

32A APPROVAL: 3/7/02
BZC APPROVAL: 4/3/02
EFFECTIVE: 4/3/02

BOSTON REDEVELOPMENT AUTHORITY
DEVELOPMENT PLAN
for
MOUNT VERNON STREET HOUSING, DORCHESTER

within

PLANNED DEVELOPMENT AREA NO. SS

CJ MOUNT VERNON STREET LLC, Developer

March 7, 2002

PLANNED DEVELOPMENT AREA DEVELOPMENT PLAN: In accordance with Article 3, Section 3-1A and Article 80, Section 80C of the Boston Zoning Code (the "Code"), this development plan sets forth information on the development and use of two proposed projects to be located on Mount Vernon Street in the Dorchester section of Boston (the each a "Project" and together the "Projects"), the proposed location and appearance of structures, open spaces and landscaping, the proposed uses of the Projects, the proposed dimensions of the structures, the proposed density, the proposed traffic circulation, parking and loading facilities, access to public transportation and other major elements of the Projects (the "Development Plan").

DEVELOPER: The developer of the Projects is CJ Mount Vernon Street LLC, a Massachusetts limited liability company having an address c/o Corcoran Jennison Company, Inc., 150 Mt. Vernon Street, Suite 500, Boston, Massachusetts 02125, its successors and assigns (the "Developer").

SITE: The site of on which the Projects will be developed is a compilation of three parcels of land totaling, approximately 3.029 acres, located at Mt. Vernon Street in the Columbia Point section of Dorchester (the "Site"). A Site Location Plan is included in the set of plans referenced in Appendix 2. The Site has approximately 506 feet of frontage on Mt. Vernon Street. The address of the first parcel is 401 Mt. Vernon Street. It contains a vacant 33,000 square foot structure that previously served as an industrial laundry facility. The address of the second parcel is 375 Mt. Vernon Street. It contains a vacant 3,500 square foot retail building that previously served as a convenience market. The third parcel is an unused portion of Boston College High School's athletic field. The two vacant buildings will be demolished as part of the Projects. The Site is more particularly bounded and described as shown on the survey plan prepared by Harry R. Feldman, Inc. Land Surveyors, entitled: "PLAN SHOWING PROJECT BOUNDARY, MT. VERNON STREET HOUSING, BOSTON (DORCHESTER), MASS.", scale 1"=60', dated October 5, 2001 (the "Survey Plan"), a copy of which annexed hereto as Appendix 1.

PROJECTS: Each of the Projects is a multi-family residential building with accessory off street parking. The Projects together contain approximately 303,000 square feet of gross floor

area and an additional 57,520 square feet of ground floor and basement level parking. The buildings will contain in the aggregate approximately 333 residential units¹. Approximately 327 parking spaces will be provided in surface and underground parking areas, some of which will be tandem spaces. Each Project may be developed and built as a separate phase, and shall for all purposes be considered to be separate "Proposed Projects" within this Planned Development Area. The details of each of the Projects are as follows:

Building #1. Building #1 will contain approximately 120 units of rental housing in a building containing approximately 106,270 square feet of gross floor area. Building #1 will contain seven (7) stories plus a basement. Parking will be provided both in the basement level - approximately 56 spaces, and at ground level under the building - approximately 22 parking spaces. Approximately 18 additional parking spaces will be created through tandem parking, for a total of approximately 96 parking spaces.

Building #2. Building #2 will contain approximately 213 units of rental housing in a building containing approximately 196,950 square feet of gross floor area. Building #2 will contain nine (9) stories plus a basement. Parking will be provided both in the basement level - approximately 64 spaces, and at ground level under the building - approximately 49 parking spaces. Approximately 118 additional parking spaces will be located at grade on the surface of the parcel, for a total of approximately 231 parking spaces.

LOCATION AND APPEARANCE OF STRUCTURES. Building #1 is a seven (7) story structure located parallel to Mt. Vernon Street. Building #2 is located perpendicular to Mt. Vernon Street. It is a seven (7) story structure for the first ninety (90) feet in depth back from Mt. Vernon Street, and steps up to nine (9) stories as it moves back from Mt. Vernon Street along the parcel.

The Developer has engaged the architectural firm of DiMella Shaffer Associates, Inc. to design the Projects. The Projects are being designed to be visible and accessible to the street, to increase pedestrian activity in the area, and to expand the residential community in Columbia Point section of Dorchester. The design of the Projects reflect the following design principles:

Define the Street Edge: Beyond the Paul Dever School, the south side of Mt. Vernon Street currently contains empty lots and two vacant buildings. The proposed new buildings will add a substantial length of building frontage across from the Harbor Point housing complex and fill in the missing urban edge from the Paul Dever School to the roadway connector to the UMass/Boston campus. The new building heights and masses will be proportional to those at Harbor Point and form a balanced streetscape on the southerly side of Mt. Vernon Street. To further define the street edge, many of the first floor units in both buildings will be accessed directly from sidewalks and stoops facing Mt. Vernon Street.

¹ Subject to the express provisions concerning three 3-bedroom affordable units, the exact number of units and the mix of unit types (i.e., studio, one-bedroom and two-bedroom units) will be determined based on market demand and financing underwriting standards at the time of construction of the each of the Projects, but shall in no event exceed 340 units.

Activate the Sidewalk: The current underutilization of the southerly end of Mt. Vernon Street and the continuous length of chain link fencing makes the sidewalk uninviting to pedestrians in the area. The intent of the design of the Projects is to orient new buildings to the Mt. Vernon Street frontage and maximize the length of building facades in order to create and enhance the urban streetscape along Mt. Vernon Street. The addition of street parking is also proposed along the south side of Mt. Vernon Street. This would make the sidewalk more pleasant for pedestrians and contribute to the atmosphere of an active neighborhood.

The current design of the Projects is shown in the plans entitled "Mt. Vernon Street Housing, Dorchester, MA dated November, 2001, C. J. Mount Vernon LLC, DPIR Submission" prepared by DiMella Shaffer Associates, Inc. (the "Plans") annexed hereto as Appendix 2 and incorporated herein by this reference.

