

BZA APPROVAL: 3/14/13
BIC APPROVAL: 4/10/13
EFFECTIVE: 4/10/13

FIRST AMENDMENT

to

AMENDED AND RESTATED DEVELOPMENT PLAN

for

1282 BOYLSTON STREET, BOSTON

within

PLANNED DEVELOPMENT AREA NO. 81

THE ABBEY GROUP, Developer

Dated: March 14, 2013

Pursuant to Section 3-1A and Article 80, Section 80C-7 of the Zoning Code of the City of Boston (the "Zoning Code"), this amendment constitutes the First Amendment to Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 ("First PDA Amendment").

- A. The Original Development Plan. On December 14, 2011, the Boston Zoning Commission approved a Map Amendment creating Planned Development Area No. 81, as well as approved a Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 (the "Original Development Plan") for the property located at 1282 Boylston Street in the Fenway neighborhood of Boston. The project described in the Original Development Plan consisted of the construction of a new mixed-use building containing approximately 210 residential units, 15,000 gross square feet of ground floor retail space (including an approximately 2,700 square foot community center), 88,000 square feet of office space, and a 3-story below-grade garage for parking approximately 295 vehicles (the "Original Project").
- B. Amended and Restated Development Plan. On October 10, 2012, the Boston Zoning Commission approved an Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 (the "Amended and Restated Development Plan"). As set forth in the Amended and Restated Development Plan, the Original Project was revised to omit the office component and replace it with 112 additional residential units for a total of approximately 322 residential units and still including 15,000 gross square feet of ground floor retail space and a 3-story below grade parking garage for approximately 295 vehicles (the "Revised Project"). The number of affordable units increased to provide for 36 on-site affordable units. The parking, retail

and the community center uses contained in the Original Project remained the same. The substitution of residential use for office use resulted in a change of design and the maximum height of the structure was increased to 190 feet. Schematic plans showing the Revised Project were attached as an exhibit to the Amended and Restated Development Plan.

- C. First PDA Amendment. As a result of further refinements to the design of the Revised Project, the number of residential units has increased from approximately 322 to up to 350 residential units. Roof decks were shown on the plans for both the Original Project and the Revised Project, but were not explicitly acknowledged in either the Original Development Plan or the Amended and Restated Development Plan. The number of affordable units has increased from approximately 36 to approximately 38 on-site affordable residential units. This First PDA Amendment amends, as set forth below, the Amended and Restated Development Plan to update certain of its provisions and the Revised Project to allow for the increased number of residential units and affordable on-site units and to refine certain other aspects of the Revised Project (“Current Project”).

The Amended and Restated Development Plan hereby is amended by this First PDA Amendment as follows:

1. In Section 4, Proposed Location and Appearance of Structures, the first paragraph is deleted and replaced with the following:

The Proposed Project consists of the construction of up to 360,000 gross square feet mixed-use building containing up to 350 residential units, approximately 10,000 gross square feet of ground floor retail space (including an approximately 2,700 square foot community center), with underground parking for up to 295 vehicles, and with two (2) common roof-top decks for use by the occupants of the residential units. The parking spaces will be contained in a 2-story below-grade garage under the building. The loading bays and service areas will be located to the rear of the building on the Site. The 360,000 gross square feet measurement referenced herein includes those areas excluded from the calculation of Floor Area, Gross under Article 2A of the Code; in no event shall the Proposed Project exceed the maximum FAR of 7.0.

2. Section 7, Size and Dimensions of Structures, is deleted and replaced with the following:

7. Size and Dimensions of Structures: The Proposed Project consists of the construction of up to a 360,000 gross square feet mixed-use building containing up to 350 residential units, approximately 10,000 gross square feet of ground floor retail space (including an approximately 2,700 square foot community center), underground parking for up to 295 vehicles, and with two (2) common roof-top decks for use by the occupants of the

residential units. The parking spaces will be contained in a 2-story below-grade garage underneath the building. The loading bays and service areas will be located to the rear of the building on the Site.

3. In Section 9, Zoning Actions, the second paragraph is deleted and replaced with the following:

Also, the Proposed Project will provide that approximately 38 residential units (approximately 11% of the total residential units) will be set aside (on-site) as Affordable Housing and the Community Space will fulfill the equivalent contribution required by Section 66-28.1(b)2 of the Code.

