

BRA APPROVAL: 9/13/12  
ZC APPROVAL: 10/10/12  
EFFECTIVE: 10/14/12

## BOSTON REDEVELOPMENT AUTHORITY

### DEVELOPMENT PLAN

#### PLANNED DEVELOPMENT AREA NO. 89

275 Albany Street

South End, Boston

BH Normandy 275 Albany Street LLC

September 13, 2012

Development Plan: In accordance with Sections 3-1A and 64-28 through 64-31 and Section 80C of the Boston Zoning Code (the “Code”), this Development Plan for the 275 Albany Street Project, Planned Development Area No. 89 (the “Development Plan”), sets forth information on the proposed development (the “Project”) of the site located at 275 Albany Street, including the proposed location and appearance of structures, open spaces and landscaping, proposed uses, densities, proposed traffic circulation, parking and loading facilities, access to public transportation and proposed dimensions of structures. This Development Plan sets forth the zoning for the Project. The Project has undergone review through Article 80B of the Code. An Expanded Project Notification Form (“PNF”) for the Project was filed with the Boston Redevelopment Authority (the “BRA”) on January 15, 2010. On August 17, 2010, the BRA authorized the Director of the BRA to issue a Scoping Determination finding that the PNF adequately describes the potential impacts of the Project and provides sufficient mitigation measures to minimize these impacts, and waiving further review under Article 80B of the Code. On August 24, 2010, the Director of the BRA issued the Scoping Determination waiving further review of the Project under Article 80B of the Code. On August 16, 2012, a Notice of Project Change was filed with the BRA noting certain changes to the Project since the issuance of the Scoping Determination, which changes are reflected in this Development Plan. Based upon that process, further review of the Project required as a result of the Notice of Project Change, if any, and approval of this Development Plan, final plans and specifications for the Project will be submitted to the BRA pursuant to Section 3-1A and Section 80C of the Code for final design review approval and certification as to consistency with this Development Plan.

This Development Plan consists of 6 pages of text and Exhibits A, B and C. All references to this Development Plan contained herein shall pertain only to such 6 pages and Exhibits A, B and C. Exhibit C and the Project described herein are subject to final design, environmental and other development review by the BRA and other governmental agencies and authorities, and the Project as described herein may evolve in the course of such review. As long as the Director of the BRA (the “Director”) certifies that the Project is consistent with this Development Plan, then the Project shall be deemed to be in compliance with the Development Plan. Unless otherwise set forth herein, all references herein to terms set forth in the Code shall have the meanings set forth in the Code, as amended to the effective date hereof, and not as the same may be amended hereafter.

In accordance with Section 80C-9 of the Code, within the PDA, if the Project or any Phase thereof (as described below) has received a Certification of Consistency pursuant to Section 80C-8, (1) the Project or applicable Phase thereof and (2) the parcels or lots and any improvements thereon, other than the Project or applicable Phase, that are the subject of this Development Plan, and that are consistent with this Plan, shall be deemed to be in compliance with the requirements of the underlying zoning to the extent that such requirements have been addressed in this Development Plan. To the extent that any aspect of proposed uses or structures complying with this Development Plan are in conflict with any requirement of the Zoning Code not specifically addressed in this Plan, such requirements shall be deemed inapplicable to the Project and shall be deemed to be waived upon approval of this Plan.

**Proponent:** BH Normandy 275 Albany Street LLC, a Delaware limited liability company, its successors and assigns (the “**Developer**”). The Developer, an affiliate of Normandy Real Estate Partners, has an address of 53 Maple Avenue, Morristown, NJ 07960.

**Proposed Location:** The Project is located in the South End neighborhood of Boston on a site bounded by East Berkeley, Albany and Traveler Streets and private parcels improved with buildings currently occupied by the Planet Storage Warehouse located at 33 Traveler Street and the Medieval Manor Restaurant located at 246 East Berkeley Street (the “**Project Area**”). The elevated Southeast Expressway (I-93) lies directly to the east of Albany Street overlooking the Project Site from a height of approximately 25 to 30 feet above grade. The Project Area, which is currently improved as a surface parking lot for approximately 145 vehicles, is located in EDA North of the South End Neighborhood District and in the Restricted Parking District, and consists of approximately 1.27 acres of land area as shown on **Exhibit A**. The legal description for the Project Site subject to the PDA overlay district is set forth on **Exhibit B**.

**Appearance and Proposed Dimensions of Structures and Proposed Density.** The Project consists of two primary building elements that, with the exception of the parking garage entrance and exit on Traveler Street will provide a continuous building façade on East Berkeley, Albany and Traveler Streets. The massing will be broken up, with the building element on the northern end of the site (the “**Traveler Structure**”) fronting on Traveler Street rising up to nineteen (19) stories (not including the mechanical penthouse) and the building element on the southern end of the site fronting on East Berkeley Street (the “**East Berkeley Structure**”) with up to eleven (11) stories consisting of an L-shaped structure that on East Berkeley Street and Albany Street. A three (3) level, above-grade parking garage will be located between the two building elements, shielded from public view from all three public streets by the Traveler Structure and the East Berkeley Structure. The Project may be constructed in up to two phases (each, a “**Phase**”). If constructed in Phases, one Phase will include the Traveler Structure and the other Phase will include the East Berkeley Structure. The parking garage may be constructed as part of either Phase. The Project will contain up to 330,000 square feet of gross floor area, of which up to 200,000 square feet of gross floor area will be located in the Traveler Structure and up to 130,000 square feet of gross floor area will be located in the East Berkeley Structure. In addition, the Project will include up to 65,000 square feet of parking. The Floor Area Ratio (“**FAR**”) of the overall Project, exclusive of parking, will not exceed 6.0, though the FAR of portions of the Project Area to be occupied by the structures included in the Project may exceed 6.0 so long as the gross floor areas of such structures do not exceed the limitations set forth above. The height of the Project will not exceed 200 feet, excluding the mechanical penthouse

and the elevators and stairways serving the mechanical penthouse. Conceptual plans, renderings and elevations of the Project are attached hereto as **Exhibit C**, and are hereby approved. The plans for the Project will be refined as review of the project continues, and the plans are subject to design, environmental and other development review by the BRA and other governmental agencies and authorities. For purposes of Section 64-33, the improvements shown on the plans attached hereto as **Exhibit C**, as refined through continuing design review, shall constitute adequate provisions for screening and buffering pursuant to Article 80.

Proposed Uses of the Area. It is anticipated that the Traveler Structure will be used for residential use with up to 220 units and the East Berkeley Structure will be used for hotel uses with up to 325 hotel rooms if the hotel is a so-called “micro” hotel, and up to 225 units if the hotel is not a micro hotel. In addition, the Project will include complementary retail uses, which may include restaurant use, and accessory parking. The uses will share the parking structure and loading area, and may also share additional amenities such as fitness facilities, and/or a roof terrace.

Proposed Traffic Circulation. Current traffic circulation around the Project Site is expected to remain as is: two-way traffic on Traveler Street, one-way traffic in a southerly direction on Albany Street, and one-way traffic in a westerly direction on east Berkeley Street. It is currently anticipated that the Traveler Structure will have a separate main entrance with associated drop-off/pick-up areas on Traveler Street and the East Berkeley Structure will have a separate main entrance with associated drop-off/pick-up areas on East Berkeley Street. Vehicles will be permitted to access and exit the parking garage on Traveler Street only.

Proposed Parking and Loading Facilities. Up to 155 parking spaces will be provided in an above-grade parking garage with access to and egress from Traveler Street. Additional parking, if any, may be provided off-site. If the Project is completed in Phases, parking may be provided off-site until completion of the second Phase, provided that appropriate arrangements are made to ensure that such parking will be available to the Project. In such case, if the Traveler Building is constructed first, no less than 90 parking spaces will be provided for the Traveler Building pending completion of the East Berkeley Building; if the East Berkeley Building is constructed first, no less than 45 parking spaces will be provided for the East Berkeley Building pending completion of the Traveler Building. All loading facilities will be located within the building with access from and egress to Albany Street. Up to two (2) truck bays will be provided. The size of the loading area will permit all trucks to enter directly into the loading bay and turn and maneuver as necessary within the building.

Open Spaces and Landscaping. The Project Site will be improved with new sidewalks and street trees on East Berkeley Street, Albany Street and Traveler Street. In addition, it is currently contemplated that a green roof and deck space will be incorporated into the Project on the second level in between the Traveler Building and the parking garage and extending to Albany Street in between the Traveler Building and the East Berkeley Building. The Project is exempt from Section 64-29.3 of the Code since its approvals under Section 80B of the Code were granted prior to the first notice of hearing before the Zoning Commission for adoption of Section 64-29.3. However, no less than 15% of the Project Site will be open space accessible to the general public.

