

Boston Redevelopment Authority

Boston's Planning & Economic
Development Office

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April 16, 2008

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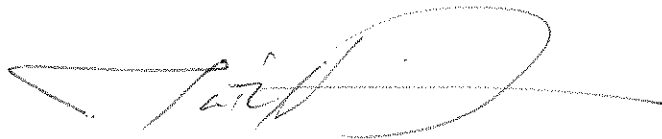
Re: **0 Kneeland Street, Chinatown, Boston, Massachusetts**
Parcel 24 Project - Scoping Determination

Dear Ms. Davis and Mr. Liu:

Please find enclosed the Scoping Determination for the Parcel 24 Project, an approximately four hundred fifty-six (456,000) square foot mixed-use development comprised of three hundred twenty-five (325) residential units, approximately six thousand (6,000) square foot community space, approximately five thousand five hundred (5,500) square foot commercial/ retail space, one hundred fifty-five (155) structured parking spaces, and related site improvements, on a fifty-eight thousand (58,000) square foot vacant parcel of land in the Chinatown Neighborhood of Boston. The Scoping Determination describes information required by the Boston Redevelopment Authority in response to the Project Notification Form, which was submitted under Article 80 of the Boston Zoning Code on February 19, 2008 and noticed in the *Boston Herald* on the same day. Additional information may be required during the course of review of the proposal.

If you have any questions regarding the Scoping Determination or the review process, please contact me at (617) 918-4244.

Sincerely,



Tai Y. Lim
Senior Project Manager

Cc. James M. Tierney
Heather Campisano

BOSTON REDEVELOPMENT AUTHORITY SCOPING DETERMINATION

FOR

PARCEL 24 PROJECT, AN APPROXIMATELY FOUR HUNDRED FIFTY-SIX (456,000) SQUARE FOOT MIXED-USE DEVELOPMENT COMPRISED OF THREE HUNDRED TWENTY-FIVE (325) RESIDENTIAL UNITS, APPROXIMATELY SIX THOUSAND (6,000) SQUARE FOOT COMMUNITY SPACE, APPROXIMATELY FIVE THOUSAND FIVE HUNDRED (5,500) SQUARE FOOT COMMERCIAL / RETAIL SPACE, ONE HUNDRED FIFTY-FIVE (155) STRUCTURED PARKING SPACES, AND RELATED SITE IMPROVEMENTS, ON A FIFTY-EIGHT THOUSAND (58,000) SQUARE FOOT VACANT PARCEL OF LAND IN THE CHINATOWN NEIGHBORHOOD OF BOSTON

PREAMBLE

Parcel 24 LLC (the "Developer" or "Proponent"), a partnership between New Boston Development Partners and Asian Community Development Corporation, submitted to Boston Redevelopment Authority ("BRA") a Project Notification Form ("PNF") under Article 80 of the Boston Zoning Code ("Code") on February 19, 2008 and noticed in the *Boston Herald* on the same day, to construct an approximately 456,000 square foot ("SF") mixed-use development comprised of 325 residential units, approximately 6,000 SF community space, approximately 5,500 SF commercial/ retail space, 155 structured parking spaces, and related site improvements ("Proposed Project"), on a 58,000 SF vacant lot located at 0 Kneeland Street, in Chinatown, Boston ("Project Site"). Written comments constitute an integral part of the Scoping Determination and should be responded to in the Draft Project Impact Report ("DPIR").

Specific concerns below are highlighted for additional emphasis and consideration:

Project Site falls within Article 43 of the Code in the Chinatown Gateway Special Study Area Subdistrict. The underlying zoning for this subdistrict has a maximum allowable height and floor area ratio ("FAR") of 80' and FAR of 6 with an allowed height of 100' and FAR of 7 for projects undergoing Large Project Review. The Proposed Project proposes a building height of 225' and FAR of 7.0.

The Proposed Project falls within the Groundwater Conservation Overlay District ("GCOD") applicability and will have to address water recharge according to the guidelines in Article 32 of the Code by submitting a storage and recharge mitigation plan. This plan is subject to review by the Boston Water and Sewer Commission prior to the City of Boston Zoning Board of Appeal ("ZBA") hearing. Elliot Laffer of the Boston Ground Water Trust is available for consultation and advice on methods for on-site ground water retention.

It should be noted that due to the adjacency and relevance to the Rose Kennedy Greenway, the Proposed Project may be subject to the Massachusetts Historic Commission Section 106 review.

