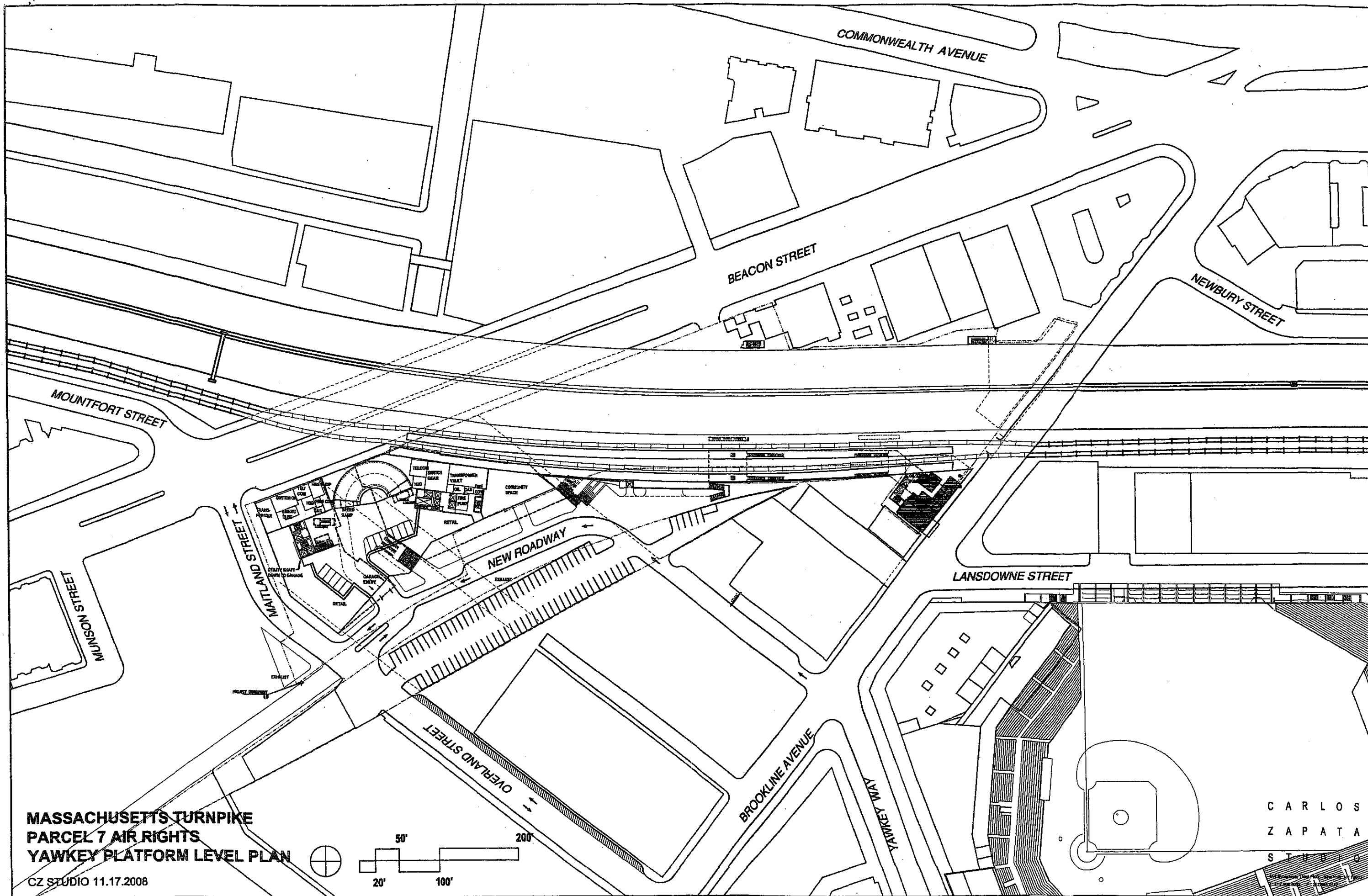


**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
BEACON ST. LEVEL PLAN**

CZ STUDIO 11.17.2008

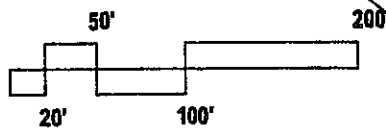


CARLOS  
ZAPATA  
STUDIO

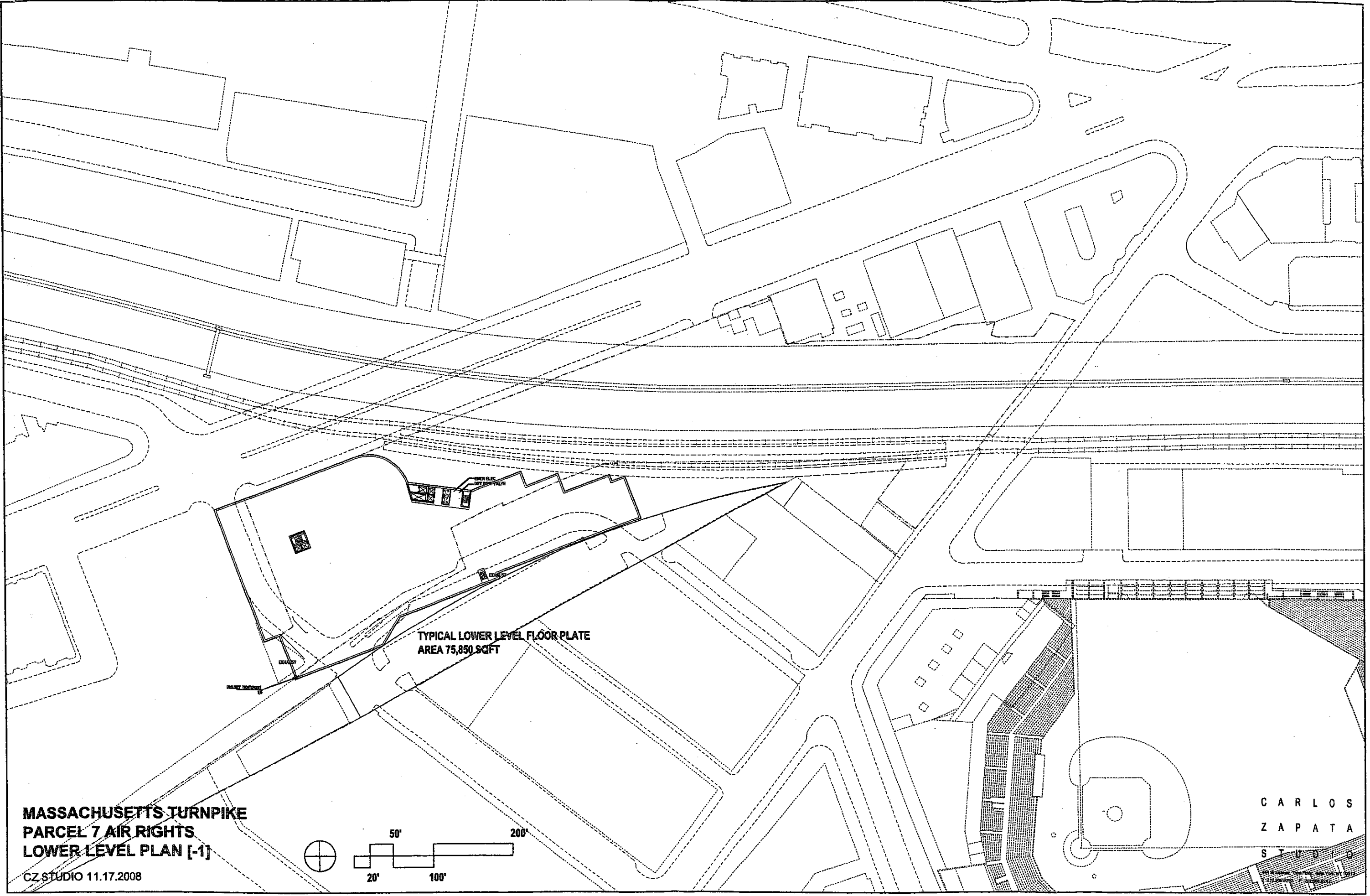


**MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 YAWKEY PLATFORM LEVEL PLAN**

CZ STUDIO 11.17.2008