Access to Public Transportation. The Project Site is located close to several public transportation options providing service to downtown Boston, the Back Bay, Chinatown, South Boston and Cambridge. Three MBTA bus routes have stops near the Project Site. The MBTA's Silver Line on Washington Street, located two blocks from the Project Site, provides service to the Downtown Crossing area of Boston. The MBTA's Red Line Broadway Station, located approximately one quarter of a mile from the Project Site, provides service between Ashmont and Braintree in the south and downtown Boston and Cambridge in the north. The Red Line provides connection between downtown and the Silver, Orange and Green Lines, as well as regional commuter rail and intercity bus services at South Station.

Roof Terraces. The Project may include a roof terrace on the Traveler Structure at the mechanical penthouse level on a portion of that level not occupied by the mechanical penthouse. Notwithstanding the provisions of Section 64-34 of the Code, access to such roof deck may be provided by one or more of the elevators and stairwells serving the mechanical penthouse, which elevators and stairwells will not extend above the top of the mechanical penthouse. In addition, a roof terrace and bar open to the public may be located in a portion of the roof on the East Berkeley Structure at the mechanical penthouse level. This space may be open twelve months of the year by means of a retractable roof and enclosure.

Signage. Signage for the proposed project will include (a) those permitted by Article 11 and Section 64-35 of the Zoning Code; and (b) any additional signs that are approved by the BRA under its development review procedures.

Development Review Procedures. All design plans for the Project are subject to ongoing design, environmental and development review and approval by the BRA. Such review will be conducted in accordance with Large Project Review under Article 80B of the Code. The plans for the Project will be refined as review of the Project continues.

Development Impact Project Exaction. The owner of the East Berkeley Structure will enter into a Development Impact Project Agreement with the BRA under which such owner will make a housing contribution grant and a jobs contribution grant with respect to Development Impact Uses exceeding 100,000 square feet of gross floor area in accordance with the provisions of Section 80B-7 of the Code and other applicable requirements. These grants are anticipated to total up to approximately \$283,200 in accordance with Section 80B-7 of the Code, with the housing contribution grant to be up to approximately \$236,100 based upon a payment of \$7.87 per square foot of gross floor area of the Project in excess of 100,000 square feet that is occupied by a Development Impact Use, and the jobs contribution grant to be up to approximately \$47,100 based upon a payment of \$1.57 per square foot of gross floor area of the Project in excess of 100,000 square feet that is occupied by a Development Impact Use.

Urban and Public Benefits. The Project will revitalize a large vacant parcel in the South End bringing life and vitality to a blighted area and serving as a catalyst for change in the neighborhood. It will also serve as a buffer between the imposing hulk of the Southeast Expressway and the historic South End neighborhood. The streetscape around the Project will be improved with new paving, lighting and landscaping. The Project will energize and enliven the area providing eyes and ears to the street to make the area safer, friendlier and more attractive for visitors and residents alike. The hotel in the East Berkeley Structure may provide a club lounge and flex space on the ground floor with wifi service for use by the general public for meetings

and informal gatherings. The Project will provide (a) much needed hotel rooms to service the Boston Convention and Exhibition Center, as well as area hospitals and universities, making rooms available in a new and attractive facility offering a lower cost alternative to current hotels, as well as providing convenient and affordable rooms for visitors of South End and South Boston residents and all tourists and other visitors to the City; and (b) new residential opportunities at reasonable prices to complement the existing housing stock in the neighborhood, and increase the vitality of the surrounding area. In accordance with Section 64-29.1 of the Code, the Traveler Structure will provide Affordable Housing, as defined in Section 64-41.1 of the Code, in an amount equivalent to no less than twenty percent (20%) of the dwelling units included in the Project, with at least ten percent (10%) of the units located on the Project Site. When fully operational, the Project is estimated to produce over \$900,000 annually in real estate taxes for the City of Boston. In addition, the East Berkeley Structure is expected to generate approximately \$2,000,000 in room occupancy taxes. The construction of the Project will contribute directly to the economy of Boston by providing approximately 500 construction jobs and up to approximately 175 permanent jobs with a goal of employing at least 50% Boston residents, 25% minorities and 10% women.

Groundwater Conservation: The Project is located within the Groundwater Conservation Overlay District, governed by Article 32 of the Code. Thus, the Developer shall incorporate systems into its Project, set forth in this Development Plan, that meet the groundwater conservation standards and requirements set forth in Article 32 of the Code. The Developer shall obtain a written determination from the Boston Water and Sewer Commission as to whether said standards and requirements are met. The Developer shall provide a copy of said written determination to the BRA and Boston Groundwater Trust prior to the BRA's issuance of a Certification of Consistency. Accordingly, the Developer will not be required to obtain a conditional use permit from the Board of Appeal and shall be deemed in compliance with Article 32 of the Code.

Green Building Requirements: The Project is a large project pursuant to Article 80B of the Code. As such, the Project is subject to Article 37, Green Buildings, of the Code. The Developer shall ensure that the Project is in compliance with Article 37 of the Code.

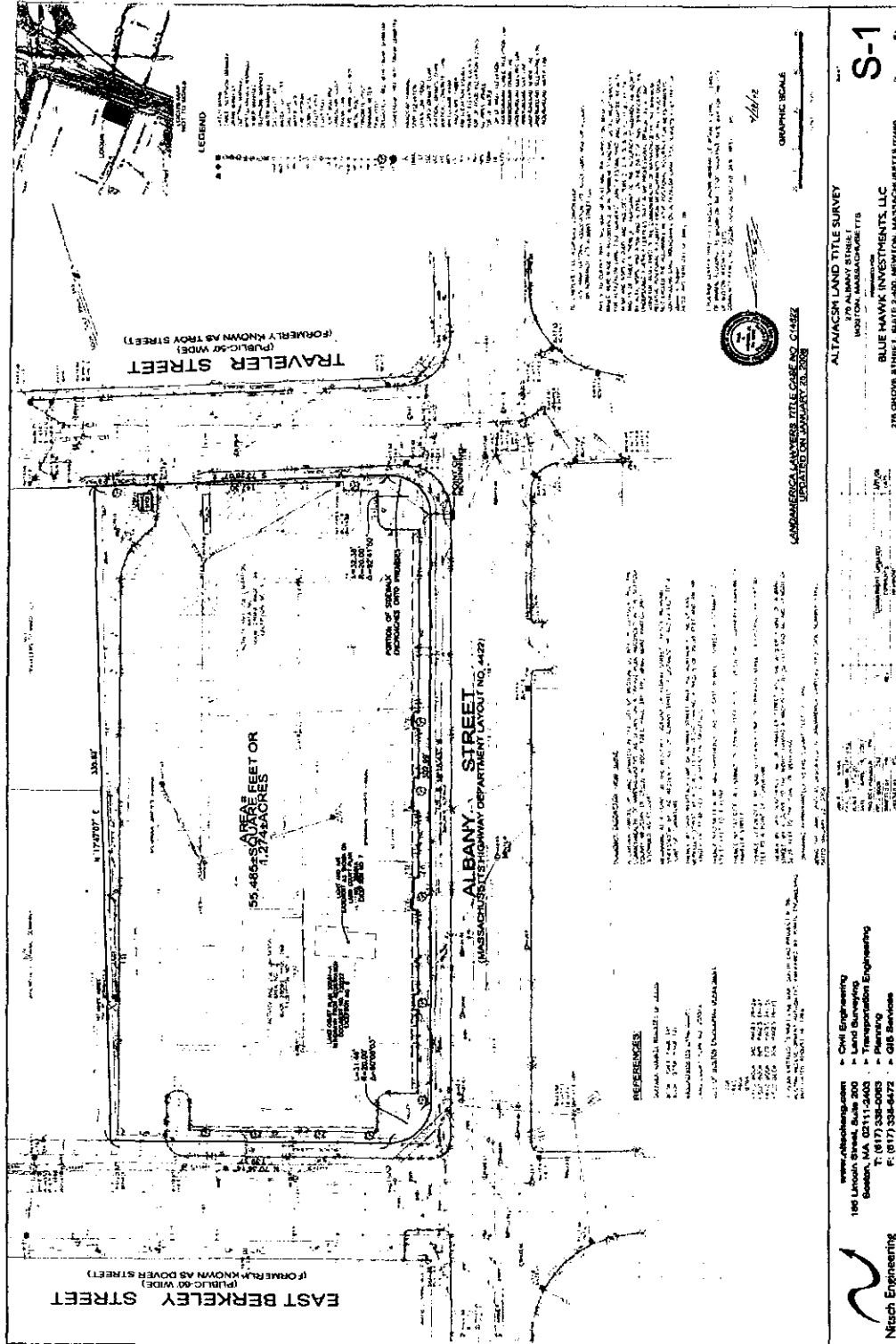
Phase-by-Phase Applicability: For purposes of this Development Plan, compliance of the individual Phases with the requirements of this Plan (and any applicable requirements of underlying zoning to the extent not addressed in this Plan) shall be determined on an individual rather than a Site-wide basis. The compliance or non-compliance of any one Phase with the provisions of the Zoning Code or this Development Plan shall not affect the compliance of any other Phase with the provisions of the Zoning Code or this Development Plan. If the Phases are separately owned, then the owner of each such Phase shall be the Developer with respect to that Phase and shall bear no obligation or liability with respect to the other Phase.