The Proposed Project currently meets most of the development guidelines, with an FAR that is as-of-right, with a new massing scheme that breaks down the building into more distinct sections, a new open space, and improved architectural articulation on the Albany Street façade. The height of the Kneeland Street component is currently above what was recommended in the development guidelines, which may set precedence for future building heights on Kneeland Street in the South Bay/Gateway District. The necessity of this additional height at this end of the proposed project should continue to be explored. Further architectural and landscape design improvements are anticipated over the course of the development review process.

The Proposed Project currently anticipates a mix of 70 rental units with 255 condominium units, with approximately 50% of those units targeted as affordable. This aggressive affordability is welcome and goes beyond the minimum affordability outlined in the development guidelines.

The Proposed Project is bordered on the northern side by the Crossroads Initiative on Kneeland Street. The Crossroads Initiative is an on-going project to redesign 12 key thoroughfares around the Rose Kennedy Greenway and make the downtown more inviting to pedestrians. One key aspect of the Crossroads Initiative is ground floor activity. The developer should strive for ground floor activation on as many sides as possible and continue the dialogue with the BRA as to final programming of the ground floor.

Comments from community members from the public meeting for the Parcel 24 PNF were supportive of the proposed development, but there were a few issues that were repeated several times. While very supportive of the affordability and range of the housing units, height continued to be voiced as a concern in two ways – 1) as setting a height precedence for future development along Kneeland Street; and 2) as being taller than both the BRA's development guidelines as well as the guidelines written by the Hudson Street for Chinatown group without any additional community benefits – (meaning more and/or deeper affordable units above what was originally laid out by the developer prior to filing the PNF). Questions also remained regarding the actual breakdown by income of the affordable units – both rental and condos. The desire for a more active or pedestrian-friendly Albany Street side of the building was also voiced.

DRAFT PROJECT IMPACT REPORT ("DPIR") SUBMISSION REQUIREMENTS

FOR

PARCEL 24 PROJECT, AN APPROXIMATELY FOUR HUNDRED FIFTY-SIX (456,000) SQUARE FOOT MIXED-USE DEVELOPMENT COMPRISED OF THREE HUNDRED TWENTY-FIVE (325) RESIDENTIAL UNITS, APPROXIMATELY SIX THOUSAND (6,000) SQUARE FOOT COMMUNITY SPACE, APPROXIMATELY FIVE FIFTY-EIGHT THOUSAND (5,500) SQUARE FOOT COMMERCIAL / RETAIL SPACE, ONE HUNDRED FIFTY-FIVE (155) STRUCTURED PARKING SPACES, AND RELATED SITE IMPROVEMENTS, ON A FIVE THOUSAND EIGHT HUNDRED (58,000) SQUARE FOOT VACANT PARCEL OF LAND IN CHINATOWN NEIGHBORHOOD OF BOSTON

The Boston Redevelopment Authority ("BRA") is issuing this Scoping Determination ("Scope") pursuant to Section 80B-5 of the Boston Zoning Code (the "Code"), in response to the Project Notification Form ("PNF") which Parcel 24 LLC (the "Developer" or "Proponent"), a partnership between New Boston Development Partners and Asian Community Development Corporation, submitted to Boston Redevelopment Authority ("BRA") a Project Notification Form ("PNF") under Article 80 of the Boston Zoning Code on February 19, 2008 and noticed in the *Boston Herald* on the same day, to construct a twenty-two (22) story mixed-use building, consisting of three hundred twenty-five (325) residential units, six thousand (6,000) square foot community space, five thousand five hundred (5,500) square foot commercial space, with a height up to approximately two hundred twenty (220) feet containing a total of approximately four hundred fifty-six thousand (456,200) square feet to be served by approximately one hundred fifty-five (155) structured parking spaces. (the "Proposed Project"). Notice of the receipt by the BRA of the PNF was published in the *Boston Herald* on February 19, 2008 initiating the public comment period that ended on March 27, 2008. Pursuant to Section 80A-2 of the Code, the Notice and the PNF were sent to all public agencies of the City and other interested individuals and parties. Written comments in response to the Notice and the PNF that were received by the BRA prior to the end of the public comment period are included in the Appendices of this Scope. The Scope requests information that the BRA requires for its review of the Proposed Project in connection with the following:

- (a) Certification of Compliance of the Proposed Project pursuant to Article 80, Section 80B-6 of the Code; and
- (b) Preliminary Adequacy Determination pursuant to Article 80, Section 80B-5.4(c) of the Code; and

The BRA is reviewing the Proposed Project pursuant to Article 80, Section 80B, Large Project Review, which sets out comprehensive procedures for project review and requires the BRA to examine the urban design, transportation, environmental, and other impacts of proposed projects.