PROPOSED USES OF THE SITE: In accordance with Article 80, Section 80C of the Code, the uses of the Site may include the allowed uses set forth in Article 8 of the Code and the following uses, described by reference to the definitions set forth in Article 2 of the Code as in effect on the date of approval of this Development Plan, which uses, notwithstanding any classification to the contrary in Article 8 of the Code, are expressly allowed within the Site.

<u>Use Item No.</u>	<u>Description</u>
7	Multi-family housing
28	Recreational or sports center
71	Ancillary parking space ²
72	Accessory parking garage or parking space
78	Accessory service uses, including but not limited to, accessory management office

PROPOSED DIMENSIONS OF STRUCTURES: The Projects will be located on the Site which contains 131,941 square feet of land area. Building # 1 will have a footprint of approximately 16,230 square feet, and Building #2 will have a footprint of approximately 25,620 square feet. Building #1 will be a seven (7) story building, of which the first two (2) stories along Mt. Vernon Street will step forward approximately eight (8) feet and have stoops to the entry doors of first floor apartments. Building #1 will have a height of approximately 80 feet, exclusive of mechanical and elevator penthouses. Building #2 will be a part seven (7) story and part nine (9) story building. It too will have the first two (2) stories along Mt. Vernon Street step forward approximately eight (8) feet and have stoops to the entry doors of first floor apartments. The nine (9) story wing is set back approximately ninety (90) feet from Mt. Vernon Street and extends towards the rear of the Site, thus lessening the visual effect of its height. The seven (7) story portion of Building #2 will have a height of approximately 80 feet, and the nine (9) story portion of Building #2 will have a height of approximately 100 feet, each exclusive of mechanical and elevator penthouses. Each of the buildings will have a an additional

² It is contemplated that the Projects may be separately owned for development, operation, or financing purposes, and this may necessitate the establishment of separate zoning parcels or "lots." In such case, parking for one of the Projects may be located on the adjacent "lot" of the other Project.

approximately 21-foot, penthouse, which will contain mechanical equipment for the operation of the building and for the elevator override. The gross floor area of Building #1 will be approximately 106,270 square feet with an additional area of approximately 22,060 square feet of ground floor and basement level parking; the gross floor area of Building #2 will be approximately 196,950 square feet with an additional area of approximately 35,460 square feet of ground floor and basement level parking. For purposes of determining gross floor area in accordance with the Code, mechanical and electrical space, laundry facilities, and areas of below grade parking and of parking beneath the buildings were not included.

PROPOSED DENSITY AND DIMENSIONAL LIMITATIONS: The Site is presently situated within the Columbia Point Special Study Overlay Area (the "Special Study Area") within the Dorchester Bay/Neponset River Waterfront of the Harborpark District, as set forth on Zoning Map 5A and referenced in Article 42A of the Code. The Code contemplates the development of a comprehensive plan for the Special Study Area, but in the interim provides for parcels to be regulated by reference to certain underlying provisions of the Code. Planned Development Areas are not forbidden in the Special Study Area. The Site is located in part within the H-1-55 Subdistrict and in part within the B-2-55 Subdistrict of the Special Study Area. The use provisions of Article 8, the dimensional provisions of Article 13, the off-street parking provisions of Article 23, and the off-street loading provisions of Article 24 apply to this Subdistrict. In accordance with Article 80, Section 80C-9, to the extent that the Projects are consistent with the provisions of this Development Plan, as evidenced by the issuance of one or more Certifications of Consistency pursuant to Section 80C-8 by the Director of the Boston Redevelopment Authority, the Projects are deemed to be in compliance with the requirements of the Code addressed in this Development Plan.

The Projects will be subject to the following dimensional requirements in lieu of the underlying zoning requirements otherwise required by the Code, and shall be deemed to be in compliance with the provisions of Sections 12 through 25 (both inclusive), 30 and 42A of the Code:

<u>Requirement</u>	<u>Building #1</u>	<u>Building #2</u>
Minimum Lot Area	None ³	None
Minimum Lot Frontage	None	None
FAR ⁴	2.5	2.5
Maximum Height ⁵	7 stories 80 feet	9 stories 100 feet
Parapet Setback	None	None
Front Yard	None	None

³ Where "none" is specified in this table, the applicable dimensional requirement shall be as determined by the Boston Redevelopment Authority in its design review approval for each Project.

⁴ It is contemplated that the Projects may be separately owned for development, operation, or financing purposes, and this may necessitate the establishment of separate zoning parcels or "lots." The FAR limitation specified herein applies to the aggregate of the gross floor area of the Projects in relation to the total Site area, and may be exceeded by one of the Projects so long as the overall FAR limitation for the two Projects together is not exceeded.

⁵ Exclusive of penthouses.

Side Yard	None	None
Rear Yard	None	None
Rear Yard Occupancy	None	None
Minimum Usable Open Space per Dwelling Unit	None	None
Minimum Lot Area For Additional Dwelling Units	None	None
Minimum Lot Width	None	None

OPEN SPACES AND LANDSCAPING: A regular rhythm of street trees along the entire sidewalk provides shade to the sidewalk and a canopy for the street. These trees will be replaced and supplemented where necessary. Appropriate urban landscaping, such as hedgerows will supplement the tree line. Landscaped open space is concentrated at the street side of the development and around building lobbies. The sidewalk system will be extended to the eastern edge of the property.

AFFORDABLE HOUSING: The Projects will meet and exceed the requirements of the Executive Order of Mayor Thomas M. Menino dated February 29, 2000, "An Order Relative to Affordable Housing," (the "Order"), by dedicating more than 10% of the units in each of the Projects to housing affordable to middle and moderate income households earning between 80% and 120% of the area median income ("AMI") for the Boston Standard Metropolitan Statistical Area ("SMSA").

All affordable units will be marketed based upon an Affirmative Marketing and Buyer/Tenant Selection Plan that will be submitted for approval to the Boston Fair Housing Commission and the Authority, and will be governed by an Affordable Housing Agreement with the Authority for each Project. The specific affordability undertakings are as follow:

- All of the affordable units to be provided will be provided on-Site;
- Approximately five percent (5%) of the units, 17 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 80% of AMI ("80% Units"), of which one (1) will be a three-bedroom unit;
- Approximately seven percent (7%) of the units, 22 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 100% of AMI, of which two (2) will be three-bedroom units; and
- Approximately one percent (1%) of the units, 4 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 120% of AMI.