Amendments: Any owner of an individual Phase may seek amendment of this Development Plan as to such Phase in accordance with the procedures prescribed by the Zoning Code without the consent of any other owner of a Phase, provided that such amendment does not change any obligations or requirements applicable to any other Phase. The provisions of this Development Plan applicable to a Phase may be amended only with the consent of the owner of such Phase.

No Duty to Develop the Project or any Phase: Notwithstanding anything to the contrary set forth in this Development Plan, under no circumstances shall the Developer be obligated to proceed with the Project or any Phase thereof. Either Phase may be constructed and occupied without the construction or occupancy of the other Phase

**Exhibit A**

**PLAN OF THE PROJECT AREA**



**Exhibit B**

LEGAL DESCRIPTION

The land with the buildings thereon in Boston, Suffolk County, Massachusetts shown as Parcel No. 9 on a plan entitled "Urban Renewal Division, Boston Housing Authority New York Streets Project, UR Mass, 2-1, Land Disposition Plan", by Hayden, Harding and Buchanan, Inc., Consulting Engineers, Boston 35, Massachusetts, dated March 6, 1957, Revisions June 26, 1957, recorded in the Suffolk Registry of Deeds, Book 7243, Page 345, which parcel is more particularly bounded and described as follows:

SOUTHERLY	by Dover Street, 139.37 feet;
WESTERLY	by Parcel No. 10 on said plan, 180.00 feet and Parcel No. 11 on said plan, 155.82 feet;
NORTHERLY	by Troy Street, 147.30 feet;
NORTHEASTERLY	by the curved intersection of Troy Street and Albany Street, 32.36 feet;
EASTERLY	by Albany Street, 302.99 feet; and
SOUTHEASTERLY	by the curved intersection of Dover Street and Albany Street, 31.46 feet

Said Parcel No. 9 contains 55,484.34 square feet, according to the aforesaid plan.

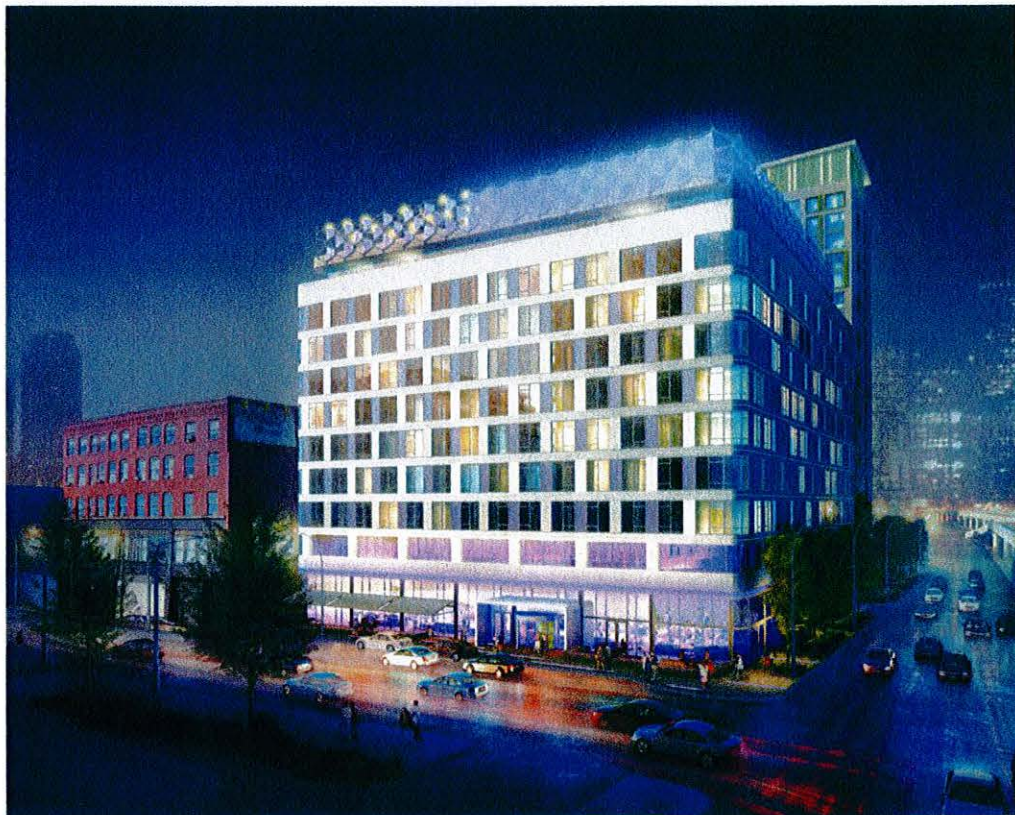
Parcel No. 9 includes the fee and soil of those portions of Albany Street, Troy Street and Dover Street, adjoining said portions to the center line of said streets, subject to the rights of others lawfully entitled thereto. Said Troy Street is now known as Traveler Street and said Dover Street is now known as East Berkeley Street.