The Developer is required to prepare and submit to the BRA a Draft Project Impact Report ("DPIR") that meets the requirements of the Scope by detailing the Proposed Project's expected impacts and proposing measures to mitigate, limit, or minimize such impacts. The DPIR shall contain the information necessary to meet the specifications of Section 80B-3 (Scope of Review; Content of Reports) and Section 80B-4 (Standards for Large Project Review Approval) as required by the Scope.

Subsequent to the end of the sixty (60) day public comment period for the DPIR, the BRA will issue a Preliminary Adequacy Determination ("PAD") that indicates the additional steps necessary for the Proponent to complete in order to satisfy the requirements of the Scope and all applicable sections of Article 80 of the Code. If the BRA finds that the PNF/DPIR adequately describe the Proposed Project's impacts and, if appropriate, proposes satisfactory measures to mitigate, limit or minimize such impacts, the PAD will announce such a determination and that the requirements for the filing and review of a Final Project Impact Report are waived pursuant to Section 80B-5.4(c)(iv) of the Code. Before reaching said findings, the BRA shall hold a public hearing pursuant to Article 80 of the Code. Section 80B-6 requires the Director of the BRA to issue a Certification of Compliance before the Commissioner of Inspectional Services can issue any building permit for the Proposed Project.

I. PROPOSED PROJECT DESCRIPTION

The Proponent proposes to develop an approximately 456,200 square foot mixed-income and mixed-use development containing approximately 325 residential units, approximately 5,500 square feet of commercial/retail space and 6,000 square feet of community uses, and 155 structured parking spaces ("Proposed Project") on an approximately 58,000 square foot, vacant parcel of land in Boston's Chinatown neighborhood ("Project Site" or "Parcel 24"). The residential units will be comprised of a combination of market rate and affordable condominiums and affordable apartments. The proposed design program includes a building that ranges from 20 stories at Kneeland Street to 4-story townhouses near Tai Tung Village. Building height ranges from approximately 225 feet at Kneeland Street down to approximately 50 feet along the southern end of Hudson Street, a primarily residential street. The Proposed Project will include approximately 10,000 square feet of new open space, streetscape improvements, and other site improvements.

Parcel 24 is bordered by Hudson Street on the west, Kneeland Street on the north, Albany Street Extension on the east and on the south a point near Tai Tung Street. As noted in the Chinatown/Leather District Central Advisory Committee's Parcel 24 Development Guidelines, dated November 22, 2004, new development should reweave the site once again into Chinatown, by connecting Chinatown's existing fabric with the nearby areas of South Bay, Leather District, South Station, Financial District, and the Fort Point Channel area.

II. DEVELOPMENT REVIEW REQUIREMENTS - ARTICLE 80

In addition to full-size scale drawings, fifty-six (56) copies of a bound report containing all submission materials reduced to size 8-1/2" x 11", except where otherwise specified, are required. The report should be printed on both sides of the page. In addition, an adequate number of copies must be available for community review. A copy of this Scope should be included in the report submitted for review.

A. GENERAL INFORMATION

1. Applicant Information

a. Development Team

(1) Names

- (a) Developer (including description of development entity and type of corporation)
- (b) Attorney
- (c) Project consultants and architect

(2) Business address and telephone number for each

(3) Designated contact for each

b. Legal Information

(1) Legal judgments or actions pending concerning the Proposed Project

(2) History of tax arrears on property owned in Boston by the Applicant

(3) Evidence of site control over the project area, including current ownership and purchase options of all parcels in the Proposed Project, all restrictive covenants and contractual restrictions affecting the proponent's right or ability to accomplish the Proposed Project, and the nature of the agreements for securing parcels not owned by the Applicant.

(4) Nature and extent of any and all public easements into, through, or surrounding the site.

2. Design Development Information (See **Appendix D** for required design development and contract document submissions).

3. Project Area

a. An area map identifying the location of the Proposed Project

b. Description of metes and bounds of project area or certified survey of project area

4. Public Benefits

a. Anticipated employment levels including the following:

- (1) Estimated number of construction jobs
- (2) Estimated number of permanent jobs

The Proponent is expected to provide a workforce development plan and needs assessment for the Proposed Project. The Proponent should describe the efforts it will undertake to ensure that an appropriate share of new jobs and construction jobs will be filled by Boston residents.

- b. Current activities and programs which benefit adjacent neighborhoods of Boston and the city at large, such as: child care programs, scholarships, internships, elderly services, education and job training programs, etc.
- c. Other public benefits, if any, to be provided.

