

Article 80 Small Project Review Application

420 West Broadway Residential Development

420 West Broadway

South Boston, MA 02127

West Broadway Theatre LLC
McDermott Quilty & Miller LLP
RODE Architects Inc.

MCDERMOTT
QUILTY &
MILLER LLP

RODE
ARCHITECTS INC



McDERMOTT
QUILTY &
MILLER LLP

28 STATE STREET, SUITE 802
BOSTON, MA 02109

30 ROWES WHARF, SUITE 600
BOSTON, MA 02110

January 10, 2017

Brian Golden, Director
Boston Planning and Development Agency
One City Hall Square
Boston, MA 02201-1007
Attn: John Campbell

Re: Article 80 Small Project Review Application/420 W Broadway, South Boston

Dear Director Golden:

As counsel to West Broadway Theatre, LLC, the owner-developer of the above-referenced property (the "Project Proponent"), I am pleased to submit the enclosed application for Article 80 Small Project Review.

The proposed project consists of the redevelopment of the former Broadway Theatre property, including demolition and replacement of the main portion of the existing structure and construction of a new 44,000 gross s/f building, with 42 residential units in six-stories of building above 42 underground/garaged parking spaces accessed by Athens Street, approximately 1,350 gross s/f of ground level Local Retail space in a restored 2-story section of the existing building on West Broadway; roof deck above, side and rear balcony open space and related site, pedestrian and vehicular access improvements (collectively, the "Proposed Project"). The Proposed Project will also result in the revitalization of this distressed property site with a vibrant mixed-use development which includes both market-rate and affordable housing opportunities, a small-scale Local Retail and/or Restaurant Use to service the immediate neighborhood and a design aesthetic and restoration of the front façade which is appropriate in scale, massing and design to West Broadway and the emerging redevelopment of this section near the prominent Dorchester Street nexus at Perkins Square in South Boston.

Situated in the Multifamily Residential/Local Services Sub-District of the South Boston Neighborhood Zoning District, the project site includes 11,167 square feet of land area, at an asymmetrical L-shaped lot at 420 West Broadway in the South Boston neighborhood of Boston (the "Property"). In developing the Proposed Project, great care has been given to respecting certain remaining façade and unique conditions of the distressed Property site and the history of this section along West Broadway, with a

Brian Golden, Director

January 10, 2017

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resulting scale and design that complements the existing building's lesser frontage on West Broadway and better comports with the long-existing multi-family residential uses along Athens Street. In particular, while the Proposed Project includes the demolition of a majority of the long-vacant and distressed Broadway Theater building at the Property, it will retain and restore the two-story brick portion of the building fronting onto West Broadway, which contained the former theater lobby space, in order to repurpose and rehabilitate this remaining building area into the new residential lobby and Local Retail and/or Restaurant space on West Broadway. In order to help lessen the current impacts of the existing building's height and massing at its main section towards Athens Street, the Proposed Project removes and replaces the former and taller fly space section at this greater elevation with a new six-story building that appropriately steps-back from the rear Property line.

Prior to submitting this Article 80 application for Small Project Review, the Project Proponent conducted extensive preliminary outreach with abutting property owners and area residents, including organizing and hosting its own initial abutter meeting, conducting individual site meetings with immediate abutting interests and presenting its preliminary development plans at initial community meetings with the two (2) applicable neighborhood interest groups for the immediate area (St. Vincent's Lower End Neighborhood Association and Cityside Neighborhood Association). The Proposed Project is the result of input received and includes major project modifications and design changes as a result of this extensive preliminary community outreach process, including a reduction in unit count and increase in the on-site parking ratio to a 1-to-1 allotment for the residential use.

Thank you for your consideration of this application, and I look forward to working with the BPDA on this positive development proposal.

Very truly yours,



Joseph P. Hanley, Partner

cc: John Allison, Mayor's Office of Neighborhood Services
District City Councilor Linehan
At-Large City Councilor Flaherty
State Senator Dorcena-Forry
State Representative Collins

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Project Summary

Project Team

Developer and Applicant

West Broadway Theatre LLC
101 Federal Street, 19th Floor c/o Finance Boston
Boston, MA 02110
Tel: 617 422 0090
Brian Crowley, Manager / briancrowley2005@aol.com

Legal Counsel:

McDermott Quilty & Miller LLP
28 State Street, Suite 802
Boston, MA 02109
Tel: 617 946 4600; Fax: 617 946 4624
Joseph P. Hanley, Esq. - Partner / jhanley@mqmlp.com
Nicholas J. Zozula, Esq. - Associate / nzozula@mqmlp.com

Architecture:

RODE Architects Inc.
535 Albany Street, #405
Boston, MA 02118
Tel: 617 422 0090; Fax: 617 422 0094
Eric Robinson, AIA - Partner / eric@rodearchitects.com
Ben Wan - Designer / ben@rodearchitects.com

Surveyor

Boston Survey
C-4 Shipway Place
Charlestown, MA 02129
Tel: 617 242 1313; Fax: 617 242 1616
George Collins / gcollins@bostonsurveyinc.com

Project Summary

Project Summary

The proposed project consists of the mixed-use residential redevelopment of the former Broadway Theatre property, a long-vacant and distressed building situated on approximately 11,167 sf of land at an asymmetrical L-shaped lot at 420 West Broadway in the South Boston neighborhood (the “Property”), including demolition and replacement of the main portion of the existing structure with construction of a new 44,000 gross s/f building, with 42 residential units in six-stories of building above 42 underground/garaged parking spaces accessed by Athens Street; approximately 1,350 gross s/f of ground level Local Retail space in a restored 2-story section of the existing building on West Broadway; roof deck above; side and rear balcony open space; and related site, pedestrian and vehicular access improvements (collectively, the “Proposed Project”).

The Proposed Project would revitalize this distressed property site with a vibrant mixed-use development which includes both market-rate and affordable housing opportunities, along with a small-scale Local Retail and/or Restaurant Use servicing the immediate neighborhood, and with a contemporary design aesthetic and restoration of the front façade which is appropriate in scale, massing and design to West Broadway and the emerging redevelopment of this section near the prominent West Broadway and Dorchester Street nexus.

In developing the Proposed Project, great care has been given to respecting certain remaining façade and related conditions of the distressed theater building itself and the history and revitalization of this section along West Broadway, with a resulting scale and design that complements the existing building’s lesser frontage on the more busy West Broadway thoroughfare and its demolished and new main building section on Athens Street at the rear, to respect and better comport with the long-existing multi-family residential uses along Athens Street. In particular, while the Proposed Project includes the demolition of a majority of the long-vacant and distressed Broadway Theater building at the Property, it will retain and restore the two-story brick portion of the building fronting onto West Broadway, which contained the former theater lobby space, in order to repurpose and rehabilitate this remaining building area into the new residential lobby and Local Retail and/or Restaurant space fronting on West Broadway; while at the same time the Proposed Project will help to lessen the impacts of the existing building’s height and massing at its main section towards Athens Street, by removing and replacing the former and taller fly space section with a new six-story building that appropriately steps-back from the rear property line.

Community Benefits

The Proposed Project will also offer certain public benefits to the South Boston neighborhood and the City of Boston, including the following:

- The creation of 42 new residential units, including five (5) affordable units;
- Approximately 1,350 square feet of ground-floor interior commercial/retail restaurant space on West Broadway and associated streetscape improvements;
- The rehabilitation and revitalization of a long-vacant, dilapidated and under-utilized property site with a vibrant new mixed-use residential building that respects and restores certain existing remaining front façade and entry conditions on West Broadway;
- Pursue and develop potential community programming, non-profit and public announcement and advertising opportunities to integrate into the restored front façade section of the former theatre entrance along West Broadway; and
- The expected creation of more than forty (40) construction jobs over the length of the Proposed Project.

Detailed Project Information

Project Site Description

The Property Site includes 11,167 square feet of land area, at a single asymmetrical L-shaped parcel of land situated at 420 West Broadway and identified in the public records of the City of Boston Assessing Department as Parcel No. 0601900005 (the, "Parcel"). The Parcel is the site of the former Broadway Theater, which opened in 1920 and was designed by architects Clarence H. Blackall, of the firm Blackall, Clapp and Whittemore. The existing building is approximately 30,336 gross square feet and has a height of approximately 75 feet at the highest portion of the existing building along Athens Street. The Property Site is located approximately 0.6 miles from the MBTA Red Line Broadway Station and approximately 0.8 miles from the MBTA Red Line Andrew Square Station and is also conveniently located along multiple MBTA bus lines.

The Property Site has frontage on both West Broadway and Athens Street, with a majority of the frontage on Athens Street; specifically, the Property Site includes approximately 24.4' of frontage on West Broadway and 111.8' of frontage on Athens Street. It abuts a former United States Post Office to its east, which is now owned by the South Boston Action Council, and an East Boston Savings Bank branch location, as well as a mixed-use office/retail building to its immediate west. To its rear on Athens Street, the Property Site directly faces the Foster's Nook Community Gardens owned by the City of Boston as well as several single-family residential structures and undeveloped lots.

The Proposed Project proposes to have all vehicular access enter and exit on Athens Street via a garage that will be entered on Athens Street via one new curb cut and one modified and relocated curb cut. The residential lobby of approximately 1,200 square feet will be accessible from both Athens Street via a direct entrance and West Broadway via a shared retail and residential entry, while the entrance to the approximately 1,350 gross square feet of ground level Local Retail space will be accessed directly from West Broadway.

Proposed Program, Data, and Dimensions

Lot Area: 11,167 ft²

Building Height/Stories: 65 feet / 6 stories

Number of Residential Units: 42

Commercial/Retail Space: 1,350 ft²

Total of Building Gross Square Footage: 43,761 ft²

Floor Area Ratio: 3.9

Parking Spaces: 42

Urban Design Approach

The Proposed Project would consist of a new six-story building. The below-grade floor will contain approximately 9,671 square feet of parking, storage, and mechanical space, intending to accommodate the parking needs of the building's residents through the provision of 25 parking spaces. The first floor at-grade will contain approximately 1,350 square feet of commercial/retail restaurant space intended to accommodate a use or uses serving the local community, approximately 1,205 square feet of residential lobby space, approximately 214 square feet of mechanical space and an enclosed parking garage of approximately 5,716 gross square feet containing an additional 17 parking spaces and 42 bicycle parking spaces intended to accommodate the parking needs of the building's residents, with vehicular access to and from Athens Street.

Floors two through six will contain 42 total residential units, with a mix of studio, one- and two-bedroom units along with certain amenity space. Again, there will be bicycle parking within the first-floor garage, in addition to trash handling and recycling facilities, storage, and mechanical space.

Detailed Project Information Cont.