**Exhibit C**

CONCEPTUAL PLANS AND RENDERINGS

August 16, 2012  
Page 1 of 12



275 ALBANY STREET

EAST BERKELEY STREET VIEW



275 ALBANY STREET

TRAVELER STREET VIEW

275 ALBANY STREET



SITE/ROOF PLAN

275 ALBANY STREET



TRAVELER STREET ELEVATION

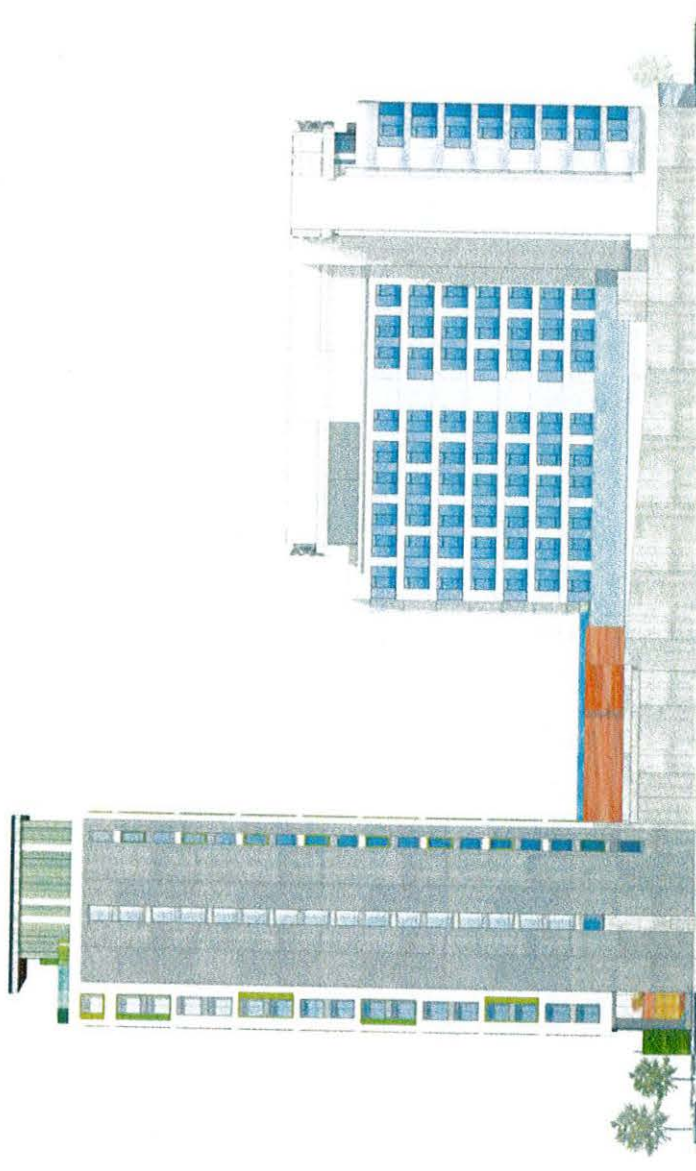
EAST BERKELEY STREET ELEVATION

275 ALBANY STREET



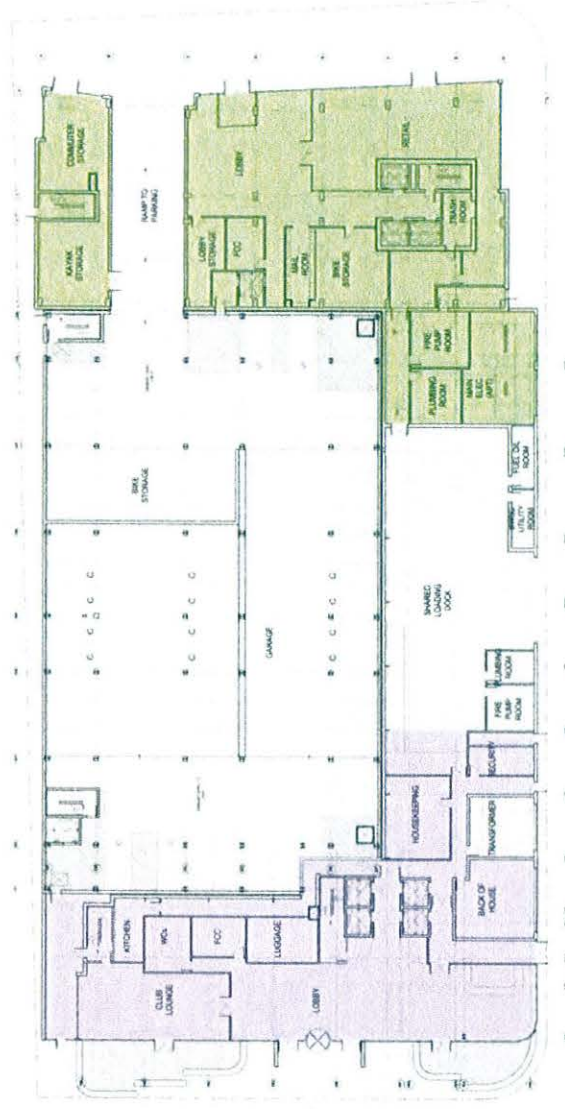
ALBANY STREET ELEVATION

275 ALBANY STREET



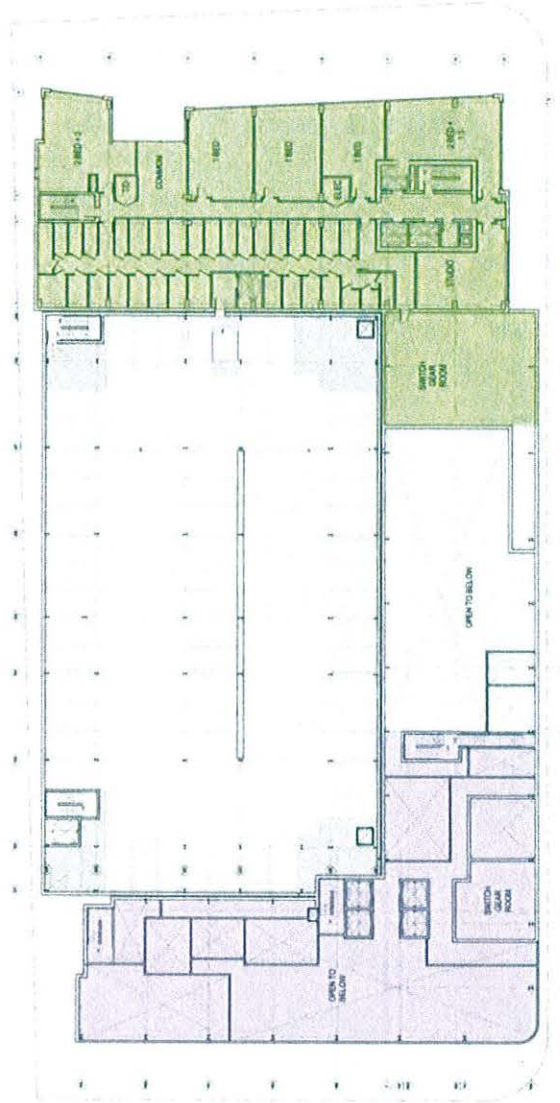
GARAGE ELEVATION

275 ALBANY STREET



GROUND FLOOR PLAN

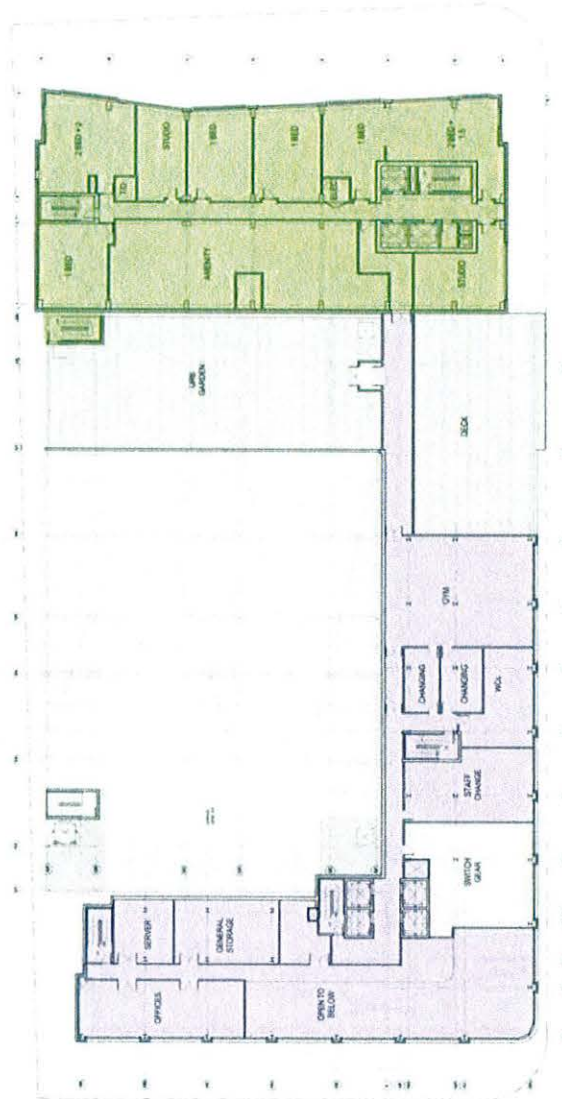
275 ALBANY STREET



MEZZANINE FLOOR PLAN

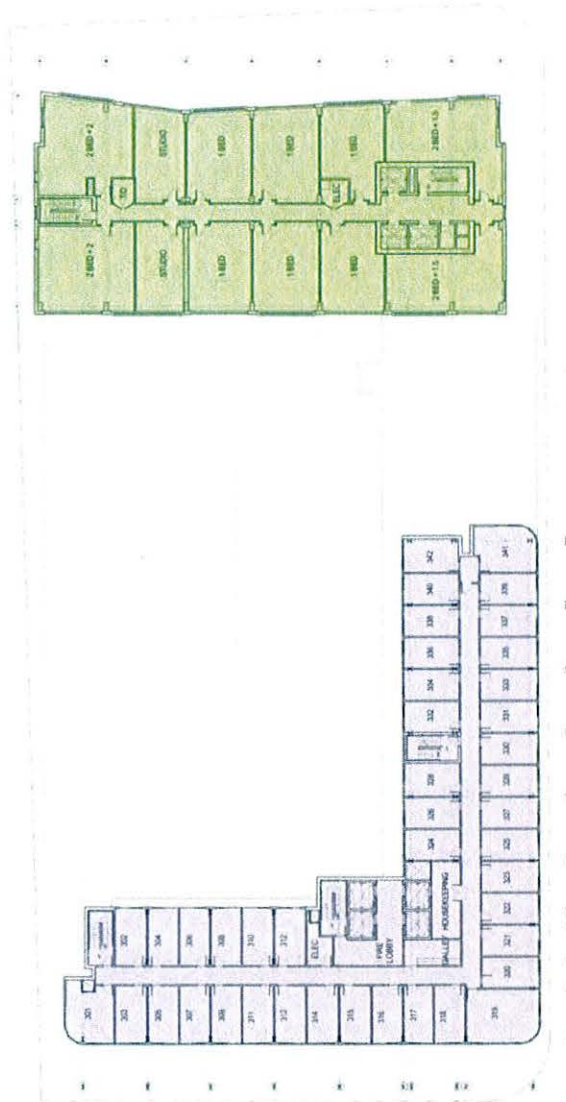


275 ALBANY STREET



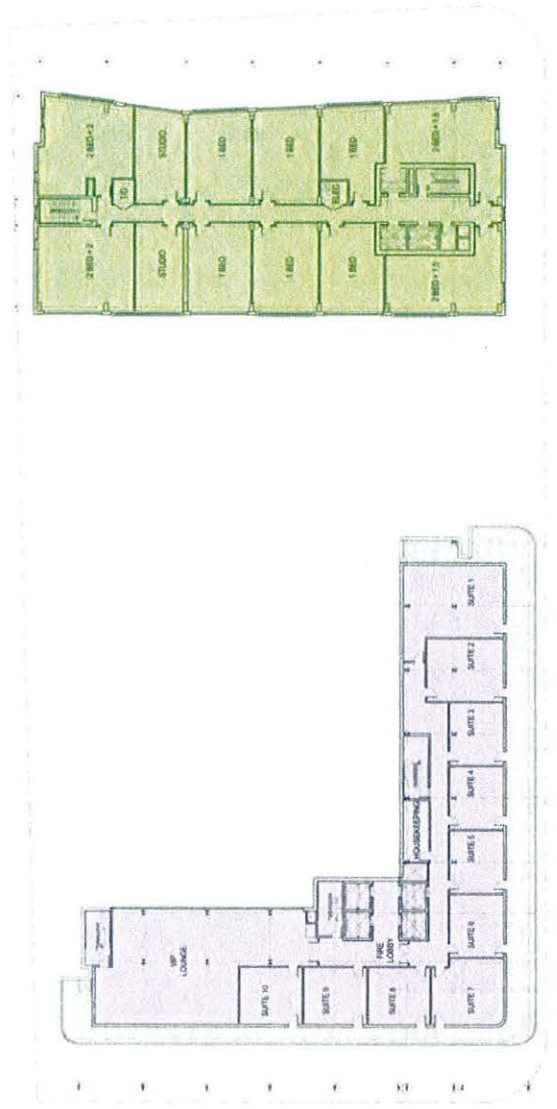
2<sup>nd</sup> FLOOR PLAN

275 ALBANY STREET



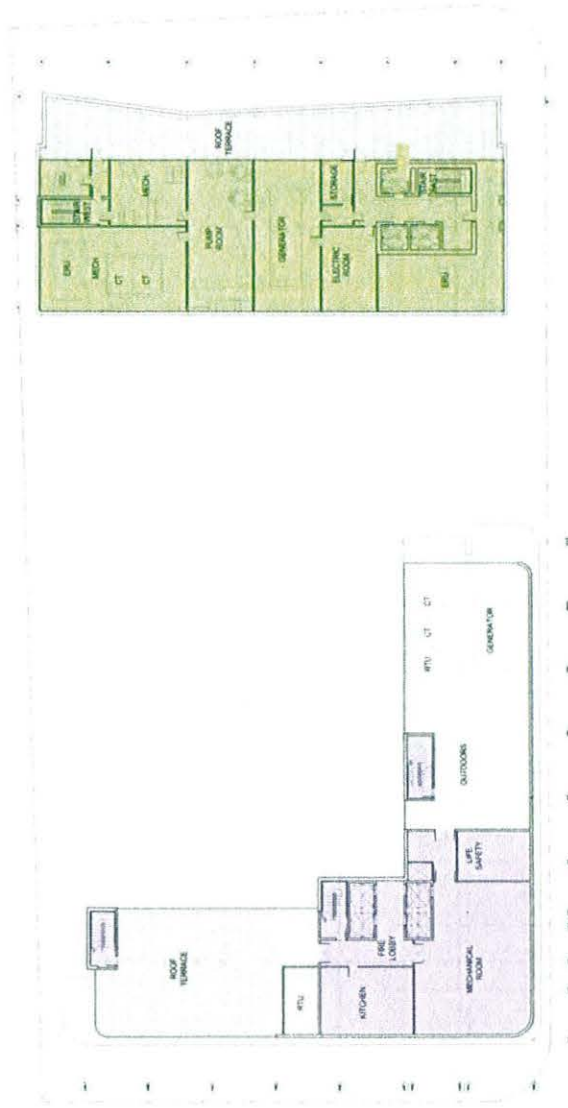
TYPICAL FLOOR PLAN

275 ALBANY STREET



10<sup>th</sup> FLOOR PLAN

275 ALBANY STREET



MECHANICAL PENTHOUSE/ROOF PLAN

**MEMORANDUM**

**SEPTEMBER 13, 2012**

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** BRENDA MCKENZIE, DIRECTOR OF ECONOMIC DEVELOPMENT  
HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
DAVID CARLSON, SENIOR ARCHITECT/URBAN DESIGNER  
DANA WHITESIDE, DEPUTY DIRECTOR FOR COMMUNITY  
ECONOMIC DEVELOPMENT  
ERICO LOPEZ, SENIOR PROJECT MANAGER

**SUBJECT:** PUBLIC HEARING TO CONSIDER THE 275 ALBANY STREET  
PROJECT, NOTICE OF PROJECT CHANGE AND DEVELOPMENT  
PLAN FOR PLANNED DEVELOPMENT AREA NO. 89, TO BE  
CONSIDERED AS A DEVELOPMENT IMPACT PROJECT, LOCATED IN  
THE SOUTH END

**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority (the "BRA" or "Authority"): (i) approve the Development Plan for Planned Development Area No. 89 at 275 Albany Street, in the South End neighborhood of Boston ("PDA No. 89") pursuant to Section 80C of the Boston Zoning Code (the "Code"); (ii) authorize the Director of the Authority to petition the Zoning Commission of the City of Boston for approval of PDA No. 89 and the accompanying map amendment pursuant to Sections 3-1A.a and 80C-6 of the Code; (iii) authorize the Director of the Authority to issue a Determination waiving the requirement of further review pursuant to Article 80, Section 80A-6.2 of the Code in connection with the Notice of Project Change for the 275 Albany Street project described in PDA No. 89; (iv) authorize the Director of the Authority to issue Certification(s) of Consistency pursuant to Section 80C of the Code; (v) authorize the Director of the Authority to issue Certifications of Compliance pursuant to Section 80B-6 upon successful completion of the Article 80 Large Project review process; (vi) approve the 275 Albany Street project as a Development Impact Project pursuant to Section 80B-7 of the Code; and (vii) authorize the Director of the Authority to execute and deliver a Cooperation Agreement, a Development Impact Project Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment

Plan, and any and all other documents, as may be necessary and appropriate.