5. Regulatory Controls and Permits

- a. Existing zoning requirements, zoning computation forms, and any anticipated requests for zoning relief should be explained.
- b. Anticipated permits required from other local, state, and federal entities with a proposed application schedule should be noted.
- c. A statement on the applicability of the Massachusetts Environmental Policy Act (MEPA) should be provided. If the Proposed Project is subject to MEPA, all required documentation should be provided to the BRA, including, but not limited to, copies of the Environmental Notification Form, decisions of the Secretary of Environmental Affairs, and the proposed schedule for coordination with BRA procedure.

6. Community Groups

- a. Names and addresses of project area owners, abutters, and any community or business groups which, in the opinion of the applicant, may be substantially interested in or affected by the Proposed Project.
- b. A list of meetings held and proposed with interested parties, including public agencies, abutters, and community and business groups.

B. PROJECT DESCRIPTION AND ALTERNATIVES

1. Project Description

The DPIR shall contain a full description of the Proposed Project and its components, including its size, physical characteristics, development schedule, costs, and proposed uses. This section of the DPIR also shall present analysis of

the development context of the Proposed Project. Appropriate site and building plans to illustrate clearly the Proposed Project shall be required.

2. Project Alternatives

A description of alternatives to the Proposed Project that were considered shall be presented and the primary differences among the alternatives, particularly as they may affect environmental conditions, shall be discussed. In addition, any alternative development studies requested by the Boston Landmarks Commission should be discussed.

C. TRANSPORTATION COMPONENT

The written comments by Paul Christner of the **Boston Transportation Department** ("BTD") dated March 27, 2008, are included in **Appendix A**. The Proponent is required to address all comments from the BTD.

D. ENVIRONMENTAL PROTECTION COMPONENT

The DPIR shall contain an Environmental Protection Component as outlined in the written comments by Elliott Laffer of the **Boston Groundwater Trust** ("BGT"), dated February 29, 2008, Bryan Glasscock of the **Boston Environment Department** ("BED"), dated March 24, 2008, and Kathleen Pedersen of the **BRA**, dated April 10, 2008, which are included in **Appendix A**. The Proponent is required to address all comments from the BGT, BED and the BRA. In addition, the Proponent should consider and document how it would use the Leadership in Energy and Environmental Design (LEED) standards. Integrating green building components into the planning and design of new projects improves energy efficiency and promotes responsible and sustainable building practices.

E. URBAN DESIGN COMPONENT

The Proposed Project is an approximately 456,200 square foot mixed use development containing approximately 325 residential units, approximately 5,500 square feet of commercial/retail space and 6,000 square feet of community uses, and 155 structured parking spaces on Parcel 24, an approximately 58,000 square foot, vacant parcel of land in Boston's Chinatown neighborhood. The residential units will be comprised of a combination of market rate and affordable condominiums and affordable apartments. The proposed design program includes a building that ranges from 20 stories at Kneeland Street to 4-story townhouses near Tai Tung Village. Building height ranges from approximately 225 feet at Kneeland Street down to approximately 50 feet along the southern end of Hudson Street, a primarily residential street. The Proposed Project will include approximately 10,000 square feet of new open space, streetscape improvements, and other site improvements.

The Proponent has made a preliminary presentation to the Boston Civic Design Commission ("BCDC") on April 1, 2008 and has been referred to the Design Committee. The comments of the Commissioners as recorded in their minutes are being drafted and will be delivered to the Proponent in the nearest future. It is anticipated that the Proponent will respond to the Commissioners' comments as well as those of the public and BRA staff.

Issues

Rose Fitzgerald Kennedy Greenway

For the near term, Parcel 24 is the visual terminus of the Greenway. It occupies a space at the southern end visually as important as the Zakim Bridge in the north. The northeast corner of the site at the intersection of Kneeland and Albany Streets will be seen from the Surface Road in Chinatown and the Leather District as the edge of the city, the last building in downtown Boston. This corner deserves special design consideration that recognizes its importance to the series of Greenway parks and its significance as a landmark that provides orientation in relation to the Greenway.

Albany Street

Although Albany Street serves as a Turnpike access ramp south of the South Station Connector Street, the design should treat Albany Street as normal city street between Kneeland and the South Station Connector. Streetscape design, façade design, and building uses shall contribute to the normalization.

Kneeland Street

The street façade shall conform to the normal condition on Kneeland Street where the main facades and building entrances face the street. While the traditional buildings often have symmetrical facades, Parcel 24 may interpret this condition in a contemporary manner but should aim for a balanced treatment that gives appropriate emphasis to the building entrance.