4. Section 12, Other Zoning Approvals, is deleted and replace with the following:

12. **Other Zoning Approvals**. In addition to addressing the above-referenced zoning provisions, the Proposed Project is also subject to Large Project Review by the BRA. In accordance with the requirements set forth in Section 80B of the Code, on July 5, 2011 the Proponent filed an Expanded Project Notification Form with the BRA. On December 14, 2011 the BRA issued its Scoping Determination Waiving Further Review under Section 80B-5 of the Code, subject to continuing design review by the BRA. On July 25, 2012 the Proponent submitted a Notice of Project Change to the BRA outlining certain changes to the Proposed Project and on January 25, 2013, the Proponent submitted an additional Notice of Project Change to the BRA outlining certain further changes to the Proposed Project which are reflected in this Development Plan. The Site will be subject to the use and dimensional controls set forth herein, which are comprehensive development controls delineating the uses and dimensions for the Proposed Project.

5. Section 14, Traffic Circulation, is deleted and replaced with the following:

14. **Traffic Circulation**: Traffic circulation for the Proposed Project will be accomplished off of Jersey Street and Boylston Street. An approximately 30 ft. wide private accessway will be provided from Boylston Street to the Site. The garage entrance to the Proposed Project will be located off this new accessway. In order to allow for the orderly control of traffic to the garage during baseball games and special events, a gate may be installed in this accessway. Vehicles coming to the Proposed Project will access the garage via the new accessway off Boylston Street.

6. In Section 19, Public Benefits, the subsection entitled "Affordable Housing" is deleted and replaced with the following:

Affordable Housing

- The Proposed Project will provide approximately 38 of its total residential units (approximately 11%) as affordable, onsite housing for the benefit of the neighborhood.

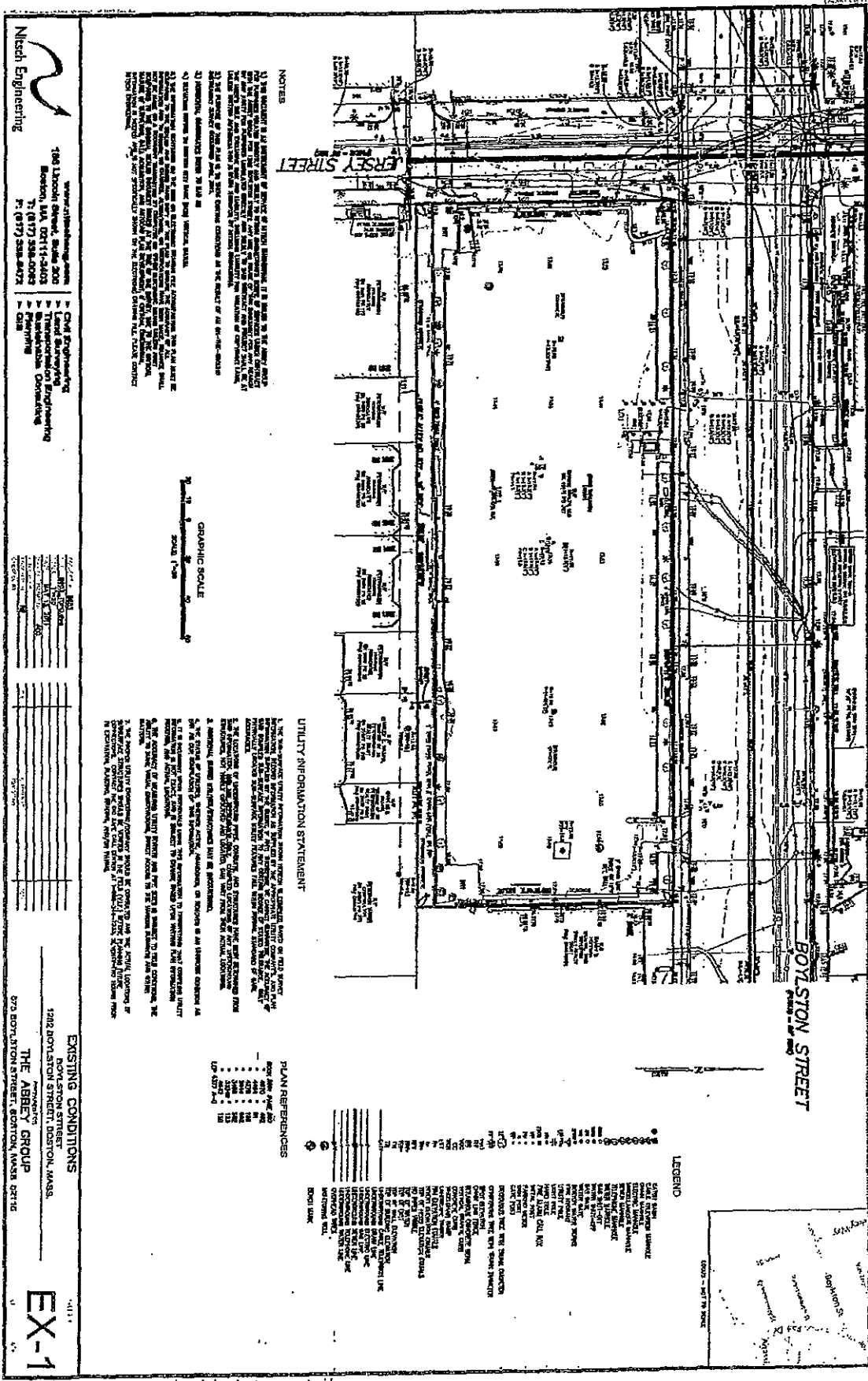
7. In Section 19, Public Benefits, in the subsection entitled “Neighborhood Design Enhancements,” the fourth bullet is deleted and replaced with the following:
 - Create a new private accessway off Boylston Street for access to the Proposed Project.
8. Appendix I containing the Project Drawings, Site Survey and Photographs is deleted and replaced with Appendix I attached hereto.
9. Except as amended by Sections 1 through 8 of this First PDA Amendment, the Amended and Restated Development Plan remains unmodified and in full force and effect.