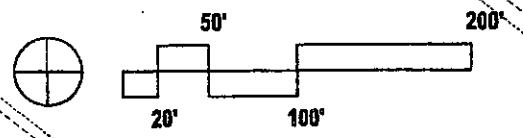


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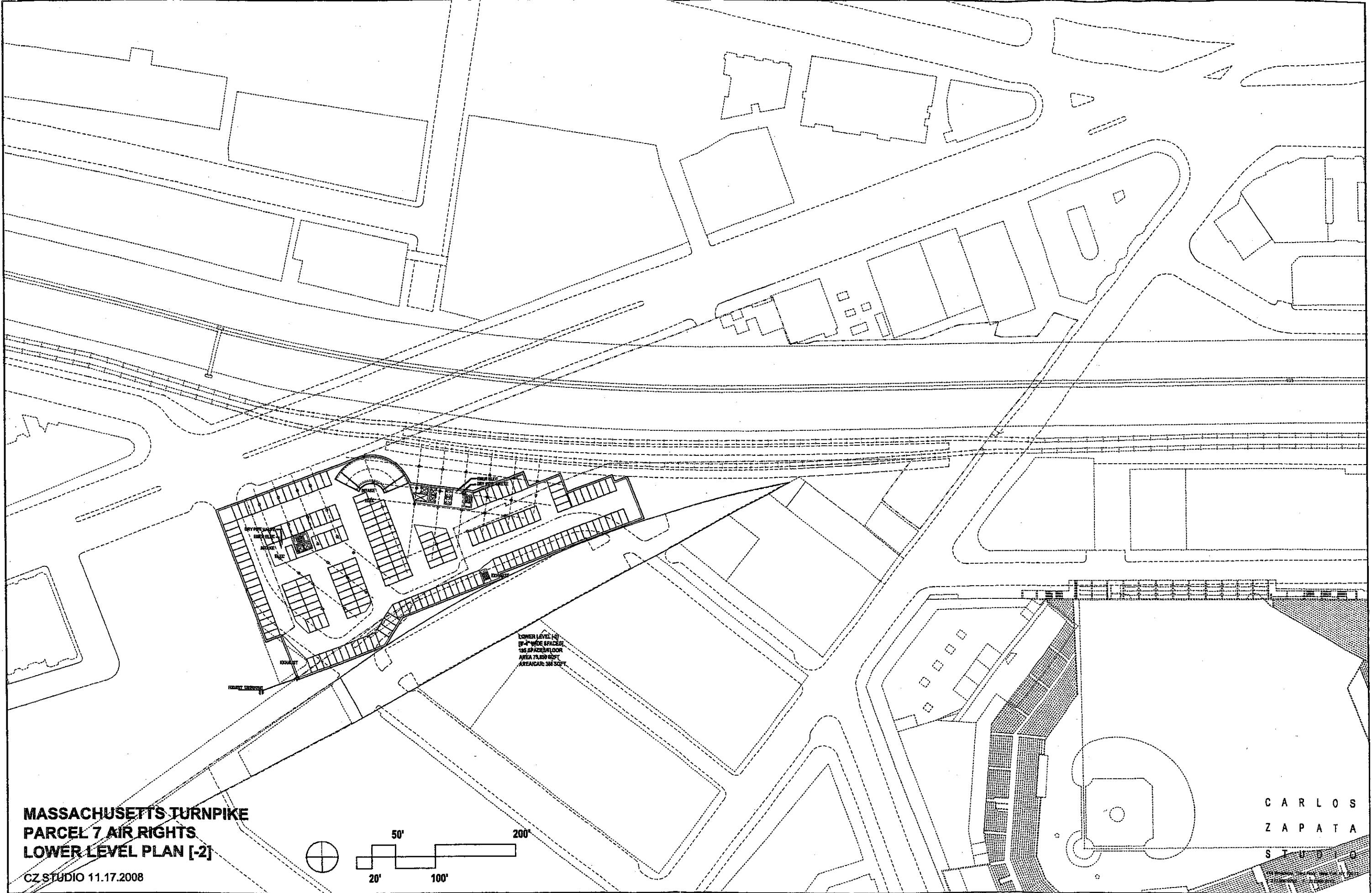
**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
LOWER LEVEL PLAN [-1]**

CZ STUDIO 11.17.2008



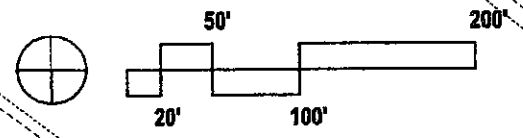
**TYPICAL LOWER LEVEL FLOOR PLATE  
AREA 75,850 SQFT**