The following (standard list of) urban design materials should be submitted for the DPIR for the Proposed Project or, if no DPIR is requested, should be submitted as a record 'schematic design' submission pursuant to the BRA's Development Review Procedures:

1. Written description of program elements and space allocation (in square feet) for each element, as well as project totals;
2. Neighborhood plan, elevations and sections at an appropriate scale (1":100' or larger as determined by the BRA) showing relationships of the proposed project to the neighborhood's:
 - a. massing,
 - b. building height,

- c. scaling elements,
 - d. open space,
 - e. major topographic features,
 - f. pedestrian and vehicular circulation, and
 - g. land use;
3. Color or black and white 8"x10" photographs of the site and neighborhood;
 4. Sketches and diagrams to clarify design issues and massing options;
 5. eye-level perspective (reproducible line or other approved drawings) showing the proposal (including main entries and public passages/areas) in the context of the surrounding area; views should display a particular emphasis on important viewing areas such as key intersections or public parks/attractions; long-ranged (distanced) views of the proposed project should also be studied to assess the impact on the skyline or other view lines; at least one bird's-eye perspective should also be included; all perspectives should show (in separate comparative sketches) both the build and no-build conditions; the BRA should approve the view locations before analysis is begun; view studies should be cognizant of light and shadow, massing and bulk;
 6. Additional aerial or skyline views of the project;
 7. Site sections at 1":20' or larger (or other scale approved by the BRA) showing relationships to adjacent buildings and spaces;
 8. Site plan(s) at an appropriate scale (1":20' or larger, or as approved by the BRA) showing:
 - a. general relationships of proposed and existing adjacent buildings and open spaces,
 - b. open spaces defined by buildings on adjacent parcels and across streets,
 - c. general location of pedestrian ways, driveways, parking, service areas, streets, and major landscape features,
 - d. pedestrian, handicapped, vehicular and service access and flow through the parcel and to adjacent areas,
 - e. survey information, such as existing elevations, benchmarks, and utilities,
 - f. phasing possibilities, and
 - g. construction limits;
 9. Model made of bass wood at a 1"=10' scale minimum with the surrounding context with the proposed projects and existing conditions extending to a minimum three-block radius beyond each development parcel;

10. A massing model of the proposal in a digital 3D Max format. The digital model must illustrate the proposal and its immediate surrounding blocks in sufficient detail using texture mapping. The digital specifications of the model must be made in coordination with the BRA Urban Design Department to fit the BRA's citywide digital model;
11. Study model at 1":16' or 1":20' showing preliminary concept of setbacks, cornice lines, fenestration, facade composition;
12. Drawings at an appropriate scale (e.g., 1":8', 1":16', or as determined by BRA) describing architectural massing, facade design and proposed materials including:
 - a. building and site improvement plans,
 - b. neighborhood elevations, sections, and/or plans showing the development in the context of the surrounding area,
 - c. sections showing organization of functions and spaces, and relationships to adjacent spaces and structures,
 - d. preliminary building plans showing ground floor and typical upper floor(s), and
 - e. phasing of the proposed project;
13. A written and/or graphic description of the building materials and its texture, color, and general fenestration patterns;
14. U.S. Green Building Council LEED Project Checklist/Scorecard;
15. Electronic files describing the site and proposed project at Representation Levels one and two ("Streetscape" and "Massing") as described in the document *Boston "Smart Model": Two-Dimensional Mapping Standards* (Appendix 3);
16. Full responses, which may be in the formats listed above, to any urban design-related issues raised in preliminary reviews or specifically included in the BRA scoping determination, preliminary adequacy determination, or other document requesting additional information leading up to BRA Board action, inclusive of material required for BCDC review; and
17. Proposed schedule for submission of all design or development-related materials.

F. INFRASTRUCTURE SYSTEMS COMPONENT

The DPIR shall contain an Infrastructure System Component as outlined in the written comments by David Joseph of the **Boston Fire Department** ("BFD"), dated February 22, 2008, and John P. Sullivan of the **Boston Water and Sewer Commission** ("BWSC"),

dated April 4, 2008, which are included in **Appendix A**. The Proponent is required to address all comments from the BFD, and the BWSC.

G. PUBLIC COMMENTS

The DPIR should include responses to the public comment letters found in **Appendix B**.

H. PUBLIC NOTICE

The Proponent will be responsible for preparing and publishing in one or more newspapers of general circulation in the city of Boston a Public Notice of the submission of the Draft Project Impact Report ("DPIR") to the BRA as required by Section 80A-2. This Notice shall be published within five (5) days after the receipt of the DPIR by the BRA. Therefore, public comments shall be transmitted to the BRA within sixty (60) days of the publication of this Notice.

Sample forms of the Public Notices are attached as **Appendix C**.

Following publication of the Public Notice, the Proponent shall submit to the BRA a copy of the published Notice together with the date of publication.