In the case of the units to be rented to households earning between 100% and 120% of AMI, the

percentage of household income to be applied to rent shall be 31% to reflect the inclusion in the rent of the majority of utility costs normally paid separately by a tenant. This adjustment shall not be made for the 80% Units in order to provide the maximum affordability for the 80% Units.

The foregoing undertakings will be applied on a Project by Project basis, with appropriate adjustments to reflect the different sizes of each of the Projects.

PROJECTED NUMBER OF EMPLOYEES: It is anticipated that the Projects will generate approximately 200 construction jobs and approximately 8 permanent jobs.

TRAFFIC CIRCULATION: All access to the Site is from Mt. Vernon Street. Internal traffic circulation for the Projects will be accomplished with two (2) driveways located off Mt. Vernon Street, with access through two (2) new curb cuts⁶ to allow for traffic to enter each building. The main entrance to each of the Projects will be between the buildings. This shared entrance will provide access to the parking spaces beneath Building #2 and to all of the surface parking which is in the rear and to the side of Building #2. The access to the parking beneath Building #1 is through a separate curb cut and driveway to the West of the main entrance.

PARKING AND LOADING FACILITIES:

Parking Facilities: In lieu of conformity with the off-street parking requirements of Article 23 of the Code, parking will be provided for each Projects at a ratio of at approximately .9 space per dwelling unit⁷. Parking spaces and maneuvering aisles need not comply with the dimensional requirements of Article 23 of the Code. Without limiting the generality of the foregoing, parking spaces may be configured as tandem spaces so long as management provisions are adopted by the Developer which permit the user of an automobile blocked by another to move the blocking automobile or cause the blocking automobile to be moved.

Applying the specified parking ratio to the approximately 333 units in the full build-out of the Projects, a total of approximately 300 spaces would be required. The Projects will provide approximately 327 parking spaces, which consist of approximately 309 self-park spaces and approximately 18 tandem spaces, of which approximately 96 spaces are beneath Building #1 (including approximately 18 tandem spaces), approximately 113 are beneath Building #2, and approximately 118 are surface parking spaces.

Prior to the completion of both Projects, the required parking spaces may provided be in any combination of surface parking areas and subsurface parking garages. In the event that the Projects are separately owned for development or operation, or separately financed, necessitating the establishment of separate zoning parcels or "lots," if the required ratio of parking spaces is not contained on the "lot" for a Project, sufficient parking easements shall be provided to the other Project in order that the Projects have access to off-street parking in the required ratio.

Loading Facilities: No off-street loading bays are required by the Code for the either of

⁶ The curb cuts for the existing properties will be discontinued.

⁷ Not less than .9 nor more than 1.0 space per dwelling unit.

the Projects, and none are provided. The loading and service for Building #1 will be located adjacent to the building, and off the main entrance rotary. Loading and service for Building #2 will be located at the north end of the facility.

ACCESS TO PUBLIC TRANSPORTATION: The Site is located in close proximity to the MBTA JFK/UMASS Red Line Subway Station. This station also provides access to two commuter rail lines operated by the MBTA: the Plymouth/Kingston commuter rail line and the Middleborough/Lakeville commuter rail line. There are also 2 MBTA bus routes that utilize Mt. Vernon Street. A bus shelter is provided at the MBTA bus stop located directly across Mt. Vernon Street from the Site.

PUBLIC BENEFITS: The direct public benefits of the Projects are many. The Projects will:

- Provide more housing inventory in the City of Boston and alleviate the rental housing shortage in the City.
- Meet the needs of mid-market renters – the housing option that lies between “affordable” and “luxury.”
- Revitalizes Columbia Point by extending the residential community outside of Harbor Point and creating a more lively and active area.
- Demolish 2 vacant underutilized buildings.
- Improve the safety of the neighborhood and the appearance of Mt. Vernon Street and Columbia Point.
- Generate more real estate taxes and convert surplus tax-exempt land into a tax-generating parcel.
- Provide more affordable housing that will be fully integrated both physically and socially into the development.
- Provide approximately 200 construction jobs.
- Provide approximately 8 permanent jobs.

PHASING OF PROJECTS: It is anticipated that (i) construction of Building #1 will begin in June of 2002, with substantial completion of Building #1 in October, 2003, and (ii) construction of Building #2 will begin upon substantial completion of Building #1, with substantial completion of Building #2 in June, 2005. However, if market conditions warrant, the commencement of Building #2 may be accelerated, with some or all of its construction period overlapping with construction of Building #1. In the best case, i.e. market conditions warranting virtually simultaneous construction, substantial completion of both Projects would be expected by December 2003.

Nothing in this Development Plan shall be construed as an undertaking by the Developer to construct or complete the Projects. Notwithstanding the fact that (i) both Projects are described in this Development Plan and in the Article 80B Documents (as hereinafter defined), each of which describe the construction and use of the Projects, and the mitigation of the impacts from such construction and use; and (ii) the construction and operation of both Projects are authorized under the Code pursuant to this Development Plan and the Article 80B Documents, if and to the extent that a Project is undertaken, the sole obligation of the Developer is to adhere to the provisions of this Development Plan and the Article 80B Documents applicable to such Project. Without limiting the generality of the foregoing, the Developer of Building #1 shall not be chargeable with any omission, commission, default or delay by any other person, including without limitation the Developer of Building #2, in the implementation of this Development Plan, or the undertakings of the Article 80B Documents with respect to any other Project. This provision to make the undertakings with respect to each Project severable is included in order to facilitate the separate ownership and/or financing of the two Projects without concern for any so-called cross-default or zoning non-compliance attributable to the acts of others.

The issuance of any permit for the development or construction of either Project in accordance with this Development Plan shall be deemed to be the issuance of a permit for both Projects for the purpose of applying Section 5 of Chapter 665 of the Acts of 1956 as amended from time to time. Without limiting the foregoing sentence, the proviso of Section 5 that construction work under the permit proceed continuously to completion shall be deemed satisfied so long as construction on the Projects proceeds generally in accordance with the development schedule set forth in this Development Plan.