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### **PROJECT SITE**

The site is approximately 1.27 acres (approximately 55,485 square feet) in size and rectangular in shape, bounded by Traveler Street to the north, Albany Street and the south bound lanes of Interstate 93 to the east, East Berkeley Street and a Mobil gas station to the south and a group of buildings that make up the rest of the Harrison, Traveler, Albany, East Berkeley block and house the Medieval Manor, some small offices, Quinzani's Bakery, Ho Kong Bean Sprout Company, and Planet Self Storage (the whale building) to the west (the "Project Site"). Further west is Harrison Avenue. The portion of Albany Street directly adjacent to the Project Site is within the Massachusetts Highway Department (MassHighway) state highway layout. The Project Site was formerly used as a parking lot, but is now vacant. There are no structures on the site.

### **PROJECT BACKGROUND**

The 275 Albany Street project previously underwent Large Project Review under Article 80B of the Code. The project program consisted of two (2) hotels joined by a common above grade parking garage, loading dock, roof terrace and swimming pool. One (1) hotel was envisioned to be a "select-service" hotel and the other an "extended-stay" hotel.

The select- service hotel would have occupied the northern end of the site and its front door was to be on Traveler Street. The select-service hotel would have had approximately two hundred and ten (210) rooms and would have been sixteen (16) stories high. The select-service hotel included an approximately 4,000 square foot restaurant on the ground floor, occupying the corner of the building at the Albany and Traveler Street intersection

The extended-stay hotel would have had an L-shaped footprint and occupied the southern end of the site. Its front door would have been on the East Berkeley Street. The extended-stay hotel would have had approximately one hundred and ninety-eight (198) rooms and would have been nine (9) stories high on East Berkeley and seven (7) stories high on Albany Street. ("Original Proposed Project").

An Expanded Project Notification Form ("PNF") for the Project was filed with the Authority on January 15, 2010 by BH Normandy 275 Albany Street LLC (the "Proponent"). On August 17, 2010, the BRA authorized the Director of the BRA to issue a Scoping Determination waiving further review under Article 80B of the Code based

on a finding that the PNF adequately described the potential impacts of the Project and that the mitigation measures proposed were sufficient to minimize those impacts. On August 24, 2010, the Authority issued a Scoping Determination waiving further review for the Project under Article 80B of the Code..