The building skin will be a composition of brick masonry, composite metal panels, glass fenestration, cedar cladding, and composite fiber cement panels. Windows will be a combination of operable and fixed sashes. The proposed total building height will be approximately 65 feet to the highest point of the sixth-story roof. Mechanical equipment and elevator head-houses will rise above this point, but will be set back from the edges of the building and hidden by extended parapet walls in a manner consistent with the overall design approach, ensuring their lack of street visibility. The existing façade of the 2-story portion of the building fronting along West Broadway is built of brick masonry, cast concrete detailing and marble inlay panels, and will be rehabilitated to revive its historic character.

The final elevation studies will be reviewed and approved by the BPDA as the design process develops and evolves throughout its review cycle.

Traffic, Parking and Access

The Proposed Project's 42 on-site parking spaces will be accessed via Athens Street via two (2) curb cuts, one new curb cut for the below-grade parking level and one modified curb cut for the at-grade parking level, both utilizing F Street as an arterial connection. Vehicles will both enter and exit from these two (2) points at the garage on Athens Street, leading into Dorchester Street only, as Athens Street is a one way street. All loading or unloading activity will be directed to the ground-floor garage, with direct elevator access provided to all floors in the building from the interior lobby. Ample secure space for bicycle racks will be provided within the first floor of the building's garage.

Anticipated Permits, Approvals and Public Review Process

Pursuant to the requirements of Small Project Review under Article 80 of the Boston Zoning Code, the Proposed Project shall undergo further public comment and community process.

Prior to submitting this Article 80 application for Small Project Review, the Project Proponent conducted extensive preliminary outreach with abutting property owners and area residents, including organizing and hosting its own initial abutters meeting, conducting individual site meetings with immediate abutting interests and presenting its preliminary development plans at initial community meetings with the two (2) applicable neighborhood interest groups for the immediate area (St. Vincent's Lower End Neighborhood Association and Cityside Neighborhood Association). The Proposed Project is the result of input received and includes major project modifications and design changes as a result of this extensive preliminary community outreach process, including a reduction in unit count and increase in the on-site parking ratio to a 1-to-1 allotment for the residential use.

The tables below outline the City of Boston's permits and approvals anticipated to be required for the Proposed Project (see *Appendix A hereto for related exhibits*).

Boston Planning & Development Agency

- Article 80 Small Project Review
- Affordable Housing Agreement
- Final Design Review Approval

Boston Water and Sewer Commission

- Local Sewer and Water Tie-in and Site Plan Approval

Boston Zoning Code Data

Boston Inspectional Services Department Committee on Licenses

- Zoning Board of Appeal Approval – Variances and Conditional Uses
- Article 85 Demolition Permit
- Building Permit
- Certificate of Occupancy
- Other Construction Related Permits
- Parking Garage Related Permits

Boston Parks and Recreation Department

- Ordinance 7.4-11 – Application for Parks Commission Review

Boston Transportation Department (BTD)

- Construction Management Plan

Public Improvement Commission

- Specific Repair Plan Approval
- Earth Retention
- Sidewalk Repair

Boston Landmarks Commission – Environment Department

- Article 85 Demolition Delay Review not required for ‘Partial Demolition’
(see Appendix A, Exhibit 4 hereto)

Zoning District Requirements

The Property is located within the South Boston Neighborhood Zoning District and the Multi-Family Residential/ Local Services (MFR/LS) Zoning Subdistrict and is governed by Article 68 of the City of Boston Zoning Code (the “Zoning Code”). The MFR/LS subdistrict allows for commercial stores providing convenience goods and services to the Saint Vincent and South Boston neighborhoods. The property is also located within a Restricted Parking Overlay District (“RPOD”), which, in essence, means that any parking provided for a non-residential use will require a Conditional Use Permit from the City of Boston Zoning Board of Appeals (the “Board”). Furthermore, as the property is located within 100 feet of Foster’s Nook Community Garden, it will require Parks Design Review under City of Boston Ordinance 7.4-11. The applicable zoning requirements and anticipated as-built zoning characteristics of the Proposed Project are as follows:

| | | | |
|--|---|--------------------------------|--|
| Max. Floor Area Ratio: | 1.5 | Parking, studios & 1-bedrooms: | 1.0 spaces / unit |
| Max. Building Height: | 35 ft | 2-bedrooms: | 1.5 spaces / unit |
| Min. Lot Size: | NONE | affordable units: | 0.7 spaces / unit |
| Min. Lot Area / Add’l Unit: | NONE | Loading: | 1 Loading Dock per Building over 15,000 square feet |
| Min. Usable Open Space Per Dwelling Unit: | 200 ft ² | | |
| Min. Lot Width: | NONE | | |
| Min. Lot Frontage: | NONE | | |
| Min. Yard Setbacks: | | | |
| Front Yard: | 5 ft (or Existing Building Alignment per Section 68-34.1. Front Yard to be determined through Small Project Review) | | |
| Side Yard Setback: | 3 ft | | |
| Rear Yard Setback: | 20 ft | | |
| Accessory Building Max: | 25% | | |

Boston Zoning Code Data Cont.

Proposed Design

| | |
|----------------------------|---|
| Lot Area: | 11,167 ft ² |
| Lot Width: | Varies (24.4' on West Broadway; 111.8' on Athens) |
| Lot Frontage: | 136.2 ft |
| Floor Area Ratio: | 3.9 (existing non-conforming condition) |
| Maximum Building Height: | 65' (existing non-conforming condition) |
| Building Height (stories): | 6 (existing non-conforming condition) |
| Usable Open Space: | 1,400 ft ² |
| Front Yard Setback: | 0' |
| Side Yard Setback: | 0' (existing non-conforming condition) |
| Rear Yard Setback: | 0' (existing non-conforming condition) |

Off-Street Parking Requirements of Article 68

| | |
|------------------------|--|
| Residential Component: | Required: 46 Parking Spaces for 42 Residential Units Proposed: 42 Parking Space for 42 Residential Units (One-to-One Ratio) |
| Commercial Component: | 0 – No Parking Requirement for Retail use in a Restricted Parking Overlay District, per Section 3-1A(c) of the Zoning Code |

Off-Street Parking Guidelines by Boston Transportation Department

(South Boston – Near MBTA Station (Andrew Station / Red Line))

| | | |
|-----------------------------------|-------------------------------------|---------------|
| 42 Residential Units: | 0.75 spaces / unit | = 31.5 spaces |
| 1,350 ft ² Commercial: | 0.75 spaces / 1,000 ft ² | = 1.0 spaces |

| | |
|---|-------------|
| Total Required Off-Street Parking (T.O.D.): | = 33 Spaces |
| Total Provided Off-Street Parking: | = 42 Spaces |

Off-Street Loading Requirements

0 – 15,000 ft² Commercial: 1 Loading Bay Required per Building over 15,000 ft²

Zoning Relief Required

| | |
|------------------------|---------------------------------|
| Article 68, Section 9: | Floor Area Ratio Excessive |
| Article 68, Section 9: | Building Height Excessive |
| Article 68, Section 9: | Usable Open Space Insufficient |
| Article 68, Section 9: | Front Yard Setback Insufficient |
| Article 68, Section 9: | Side Yard Setback Insufficient |
| Article 68, Section 9: | Rear Yard Setback Insufficient |

Article 68, Section 33: Off-Street Parking Insufficient

Article 68, Section 33: Off-Street Loading Insufficient

Boston Zoning Code Data Cont.

Building Code Analysis

The construction of the building is as follows:

Type 1-A at the basement and first level parking structure.

Type 3-A at the existing renovated 2-story lobby, and at residential units on levels 2-6.

A 3-hour separation is required between the Type 1-A 'podium construction' and the Type 3-A construction.

The building will be fully sprinklered in conformance with NFPA 13.

The building will be a mixed-use building:

Residential: R-2

Parking Garage: S-2

Mercantile: M

Assembly: A-2 (if Restaurant / Café)

Assembly: A-3 (accessory residential Amenity Space)

As defined by Table 508.4, fire separation requirements are as follows:

The required separation rating between any combination of the occupancies A-2, A-3, M, R-2, or S-2 is 1-hour, except that the required separation between A-2 or A-3 and S-2 is 0-hours.

Residential dwelling unit separation walls are required to be provided with a minimum 1-hour fire-resistance rating in accordance with MSBC §709.3. The floors of the residential level are required to have a 1-hour fire resistance rating based on the construction type and inherently satisfy the dwelling unit separation requirement of MSBC §420.3 between levels.

Permitting Applications and Appeals

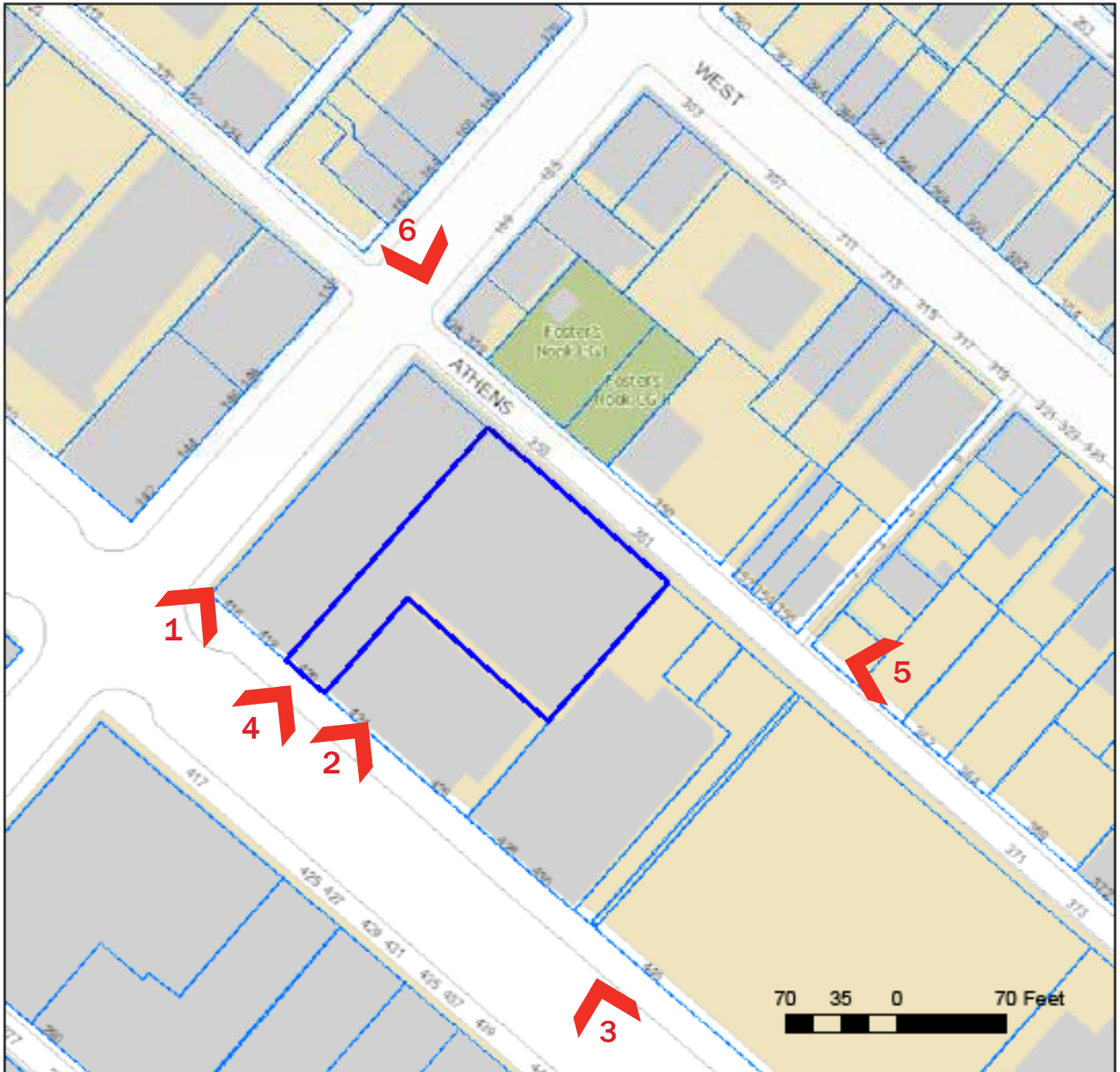
(refer to Appendix B on page 38 of this document)