APPENDIX I

SITE SURVEY, PROJECT DRAWINGS AND PHOTOGRAPHS

APPENDIX I

SITE SURVEY, PROJECT DRAWINGS AND PHOTOGRAPHS



NOTES

1. THE INFORMATION IS A SUMMARY OF SURVEY DATA. IT IS BASED ON THE ASSUMPTION THAT THE SURVEY DATA IS CORRECT AND THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE ACCURATE. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE SURROUNDING AREA.
2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE SURROUNDING AREA.
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5. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE SURROUNDING AREA.

UTILITY INFORMATION STATEMENT

1. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE SURROUNDING AREA.
2. THE SURVEYOR HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY OR THE SURROUNDING AREA.
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PLAN REFERENCES

- 1. 1232 BOYLSTON STREET, DORSETT, MASS.
- 2. 1232 BOYLSTON STREET, DORSETT, MASS.
- 3. 1232 BOYLSTON STREET, DORSETT, MASS.
- 4. 1232 BOYLSTON STREET, DORSETT, MASS.
- 5. 1232 BOYLSTON STREET, DORSETT, MASS.

LEGEND

- 1. 1232 BOYLSTON STREET, DORSETT, MASS.
- 2. 1232 BOYLSTON STREET, DORSETT, MASS.
- 3. 1232 BOYLSTON STREET, DORSETT, MASS.
- 4. 1232 BOYLSTON STREET, DORSETT, MASS.
- 5. 1232 BOYLSTON STREET, DORSETT, MASS.
- 6. 1232 BOYLSTON STREET, DORSETT, MASS.
- 7. 1232 BOYLSTON STREET, DORSETT, MASS.
- 8. 1232 BOYLSTON STREET, DORSETT, MASS.
- 9. 1232 BOYLSTON STREET, DORSETT, MASS.
- 10. 1232 BOYLSTON STREET, DORSETT, MASS.