CARLOS  
ZAPATA  
STUDIO



**MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 LOWER LEVEL PLAN [-2]**

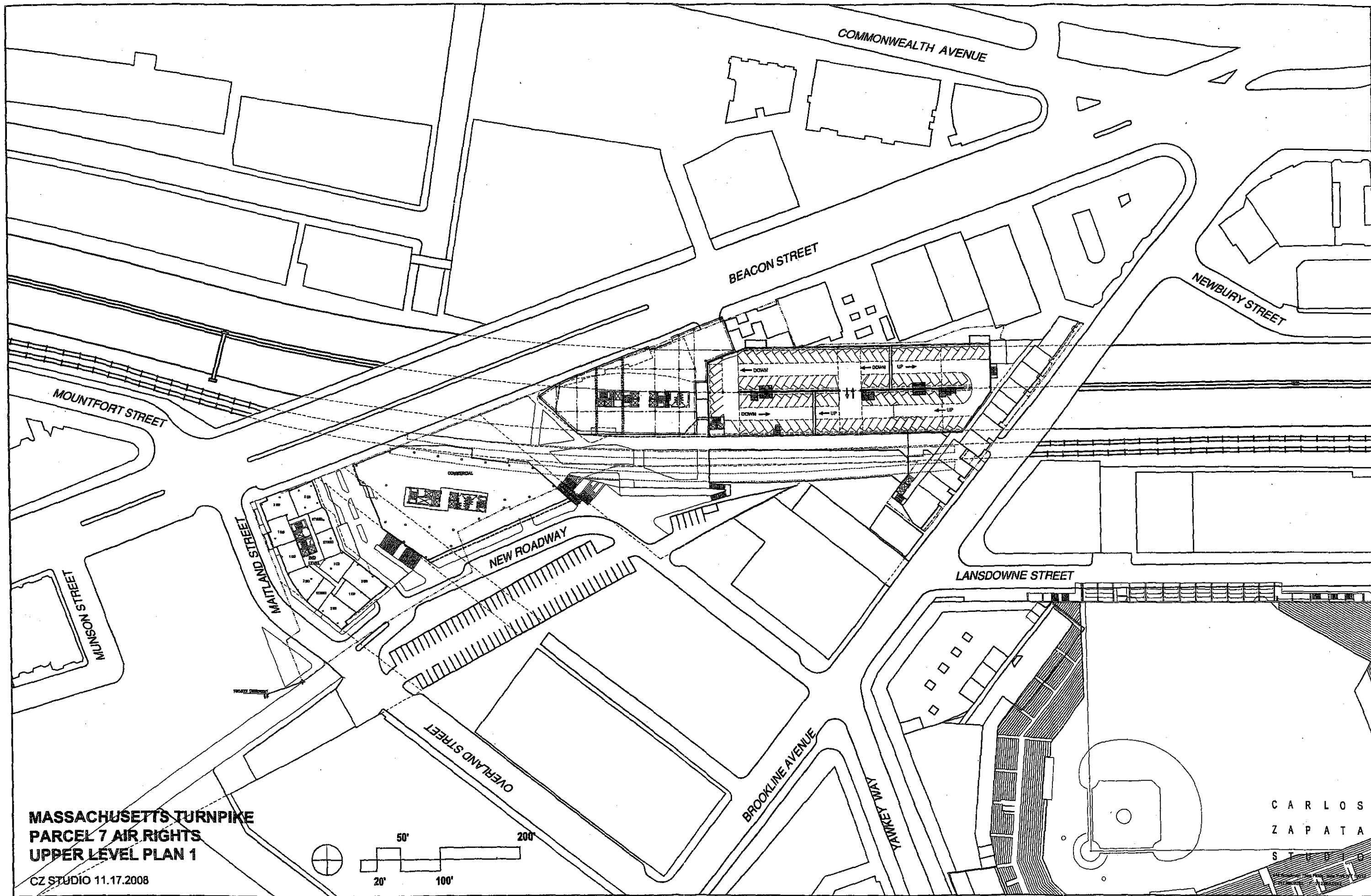
CZ STUDIO 11.17.2008



LOWER LEVEL (-2)  
 (8'-0" WIDE SPACES)  
 185 SPACES/FLOOR  
 AREA 75,839 SQ FT  
 AREA/CAR: 384 SQ FT

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 ZAPATA  
 STUDIO

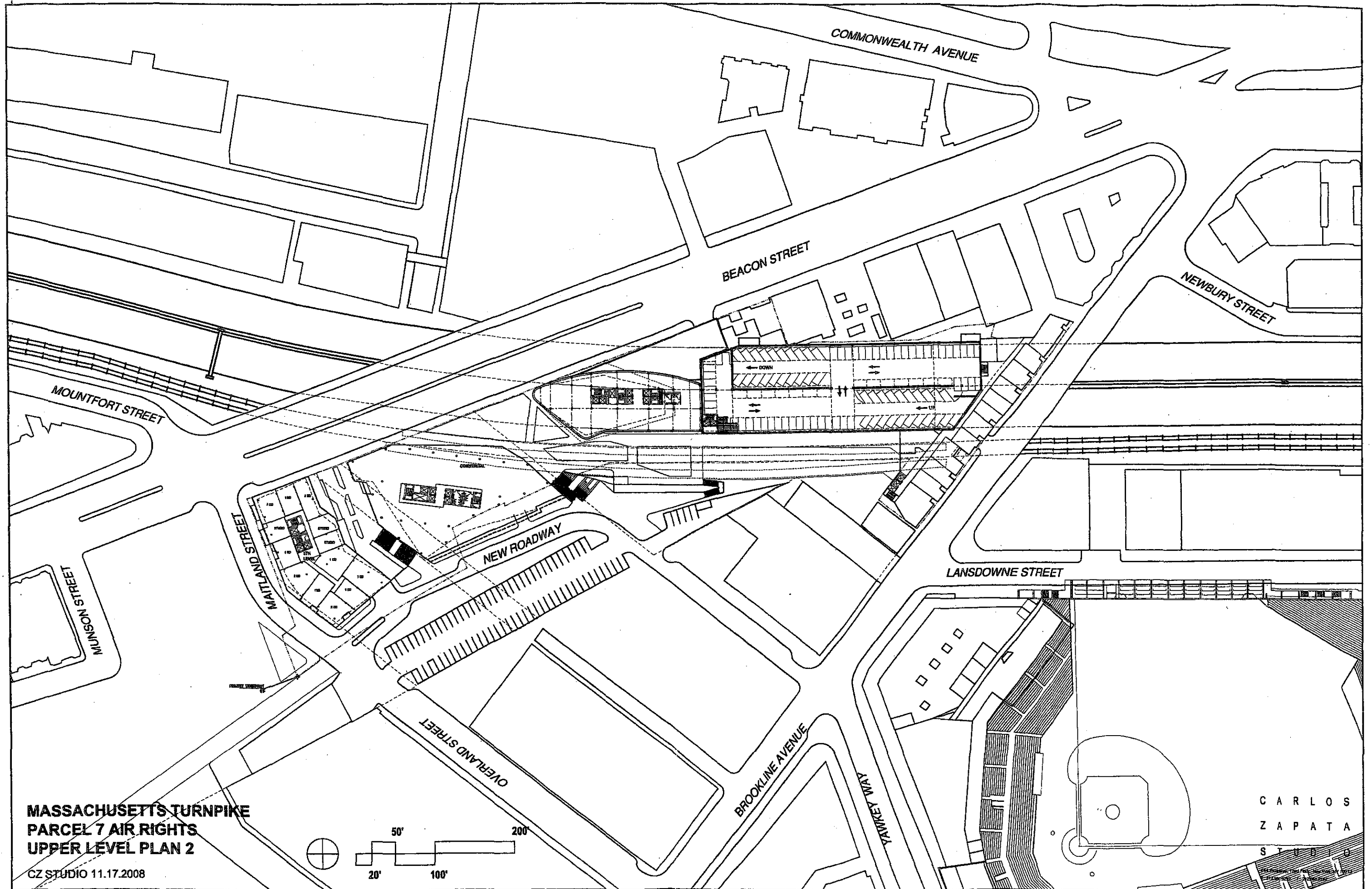




MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 UPPER LEVEL PLAN 1

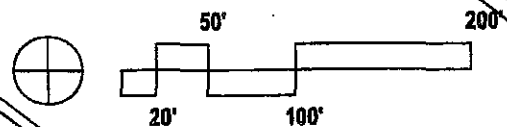
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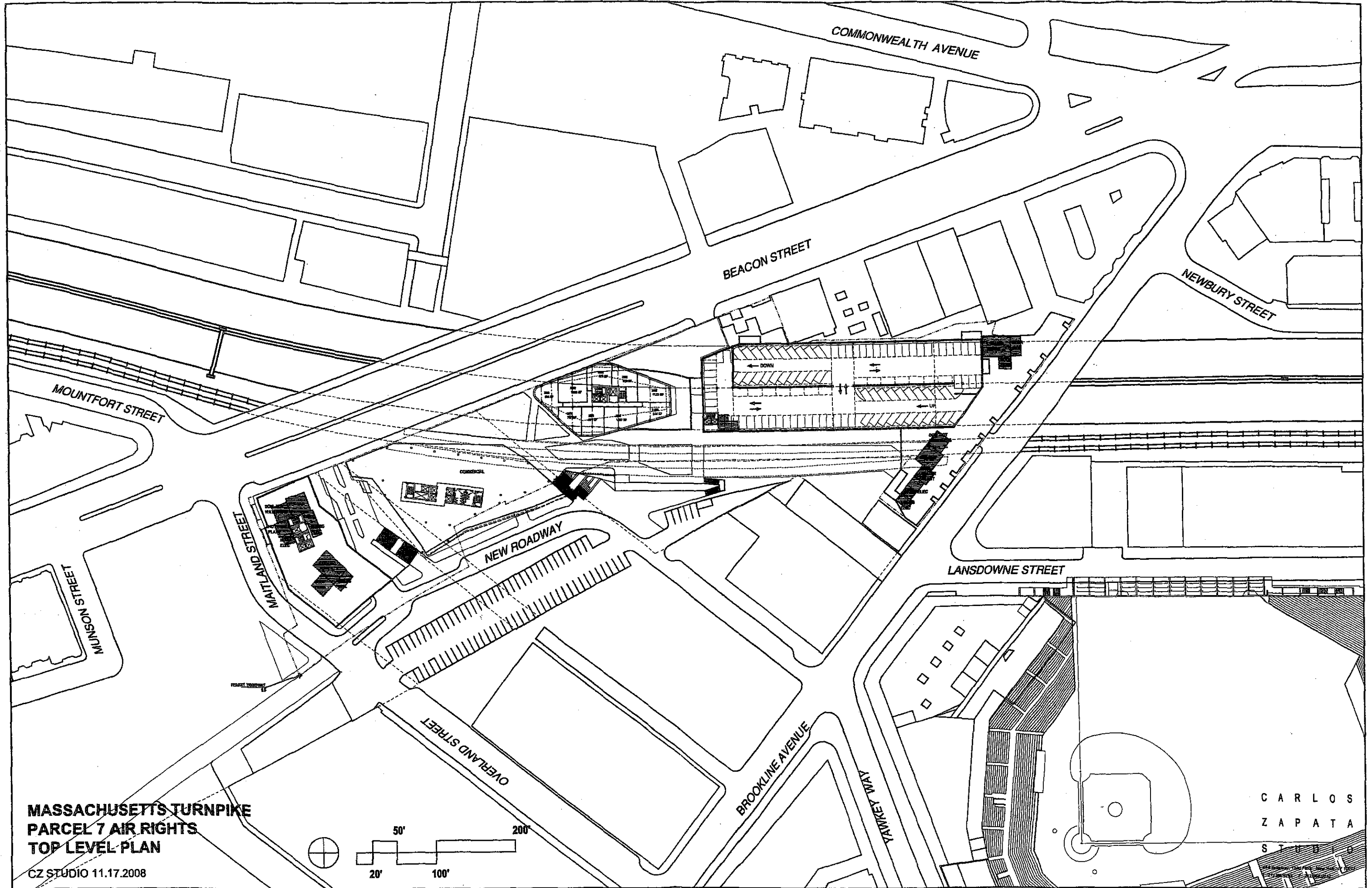