ARTICLE 80B, LARGE PROJECT REVIEW: The undertaking of the Projects has been subject to Large Project Review by the Boston Redevelopment Authority. In accordance with the requirements set forth in Section 80B, the Developer filed a Project Notification Form (the "PNF") with the Authority on June 22, 2001, and a Draft Project Impact Report ("DPIR") on November 13, 2001. The Authority has issued its Preliminary Adequacy Determination dated _____, 2002 waiving further review of the Projects under Article 80, Section 80B (the "PAD," and together with the PNF and the DPIR, the "Article 80B Documents").

DEVELOPMENT REVIEW PROCEDURES: All design plans for the Project are subject to on-going development review and approval by the Boston Redevelopment Authority. Such review is to be conducted in accordance with Article 80 of the Code and the Boston Redevelopment Authority Development Review Procedure, dated 1985, revised 1986, in the form attached to the Cooperation Agreement for the Site, as defined and modified by such Cooperation Agreement.

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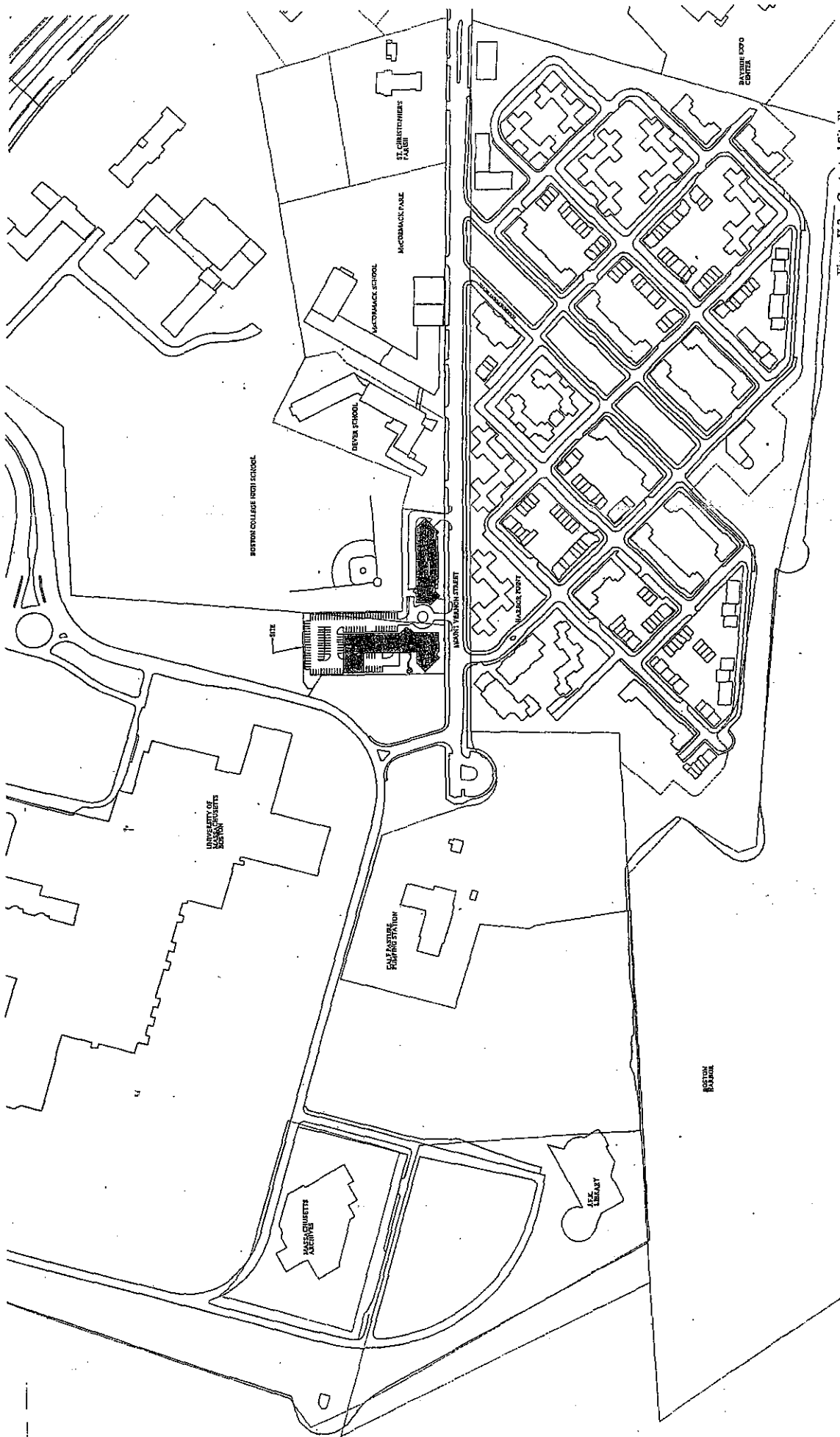


Figure II-2 Contextual Site Plan
 Mt. Vernon Street Housing
 C. J. Mount Vernon LLC
 D:\R. Savelle
 December 2001

Architects and Planners
DI MELLA SHAFER
 ASSOCIATES INC.

SOUTH
POINT
DRIVE

MT. VERNON (PUBLIC - 80' WIDE) STREET



1/2 CITY OF BOSTON
PAUL A. DEVER
SCHOOL

TOTAL PROJECT
AREA=131,941 S.F.
OR 3.029 Acres

BC HIGH SCHOOL LOT
AREA=42,421 S.F.

1/2 STORY E. FRONT
PORCH
1 STORY
GAR & DRG

PRIORITY PARCEL
AREA=4,234 SQ. FT.

1 STORY MOONRY
BL. 201
BUILDING FOOTPRINT
AREA=42,200 S.F.

1/2 BOSTON COLLEGE HIGH SCHOOL
Certificate No. 53057
REMAINDER OF LOT 6
LCC 5939E

1/2 COMMONWEALTH OF MASSACHUSETTS



Robert C. Applegate
10/9/01

AREA=79,986 S.F.
1.836 Acres

PLAN SHOWING PROJECT BOUNDARY MT. VERNON STREET HOUSING BOSTON (DORCHESTER), MASS.