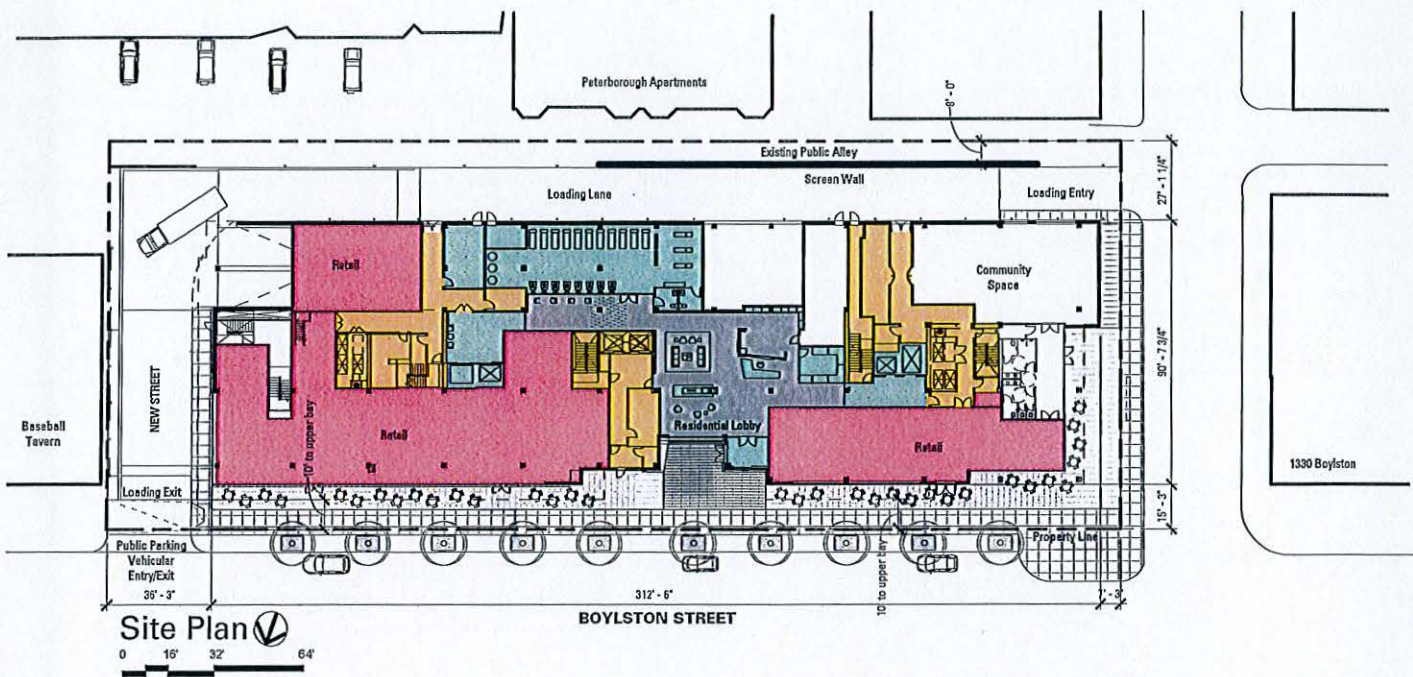
Nitch Engineering
196 Lincoln Street, Suite 200
Boston, MA 02111-3403
T: (617) 338-0083
F: (617) 338-0072

NO.	DATE	DESCRIPTION
1	12/15/11	ISSUED FOR PERMITTING
2	01/10/12	REVISED PER PERMITTING
3	01/10/12	REVISED PER PERMITTING
4	01/10/12	REVISED PER PERMITTING
5	01/10/12	REVISED PER PERMITTING
6	01/10/12	REVISED PER PERMITTING
7	01/10/12	REVISED PER PERMITTING
8	01/10/12	REVISED PER PERMITTING
9	01/10/12	REVISED PER PERMITTING
10	01/10/12	REVISED PER PERMITTING