**MASSACHUSETTS TURNPIKE  
 PARCEL 7 AIR RIGHTS  
 UPPER LEVEL PLAN 2**

CZ STUDIO 11.17.2008



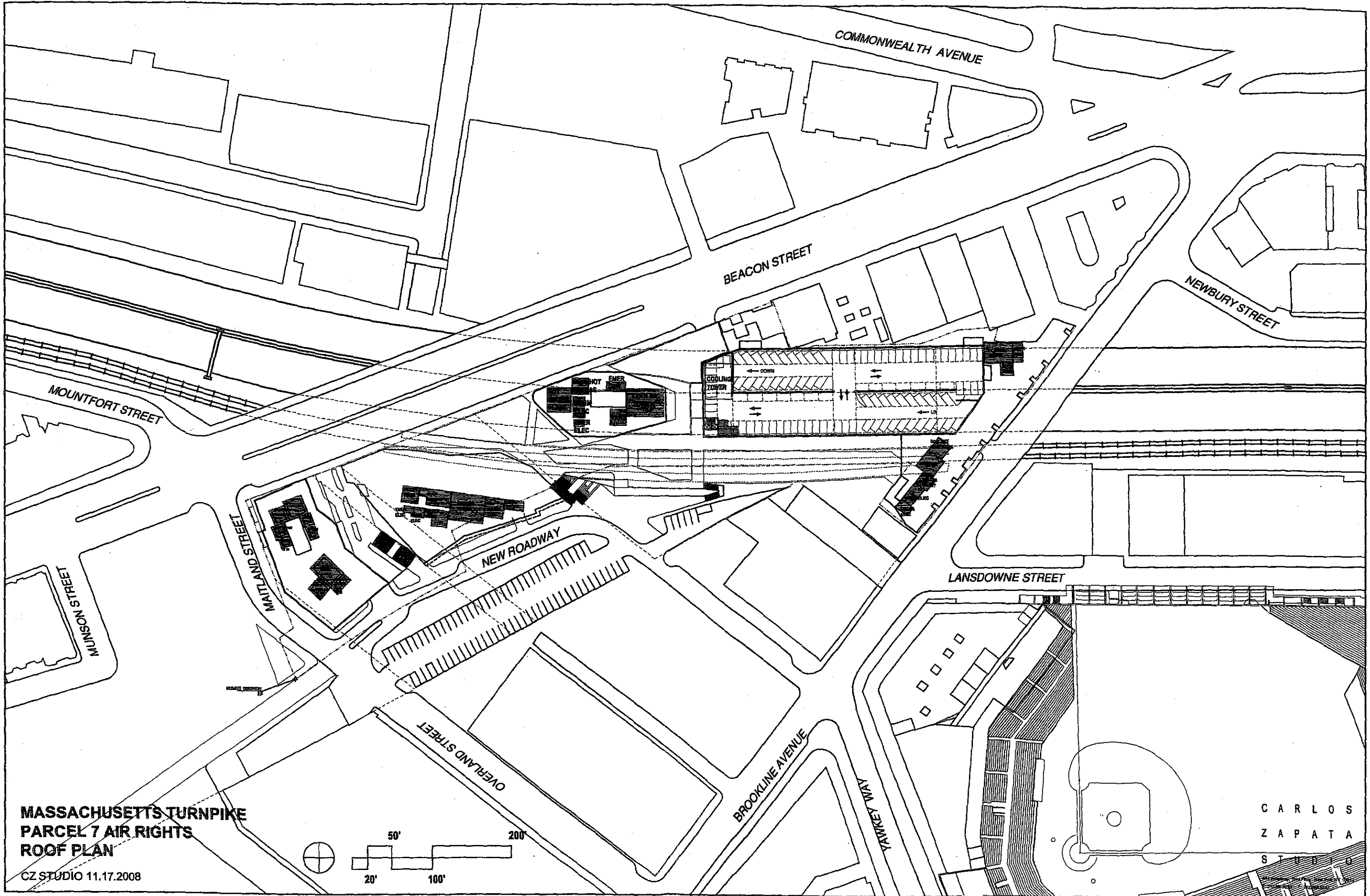
CARLOS  
 ZAPATA  
 STUDIO



**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
TOP LEVEL PLAN**

CZ STUDIO 11.17.2008

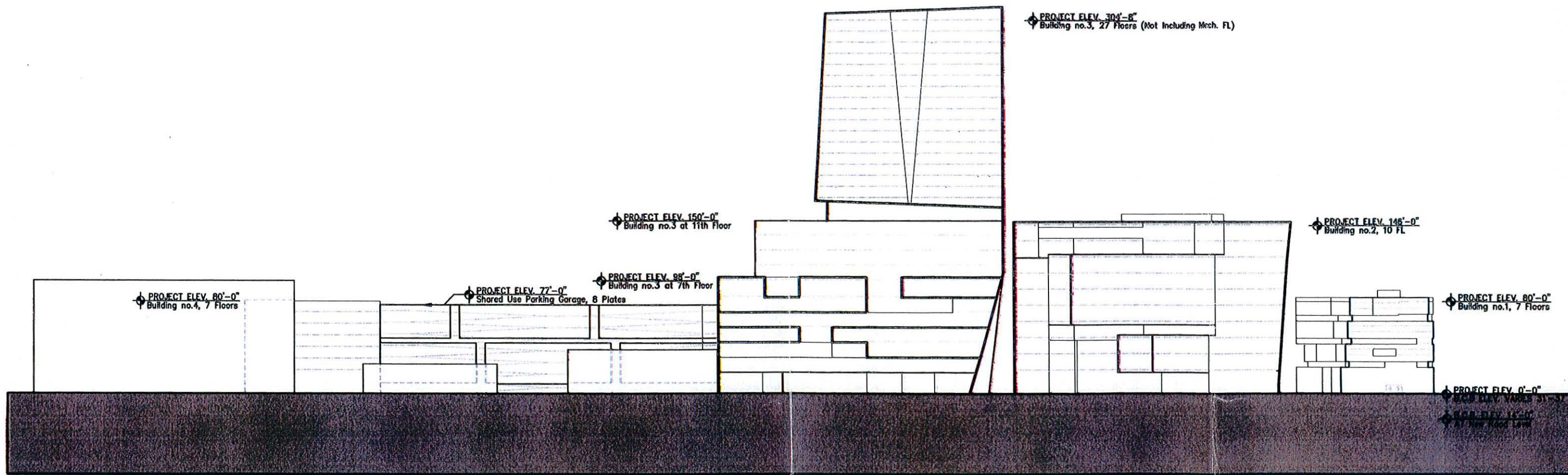
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ZAPATA  
STUDIO



**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS  
ROOF PLAN**

CZ STUDIO 11.17.2008

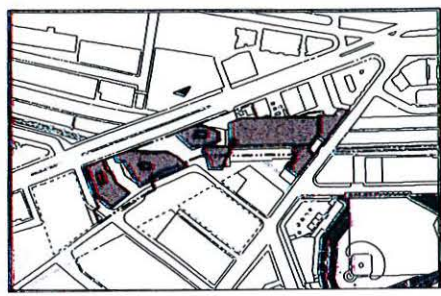
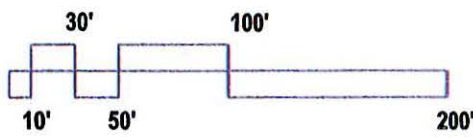
CARLOS  
ZAPATA  
STUDIO



**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS**

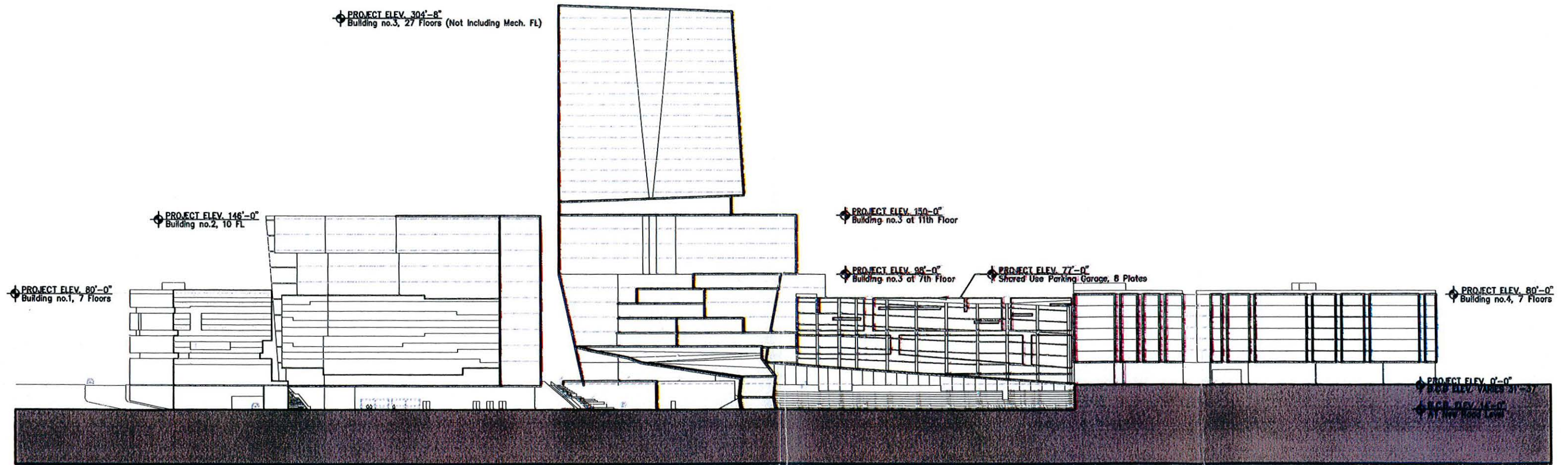
**NORTH SITE ELEVATION**

CZ STUDIO 10.09.2008



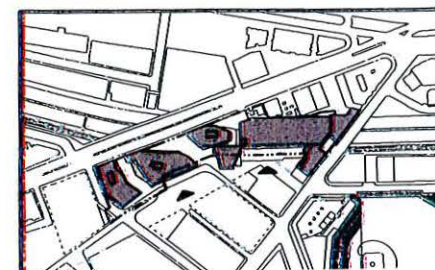
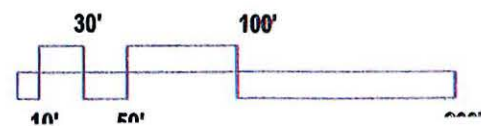
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ZAPATA  
STUDIO