SCALE: 1" = 60'
HARRY R. FELDMAN, INC.
112 SHAWMUT AVENUE

OCTOBER 5, 2001
LAND SURVEYORS
BOSTON, MASS 02118

PHONE: (617)357-9740



1/2 COMMONWEALTH OF MASSACHUSETTS
LOT 25
LCC 5939

the JFK MBTA Red Line Station and the Bay Side Exposition Center and has the #8 and #16 MBTA bus routes running on Mount Vernon Street.

PDA DEVELOPMENT PLAN DESCRIPTION:

The Proponent has submitted a PDA Development Plan for the Mount Vernon Street Housing Project to the BRA that contemplates two multi-family residential buildings and associated parking (each the "Building") creating approximately 333 residential rental units and 327 at and below grade parking spaces, with an affordable component (the "Project"). For the purposes of this document, and to facilitate the financing and construction of the Project, each Building shall be considered as a separate project, and the Project shall be described herein as the "Projects". The Projects contain approximately 303,000 square feet and an additional 57,520 square feet of ground floor and basement level parking. Each Building in the Projects may be developed and built in separate phases. Building #1, facing Mount Vernon Street on the site of the unused portion of Boston College High School's athletic field, will contain approximately 120 residential units in a seven (7) story building containing approximately 106,270 square feet of gross floor area, a basement and 96 parking spaces. Building #2, facing Mount Vernon Street on the site of the former industrial laundry facility, will contain approximately 213 residential units in a nine (9) story building containing approximately 196,950 square feet of gross area, a basement and 231 parking spaces. Affordable units will be distributed proportionally between and throughout each Building.

700 —
57,520
—————
303,000

A copy of the PDA Development Plan submission is attached as Exhibit "A".

The total development costs are approximately \$65,600,000, and financing is expected from the Proponent, private investors and a financial lending institution. The anticipated start of construction is the summer of 2002 and is expected to be completed within two years. The development will create approximately 150 construction-related jobs.

ARTICLE 80 REVIEW:

The Projects are subject to Large Project Review pursuant to Section 80B and PDA review pursuant to Section 80C of Article 80 of the Boston Zoning Code (the "Code"). The Proponent sent a Letter of Intent to the BRA on May 21, 2001 regarding the Projects. Pursuant to the Mayor's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston, an Impact Advisory Group ("IAG") was formed. On June 22, 2001, the Proponent submitted a Project Notification Form ("PNF") for the Projects pursuant to Article 80 of the Code. Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on Thursday, July 12, 2001 with the Proponent, the City's public agencies, and members of the IAG, at which the Projects were reviewed and discussed. Also on July 12, 2001, a public meeting for public comment and review, advertised on July 5, 2001, in the Boston Herald, as well as the Dorchester Reporter, was held at which the Proponent made a presentation regarding the Projects. The public comment period for the PNF was extended by request of the Proponent from July 25, 2001 to August 8, 2001. Copies of the PNF were available for public viewing at the Fields Corner branch public library, the Healy Library at UMass Boston, and the Secretary's Office at the BRA.

The BRA issued a Scoping Determination in response to the PNF on August 23, 2001 requiring the Proponent to submit a DPIR that meets the requirements of the Scoping Determination by detailing the Projects' impacts and proposed measures to mitigate, limit or minimize such impacts.

On November 13, 2001, the Proponent submitted a DPIR and a PDA Development Plan for the Projects pursuant to Article 80 of the Code. The BRA held a public meeting on December 20, 2001, advertised in the Boston Herald on December 6, 2001 and in the Dorchester Reporter on December 5, 2001, at which the Proponent made a presentation regarding changes that were made to the Projects since the filing of the PNF. Those present were then given the opportunity to ask questions and provide feedback. The public comment period to respond to the DPIR and the PDA Development Plan ended on January 28, 2002. Copies of the DPIR, PDA Development Plan and technical appendices were available for public viewing at the Fields Corner branch public library, the Healy Library at UMass Boston, and the Secretary's Office at the BRA. The BRA received more than twenty (20) comment letters, from City agencies, Columbia Point organizations, and residents of the neighborhoods surrounding the Site. In general, the comments received were supportive of the Projects and the Proponent.

In addition to public meetings held by the BRA in connection with the Article 80 review process, the Proponent met separately with the different neighborhood organizations on a number of occasions, prior to, and since, submission of the PNF to discuss the Projects and listen to feedback. As a result of such feedback, the Proponent has made positive changes to the Projects, such as the addition of affordable three-bedroom units, reduced building height, improved parking configuration and ratio, and design. The Proponent had also agreed to increase the on-site affordability component above the standard 10% on-site inclusionary development requirement.

PDA DEVELOPMENT PLAN:

The PDA Development Plan is subject to review under Section 80C of Article 80 of the Code. On November 13, 2001, the Proponent submitted the PDA Development Plan. The public comment period for the PDA Development Plan ended on January 28, 2002. The PDA Development Plan describing the Projects requires a public hearing before the BRA Board of Directors in accordance with Article 80, Section 80C-5 of the Code.

The PDA Development Plan adequately describes the following project elements:

- Size, including gross floor area, building height, and FAR;
- Uses; and
- Location, including the location of each proposed building and use.

Final plans and specifications (i.e., contract documents) for any portion of the Projects shall be subject to review and approval by the BRA in accordance with its Development Review Procedures (1985, rev. 1986). The final plans and specifications, as approved by the BRA, shall be deemed to be consistent with the PDA Development Plan.

BOSTON CIVIC DESIGN COMMISSION REVIEW:

The Projects come under the jurisdiction of the Boston Civic Design Commission (the "BCDC") pursuant to Article 28 of the Code. At its meeting of December 4, 2001, the BCDC voted a recommendation of approval of the Mount Vernon Street Housing Project. Forthcoming design development plans and contract documents must be reviewed by the BRA.

COMMUNITY BENEFITS:

Affordable Housing. The Projects will meet and exceed the requirements of the Executive Order of Mayor Thomas M. Menino dated February 29, 2000, "An Order Relative to Affordable Housing," (the "Order"), by dedicating more than 10% of the units in each of the Projects to housing affordable to middle and moderate income households earning between 80% and 120% of the area median income ("AMI") for the Boston Standard Metropolitan Statistical Area ("SMSA"), as established by the U.S. Department of Housing and Urban Development ("HUD").