EXISTING CONDITIONS
1232 BOYLSTON STREET, DORSETT, MASS.
THE ABBEY GROUP
1232 BOYLSTON STREET, DORSETT, MASS. 02715

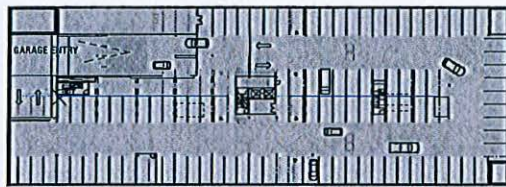
EX-1

Figure 2-2 - Existing site survey

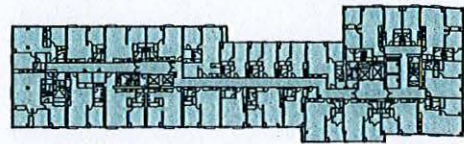


1282 BOYLSTON STREET

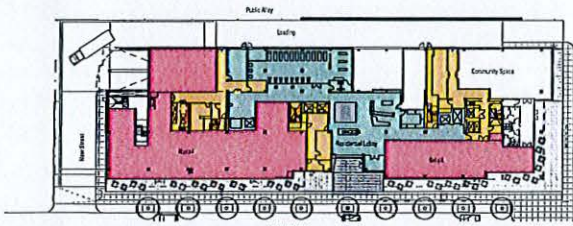
1/25/13
Site Plan



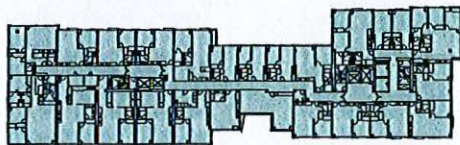
Parking Plan (floors P1-P2)



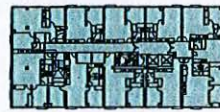
Typical Upper Floor Plan (Floors 5-9)



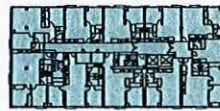
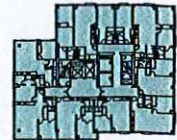
Ground Floor Plan



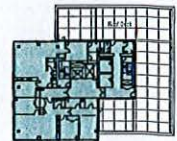
Typical Lower Floor Plan (Floors 2-4)

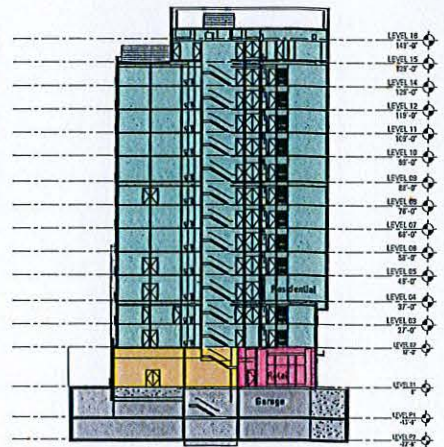
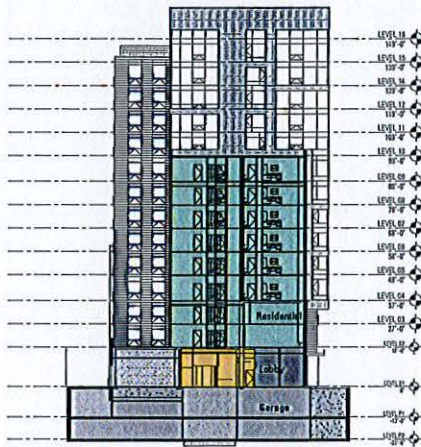
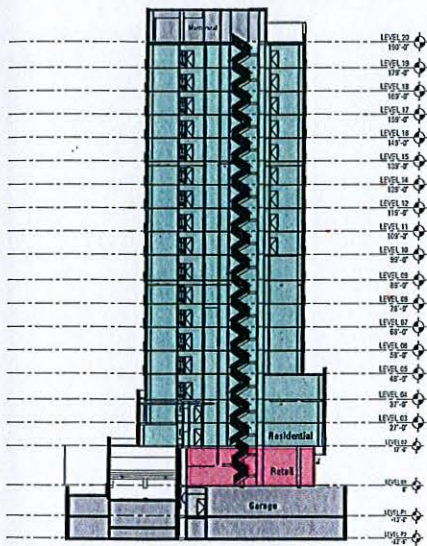