44 Broadway, Third Floor New York, NY 10013



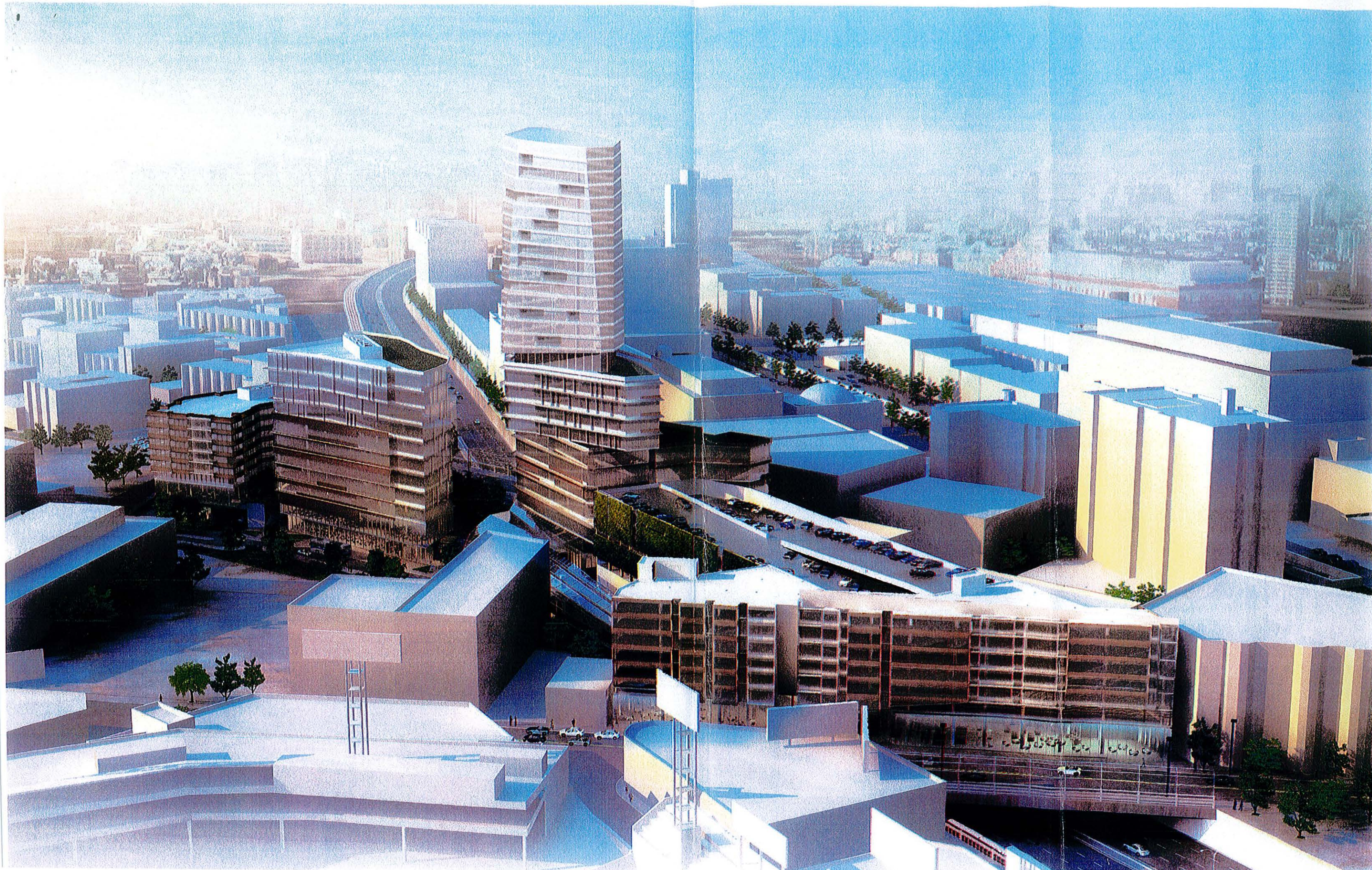
**MASSACHUSETTS TURNPIKE  
PARCEL 7 AIR RIGHTS**

**SOUTH SITE ELEVATION**



C A R L O S  
Z A P A T A  
S T U D I O









MEMORANDUM

JANUARY 29, 2009

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
JOHN F. PALMIERI, DIRECTOR

**FROM:** BRENDA MCKENZIE, DIRECTOR OF ECONOMIC DEVELOPMENT  
KAIROS SHEN, CHIEF PLANNER  
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
RANDI LATHROP, DEPUTY DIRECTOR OF PLANNING  
DAVID CARLSON, SENIOR ARCHITECT  
JONATHAN GREELEY, FENWAY PLANNER  
JOHN FITZGERALD, PROJECT MANAGER

**SUBJECT:** PARCEL 7 AIR RIGHTS PROJECT- PUBLIC HEARING ON PDA  
DEVELOPMENT PLAN FOR FENWAY CENTER WITHIN FENWAY/  
KENMORE SQUARE/ AUDUBON CIRCLE AREA PDA NO. 74 AND A  
DEVELOPMENT IMPACT PROJECT AND ARTICLE 80B REVIEW  
REGARDING THE PARCEL 7 AIR RIGHTS PROJECT ALSO KNOWN AS  
FENWAY CENTER, LOCATED OVER THE MASSACHUSETTS  
TURNPIKE, FENWAY NEIGHBORHOOD

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**SUMMARY:** This Memorandum requests that, in connection with the concurrent public hearings regarding the Parcel 7 Air Rights Project also known as "Fenway Center" (the "Proposed Project"), the Boston Redevelopment Authority ("BRA"): (1) authorize the Director to petition the Boston Zoning Commission (the "Zoning Commission"): (a) for approval of a text amendment applicable to the Audubon Circle Neighborhood District, Article 61; and (b) for approval of a zoning map amendment identifying the boundaries of the Planned Development Area No. 74, amending Boston Zoning Maps 1, 1M and 1Q; (2) approve the Proposed Project as a Development Impact Project within the meaning of Section 80B-7 of the Boston Zoning Code (the "Code"); (3) approve a Development Plan for Planned Development Area No. 74 (the "PDA") for the Proposed Project; and (4) further authorize the Director to: (a) petition the Zoning Commission of the City of Boston for approval of the PDA for the Proposed Project; (b) execute a Development Impact Project Agreement, Cooperation Agreement, Boston Residents Construction Employment Plan, Affordable Housing Agreement and any and all other documents or agreements deemed appropriate and necessary by the Director in connection with the PDA and Article 80 review for the Proposed Project;

(c) issue a Preliminary Adequacy Determination waiving further review pursuant to Section 80B-5.4(c) of the Code approving the Draft Project Impact Report (the "DPIR"); (d) issue a Certification of Compliance for the Proposed Project in accordance with Article 80, Section 80B-6 of the Code; and (e) issue a Certification of Consistency for the Proposed Project, pursuant to Article 80, Section 80C-8 of the Code.

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## **INTRODUCTION AND BACKGROUND**

MK Parcel 7 Development, LLC (the "Proponent") proposes to develop a mixed use development including office, residential, retail and parking uses to be contained in five main structures to be constructed in air rights over the Massachusetts Turnpike (the "Turnpike"), adjacent rail corridors, as well as adjacent land currently used as parking lots.

On August 19, 2008, the Proponent filed with the BRA a Draft Project Impact Report for the Proposed Project. Notice of this filing was published in the *Boston Herald* on August 15, as well as in the *Boston Courant* on August 16, 2008, and the public comment period for the Draft Project Impact Report expired November 3, 2008. On December 8, 2008, the Proponent submitted a proposed Development Plan for a Planned Development Area for the Proposed Project (the "PDA"). Notice of this submission was published in the *Boston Herald* on December 11, 2008, and the public comment period for the PDA expired January 26, 2009.

The Meredith Kenmore/Fenway Development team is a joint venture between John Rosenthal, President of Meredith Management, and NESV (New England Sports Ventures), an affiliate of the Red Sox, the minority partner in the project; Carlos Zapata of Carlos Zapata Studios in New York is the architect; and Paul McDonough and Adam Hundley of Goulston and Storrs are the legal counsel.

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## **PROJECT DESCRIPTION**

**The PDA Area and the Project Parcel:** The Proposed Project consists of air rights over the Turnpike and adjacent rail corridor between the Brookline Avenue and Beacon Street overpasses, as well as on adjacent land currently used as parking lots along the south side of Beacon Street between the Turnpike and Maitland Street, all in the Kenmore/Fenway/Audubon Circle area of Boston (the "Site"). The Site has an area of approximately 196,904 feet (4.5 acres). Measuring approximately 5.7 acres, the PDA itself is larger than the Site, because it extends beyond the Site to the centerlines of adjacent Brookline Avenue, Maitland Street, and Beacon Street, to align with the boundaries of the underlying (existing) zoning districts. The Massachusetts Turnpike Authority ("MTA") owns most of the Site and is negotiating with the Proponent for a

long-term lease. The remainder of the Site consists primarily of land (the "CSX Parcels") owned or controlled by CSX Transportation. The Proponent is negotiating with CSX for acquisition of the CSX Parcels and may convey this land to the MTA for inclusion in the long-term lease.

**Proposed Project:** The Proposed Project would develop the Site with a transit-orientated project that locates up to 1,099,000 square feet of residential, office, retail, and parking uses (and/or the other uses permitted by the PDA) within four new buildings, an above-ground parking garage and a below-ground parking garage, all around new open space and a new Yawkey Commuter Rail Station, all within one block of the Kenmore Square and Fenway Green Line Stations of the Massachusetts Bay Transit Authority (the "MBTA"). While the PDA allows many uses for the Site, any change of use not consistent with the Proposed Project, such as hotel use, would require a Notice of Project Change. Note that the floor area calculation listed above is based on the definition of floor area contained in the Zoning Code, which excludes, among other project features, the below-grade parking garage. The total gross floor area of the Proposed Project, without any zoning exclusions, is approximately 1,329,000 square feet.