All affordable units will be marketed based upon an Affirmative Marketing and Buyer/Tenant Selection Plan that will be submitted for approval to the Boston Fair Housing Commission and the BRA. Monthly rent will be based upon HUD annual guidelines and as calculated by the BRA and shall be in effect for a duration of 40 years.

The Proponent will enter into an Affordable Housing Agreement with the BRA for each Building in the Projects. The final breakdown of bedroom sizes, affordability levels, and location of the affordable units will be approved by the BRA upon final design review. Size and location of the affordable units shall be proportional to the size and location of, and comparable to, the market rate units. The Affordable Housing Agreements shall follow the standards defined below:

- All of the affordable units will be provided on-site;
- Approximately five percent (5%) of the units, 17 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 80% of AMI ("80% Units"), of which one (1) will be a three-bedroom unit, five (5) two-bedroom units, eight (8) one-bedroom units and three (3) studio units;
- Approximately seven percent (7%) of the units, 22 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 100% of AMI, of which two (2) will be three-bedroom units; four (4) two-bedroom units, nine (9) one-bedroom units and two (2) studio units; and
- Approximately one percent (1%) of the units, 4 units in the aggregate, will be rented at rents calculated to be affordable to households earning up to 120% of AMI, of which one (1) will be a two-bedroom unit, two (2) one-bedroom units and one (1) studio unit.

In the case of the units to be rented to households earning between 100% and 120% of AMI, the percentage of household income to be applied to rent has been adjusted (from 30% to 31%) to reflect the inclusion in the rent of the majority of utility costs normally paid separately by a tenant. The Proponent has agreed to forgo this adjustment for the 80% Units in order to provide the maximum affordability for the 80% Units.

The Proponent's willingness to incorporate three (3) three-bedroom units in the Projects as affordable units, notwithstanding that the Projects will contain no market rate three-bedroom units, has resulted in a 1% increase of floor area dedicated to affordable housing over the floor area which would have been dedicated to affordable housing in compliance with the Order.

In addition to the foregoing undertakings, the Proponent has agreed to seek a contract for project-based Section 8 certificates for approximately 50% - 8 units in the aggregate - of the units targeted to households earning up to 80% of AMI. If such certificates are obtained, they will permit a broader range of affordability in the Projects. The Proponent has agreed that if such contracts for certificates are initially obtained, they will be renewed if made available on substantially the same terms and conditions and with appropriate rental adjustments to the then current rents for 80% Units. If project-based Section 8 cannot be obtained, the Proponent is committed to seeking tenant-based Section 8 certificate holders to occupy the same number of units.

The foregoing undertakings will be applied proportionally to each Building, with appropriate adjustments to reflect the different sizes of each.

To memorialize the aforementioned affordable housing commitments and to fulfill the requirements of Article 80, the BRA and the Proponent will enter into Cooperation Agreements and Affordable Housing Agreements for each Building in the Projects.

Increased Housing Inventory In addition to the benefits of the affordable housing, the Projects will contribute to the Mayor's housing production goal of 7,500 new units in the City of Boston, increasing the supply of rental housing in the City by approximately 333 units. This is a significant contribution to the supply and demand issue in the City as a whole, and in the Dorchester neighborhood in particular.

Mid-Market Housing The mid-market housing to be provided in the Projects is targeted to market rate renters who are looking for a housing option that lies between "affordable" and "luxury". The Project provides a high quality housing alternative to downtown rental developments at lower rental rates.

Activation of Columbia Point The Projects will continue the revitalization of Columbia Point begun with Harbor Point by extending the residential community outside of Harbor Point and creating a more lively and active area through the addition of more residents in a residential development that is open to the street and oriented to pedestrians. The creation of a 24-hour destination, as well as the demolition of two vacant buildings, will improve the safety of the neighborhood and the appearance of Mount Vernon Street.

Transit-Oriented Development The Projects are in close proximity to the JFK/UMass T station and located on a MBTA bus route, reinforcing the City's goal of creating transit-oriented development and decreasing one's use of automobiles.

More Taxes and New Tax Generating Parcel A portion of the Site is currently non-taxpaying land at BC High School. The undertaking of the Projects will convert this land into a tax-generating parcel. In addition, the Projects will generate more taxes than are currently paid on the two tax-generating parcels. Property taxes paid to the City are estimated to increase by approximately \$235,000 per year.

Construction Jobs During construction, the Proponent will participate in the Boston Jobs Program and provide its best efforts to meet the workforce goals for Boston residents, minorities and women. It is anticipated that the Projects will provide approximately 150 construction jobs.

Permanent Jobs Approximately 8 permanent jobs in the areas of management, marketing and maintenance will be created by the Projects. Corcoran Jennison Management Company (the "Company") will lease and manage the buildings upon completion. At each of its properties, the Company makes every effort to hire local residents for permanent positions. At Harbor Point, for example, approximately 75% of the permanent staff are residents of the City of Boston.

Public Improvements The Proponent has expressed willingness to maintain a pedestrian link between Mount Vernon Street and the Harborwalk in the vicinity of land owned by the Boston Water and Sewer Commission. Additionally, the Proponent has expressed willingness to either fund additional improvements, or provide ongoing maintenance, as part of the Massachusetts Highway Department's plans to improve the Columbia Road and I-93 intersection and the Kosciuszko Circle, to the extent not provided as part of state-funded roadway improvements.

Transportation To address traffic and transportation concerns raised by members of the community, the Proponent will investigate locating a ZipCar on-site after construction is completed. In addition, the Proponent will further pursue discussions with UMass Boston and the MBTA regarding participation by residents of the Project in the existing UMass private shuttle service between Columbia Point and the JFK/UMass MBTA station.

A Cooperation Agreement for each Building detailing the community benefits and mitigation for the Projects will be reviewed with the IAG and finalized by the Proponent and BRA in accordance with the provisions of the Mayor's Executive Order Relative to the Provision of Mitigation by Development Projects in Boston.

RECOMMENDATION:

The redevelopment of the Site will eliminate blighted vacant land and buildings while substantially increasing the City's market rate and affordable housing stock and contributing to the Mayor's goal to create 7,500 units of new housing as outlined in *Leading the Way*. Therefore, staff recommends that the following votes be adopted in connection with the Mount Vernon Street Housing Project.