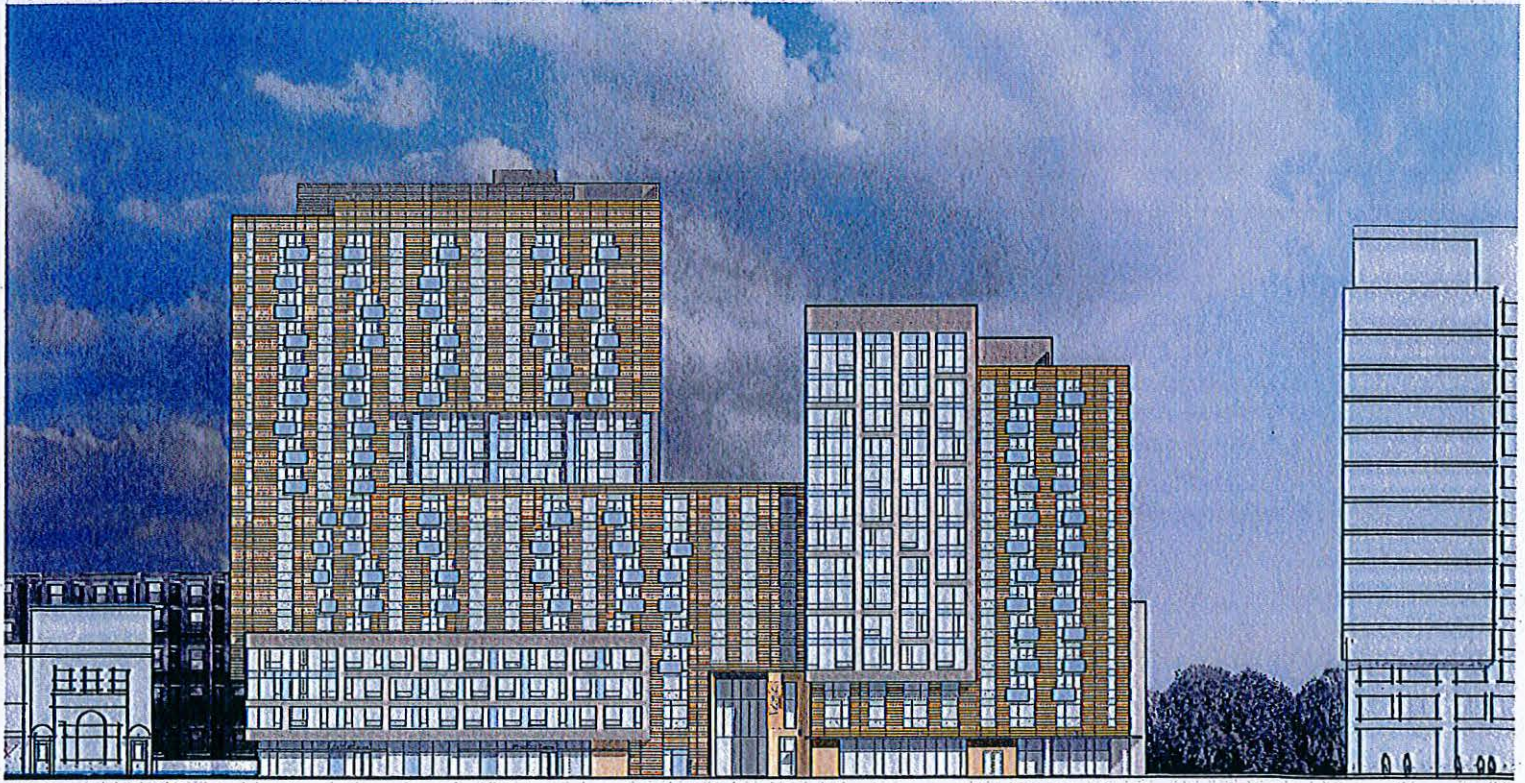
Typical Tower Floor Plan (Floors 14-19)



Fifteenth Floor Plan







North Elevation



NORTH ELEVATION 11/26/13



East Elevation (New Street)



West Elevation (Jersey Street)



JERSEY STREET

SCREEN WALL

NEW STREET

South Elevation



SOUTH ELEVATION 01/26/13

First Amendment to Amended and Restated
Development Plan for Planned Development
Area No. 81,
1282 Boylston Street

Boston Redevelopment Authority on behalf of
the Abbey Group

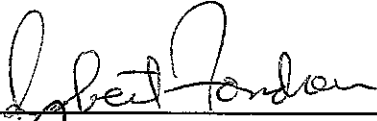
FIRST AMENDMENT TO AMENDED AND RESTATED DEVELOPMENT
PLAN FOR PLANNED DEVELOPMENT AREA NO. 81

1282 BOYLSTON STREET, FENWAY

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 First Amendment to Development Plan for Planned Development Area No. 81, 1282 Boylston Street, Fenway, dated March 14, 2013, and approved by the Boston Redevelopment Authority on March 14, 2013.