Appendix A - Exhibits

| | |
|-------------|--------------------------------------|
| Exhibit 1: | Assessor's Map – Parcel |
| Exhibit 2: | Existing Conditions Photos |
| Exhibit 3: | Zoning Code Refusal |
| Exhibit 4: | Article 85 Demolition Delay |
| Exhibit 5: | Surrounding Urban Context |
| Exhibit 6: | Neighboring Transit Locations |
| Exhibit 7: | Walking Proximities |
| Exhibit 8: | Adjacent Building Heights + F.A.R. |
| Exhibit 9: | Athens Street Perspective |
| Exhibit 10: | West Broadway Perspective |
| Exhibit 11: | Proposed Plot Plan |
| Exhibit 12: | Site Plan + Ground Floor Access Plan |
| Exhibit 13: | Basement Plan |
| Exhibit 14: | 2nd Floor Plan |
| Exhibit 15: | 3rd Floor Plan |
| Exhibit 16: | 4th Floor Plan |
| Exhibit 17: | 5th Floor Plan |
| Exhibit 18: | 6th Floor Plan |
| Exhibit 19: | Roof Plan |
| Exhibit 20: | Unit Schedule |
| Exhibit 21: | Athens Street Elevation |
| Exhibit 22: | West Broadway Elevation |
| Exhibit 23: | East Elevation |
| Exhibit 24: | West Elevation |

Exhibit 1

Assessor's Map – Parcel



Parcel ID: 0601500005
Address: 420 W BROADWAY
Zipcode: 02127
Owner: ACCORN 420 BROADWAY LLC
Legal Use: Commercial
Lot Size: 11,140 sq ft
Living Area: 30,336 sq ft
Total Value: \$1,149,900
Land Value: \$480,400
Building Value: \$658,700
Gross Inc: \$30,817.37



**MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT**

The City of Boston makes no claims, no representations, and no warranties, expressed or implied, concerning the visibility, timeliness, or the accuracy of the GIS data and GIS data products furnished by the City. Including the implied warranty of any users or providers. The use of this data, in any form or manner, shall not supersede any federal, state or local laws or regulations.



Exhibit 2

Existing Conditions Photos



1. 416 WEST BROADWAY

July 2016



2. 426 WEST BROADWAY

June 2016



3. EAST FACADE FROM WEST BROADWAY

June 2016

Exhibit 2 Cont.

Existing Conditions Photos (Cont.)



4. 420 WEST BROADWAY FACADE

June 2016



**5. 420 WEST BROADWAY
FROM ATHENS STREET EAST**

July 2016



**6. 416 WEST BROADWAY
FROM ATHENS STREET WEST;
420 WEST BROADWAY BEYOND**

July 2016

Exhibit 3



Martin J. Walsh
Mayor

Boston Inspectional Services Department Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

ZONING CODE REFUSAL

Gary P. Meccia
Inspector of Buildings

ERIC ROBINSON
NO ADDRESS ON FILE
BOSTON, MA 11111

January 06, 2017

Location: 420 W BROADWAY SOUTH BOSTON, MA 02127
Ward: 06
Zoning District: South Boston Neighborhood
Zoning Subdistrict: MFR/LS
Appl. # : ALT665734
Date Filed: December 14, 2016
Purpose: DEMOLISH MAIN PORTION OF EXISTING STRUCTURE AND CONSTRUCT NEW MIXED-USE BUILDING OF APPROXIMATELY 44,000 GSF, INCLUDING APPROXIMATELY 1,350 GSF OF GROUND LEVEL LOCAL RETAIL SPACE IN THE RESTORED EXISTING 2-STORY BUILDING SECTION ON WEST BROADWAY AND A NEW 6-STORY BUILDING SECTION AT REAR, WITH 42 RESIDENTIAL UNITS AND 42 UNDERGROUND / STRUCTURED PARKING SPACES, FRONT ROOF DECK, SIDE AND REAR BALCONY OPEN SPACES.

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

| <u>Violation</u> | <u>Violation Description</u> | <u>Violation Comments</u> |
|------------------|------------------------------|-------------------------------------|
| Art. 68 Sec. 33 | Off Street parking Req. | Off street parking is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Usable open space is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Building height is excessive |
| Art. 68 Sec.08 | Dimensional Req. | Rear yard set back is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Floor area ratio is excessive |
| Art. 68 Sec.08 | Dimensional Req. | Side yard set back is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Front yard set back is insufficient |
| Art.68 Sec. 33 | Off Street Loading Req. | Off street loading is insufficient |

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.


James Kennedy

for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

Exhibit 4

Article 85 - Demolition Delay Review

Ben Wan

From: Evie Athanasi
Sent: Thursday, December 1, 2016 12:39 PM
To: ben@rodearchitects.com
Subject: Article 85 Demolition Delay 420 West Broadway

Hi Ben,

As we discussed earlier on the phone, 420 West Broadway qualifies as a partial demolition, and does not need to undergo Article 85 Review.

Thank you,



Evie Athanasi
Boston Landmarks Commission
Environment Department
City of Boston
617-635-3850
boston.gov/landmarks