**DEVELOPMENT TEAM**

The development team consists of:

Owner/  
Developer: Normandy Real Estate Partners  
Justin D. Krebs

Architect: ADD Inc.  
James Gray  
Tamara Roy

Counsel: Mel Shuman Law  
Melvin R. Shuman

**THE NOTICE OF PROJECT CHANGE AND PDA PLAN**

On August 16, 2012, the Proponent filed a Notice of Project Change (the "NPC") in accordance with Section 80A-6 of the Boston Zoning Code (the "Code"). The NPC now proposes to revise the Original Proposed Project slightly by reprogramming the tower portion of the Project on the north end of the project site (the "Traveler Structure") from hotel to residential while the other building element (the "East Berkeley Structure") will remain a hotel. The Original Proposed Project proposed a total of approximately 408 hotel rooms and approximately 137 parking spaces. The current proposal includes up to 325 hotel rooms and up to 220 residential units, with parking for up to 155 cars. Accessory retail/restaurant space has been reduced from approximately 4,000 square feet previously to approximately 2,011 square feet currently (the "Proposed Project"). The changes are consistent with the new zoning recently adopted for the Harrison-Albany Street Corridor.

It is anticipated that the project will create approximately 500 construction jobs and approximately 175 permanent jobs.

Total project cost is \$165,000,000 and construction is intended to start in the third quarter of 2012 and take approximately twenty-four (24) months to complete.

## **THE PLANNED DEVELOPMENT AREA DEVELOPMENT PLAN**

On July 27, 2012, the Proponent filed a Development Plan for Planned Development Area No. 89 at 275 Albany Street, in the South End neighborhood of Boston (the "PDA No. 89"), and set the development plan for the approximately 1.27 acre site at the Project Site. The PDA No. 89 specifically delineated the proposed location and description of the property, location and appearance of the structures, open spaces and landscaping, proposed uses of the area, densities, traffic circulation, parking and loading facilities, and access to public transportation, proposed dimensions of structures, and public benefits.

### **Proponent/Developer:**

BH Normandy 275 Albany Street LLC, a Delaware limited liability company, its successors and assigns. The Developer, an affiliate of Normandy Real Estate Partners, has an address of 53 Maple Avenue, Morristown, NJ 07960 and operates its regional office out of its building located at 99 Summer Street in Boston.

### **Location and Description of Site:**

The Proposed Project is located in the South End neighborhood of Boston on a site bounded by East Berkeley, Albany and Traveler Streets and private parcels improved with buildings currently occupied by the Planet Storage Warehouse located at 33 Traveler Street and the Medieval Manor Restaurant located at 246 East Berkeley Street. The elevated Southeast Expressway (I-93) lies directly to the east of Albany Street overlooking the Project Site from a height of approximately 25 to 30 feet above grade. The Project Site, which is currently improved as a surface parking lot for approximately 145 vehicles, is located in the Economic Development Area North of the South End Neighborhood District and in the Restricted Parking District, and consists of approximately 1.27 acres of land area.

### **Proposed Appearance of Structures:**

The Proposed Project consists of two primary building elements that, with the exception of the parking garage entrance and exit on Traveler Street will provide a continuous building façade on East Berkeley, Albany and Traveler Streets. The massing will be broken up, with the building element on the northern end of the site (the "Traveler Structure") fronting on Traveler Street rising up to nineteen (19) stories (not including the mechanical penthouse) and the building element on the southern end of the site fronting on East Berkeley Street (the "East Berkeley Structure") with up to eleven (11) stories consisting of an L-shaped structure on East Berkeley Street and Albany Street. A three (3) level, above-grade parking garage will be located between the two building elements, shielded from public view from all three public streets by the Traveler Structure and the East Berkeley Structure. The Project may be constructed in up to two phases (each, a "Phase"). If constructed in Phases, one Phase will include the Traveler Structure and the other Phase will include the East Berkeley Structure. The parking



garage may be constructed as part of either Phase. The Proposed Project will contain up to 330,000 square feet of gross floor area, of which up to 200,000 square feet of gross floor area will be located in the Traveler Structure and up to 130,000 square feet of gross floor area will be located in the East Berkeley Structure. In addition, the Proposed Project will include up to 65,000 square feet of parking. The Floor Area Ratio ("FAR") of the overall Project, exclusive of parking, will not exceed 6.0, though the FAR of portions of the Project Area to be occupied by the structures included in the Project may exceed 6.0 so long as the gross floor areas of such structures do not exceed the limitations set forth above. The height of the Project will not exceed 200 feet, excluding the mechanical penthouse and the elevators and stairways serving the mechanical penthouse. The plans for the Proposed Project will be refined as review of the project continues, and the plans are subject to design, environmental and other development review by the BRA and other governmental agencies and authorities.

### **Proposed Uses of the Area**

It is anticipated that the Traveler Structure will be used for residential use with up to 220 units and the East Berkeley Structure will be used for hotel uses with up to 325 hotel rooms if the hotel is a so-called "micro" hotel, and up to 225 units if the hotel is not a micro hotel. In addition, the Project will include complementary retail uses, which may include restaurant use, and accessory parking. The uses will share the parking structure and loading area, and may also share additional amenities such as fitness facilities, and/or a roof terrace.

### **Open Space and Landscaping:**

The Project Site will be improved with new sidewalks and street trees on East Berkeley Street, Albany Street and Traveler Street. In addition, it is currently contemplated that a green roof and deck space will be incorporated into the Project on the second level in between the Traveler Building and the parking garage and extending to Albany Street in between the Traveler Building and the East Berkeley Building. The Project is exempt from Section 64-29.3 of the Code since its approvals under Section 80B of the Code were granted prior to the first notice of hearing before the Zoning Commission for adoption of Section 64-29.3. However, no less than 15% of the Project Site will be open space accessible to the general public.

### **Proposed Traffic Circulation**

Current traffic circulation around the Project Site is expected to remain as is: two-way traffic on Traveler Street, one-way traffic in a southerly direction on Albany Street, and one-way traffic in a westerly direction on east Berkeley Street. It is currently anticipated that the Traveler Structure will have a separate main entrance with associated drop-off/pick-up areas on Traveler Street and the East Berkeley Structure will have a separate main entrance with associated drop-off/pick-up areas on East Berkeley Street. Vehicles will be permitted to access and exit the parking garage on Traveler Street only.

### **Proposed Parking and Loading Facilities**

Up to 155 parking spaces will be provided in an above-grade parking garage with access to and egress from Traveler Street. All loading facilities will be located within the building with access from and egress to Albany Street. Up to two (2) truck bays will be provided. The size of the loading area will permit all trucks to enter directly into the loading bay and turn and maneuver as necessary within the building.

### **Access to Public Transportation:**

The Project Site is located close to several public transportation options providing service to downtown Boston, the Back Bay, Chinatown, South Boston and Cambridge. Three MBTA bus routes have stops near the Project Site. The MBTA's Silver Line on Washington Street, located two blocks from the Project Site, provides service to the Downtown Crossing area of Boston. The MBTA's Red Line Broadway Station, located approximately one quarter of a mile from the Project Site, provides service between Ashmont and Braintree in the south and downtown Boston and Cambridge in the north. The Red Line provides connection between downtown and the Silver, Orange and Green Lines, as well as regional commuter rail and intercity bus services at South Station.

### **PUBLIC PROCESS**

The BRA sponsored a public meeting regarding the NPC and the PDA No. 89 on August 29, 2012 at 6:00pm, at the Benjamin Franklin Institute of Technology, 41 Berkeley Street, Boston, MA 02116. The meeting was advertised in the *Boston Courant and the South End News*. The comment period on the proposed PDA No. 89 and the NPC ended on September 10, 2012.

### **AFFORDABLE HOUSING**

Twenty two (22) units within the Proposed Project will be created as affordable housing (the "Affordable Units"). The Proposed Project is subject to the Inclusionary Development Policy, dated September 27, 2007 ("IDP"); which requires that the on-site affordable units be made affordable to households earning seventy percent (70%) of AMI.

The Proponent will construct affordable housing units equivalent to 10% of the dwelling units included in the residential portion of the project, and contribute to the Inclusionary Development Program an amount equivalent to 10% of the Dwelling Units included in the residential portion of the project. This program is specifically authorized by Section 64-29.1(c) of the Zoning Code adopted earlier this year which, as follows, provides two options for satisfying the affordable housing requirement:

1. The Proponent of any Proposed Project within a PDA devoting any amount of Gross Floor Area to Residential Uses must construct or cause the construction of either:
  - a. Affordable Housing, as defined in Section 64-41.1, in an amount equivalent to no less than twenty percent (20%) of the Dwelling Units included within the Proposed Project, with all such Affordable Housing located on-site; or
  - b. A combination of such Affordable Housing and another significant contribution, consisting of: (a) on-site Affordable Housing in an amount equivalent to no less than ten percent (10%) of the Dwelling Units included within the Proposed Project; and (b) an equivalent contribution to the Inclusionary Development Program Fund, administered by the Authority, and/or the creation of off-site Affordable Housing, the combination of which shall be the equivalent of 10 percent (10%) of the Dwelling Units included in the Proposed Project.