The proposed Building 1 will be a seven-story (up to 80 feet), up to 124,000 SF residential building with retail on the first floor built on the southwesterly end of the Site, adjacent to Beacon and Maitland Streets.

The proposed Building 2 will be a ten-story (up to 146 feet), up to 245,000 SF commercial office building with retail on the first floor built northerly to Building 1, southerly of the Turnpike and adjacent to Beacon Street.

The proposed Building 3 will be a twenty seven-story (up to 305 feet), up to 337,000 SF mixed-use tower with commercial (including office), residential, and retail on the first floor. It will be built on the new deck over the rail corridor and the Turnpike.

---

The proposed Building 4 will be a seven-story (up to 80 feet), up to 113,000 SF residential building with retail on the first floor fronting Brookline Avenue and built over the rail corridor and the Turnpike. It will "wrap" around the Shared-Use Parking Garage to block views of that structure.

The Shared-Use Parking Garage will be a seven-story (up to 77 feet), up to 280,000 SF parking garage consisting of 700 spaces built on the new deck over the Turnpike. Access to and from this garage will be from Beacon Street and Brookline Avenue. Parking will occur on the roof of this structure.

The Private Parking Garage will be an underground garage measuring up to 230,000 SF located on up to three levels underneath Buildings 1 and 2. It will contain

approximately 590 spaces and access to and from the garage will be from Maitland Street and the new Yawkey Way Extension. Up to 180,000 square feet within this garage may be converted to retail space (without reduction in the number of parking spaces).

### **ZONING AND PLANNED DEVELOPMENT AREA**

A proposed Zoning Text Amendment and a proposed Zoning Map Amendment are attached as Exhibit A and Exhibit B. The Zoning Text Amendment created by Text Amendment Application No. 402 amends Article 61 by excluding the use and dimensional regulations of Section 61-14(1) of the Zoning Code which governs the Audubon Circle Neighborhood District, from the "Massachusetts Turnpike Extension Special Study Overlay District". The Zoning Map Amendment amends Map 1, Map 1M, and Map 1Q as created by Map Amendment No. 567 by incorporating "D", indicating a Planned Development Area overlay district comprising of approximately 246,232 SF. Approval of the Zoning Text Amendment and the Zoning Map Amendment require a public hearing before the Zoning Commission.

### **PROJECT REVIEW**

**BRA Review:** The Proposed Project is being reviewed both under the Large Project Review procedures of Article 80B, subject to the following paragraph, and the Development Plan Review procedures of Article 80C.

More specifically, development on Turnpike Extension Air Rights Parcel 7 is reviewed in accordance with the provisions of a Memorandum of Understanding between the Massachusetts Turnpike Authority and the City of Boston, acting by and through the Boston Redevelopment Authority, dated as of June 1, 1997 (the "MOU"). The review process described in the MOU is similar in many ways to the review process described in Article 80B. For ease of reference and understanding, references in this Memorandum and the associated votes are made to the provisions and requirements of Article 80B, and shall apply equally to related provisions and requirements of the MOU. For example, the recommended vote in this Memorandum authorizing the Director to issue a Preliminary Adequacy Determination shall similarly authorize the Director to issue a Project Determination (certifying that the impact report is complete) and Certification Report (setting forth the reasons for the BRA's certification of the project) as described in Section 3.2(d) of the MOU.

A Project Notification Form ("PNF") was submitted to the BRA on January 17, 2008. The BRA held a scoping session on February 7, 2008 and a public meeting on February 13, 2008. Following the 45 day public comment period that ended on March 3, 2008, the BRA issued a Scoping Determination on April 11, 2008 which set forth the requirements for the preparation of a Draft Project Impact Report ("DPIR") for the Proposed Project.

The Proponent submitted the DPIR to the BRA on August 19, 2008, which initiated a 75 day public comment period which ended on November 3, 2008. Notice of receipt of the DPIR was published in the *Boston Herald* on August 16, 2008.

The Proponent also seeks to achieve zoning compliance by adoption of a PDA for the Proposed Project. To initiate Planned Development Area Review under Article 80C of the Code, the Proponent submitted a PDA to the Authority on December 8, 2008. The PDA describes the Proposed Project and provides the zoning necessary to construct the Proposed Project. The 45 day public review and comment period for the PDA ended on January 26, 2009.

Throughout the Article 80 review process for the Proposed Project, there has been extensive public involvement. The Proponent, in cooperation with the BRA, organized community forums and individual meetings, and has been diligent and cooperative with the appointed Civic Advisory Committee (CAC) throughout this entire process, allowing their feedback to shape the Proposed Project so that all impacts could be mitigated. The Proponent conducted more than 100 meetings with community groups and with abutters, and with public agencies having review or approval jurisdiction over the Proposed Project. On September 17, 2008 a meeting on the DPIR was held with city public agencies and on October 9, 2008 a meeting on the DPIR was held with the CAC and members of the community. After subsequent meetings, the CAC voted unanimously to support the Proposed Project on November 6, 2008. Also, as part of the Article 80 review process, all Article 80 project documents have been made available for public review at locations accessible to area residents and have been provided to anyone requesting a copy.

**Boston Civic Design Commission Review:** The BCDC voted to review an initial presentation of the project on February 5, 2008. The Project was well received initially, but needed more development. The Design Sub-committee of the BCDC saw the further advanced Proposed Project on October 14 and November 25, 2008. The BCDC felt the Proponent had been responsive and on December 2, 2008 the BCDC recommended approval (the CAC has also recommended approval) of the schematic design for the Proposed Project.

### **PUBLIC BENEFITS**

Expected public benefits from the Proposed Project include improvements to the public realm, environmental benefits, transportation benefits, economic benefits, and an improved quality of life in the neighborhood. The public benefits for the Proposed Project include, but are not limited to, the following:

Public Realm Benefits:

- Transforming Air Rights, unused railroad rights-of-way, and surface parking lots into an active mix of new housing, office, retail, and green space;
- Creating approximately 94,000 SF of retail space, restaurants, and cafes;
- Creating two new city blocks and activating the street edges and wind-swept bridges bordering Beacon Street, Brookline Avenue, Maitland Street, and the new Yawkey Way Extension;
- Creating new pedestrian connections and approximately 1.6 acres of new green open space, including a pedestrian park adjacent to Beacon Street and Yawkey Station.

Environmental Benefits:

- LEED Certifiable with 29 points out of a possible 61, with the potential of achieving more points;
- Smart-growth transit orientated development that also makes the Project pedestrian friendly

Transportation Benefits:

- A project design centered around the new multi-modal Yawkey Station to minimize auto trip generation and auto ownership levels for its residents, neighbors, Red Sox fans, and the Longwood Medical Area;
- A project design that helps intercept area parking demands before they spread onto residential streets and reduces the current problem of recirculating traffic through the Sears rotary, Audubon Circle, and Kenmore Square caused by drivers searching for a parking space.

Economic Benefits:

- As a Development Impact Project, housing and jobs linkage payments will be made as required under Article 80B-7 of the Code;
- Approximately 1,200 new construction jobs;
- Approximately 200 new permanent jobs;
- Generates new annual real estate taxes for the City;
- 15% of units created as affordable housing (33 on-site, 16 off-site);
- New residents and businesses generating year-round economy.

Quality-of-Life Benefits

- Design that is consistent with the 2000 publication entitled A Civic Vision for Turnpike Air Rights in Boston;
- Includes a community center for neighborhood meeting space;
- Improves access to public transportation;
- Improves safety by adding new residences and businesses as well as improving pedestrian walkways;
- New green spaces.

**AFFORDABLE HOUSING**

The Proposed Project will include approximately 330 residential units. The Proponent will comply with the Mayor's Executive Order dated September 27, 2007 ("Mayor's Executive Order"). The Proposed Project will provide that approximately 15% of the residential units will be made affordable. This includes 33 on-site and 16 provided off-site through a contribution. The Proponent shall enter into an Affordable Housing Agreement with the BRA to ensure that the affordable housing obligations consistent with the Mayor's Executive Order are met.

**DEVELOPMENT IMPACT PROJECT ("DIP") EXACTION**

The Parcel 7 Air Rights Project constitutes a DIP under Article 80B-7 of the Code. Based on the present plans, the Proponent will provide the Neighborhood Housing Trust payment contribution of approximately \$2,943,380 and a Neighborhood Jobs Trust payment contribution of \$587,180. These estimated linkage payments are calculated as follows:

Housing Linkage:

DIP Uses	474,000	square feet
Exclusion:	-100,000	
	374,000	
	<u>x \$7.87</u>	/square foot
	\$2,943,380	

Jobs Linkage:

DIP Uses	474,000	square feet
Exclusion	-100,000	
	374,000	
	<u>x \$1.57</u>	/square foot
	\$587,180	

The DIP gross floor area for the Proposed Project is currently estimated to be as follows, subject to final calculation based on the final design plans and applicable provisions of the Development Impact Project Agreement: approximately 33,000 square feet of retail uses in Building 1, approximately 245,000 square feet of office and retail uses in Building 2, approximately 184,000 square feet of office and retail uses in Building 3, and approximately 12,000 square feet of retail uses in Building 4. Note that DIP Uses, and therefore the linkage payments, may increase if area within the underground parking garage is converted to retail space as described above.