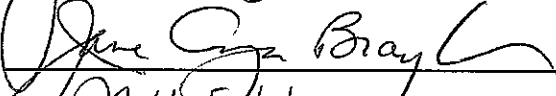
Said First Amendment amends "Amended and Restated Development Plan for 1282 Boylston Street within Planned Development Area No. 81," approved by the Authority on September 13, 2012, and approved by the Zoning Commission on October 10, 2012, effective, October 14, 2012. Planned Development Area No. 81 was designated on "Map 1Q, Fenway Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston" dated August 15, 1962, as amended, by Map Amendment No. 537, adopted by the Zoning Commission on December 14, 2011, effective December 15, 2011.

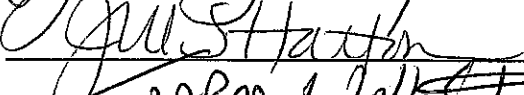
First Amendment to Amended and Restated Development Plan for Planned Development Area No. 81, 1282 Boylston Street, Fenway

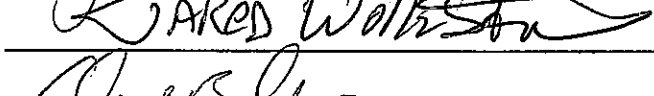

Chairman

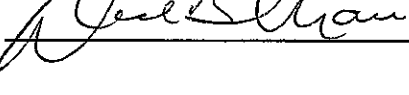

Vice Chairman





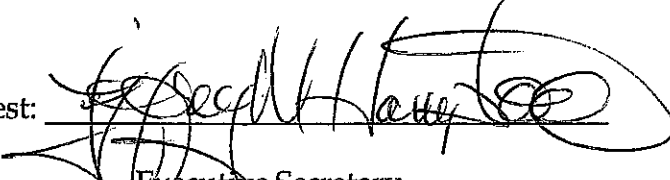




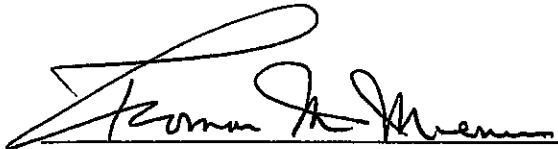


In Zoning Commission

Adopted: April 10, 2013

Attest: 
Executive Secretary

First Amendment to Amended and Restated Development Plan for Planned
Development Area No. 81, 1282 Boylston Street, Fenway




Mayor, City of Boston

Date: 4-11-13

The foregoing First Amendment to Amended and Restated Development Plan, was
presented to the Mayor on April 10, 2013, and was signed by him on
April 11, 2013, whereupon it became effective on April 11, 2013, in
accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Executive Secretary, Boston Zoning Commission

First Amendment to Amended and Restated
Development Plan for Planned Development
Area No. 81,
1282 Boylston Street

Boston Redevelopment Authority on behalf of
the Abbey Group

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority, acting under Section 3-1A of the Boston Zoning Code, hereby petitions the Zoning Commission of the City of Boston for its approval of the First Amendment to Amended and Restated Development Plan for 1282 Boylston Street within Planned Development Area No. 81, dated March 14, 2013, and approved by the Boston Redevelopment Authority on March 14, 2013.

Said First Amendment amends "Amended and Restated Development Plan for 1282 Boylston Street within Planned Development Area No. 81," approved by the Authority on September 13, 2012, and approved by the Zoning Commission on October 10, 2012, effective, October 14, 2012. Planned Development Area No. 81 was designated on "Map 1Q, Fenway Neighborhood District" of the series of maps entitled "Zoning Districts City of Boston" dated August 15, 1962, as amended, by Map Amendment No. 537, adopted by the Zoning Commission on December 14, 2011, effective December 15, 2011.