Appropriate votes follow:

- VOTED:** That the Boston Redevelopment Authority (“BRA”) hereby finds and determines that the Planned Development Area (“PDA”) Development Plan (a) is in a location in which Planned Development Areas are permitted by the Code; (b) complies with the provisions of underlying zoning that establish use, dimensional design or other requirements for a Planned Development Area; (c) complies with all provisions of underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) conforms to the plan for the district, subdistrict, or similar geographic area in which the PDA Development Plan for the Mount Vernon Street Housing Project, consisting of two residential buildings, Building #1 and Building #2, and associated parking (collectively, the “Projects”), is located, and to the general plan for the City as a whole; and (e) on balance, nothing in the PDA Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and
- VOTED:** The BRA hereby approves the PDA Development Plan for the Projects pursuant to Section 80C of the Boston Zoning Code (the “Code”); and
- VOTED:** That the Director be, and hereby is, authorized to petition the Boston Zoning Commission (the “Zoning Commission”) to adopt a map amendment to Map 5A, Harborpark District: Dorchester Bay/Neponset River Waterfront, to add the designation “D”, indicating a Planned Development Area overlay district to the parcels of land located at 375-401 Mount Vernon Street, Dorchester, containing approximately 3.029 acres of land in substantial accord with the map amendment submitted to the BRA at its meeting on March 7, 2002; and
- VOTED:** That the Director be, and hereby is, authorized to petition the Zoning Commission for the approval of the Development Plan for Planned Development Area No. 55, 375-401 Mount Vernon Street, pursuant to Section 80C-5 of the Code; and
- VOTED:** That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination under Section 80B-5.4(c) of the Code, which (i) finds that the Draft Project Impact Report adequately describes the potential impacts arising from the Mount Vernon Street Housing Project, and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Projects under subsections 4 and 5 of Section 80B-5 of the Code, subject to continuing design review by the BRA; and
- VOTED:** That the Director be, and hereby is, authorized to issue Certifications of Consistency for the Projects pursuant to Section 80C-8 of the Code; and
- VOTED:** That the Director be, and hereby is, authorized to issue Certifications of Compliance for the Projects under Large Project Review pursuant to Section 80B-6 of the Code upon completion of the Article 80 review process; and

VOTED: That the Director be, and hereby is, authorized to execute Cooperation Agreements, Affordable Housing Agreements, Boston Residents Construction Employment Plans, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Projects, all upon terms and conditions determined to be in the best interests of the BRA.

Map Amendment Application No. 459
Planned Development Area No. 55
375-401 Mt. Vernon Street, Dorchester
Map 5A, Harborpark District:
Dorchester Bay/Neponset River
Waterfront
Boston Redevelopment Authority

TO THE ZONING COMMISSION OF THE CITY OF BOSTON:

The Boston Redevelopment Authority, acting under Section 3-1A of the Boston Zoning Code, hereby petitions the Zoning Commission for approval of the Development Plan for Planned Development Area No. 55, with due consideration of the findings of the Boston Redevelopment Authority adopted on March 7, 2002, and to amend "Map 5A, Harborpark District: Dorchester Bay/Neponset River Waterfront," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

By adding the suffix "D", indicating a Planned Development Area overlay district, to the zoning designation of approximately 3.029 acres of land located at 375-401 Mt. Vernon Street, Dorchester, as shown on Appendix A.