## CONCLUSION AND RECOMMENDATIONS

The Proposed Project has been thoroughly studied as part of the Article 80B Large Project Review process and the Article 80C Development Plan process and no further impact reports are required to study or evaluate the impacts of the Proposed Project. The Proposed Project will enhance the commercial, retail, and residential vitality of the Fenway area and will create significant new economic and housing opportunities, in a manner consistent with transit-oriented development. The Proposed Project also will provide for a new Yawkey Station, will provide for improvements in pedestrian and vehicular circulation, and will enhance the aesthetics of the Site and the surrounding area. The Proposed Project has been shaped to insure that, on balance, it will be beneficial to the public welfare.

Based upon the foregoing, it is recommended that the BRA take the following actions: (A) approve the proposed zoning Text Amendment to Article 61 and the proposed Zoning Map Amendments both in substantial accord with the forms attached as Exhibits A and B submitted hereto; (B) approve: (1) the PDA pursuant to Article 80C of the Code; and (2) the Development Impact Project for the Proposed Project within the meaning of Article 80B-7 of the Code; and (C) authorize the Director to: (1) execute a Development Impact Project Agreement, Cooperation Agreement, Boston Residents Construction Employment Plan, Affordable Housing Agreement and any and all other documents or agreements deemed appropriate and necessary by the Director in connection with the PDA and Article 80 review for the Proposed Project; (2) issue a Preliminary Adequacy Determination waiving further review regarding the DPIR pursuant to Section 80B-5.4(c) of the Code approving the Proposed Project; (3) petition the Zoning Commission to approve the PDA and related Text and Map Amendments; (4) issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (5) issue a Certification of Compliance pursuant to Section 80B-6 of the Code.

Appropriate votes follow:

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**VOTED:** That the Director be, and hereby is, authorized to petition the Zoning Commission of the City of Boston for approval of a Text Amendment to Article 61 of the Boston Zoning Code (the "Code") and for approval of a Map Amendment to Boston Zoning Maps 1, 1M and 1Q, both in substantial accord with the forms attached hereto as Exhibit A and Exhibit B; and

### **FURTHER**

**VOTED:** That the Boston Redevelopment Authority (the "BRA") approve the Parcel 7 Air Rights Project also know as "Fenway Center" (the "Proposed Project") as a Development Impact Project within the meaning of Section 80B-7 of the Code and hereby finds and determines that the Proposed

Project conforms to the general plan for the City of Boston as a whole, and that nothing in the Proposed Project will be injurious to the neighborhood or otherwise detrimental to the public welfare; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination waiving further review for the Proposed Project in accordance with Section 80B-5.4(c) of the Code and which finds that the Draft Project Impact Report ("DPIR") adequately describes the impacts of the Proposed Project and which includes any conditions which the Director deems necessary to mitigate such impacts; and

**FURTHER**

**VOTED:** That the Director, be and hereby is, authorized to issue a Certification of Compliance for the Proposed Project after the Director has determined that the Proposed Project complies with all applicable Article 80 processes; and

**FURTHER**

**VOTED:** That, in connection with the Development Plan for Planned Development Area No. 74 for the Proposed Project (the "PDA") presented at a public hearing duly held at the offices of the BRA on January 29, 2009, and after consideration of evidence presented at and in connection with the hearing and in connection with the Proposed Project described in the PDA, the BRA finds with respect to the PDA that (a) the PDA is not for a location or Proposed Project for which Planned Development Areas are forbidden by the underlying zoning, as amended; (b) the Proposed Project in the PDA complies with any provisions of the underlying zoning, as amended that establish use, dimensional, design or other requirements for Proposed Projects in Planned Development Areas; (c) the PDA complies with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) the PDA conforms to the plan for the district, subdistrict, or similar geographic area in which the Planned Development Area is located, and to the general plan for the City as a whole; (e) on balance, nothing in the PDA will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

**FURTHER**

**VOTED:** That the BRA approves the PDA Development Plan for Fenway Center within Fenway/Kenmore Square/ Audubon Circle Area for the Planned Development Area No. 74 ("Development Plan"), in substantial accord as presented to the BRA on January 29, 2009; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to petition the Zoning Commission for approval of the Development Plan in substantial accord as presented to the BRA on January 29, 2009; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized further to issue a Certification of Consistency for the Proposed Project when the Director finds that (a) the Proposed Project is adequately described in the Development Plan; (b) the Proposed Project is consistent with the Development Plan; and (c) the Development Plan has been approved by the BRA and the Zoning Commission in accordance with the applicable provisions of Section 3-1A.a and Article 80, Section 80C of the Code; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute a Development Impact Project Agreement, Cooperation Agreement, Boston Residents Construction Employment Plan, Affordable Housing Agreement and any and all other documents or agreements deemed appropriate and necessary by the Director in connection with the Development Plan and Article 80 review for the Proposed Project.

Map Amendment Application No. 567  
Boston Redevelopment Authority  
Planned Development Area No. 74  
Map 1, Boston Proper  
Map 1M, Audubon Circle Neighborhood  
District  
Map 1Q, Fenway Neighborhood District

MAP AMENDMENT NO. 503

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

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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 approve the Development Plan for Planned Development Area No. 74, Fenway Center, and amends "Map 1, Boston Proper", "Map 1M, Audubon Circle Neighborhood District", and "Map 1Q, Fenway Neighborhood District", of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

1. By adding the suffix "D", indicating a Planned Development Area overlay-district, to approximately 246,232 square feet (approximately 5.7 acres) of area, in Boston Proper, the Audubon Circle Neighborhood District, and the Fenway Neighborhood District, as described in Exhibit A hereto and shown on Exhibit B hereto.
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**EXHIBIT A**

**LEGAL DESCRIPTION OF THE PDA OVERLAY DISTRICT**

A CERTAIN PARCEL OF LAND LOCATED IN THE CITY OF BOSTON, COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, MORE PARTICULARLY DESCRIBED AS FOLLOWS:

BEGINNING AT THE INTERSECTION OF CENTERLINE OF MAITLAND STREET AND THE CENTERLINE OF BEACON STREET;

THENCE RUNNING BY SAID CENTERLINE OF BEACON STREET N 69°23'21" E, A DISTANCE OF 723.94 FEET TO A POINT;

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THENCE TURNING AND RUNNING S 20°36'39" E, A DISTANCE OF 111.63 FEET TO A POINT, IN PART ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 8.83 FEET TO A POINT;

THENCE TURNING AND RUNNING S 01°18'31" E, A DISTANCE OF 2.17 FEET TO A POINT;

THENCE TURNING AND RUNNING N 88°41'05" E, A DISTANCE OF 14.29 FEET TO A POINT;

THENCE TURNING AND RUNNING N 69°23'21" E, A DISTANCE OF 7.57 FEET TO A POINT;

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THENCE TURNING AND RUNNING N 88°41'07" E, A DISTANCE OF 102.06 FEET TO A POINT;

THE PREVIOUS FIVE COURSES ALONG LAND NOW OR FORMERLY OF BOSTON EDISON COMPANY;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY THE TRUSTEES OF BOSTON UNIVERSITY S 20°36'39" E, A DISTANCE OF 2.64 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°42'29" E, A DISTANCE OF 23.37 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND AND LAND NOW OR FORMERLY OF COLES HOLDING LTD. N 69°23'21" E, A DISTANCE OF 54.78 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 85°14'36" E, A DISTANCE OF 51.16 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 14°51'12" W, A DISTANCE OF 17.15 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 75°09'59" E, A DISTANCE OF 7.90 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 88°41'07" E, A DISTANCE OF 43.12 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND N 37°46'26" E, A DISTANCE OF 35.84 FEET TO A POINT;

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THENCE TURNING AND RUNNING BY LAND NOW OR FORMERLY OF BUCKMINSTER ANNEX CORPORATION S 75°09'59" E, A DISTANCE OF 32.64 FEET TO A POINT ON THE NORTHWESTERLY SIDELINE OF BROOKLINE AVENUE;

THENCE TURNING AND RUNNING S 52°14'30" E, A DISTANCE OF 30.00 FEET TO THE CENTERLINE OF BROOKLINE AVENUE;

THENCE RUNNING BY SAID CENTERLINE OF BROOKLINE AVENUE S 37°45'30" W, A DISTANCE OF 325.20 FEET TO A POINT;

THENCE TURNING AND RUNNING, IN PART ALONG LAND OF 51 BROOKLINE LIMITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 89.00 FEET TO A POINT;

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THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST N 37°41'58" E, A DISTANCE OF 52.81 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 84°48'24" W, A DISTANCE OF 44.00 FEET TO A POINT OF CURVATURE;

THENCE TURNING AND RUNNING ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 87.40 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 81°18'47" W AND A CHORD LENGTH OF 87.39 FEET TO A POINT OF NON-TANGENCY;

**EXHIBIT A**

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF SO-HO REALTY UNITED PARTNERSHIP N 52°14'29" W, A DISTANCE OF 2.93 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG SAID LAND S 67°28'15" W, A DISTANCE OF 10.60 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF HRPT MEDICAL BUILDINGS REALTY TRUST ALONG A CURVE TO THE LEFT WITH AN ARC LENGTH OF 620.61 FEET, A RADIUS OF 1481.25 FEET, A CHORD BEARING OF S 67°08'37" W AND A CHORD LENGTH OF 616.08 FEET TO A POINT;

THENCE TURNING AND RUNNING ALONG LAND NOW OR FORMERLY OF CSX CORPORATION, INC. N 52°14'29" W, A DISTANCE OF 31.29 FEET TO A POINT;

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THENCE TURNING AND RUNNING ALONG SAID LAND ALONG A CURVE TO THE LEFT HAVING AN ARC LENGTH OF 36.10 FEET, A RADIUS OF 1511.35 FEET, A CHORD BEARING OF S 54°06'28" W AND A CHORD LENGTH OF 36.10 FEET TO A POINT;

THENCE TURNING AND RUNNING IN PART ALONG LAND NOW OR FORMERLY OF CHILDRENS MEDICAL CENTER AND BY THE CENTERLINE OF MAITLAND STREET N 20°36'39" W, A DISTANCE OF 277.11 FEET TO THE POINT OF BEGINNING.