Petitioner: Boston Redevelopment Authority

By: _____
Peter Meade, Director

Address: City Hall/9th Floor

Boston, MA 02201-1007

Tel. No.: 722-4300, ext. 4308

Date: _____
as authorized by the BRA Board on March 14,
2013.

MEMORANDUM

MARCH 14, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: KAIROS SHEN, CHIEF PLANNER
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
DAVID CARLSON, SENIOR ARCHITECT
JOHN FITZGERALD, SENIOR PROJECT MANAGER

SUBJECT: PUBLIC HEARING FOR THE FIRST AMENDMENT TO THE AMENDED
AND RESTATED DEVELOPMENT PLAN FOR 1282 BOYLSTON
STREET, BOSTON WITHIN PLANNED DEVELOPMENT AREA NO. 81,
AND A NOTICE OF PROJECT CHANGE REGARDING THE 1282
BOYLSTON STREET PROJECT, LOCATED ON BOYLSTON STREET,
FENWAY

SUMMARY: This Memorandum requests authorization for the Director to: (1) approve the proposed First Amendment to the previously approved Amended and Restated Planned Development Area No. 81 ("First Amendment to PDA 81"); (2) authorize the Director to petition the Boston Zoning Commission for approval of the First Amendment to PDA 81; (3) authorize the Director to issue a Determination Waiving the requirement of further review pursuant to Section 80A-6.2 of the Code in connection with the Second Notice of Project Change; (4) authorize the Director to issue a Certification of Compliance for the Proposed Project under Section 80B-6 upon successful completion of the Article 80 review process; (5) authorize the Director to issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (6) authorize the Director to execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and a Boston Residents Construction Employment Plan.

INTRODUCTION

On July 5, 2011 the Abbey Group (the "Proponent") submitted a Project Notification Form ("PNF") to the Boston Redevelopment Authority ("BRA") for the development of the 1282 Boylston Street project located at 1282 Boylston Street in the Fenway neighborhood. On July 2, 2011, the Proponent submitted a Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 to the BRA in

connection with the Original 1282 Boylston Street project (the "Original Development Plan"). The 1282 Boylston Street Project was to contain up to 348,235 gross square foot of mixed uses that includes 210 residential units, 99,000 square feet of office space, 15,000 square feet of ground floor retail space, and underground parking for approximately 295 vehicles (the "Original Proposed Project"). On November 17, 2011 the Original Proposed Project received approval from the BRA Board for both the Article 80 Large Project Review, as well as the Original Development Plan. The Boston Zoning Commission approved the Original PDA Plan on December 14, 2011.

On July 25, 2012 the Proponent submitted an Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 (the "Amended PDA Plan"), as well as a Notice of Project Change. The changes resulted in a project that consists of up to 348,235 square feet of mixed-use development containing 322 residential units and approximately 15,000 square feet of ground floor retail space fronting on Boylston Street. The previously approved office use was being switched to residential; hence the higher number of units. Underground parking will be provided for approximately 295 vehicles (the "Amended Project"). On September 13, 2012, the proposed changes to the Original Proposed Project received approval from the BRA Board for both the Amended PDA Plan as well as the Notice of Project Change. On October 10, 2012 the Boston Zoning Commission approved the Amended PDA Plan.

PROPOSED FIRST AMENDMENT AND PROJECT CHANGE

On January 25, 2013 the Proponent submitted the First Amendment to the Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 and a Second Notice of Project Change for Article 80 approval. As a result of further refinements to the design, the Proponent is proposing to increase the number of residential units from approximately 322 to up to 350 residential units. The number of affordable units has increased from approximately 36 to approximately 38 units on-site.

AFFORDABLE HOUSING

The Proponent will still comply with the Mayor's Executive Order. To do so, because of the increase in units, two additional on-site affordable units will be included. That brings the total of on-site affordable units to 38.

This will be in addition to the previously approved affordable housing conditions that were approved in the September 13, 2012 BRA Board meeting.

Project as described in the Amended PDA Plan as further amended by the First Amendment; and

FURTHER

VOTED:

That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Second Notice of Project Change and the Amended PDA Plan, as further amended by the First Amendment, all upon terms and conditions determined to be in the best interests of the BRA.