The Proponent's affordable housing plan for the project, as described above, utilizes option b.

Upon the issuance of the first Certificate of Occupancy for the Proposed Project, the Developer will make a payment in an amount of up to Four Million, Four Hundred Thousand dollars (\$4,400,000) to the Authority's Inclusionary Development Fund representing ten percent (10%) of the dwelling units included in the residential portion of the project at \$200,000 for offsite affordable housing (the "Affordable Unit Equivalents").

Rental prices and income limits will be adjusted according to HUD at the time of the initial rental of the Affordable Units.

The Affordable Rental Housing Agreement must be executed along with, or prior to, the issuance of the final certification by the Director approving the Proposed Project under Article 80 of the Code. The Developer must also submit an Affirmative Marketing Plan (the "Plan") for the ARHA to the Boston Fair Housing Commission and the BRA, which shall be approved prior to the execution of the ARHA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom); and

The Affordable Units will not be marketed prior to the submission and approval of the Plan. A deed restriction will be placed on the Affordable Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BRA option to extend for an additional period of twenty (20) years). The household income of any

subsequent leaser of the Affordable Units during this fifty (50) year period must fall within the applicable income limit for each Affordable Unit.

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

The Proposed Project constitutes a Development Impact Project ("DIP") under Article 80B-7 of the Code. Based on the present plans, BH Normandy 275 Albany Street LLC will provide a total of up to approximately \$283,200 in linkage payments, comprising a payment contribution to the Neighborhood Housing Trust over seven (7) years of approximately \$33,729 per year and a payment contribution to the Neighborhood Jobs Trust over two (2) years of approximately \$23,550 per year. These estimated linkage payments are calculated as follows:

**Housing Linkage:**

DIP Uses	130,000	square feet
Exclusion:	<u>-100,000</u>	
	30,000	
	x \$7.87	/square foot
	<u>\$236,100</u>	

**Jobs Linkage:**

DIP Uses	130,000	square feet
Exclusion	<u>-100,000</u>	
	30,000	
	x \$1.57	/square foot
	<u>\$47,100</u>	

**PUBLIC BENEFITS**

The Proposed Project will provide substantial public benefits to the City of Boston and the South End neighborhood. The Proposed Project will revitalize a large vacant parcel in the South End bringing life and vitality to the area and serving as a catalyst for change in the neighborhood. It will also serve as a buffer between the imposing hulk of the Southeast Expressway and the historic South End neighborhood. The streetscape around the Project will be improved with new paving, lighting and landscaping. The Project will energize and enliven the area providing eyes and ears to the street to make the area safer, friendlier and more attractive for visitors and residents alike. The hotel in the East Berkeley Structure may provide a club lounge and flex space on the ground floor with wifi service for use by the general public for meetings and informal gatherings. The Proposed Project will provide much needed hotel rooms to service the Boston Convention and Exhibition Center, as well as area hospitals and universities, making rooms available in a new and attractive facility offering a lower cost alternative to current hotels, as well as providing convenient and affordable rooms for visitors of

South End and South Boston residents and all tourists and other visitors to the City; and (b) new residential opportunities at reasonable prices to complement the existing housing stock in the neighborhood, and increase the vitality of the surrounding area. In accordance with Section 64-29.1 of the Code, the Traveler Structure will provide Affordable Housing, as defined in Section 64-41.1 of the Code, in an amount equivalent to no less than twenty percent (20%) of the dwelling units included in the Project, with at least ten percent (10%) of the units located on the Project Site. When fully operational, the Project is estimated to produce over \$900,000 annually in real estate taxes for the City of Boston. In addition, the East Berkeley Structure is expected to generate approximately \$2,000,000 in room occupancy taxes. The construction of the Project will contribute directly to the economy of Boston by providing approximately 500 construction jobs and up to approximately 175 permanent jobs with a goal of employing at least 50% Boston residents, 25% minorities and 10% women.

### **RECOMMENDATION**

Based on the foregoing, BRA staff recommends that the Director: (i) approve the Development Plan for Planned Development Area No. 89 at 275 Albany Street, in the South End neighborhood of Boston ("PDA No. 89") pursuant to Section 80C of the Boston Zoning Code (the "Code"); (ii) authorize the Director of the Authority to petition the Zoning Commission of the City of Boston for approval of PDA No. 89 and the accompanying map amendment pursuant to Sections 3-1A.a and 80C-6 of the Code; (iii) authorize the Director of the Authority to issue a Determination waiving the requirement of further review pursuant to Article 80, Section 80A-6.2 of the Code in connection with the Notice of Project Change for the 275 Albany Street project described in PDA No. 89; (iv) authorize the Director of the Authority to issue Certification(s) of Consistency pursuant to Section 80C of the Code; (v) authorize the Director of the Authority to issue Certifications of Compliance pursuant to Section 80B-6 upon successful completion of the Article 80 Large Project review process; (vi) approve the 275 Albany Street project as a Development Impact Project pursuant to Section 80B-7 of the Code; and (vii) authorize the Director of the Authority to execute and deliver a Cooperation Agreement, a Development Impact Project Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, and any and all other documents, as may be necessary and appropriate.

Appropriate votes follow:

**VOTED:** That, in connection with the Development Plan for Planned Development Area No. 89 at 275 Albany Street, in the South End neighborhood of Boston, ("Development Plan") describing the 275 Albany Street Project (the "Proposed Project") presented at the public hearing duly held at the offices of the Boston Redevelopment Authority (the "BRA") on

September 13, 2012, and after consideration of evidence presented at and in connection with the hearing on the Development Plan and the Proposed Project, the BRA finds that: (a) such Development Plan is not for a location or Proposed Project for which Planned Development Areas are forbidden by the underlying zoning; (b) the Proposed Project in such Development Plan complies with the provisions of the underlying zoning that establish use, dimensional, design and other requirements for Proposed Projects in Planned Development Areas; (c) such Development Plan complies with any provisions of underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) such Development Plan 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; and (e) on balance, nothing in such Development Plan 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, pursuant to Section 80C of the Code, the Development Plan in substantial accord as presented to the BRA on September 13, 2012, and the companion map amendment (the "Map Amendment") in substantial accord with the Map Amendment presented to the BRA Board on September 13, 2012 amending Map 1P, South End Neighborhood District by indicating a Planned Development Area Overlay District comprising approximately 1.27 acres in connection with the Proposed Project; and

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to petition the Zoning Commission for approval of the Development Plan and the Map Amendment, pursuant to Section 80C of the Code in substantial accord, as presented to the BRA on September 13, 2012; and

**FURTHER  
VOTED:**

That the Director be, and hereby is, authorized to issue a Determination waiving the requirement of further review pursuant to Article 80, Section 80A-6.2 of the Code in connection with the Notice of Project Change for the Proposed Project; and

**FURTHER  
VOTED:**

That the BRA approve 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 Certifications of Consistency for the Proposed Project pursuant to Section 80C of the Code, when appropriate; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 upon successful completion of the Article 80 Large Project review process; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Development Impact Project Agreement, a Boston Residents Construction Employment Plan and any and all other documents, as may be necessary and appropriate, and upon terms and conditions determined to be in the best interest of the BRA, in connection with the Proposed Project.

Map Amendment Application No. 619  
Boston Redevelopment Authority  
Planned Development Area No. 89  
Map 1P, South End Neighborhood  
District