Exhibit 5

Surrounding Urban Context

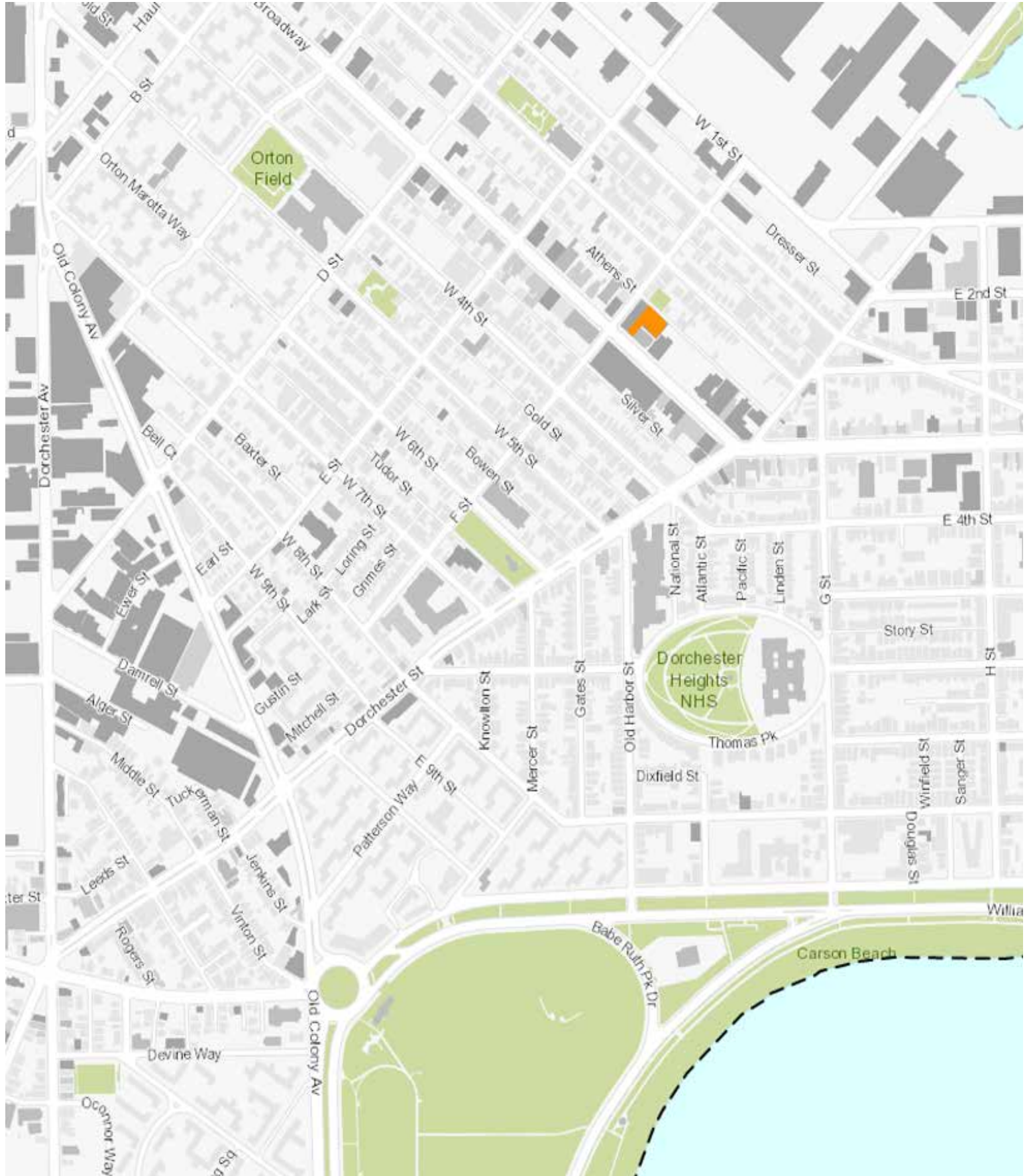


Exhibit 6

Neighboring Transit Locations

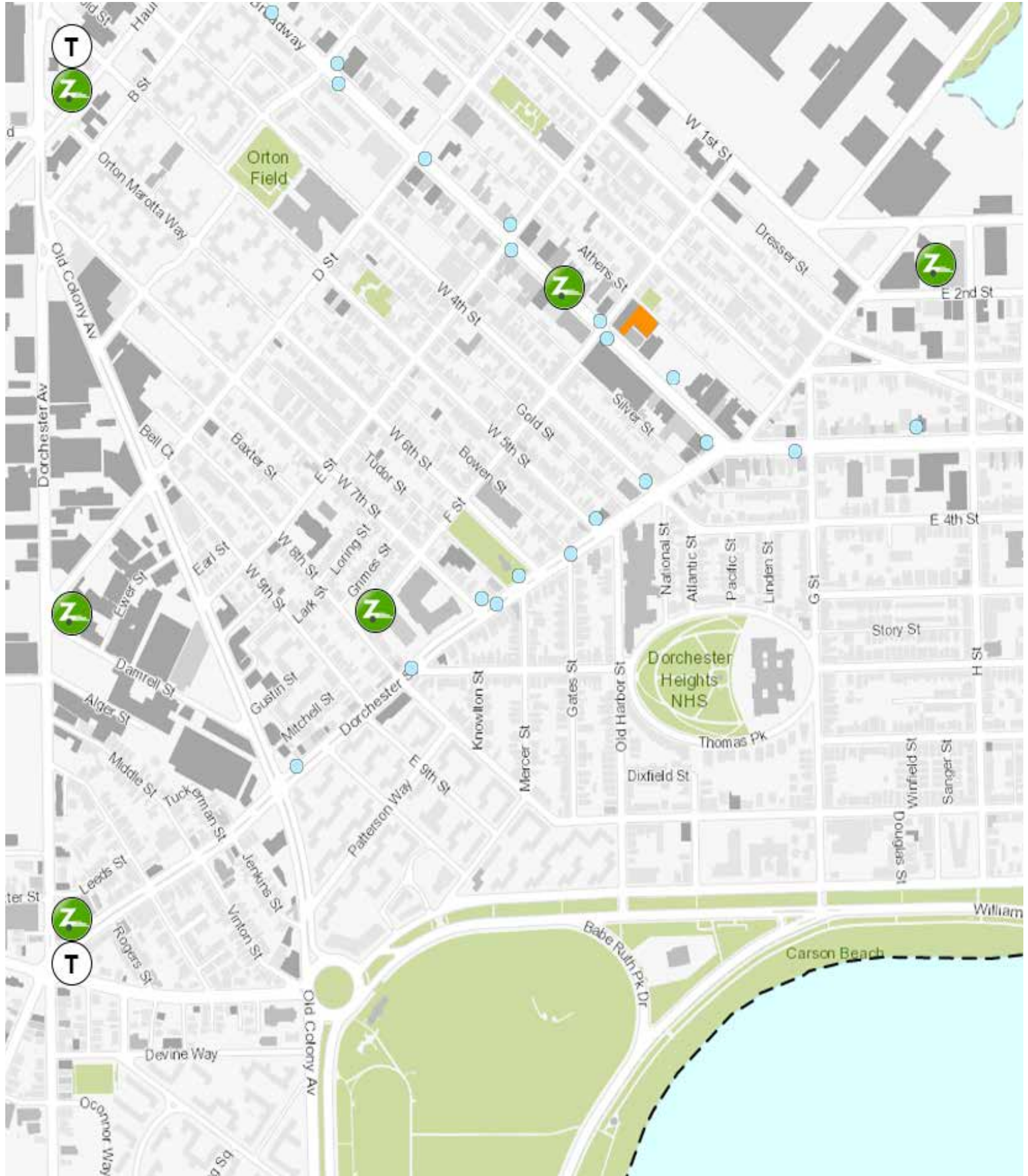


Exhibit 8

Adjacent Building Heights + F.A.R.

LEGEND

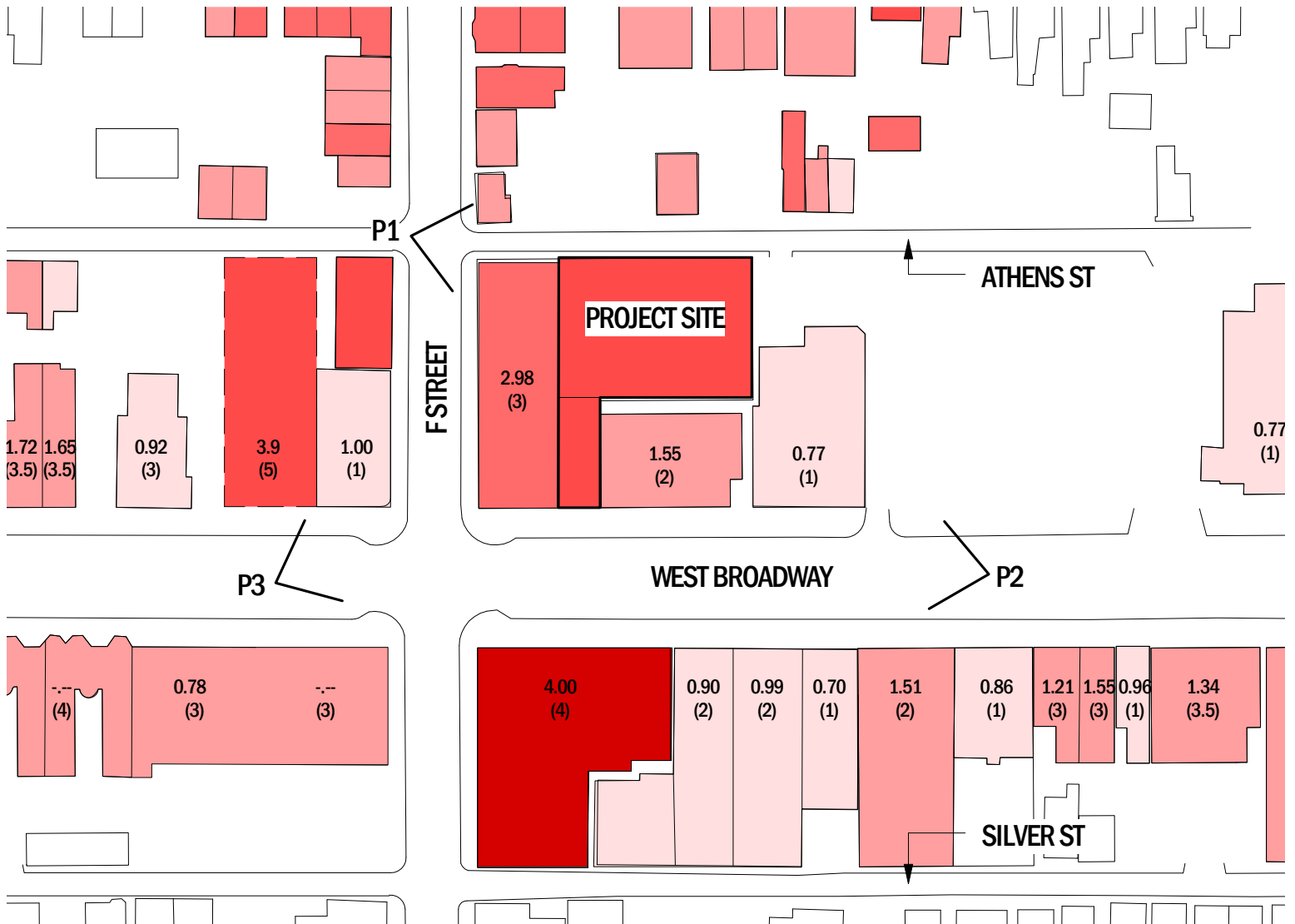
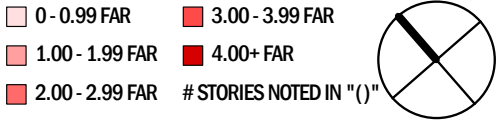