CONTAINING AN AREA OF 246,232 SQUARE FEET OR 5.653 ACRES.

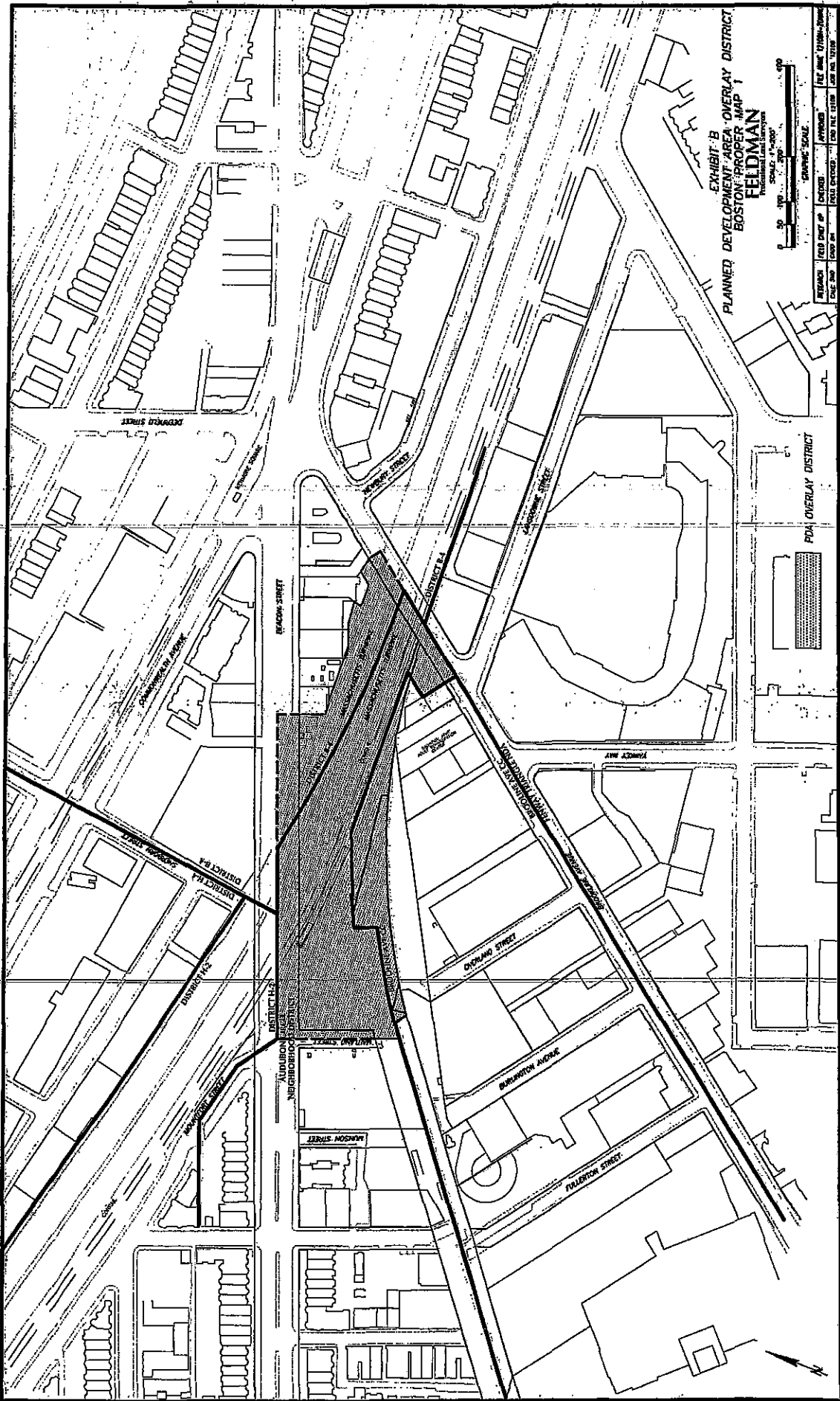
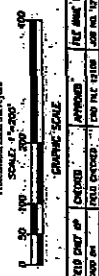


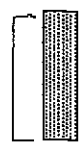
EXHIBIT B  
 PLANNED DEVELOPMENT AREA - OVERLAY DISTRICT  
 BOSTON PROPER MAP 1  
**FELDMAN**  
 NEIGHBORHOOD



GRAPHIC SCALE		FOA OVERLAY DISTRICT	
0	50	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
100	150	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
200	250	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
300	350	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
400	450	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
500	550	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
600	650	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
700	750	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
800	850	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
900	950	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT
1000	1000	FOA OVERLAY DISTRICT	FOA OVERLAY DISTRICT

ALURION NEIGHBORHOOD

FOA OVERLAY DISTRICT



BEACON STREET  
 DEVON STREET  
 FULLERTON STREET  
 BURNINGTON AVENUE  
 OAKLAND STREET  
 DISTRICT A  
 DISTRICT B  
 DISTRICT C  
 DISTRICT D  
 DISTRICT E  
 DISTRICT F  
 JERVIS MOUNTAIN



Robert Foudria  
Chairman

James Clark  
Vice Chairman

James J. Bray

Ray Hurley

Julie Statton

Mark L...

Mark L...

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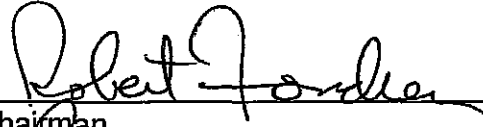
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In Zoning Commission

Adopted: February 25, 2009

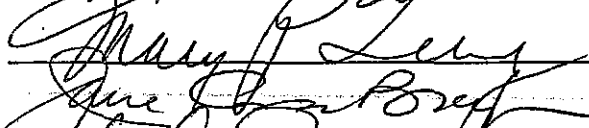
Attest: Joseph M. Haupt  
Secretary

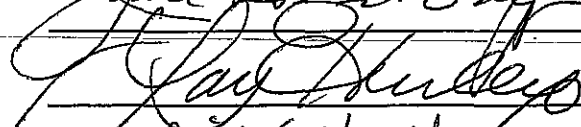
Development Plan for Planned Development Area No. 74, Fenway Center


  
Chairman

  
Vice Chairman



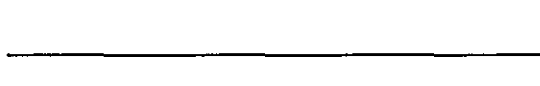






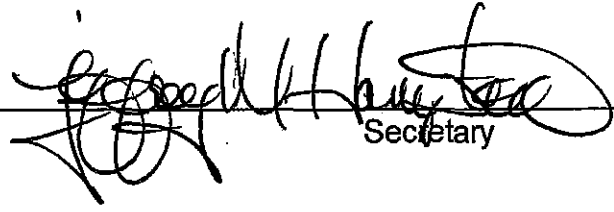




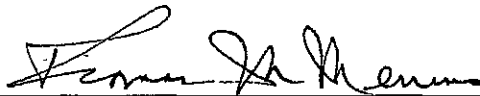


In Zoning Commission

Adopted: February 25, 2009

Attest:   
Secretary

Development Plan for Planned Development Area No. 74, Fenway Center

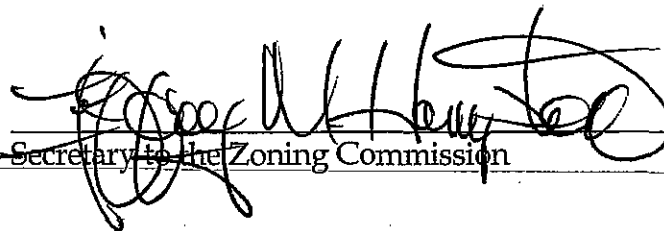


\_\_\_\_\_  
Mayor, City of Boston

Date: 2/26/09

The foregoing Development Plan, was presented to the Mayor on ~~FEBRUARY 26, 2009~~ and was signed by him on ~~FEBRUARY 26, 2009~~, whereupon it became effective on ~~FEBRUARY 26, 2009~~, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

  
\_\_\_\_\_  
Secretary to the Zoning Commission