

**APPLICATION FOR SECOND AMENDMENT  
TO THE DEVELOPMENT PLAN FOR  
PLANNED DEVELOPMENT AREA NO. 54**

**FAN PIER**

**28-52 Northern Avenue, Boston, Massachusetts**

The undersigned Fan Pier Development LLC (the “Applicant”) hereby applies to the Boston Redevelopment Authority pursuant to Article 3-1A of the Boston Zoning Code (“Code”) for approval of the Second Amendment to the Development Plan for the Fan Pier Development, Planned Development Area No. 54 (“PDA #54”) attached hereto (the “Second Amendment”). The Development Plan for PDA #54 was approved by the Boston Redevelopment Authority on November 14, 2001 and adopted by the Boston Zoning Commission on February 27, 2002, and was subsequently amended by the First Amendment to the Development Plan for Planned Development Area No. 54 Fan Pier approved by the Boston Redevelopment Authority on December 20, 2007 and adopted by the Boston Zoning Commission on January 30, 2008 (collectively, the “Original Development Plan”).

The Original Development Plan sets forth information on the Fan Pier Project located in the South Boston Seaport District (the “Project”), including project area, the proposed location and appearance of the structures, open spaces and landscaping, the proposed uses for each phase, the proposed density, the proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions, development impact exaction, zoning, development review procedures, proposed public benefits and other aspects of the Project.

The Second Amendment updates the proposed uses of the various buildings to be constructed at the Project and incorporates the current site plan for the Project by revising Exhibit B, Figure 1 to the Original Development Plan (Development Program Summary). Upon approval by the Boston Redevelopment Authority and adoption by the Boston Zoning Commission, the Second Amendment will amend and become part of PDA #54.

**REQUESTS FOR FINDINGS, DETERMINATIONS AND APPROVALS**

The Applicant hereby requests that the Boston Redevelopment Authority make the following findings, determinations and approvals:

- A. Approve the Second Amendment after a public hearing and find that PDA #54, as amended, and the Original Development Plan, as amended by the Second Amendment, (a) are not for a location or proposed project for which Planned Development Areas are forbidden by the underlying zoning; (b) comply with any provisions of the underlying zoning that establish use, dimensional, design, or other requirements for proposed projects in Planned Development Areas; (c) comply with any provisions of the underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) conform 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 of Boston as a whole; and (e) on balance, will not be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens.

B. Authorize the Director of the Boston Redevelopment Authority to:

- (a) petition the Zoning Commission of the City of Boston for approval of the Second Amendment; and
- (b) issue Certifications of Consistency under Article 80C-8 for each of the phases of the Project upon review and approval of each building permit application and related plans and compliance by the Applicant with other applicable requirements of the Code.

EXECUTED as of \_\_\_\_\_, 2015.

APPLICANT:

FAN PIER DEVELOPMENT LLC

By: Fallon Fan Pier LLC,  
a member

By: \_\_\_\_\_  
Name: Joseph F. Fallon  
Title: Manager

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[\_\_\_\_\_, 2015]

**Introduction**

In accordance with Article 80C-3 of the Code, this Second Amendment to the Development Plan for Planned Development Area No. 54 (this “Second Amendment”) sets forth information on the Fan Pier Project located in the South Boston Seaport District (the “Project”). Planned Development Area No. 54 and the Development Plan for Planned Development Area No. 54 were approved by the Boston Redevelopment Authority on November 14, 2001 and adopted by the Boston Zoning Commission on February 27, 2002, and were subsequently amended by the First Amendment to the Development Plan for Planned Development Area No. 54 Fan Pier approved by the Boston Redevelopment Authority on December 20, 2007 and adopted by the Boston Zoning Commission on January 30, 2008 (collectively, the “Original Development Plan”). Upon approval of this Second Amendment, the Original Development Plan, together with this Second Amendment, shall constitute the Development Plan for Planned Development Area No. 54, and are collectively referred to herein as “PDA #54”.

PDA #54 sets forth information on the Project, including project area, the proposed location and appearance of the structures, open spaces and landscaping, the proposed uses for each phase, the proposed density, the proposed traffic circulation, parking and loading facilities, access to public transportation, proposed dimensions, development impact exaction, zoning, development review procedures, proposed public benefits and other aspects of the Project.