Exhibit 9

Athens Street Perspective



Exhibit 10

West Broadway Street Perspective



Exhibit 11

Proposed Plot Plan

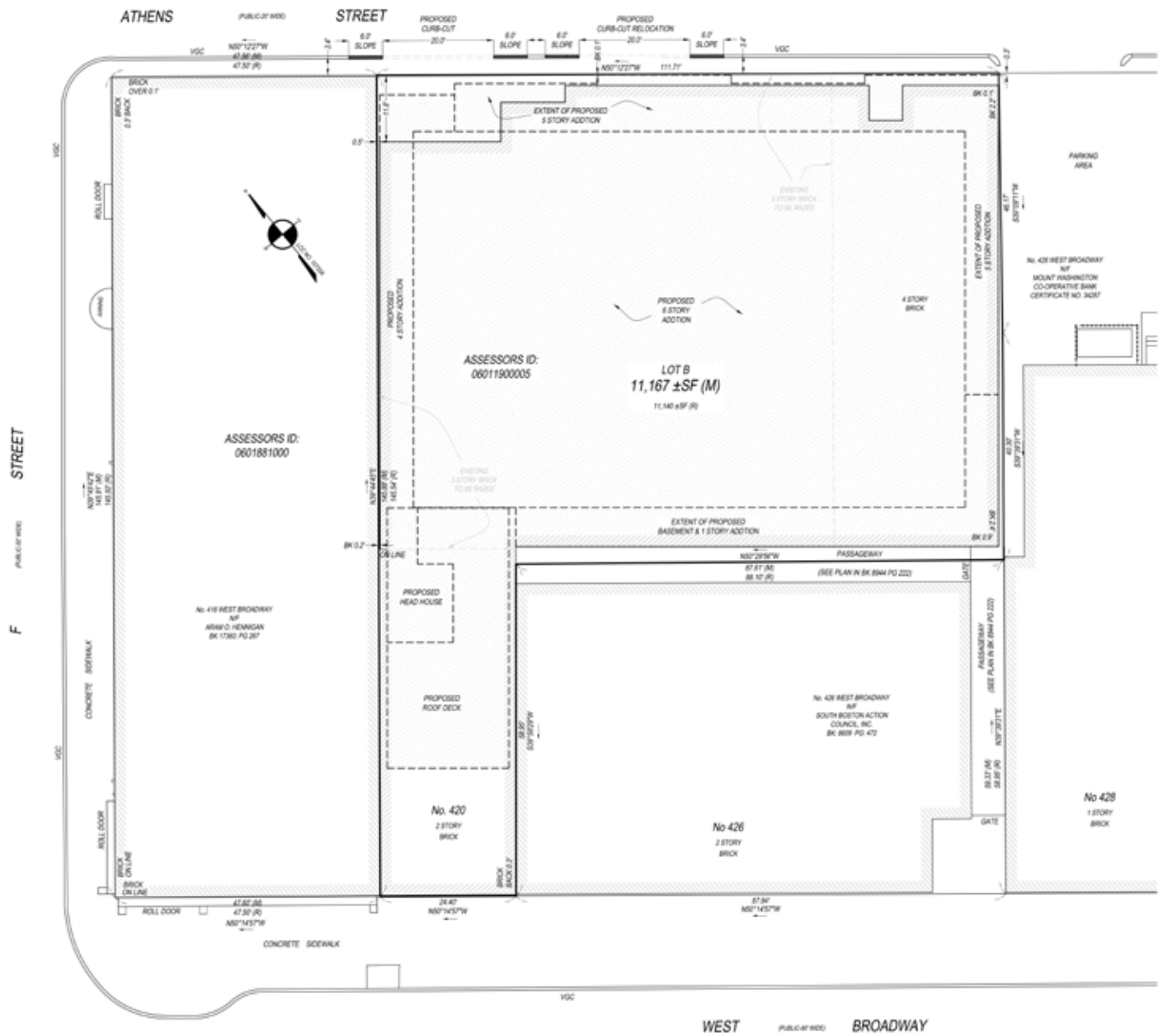


Exhibit 12

Site Plan + Ground Floor Access



Exhibit 13

Basement Plan

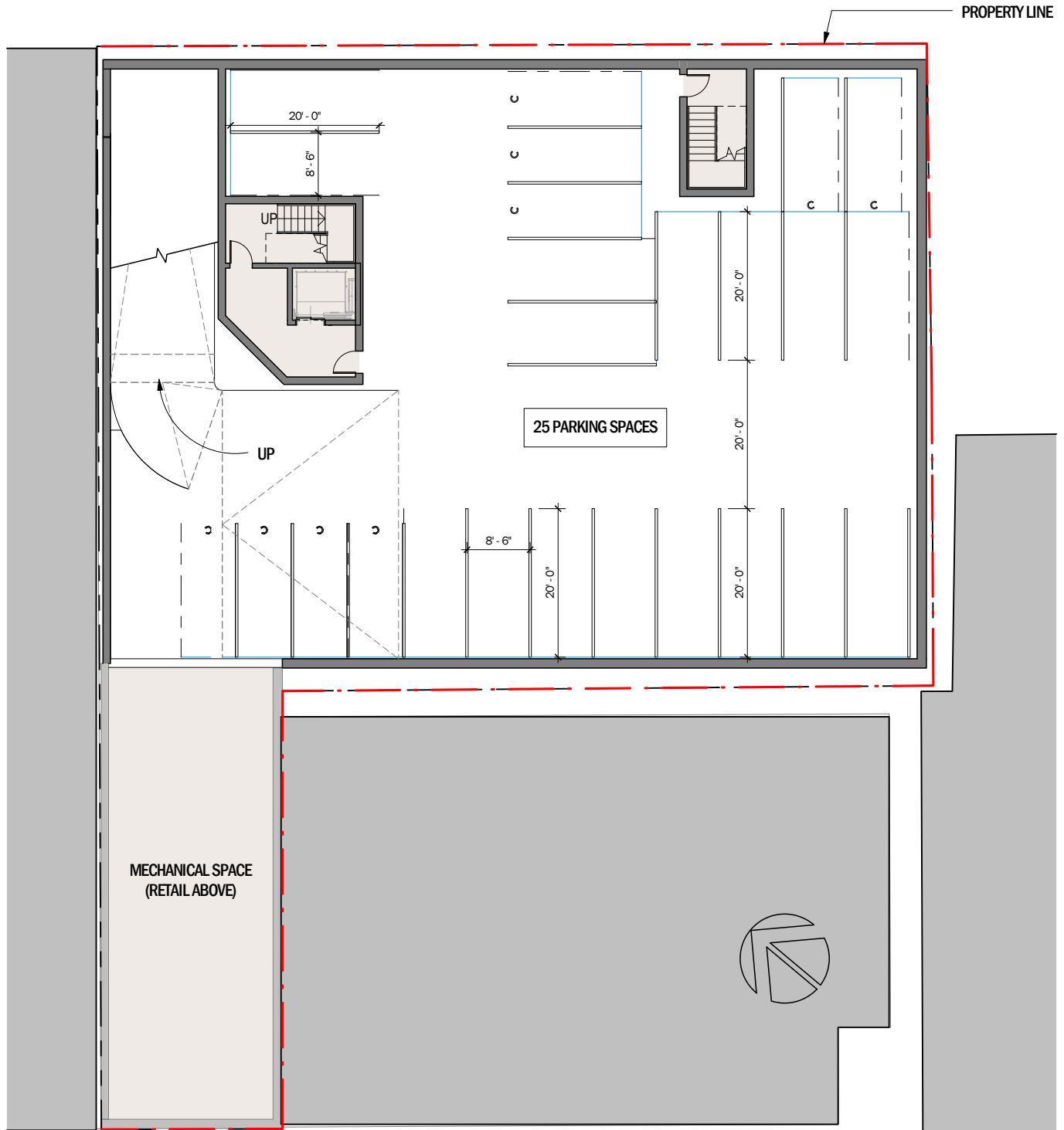


Exhibit 14

2nd Floor Plan

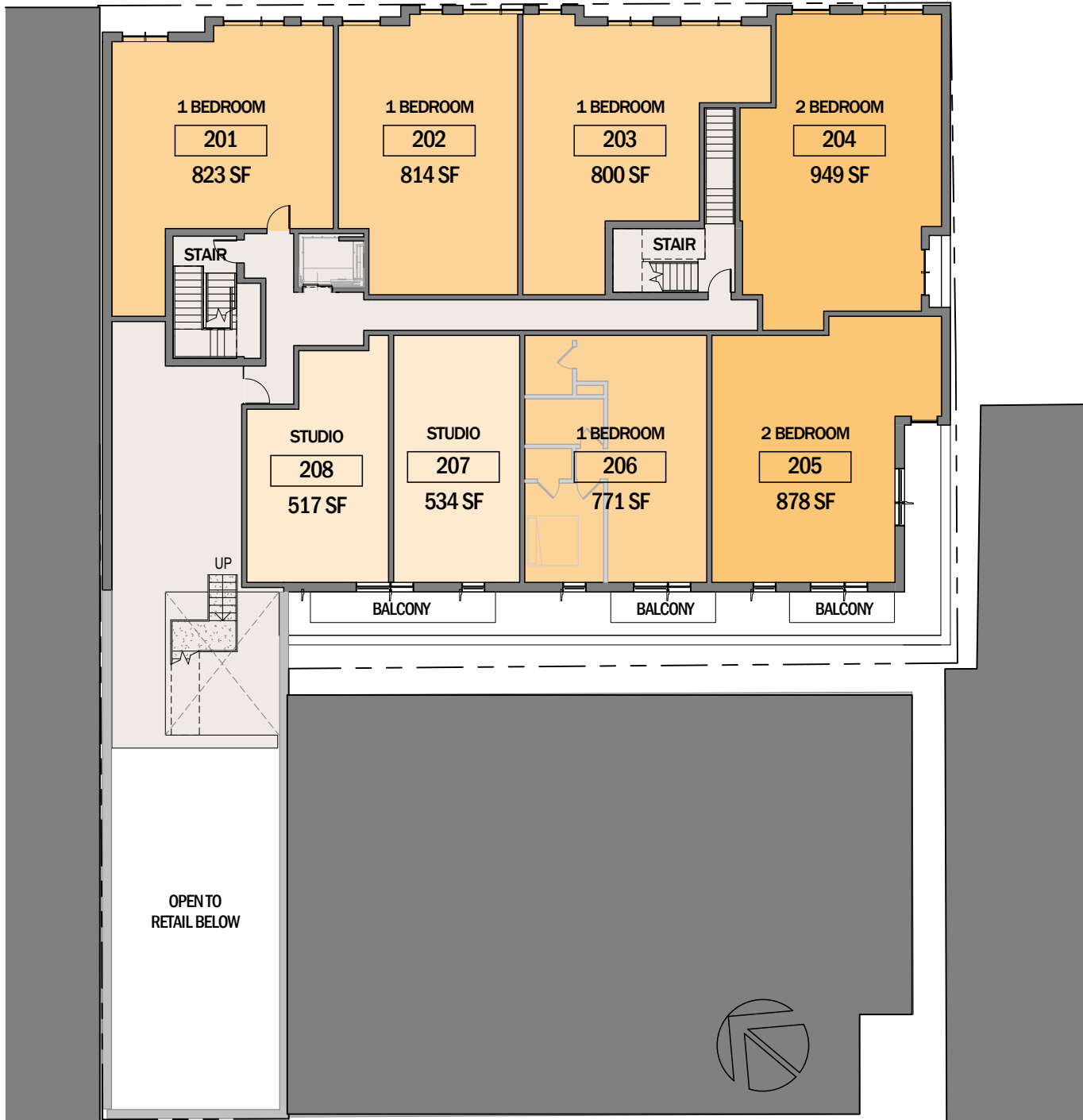


Exhibit 15

3rd Floor Plan

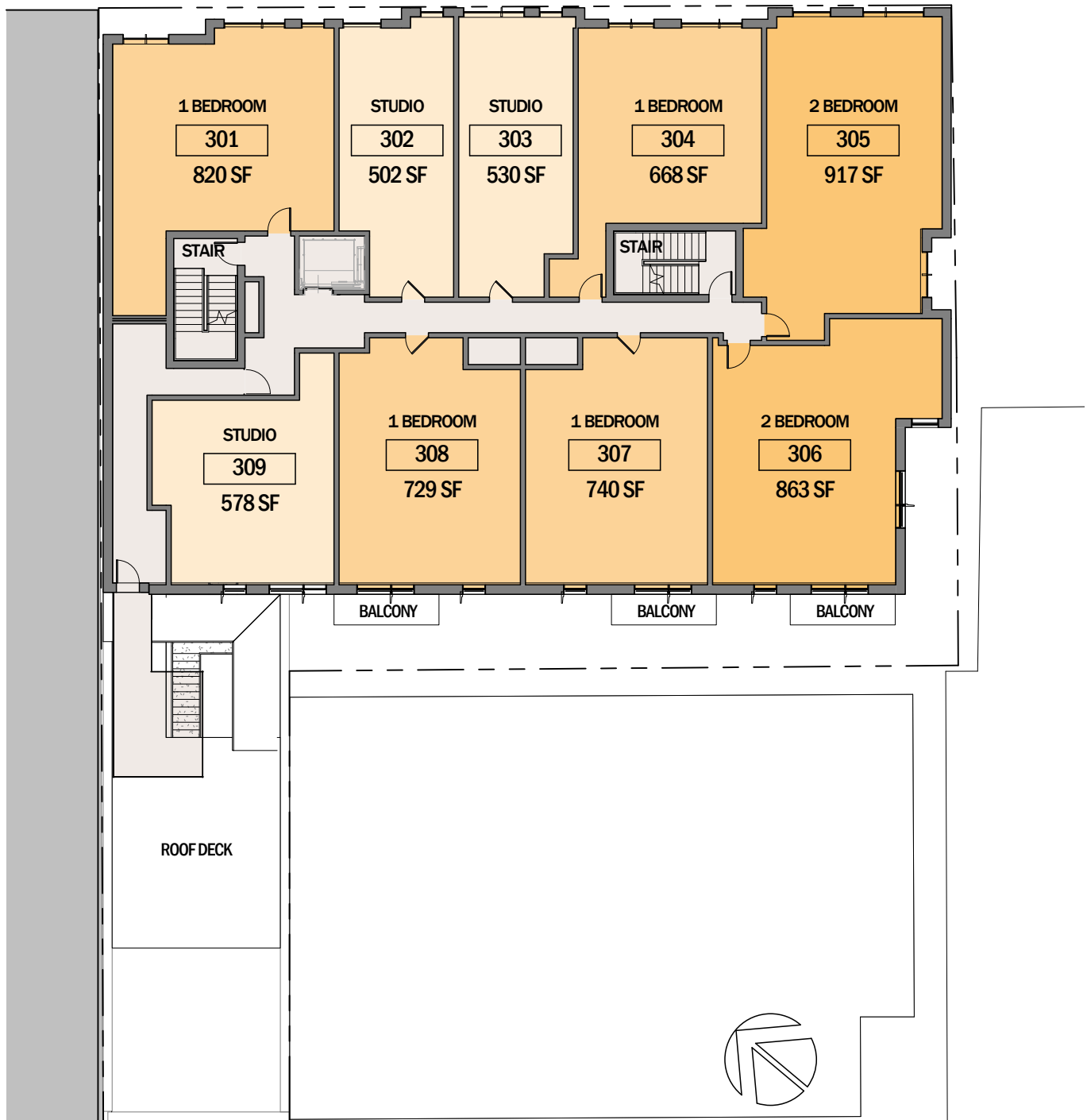


Exhibit 16

4th Floor Plan

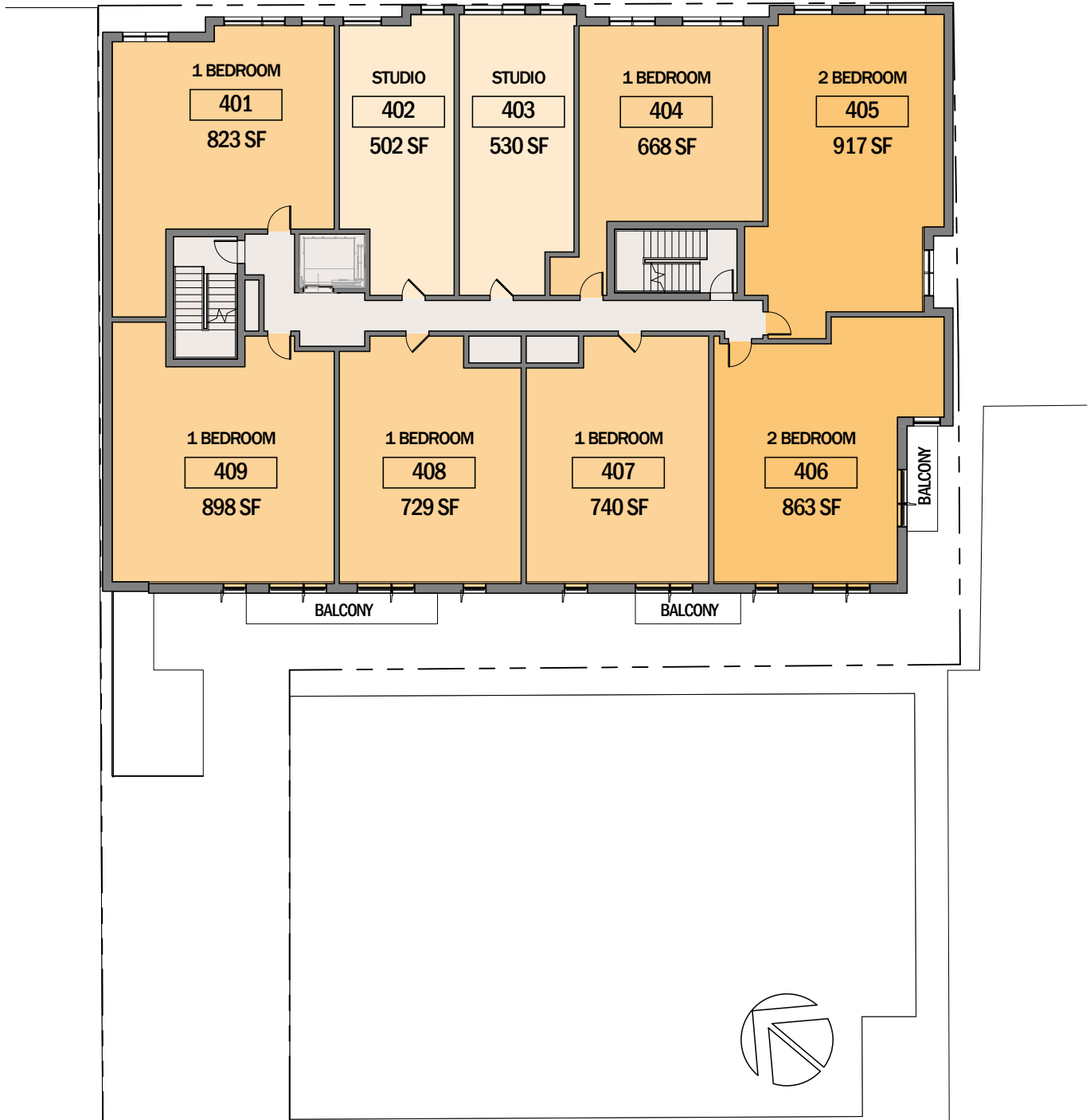


Exhibit 17

5th Floor Plan

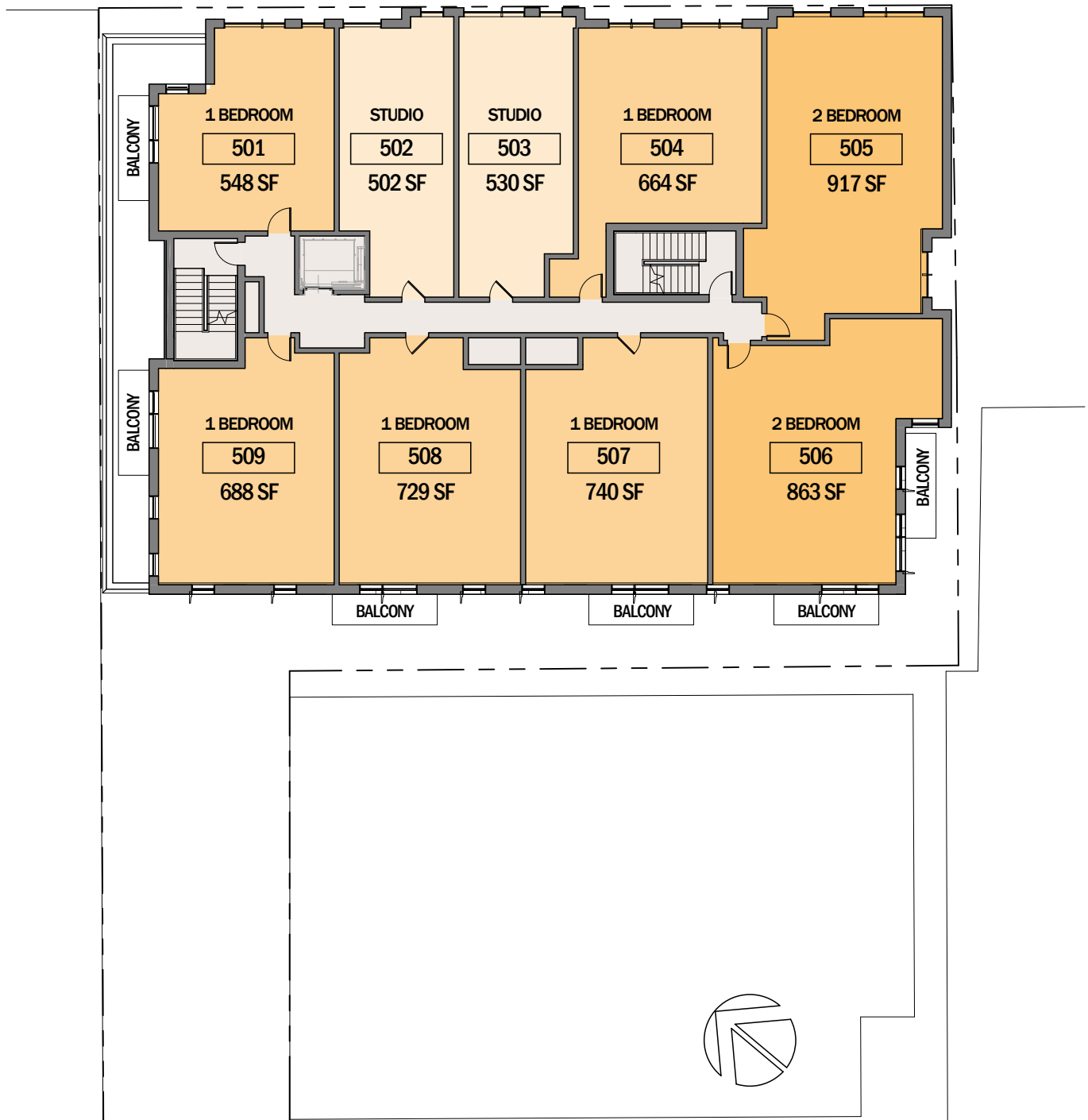


Exhibit 18

6th Floor Plan



Exhibit 19

Roof Plan

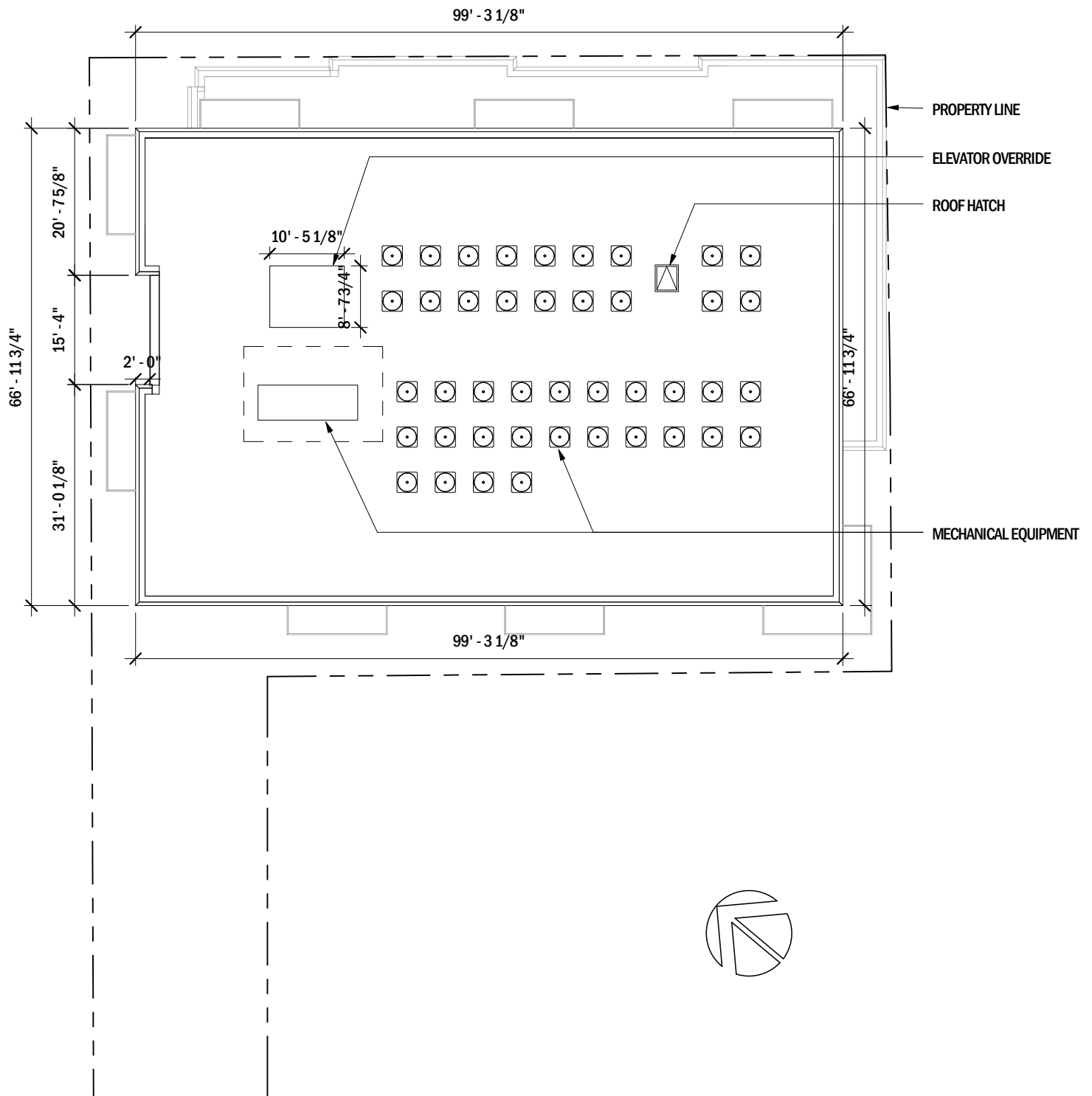


Exhibit 20

Unit Schedule