MAP AMENDMENT NO. 553

THE COMMONWEALTH OF MASSACHUSETTS

CITY OF BOSTON

IN ZONING COMMISSION

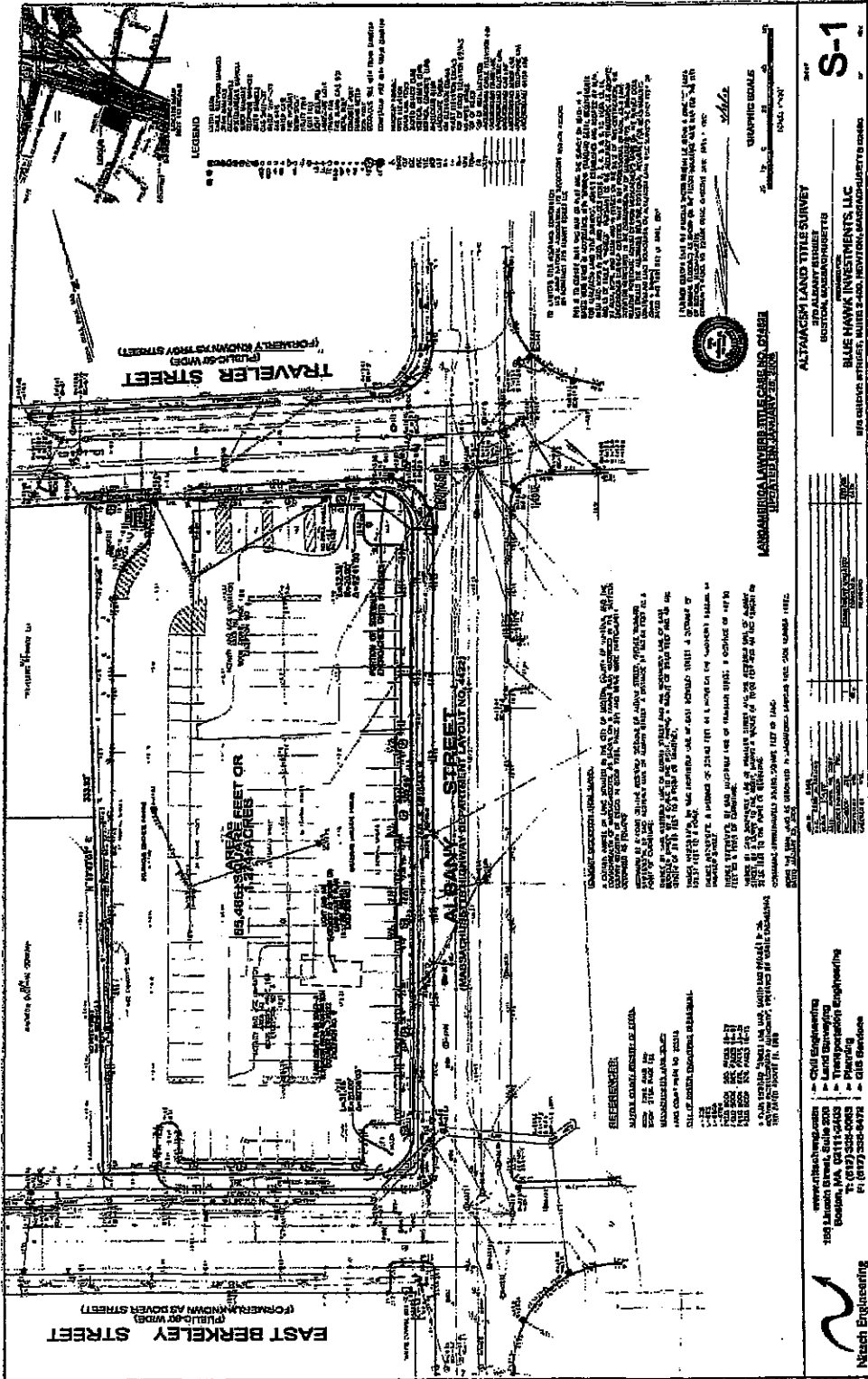
The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby approve the Development Plan for Planned Development Area No. 89, 275 Albany Street, and amends "Map 1P, South End Neighborhood District", of the series 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 1.27 acres of land of in Boston, as shown on Exhibit A and described in Exhibit B hereto.



**Exhibit A**

**PLAN OF THE PROJECT AREA**



**Exhibit B**

**LEGAL DESCRIPTION**

The land with the buildings thereon in Boston, Suffolk County, Massachusetts shown as Parcel No. 9 on a plan entitled "Urban Renewal Division, Boston Housing Authority New York Streets Project, UR Mass, 2-1, Land Disposition Plan", by Hayden, Harding and Buchanan, Inc., Consulting Engineers, Boston 35, Massachusetts, dated March 6, 1957, Revisions June 26, 1957, recorded in the Suffolk Registry of Deeds, Book 7243, Page 345, which parcel is more particularly bounded and described as follows:

**SOUTHERLY**                    by Dover Street, 139.37 feet;

**WESTERLY**                    by Parcel No. 10 on said plan, 180.00 feet and Parcel  
No. 11 on said plan, 155.82 feet;

**NORTHERLY**                    by Troy Street, 147.30 feet;

**NORTHEASTERLY**            by the curved intersection of Troy Street and Albany  
Street, 32.36 feet;

**EASTERLY**                    by Albany Street, 302.99 feet; and

**SOUTHEASTERLY**            by the curved intersection of Dover Street and Albany  
Street, 31.46 feet

Said Parcel No. 9 contains 55,484.34 square feet, according to the aforesaid plan.

Parcel No. 9 includes the fee and soil of those portions of Albany Street, Troy Street and Dover Street, adjoining said portions to the center line of said streets, subject to the rights of others lawfully entitled thereto. Said Troy Street is now known as Traveler Street and said Dover Street is now known as East Berkeley Street.

Robert Fender  
Chairman

Vice Chairman

Kevin G. Wauson  
Ray Dunder  
Jim Statton  
Al Berman  
[Signature]  
James Wotta

In Zoning Commission

Adopted: October 10, 2012

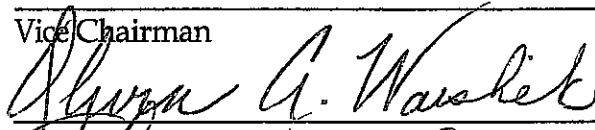
Attest: [Signature]  
Executive Secretary

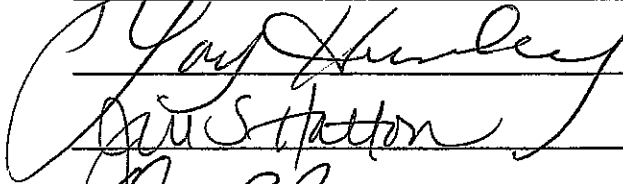
Development Plan for Planned Development Area No. 89, 275 Albany Street, South End

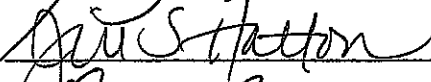


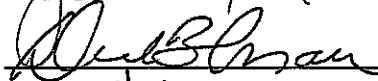
Chairman

Vice Chairman

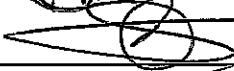


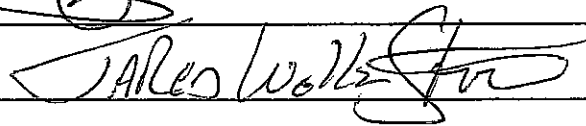








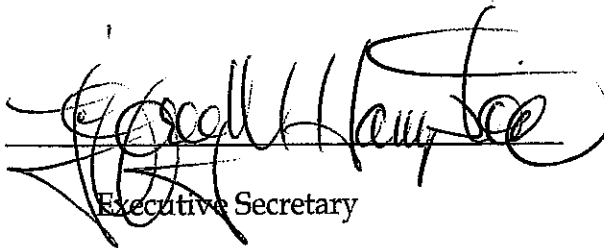





In Zoning Commission

Adopted: October 10, 2012

Attest:



Executive Secretary

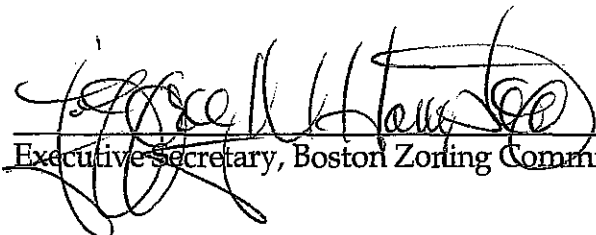
  
\_\_\_\_\_  
Mayor, City of Boston

Date: 10/19/12


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The foregoing amendment was presented to the Mayor on OCTOBER 11, 2012, and was signed by him on OCTOBER 14, 2012, whereupon it became effective on OCTOBER 14, 2012 in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

  
\_\_\_\_\_  
Executive Secretary, Boston Zoning Commission

Development Plan for Planned Development Area No. 89, 275 Albany Street, South End

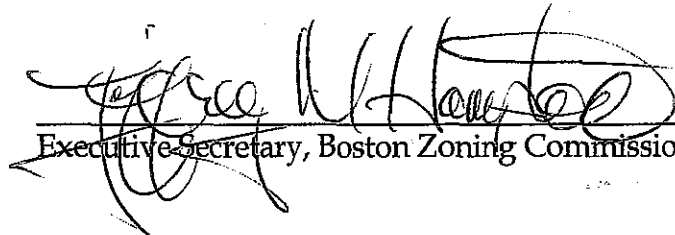
  
\_\_\_\_\_  
Mayor, City of Boston

Date: 10-17-12

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The foregoing Development Plan, was presented to the Mayor on OCTOBER 11, 2013 and was signed by him on OCTOBER 14, 2013, whereupon it became effective on OCTOBER 14, 2013, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

  
\_\_\_\_\_  
Executive Secretary, Boston Zoning Commission