This Second Amendment updates the proposed uses of the various buildings to be constructed at the Project and incorporates the current site plan for the Project by revising Exhibit B, Figure 1 to the Original Development Plan (Development Program Summary). Except as expressly amended hereby, the provisions of PDA #54 are ratified and affirmed, and shall not be affected by this Second Amendment. Capitalized terms that are not defined in this Second Amendment shall have the meanings set forth in the Original Development Plan.

**Developer**

The Developer is Fan Pier Development LLC, which acquired the Fan Pier parcel from Fan Pier Land Company in September, 2005. The business address, telephone number and designated contact person for the Developer is:

Fan Pier Development LLC  
c/o The Fallon Company  
ONE Marina Park Drive  
Boston, Massachusetts 02210

Contact Person: Myrna Putziger  
Phone: 617-737-4100

### **Proposed Uses of Structures**

The proposed Project is a mixed-use development described in detail in the Original Development Plan. This Second Amendment updates the proposed uses of the various buildings to be constructed at the Project and incorporates the current site plan for the Project by revising Exhibit B, Figure 1 to the Original Development Plan (Development Program Summary).

Accordingly, the Original Development Plan is hereby amended by deleting the Development Program Summary attached as Exhibit B, Figure 1 to the Original Development Plan in its entirety and substituting Figure 1 attached to this Second Amendment in place thereof. The primary use of each proposed building within PDA #54 will be one or more of the uses indicated for such building on the Figure 1 attached to this Second Amendment, provided that the primary use of Buildings C and D will be residential. Notwithstanding anything to the contrary set forth in the Original Development Plan, although hotel use is a permitted use, no portion of the Project or any parcel therein is required to be developed in whole or in part as a hotel.

The effect of this Second Amendment is to update the Original Development Plan to reflect the Developer's current expectations for the various buildings to be constructed on the Fan Pier site, and to increase the gross floor area of the Project to be dedicated to civic/cultural uses from a minimum of 107,000 square feet to a minimum of 111,000 square feet plus up to 1,140 square feet for a to-be-designed bridge connecting the civic/cultural space in Building I with the civic/cultural space in Building J.

### **Public Benefits**

The adoption of this Second Amendment will result in an increase in civic/cultural uses constructed at the Project from a minimum of 107,000 square feet of gross floor area to a minimum of 111,000 square feet of gross floor area plus up to 1,140 square feet for the bridge described above. The other Proposed Public Benefits described in the Original Development Plan are unchanged.

### **Attachments:**

Exhibit B, Figure 1: Development Program Summary

**EXHIBIT B, FIGURE 1**

**DEVELOPMENT PROGRAM SUMMARY**

[See attached]



BLOCK	PROGRAM	HEIGHT	SQUARE FOOTAGE
BLOCK A	OFFICE, RESEARCH CENTER, FPA*	243.80'	
BLOCK B	OFFICE, RESEARCH CENTER, RESIDENTIAL, FPA	238.50'	
BLOCK C	RESIDENTIAL, FPA	175.00'	
BLOCK D	RESIDENTIAL, FPA	175.00'	
BLOCK E	OFFICE, RESEARCH CENTER, RESIDENTIAL, HOTEL, FPA	236.00'	
BLOCK F	OFFICE, RESEARCH CENTER, FPA	237.00'	
BLOCK H	RESIDENTIAL, HOTEL, FPA	175.00'	
BLOCK I	RESIDENTIAL, HOTEL, OFFICE, FPA	225.50'	
SUBTOTAL			2,927,000 SF
BLOCK B	CULTURAL / CIVIC		4,277 SF
BLOCK D	CULTURAL / CIVIC		17,166 SF
BLOCK I	CULTURAL / CIVIC (BUILDING)		23,557 SF
BLOCK I	CULTURAL / CIVIC (BRIDGE)		UP TO 1,140 SF
BLOCK J	CULTURAL / CIVIC		66,000 SF
SUBTOTAL			112,140 SF
<b>TOTAL</b>			<b>3,039,140 SF</b>

\* FPA includes retail, restaurant, civic, cultural, or other Facilities of Public Accommodation