| # | TYPE | AREA |
|------------------------|--------|-----------------|
| LEVEL 2 | | |
| 201 | 1 BED | 821 SF |
| 202 | STUDIO | 511 SF |
| 203 | STUDIO | 524 SF |
| 204 | STUDIO | 540 SF |
| 205 | 2 BED | 974 SF |
| 206 | 2 BED | 863 SF |
| 207 | 1 BED | 771 SF |
| 208 | 2 BED | 1072 SF |
| LEVEL 3 | | |
| 301 | 1 BED | 818 SF |
| 302 | STUDIO | 511 SF |
| 303 | 1 BED | 524 SF |
| 304 | 1 BED | 664 SF |
| 305 | 2 BED | 920 SF |
| 306 | 2 BED | 863 SF |
| 307 | 1 BED | 740 SF |
| 308 | STUDIO | 729 SF |
| 309 | 1 BED | 578 SF |
| LEVEL 4 | | |
| 401 | 1 BED | 821 SF |
| 402 | STUDIO | 511 SF |
| 403 | 1 BED | 524 SF |
| 404 | 1 BED | 664 SF |
| 405 | 2 BED | 920 SF |
| 406 | 2 BED | 863 SF |
| 407 | 1 BED | 740 SF |
| 408 | STUDIO | 729 SF |
| 409 | 1 BED | 898 SF |
| LEVEL 5 | | |
| 501 | 1 BED | 546 SF |
| 502 | STUDIO | 511 SF |
| 503 | STUDIO | 524 SF |
| 504 | 1 BED | 661 SF |
| 505 | 2 BED | 920 SF |
| 506 | 2 BED | 863 SF |
| 507 | 1 BED | 740 SF |
| 508 | STUDIO | 729 SF |
| 509 | 1 BED | 688 SF |
| LEVEL 6 | | |
| 601 | 2 BED | 935 SF |
| 602 | 1 BED | 506 SF |
| 603 | 1 BED | 767 SF |
| 604 | 2 BED | 965 SF |
| 605 | STUDIO | 551 SF |
| 606 | 1 BED | 729 SF |
| 607 | 1 BED | 688 SF |
| TOTAL UNITS: 42 | | 30415 SF |

Unit Mix:

| Qty | Unit Type |
|-----|------------|
| 11 | Studios |
| 20 | 1-bedrooms |
| 11 | 2-bedrooms |

Exhibit 21

Athens Street Elevation



Exhibit 22

West Broadway Elevation

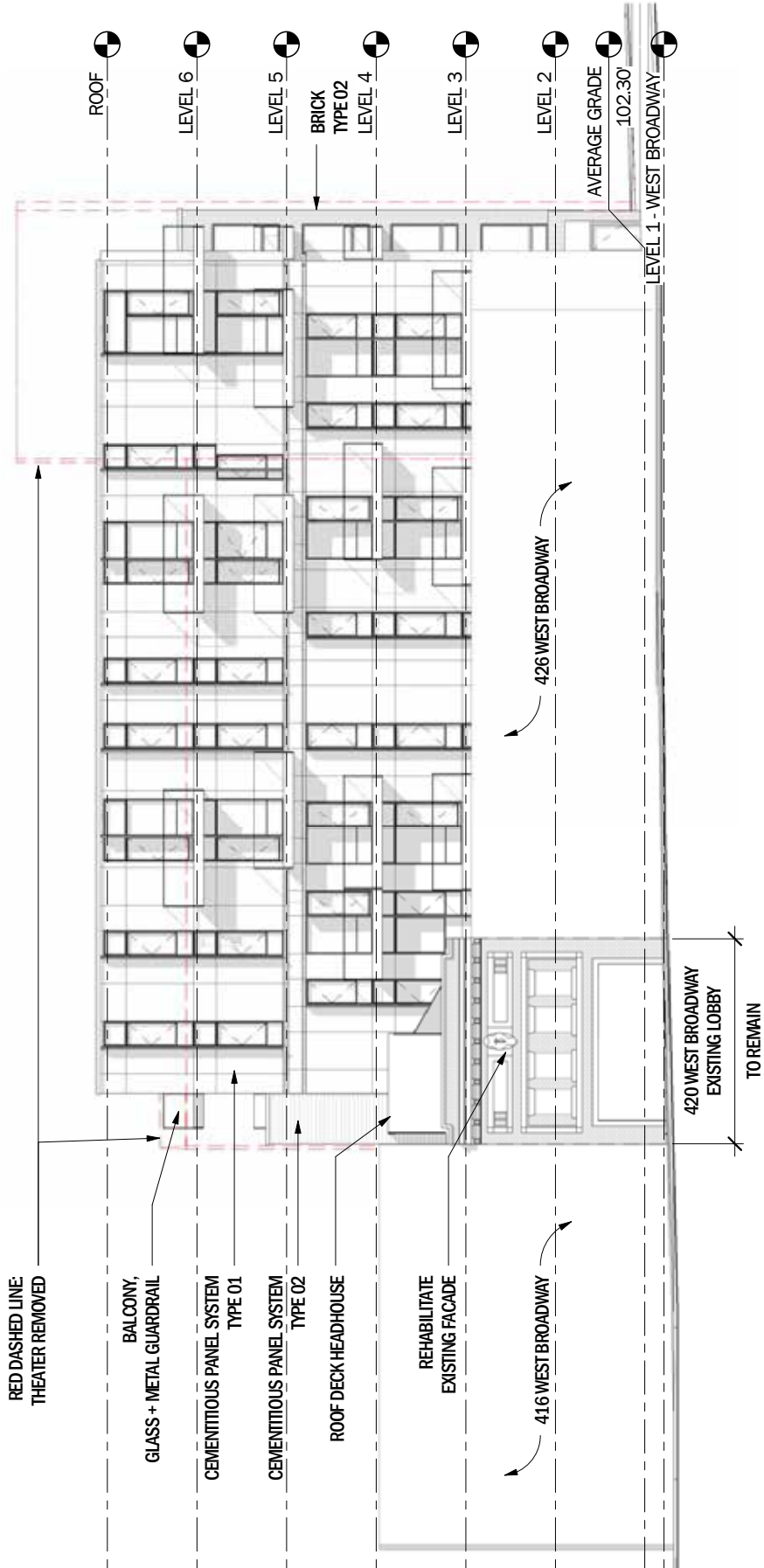


Exhibit 23

East Elevation

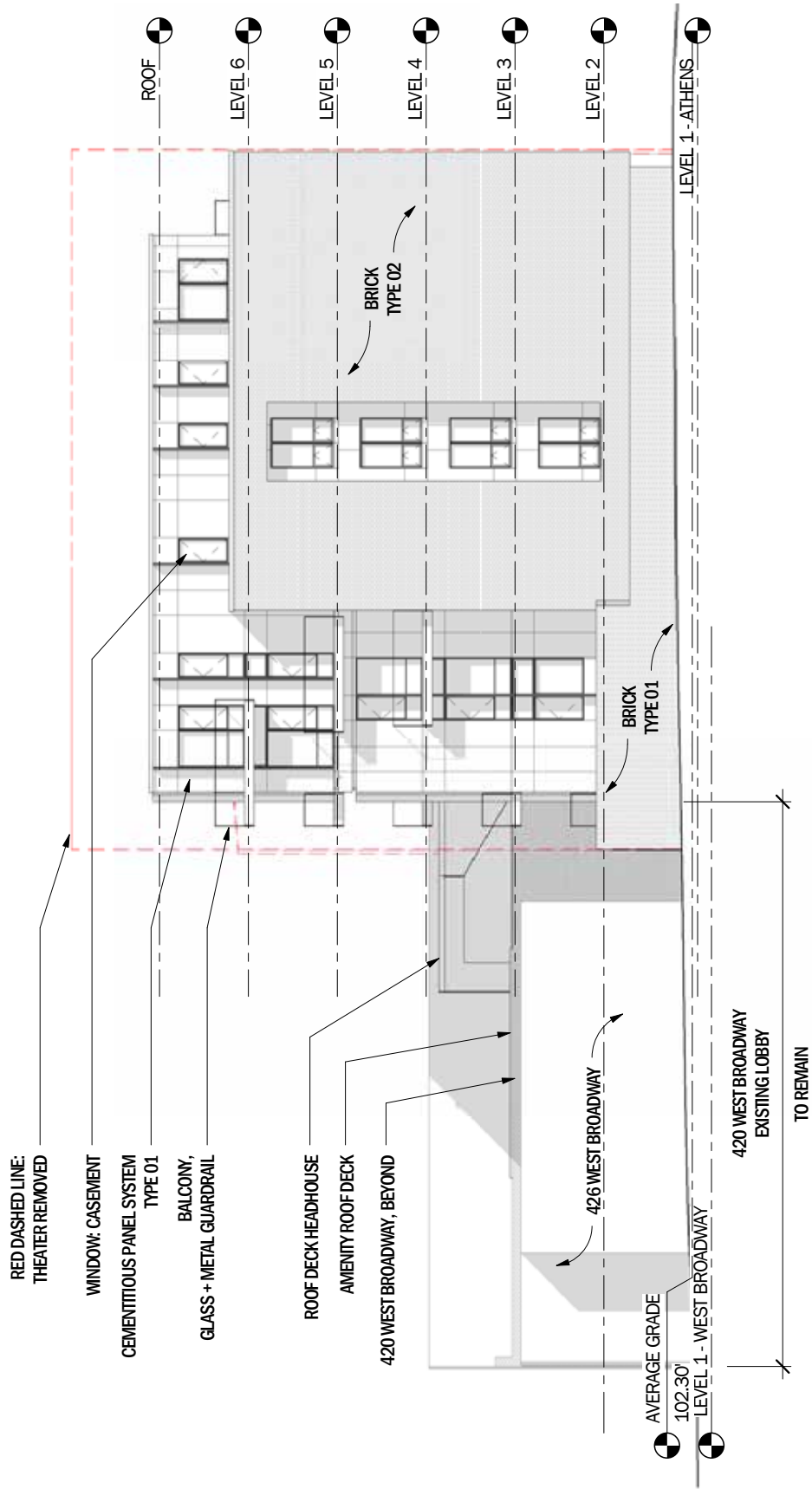
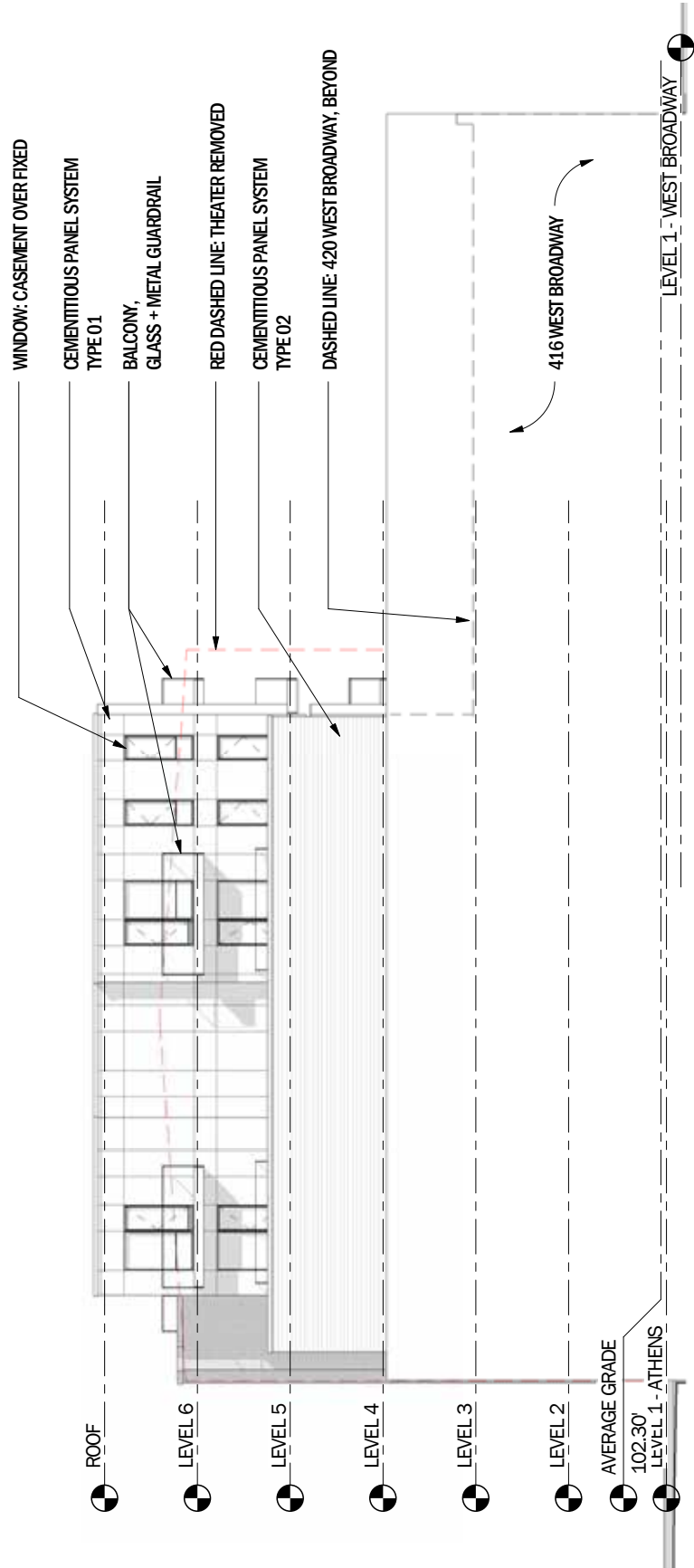


Exhibit 24

West Elevation



Appendix B - Permitting Applications & Appeals



City of Boston
Inspectional Services
617-635-5300

Date: 1/10/2017 10:07 AM
Cashier: 078135 Batch: 33105
Office: ISD Tran #: 2

Receipt #: 01410067
Permit # BOA671509
Comments:

| | | |
|----------------|-----------|------------|
| 71043 | BOA671509 | \$1,200.00 |
| Payment Total: | | \$1,200.00 |

| | |
|--------------------|------------|
| Transaction Total: | \$1,200.00 |
| Check Tendered : | \$1,200.00 |

Checks presented:

| | |
|---|--|
| West Broadway Theatre LLC 207 Washington St 12 Federal Street Boston, MA 02110 01-01-10-00000 | East Boston Savings Bank 1026 Date: 01/09/2017 |
| Pay to: The City of Boston | Memor: Permit Application Fee |
| **One Thousand Two Hundred Dollars** | \$1,200.00 |
| City of Boston Boston Inspectional Services Department 1312 Massachusetts Avenue Boston, MA 02118 United States | |

Thank you for your payment.
Have a Nice Day!

www.cityofboston.gov/isd/

This form must be completed and signed by the owner-of-record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.



APPEAL

under Boston Zoning Code

Boston, Massachusetts January 10, 2017

To the Board of Appeal in the Inspection Services Department of the City of Boston:
the Authorized Agent for the Owner

The undersigned, being
The Owner(s) or authorized agent

of the lot at
number street ward district
420 W Broadway 06 South Boston/MFR/LS

hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board of Appeal in the Inspectional Services Department of the City of Boston the action taken by Inspectional Services Commissioner as outlined in the attached refusal letter.

DESCRIBE IN DETAIL THE REASON(S) FOR THIS APPEAL

This appeal seeks permission to demolish the main section of the existing structure and construct a new mixed-use building of approximately 44,000 gross s/f, including approximately 1,350 gross s/f of ground level Local Retail space in the restored/existing 2-story building section on West Broadway and a new six-story building at rear, with 42 residential units and 42 underground/ structured parking spaces, front roof deck, side and rear balcony open space.

STATE REASONS FOR THIS PROPOSAL

Allowance of the within appeal will enable the Appellant to upgrade the subject premises by revitalizing a long-vacant and distressed property site; with an appropriately-designed mixed-use building of both market-rate and affordable housing, a small-scale Local Retail Use to service the immediate neighborhood and an overall design that complements the history and future development of the neighborhood.

PROVIDE REASONS WHY BOARD SHOULD GRANT RELIEF

Appellant submits that the Board should grant the requested relief, as the proposed project is not detrimental to the surrounding community. Rather, the project will enhance and improve the long-vacant premises with much-needed housing and Local Retail Uses; while also respecting certain remaining conditions of the distressed building and its history at this section of West Broadway, with a resulting scale and design that complements the existing **
COMMENTS

For these and other reasons more precisely enumerated at the public hearing before the Board, the Appellant respectfully requests the allowance of the within appeal.

building's frontage on the West Broadway thoroughfare as well as the predominantly residential area of Athens Street at the rear. The project also meets the required findings for the grant of Variances under Article 7-3 of the Boston Zoning Code.

OWNER West Broadway Theatre LLC
AUTHORIZED AGENT Joseph P. Hanley, Esq.
ADDRESS McDermott, Quilty & Miller LLP
28 State Street, Suite 802
Boston, Massachusetts 02109
TELEPHONE (617) 946-4600
FAX (617) 946-4624

Joseph P. Hanley
(M)





Boston Inspectional Services Department
Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

Martin J. Walsh
Mayor

ZONING CODE REFUSAL

Gary P. Moccia
Inspector of Buildings

ERIC ROBINSON
NO ADDRESS ON FILE
BOSTON, MA 11111

January 06, 2017

Location: 420 W BROADWAY SOUTH BOSTON, MA 02127
Ward: 06
Zoning District: South Boston Neighborhood
Zoning Subdistrict: MFR/LS
Appl. # : ALT665734
Date Filed: December 14, 2016
Purpose: DEMOLISH MAIN PORTION OF EXISTING STRUCTURE AND CONSTRUCT NEW MIXED-USE BUILDING OF APPROXIMATELY 44,000 GSF, INCLUDING APPROXIMATELY 1,350 GSF OF GROUND LEVEL LOCAL RETAIL SPACE IN THE RESTORED EXISTING 2-STORY BUILDING SECTION ON WEST BROADWAY AND A NEW 6-STORY BUILDING SECTION AT REAR, WITH 42 RESIDENTIAL UNITS AND 42 UNDERGROUND / STRUCTURED PARKING SPACES, FRONT ROOF DECK, SIDE AND REAR BALCONY OPEN SPACES.

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

| <u>Violation</u> | <u>Violation Description</u> | <u>Violation Comments</u> |
|------------------|------------------------------|-------------------------------------|
| Art. 68 Sec. 33 | Off Street parking Req. | Off street parking is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Usable open space is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Building height is excessive |
| Art. 68 Sec.08 | Dimensional Req. | Rear yard set back is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Floor area ratio is excessive |
| Art. 68 Sec.08 | Dimensional Req. | Side yard set back is insufficient |
| Art. 68 Sec.08 | Dimensional Req. | Front yard set back is insufficient |
| Art.68 Sec. 33 | Off Street Loading Req. | Off street loading is insufficient |

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.


James Kennedy
for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.