Petitioner: Boston Redevelopment Authority

By: _____
Mark Maloney, Director

Address: City Hall/9th Floor
Boston, MA 02201-1007

Tel. No.: (617) 722-4300, ext. 4308

Date: _____
as authorized by the BRA Board on
March 7, 2002

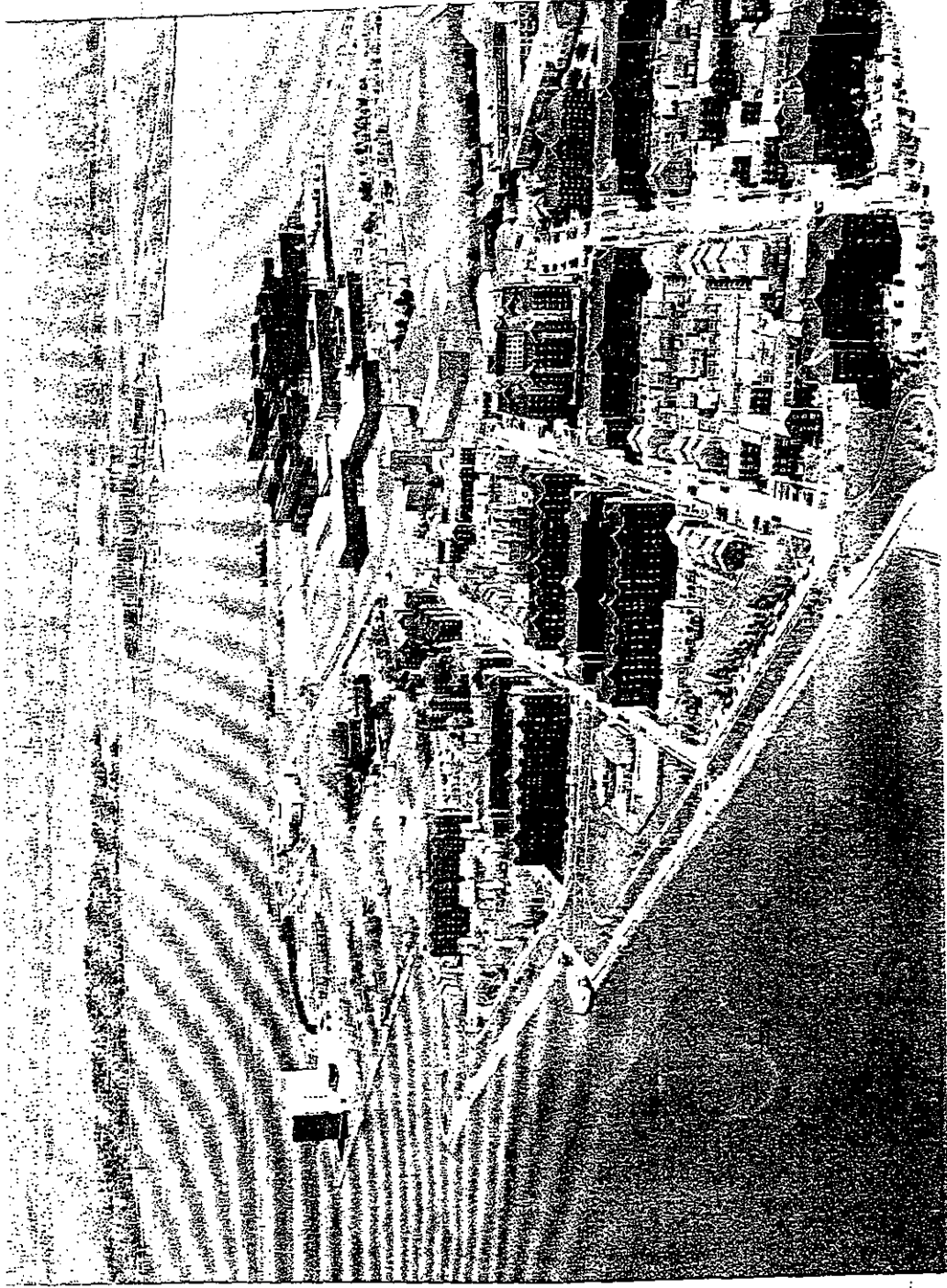


Figure III-6 Aerial View
Mt. Vernon Street Housing
C. J. Mount Vernon LLC

DPR Submittal
Dorchester, MA
November 2001

ARCHITECTS AND PLANNERS
DI MELLA SHAFER
ASSOCIATES INC

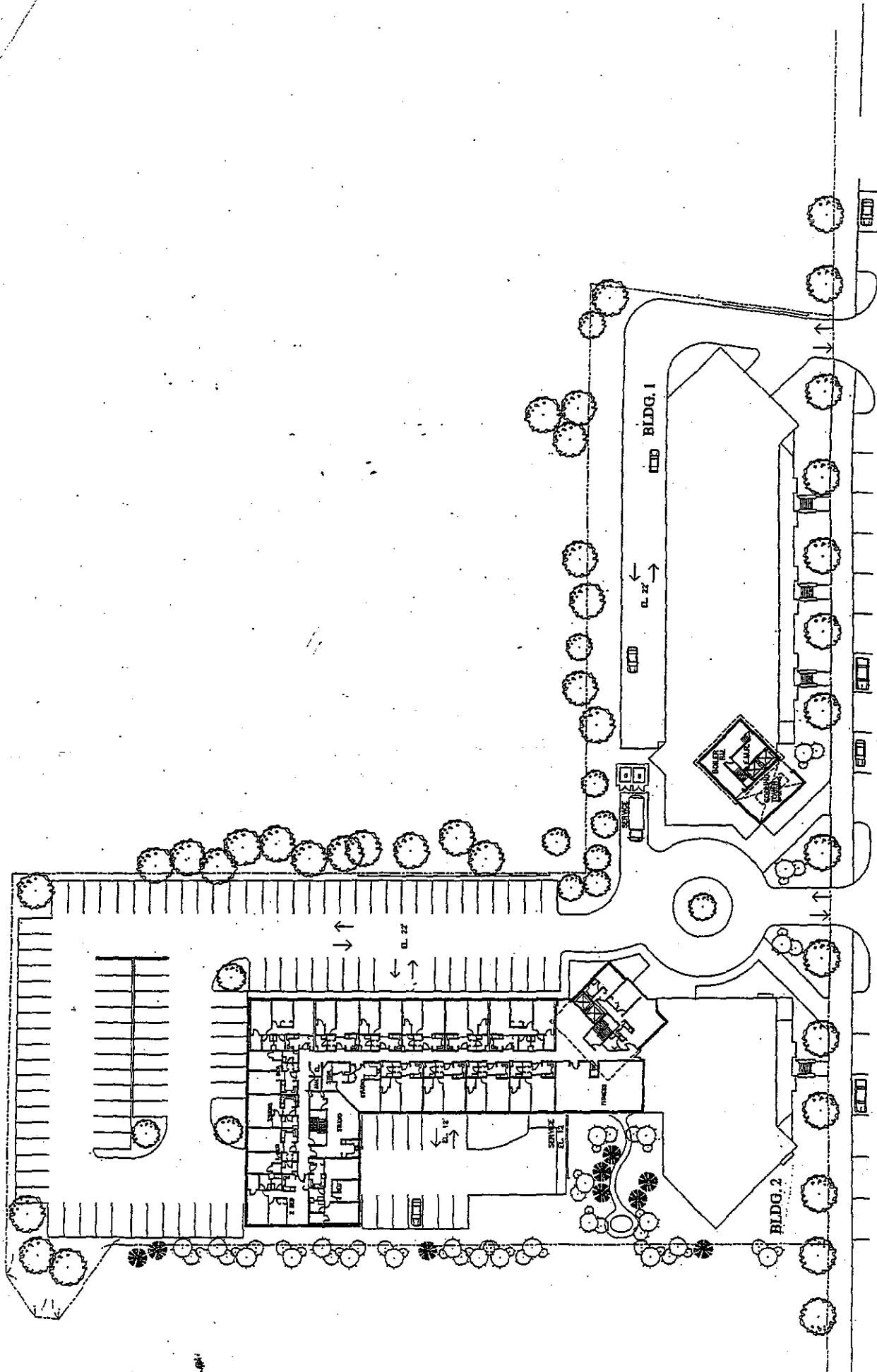


Figure III-11 Eighth Floor Plan
 Mt. Vernon Street Housing
 C.J. Mount Vernon LLC
 Dorchester, MA
 November 2001



Exhibit "A"

Mount Vernon PDA Development Plan

Map Amendment Application No. 459
Planned Development Area No. 55
375-401 Mt. Vernon Street, Dorchester
Map 5A, Harborpark District:
Dorchester Bay/Neponset River
Waterfront
Boston Redevelopment Authority

MAP AMENDMENT NO. 400

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. 55, and amends "Map 5A, Harborpark District: Dorchester Bay/Neponset River Waterfront," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

By adding the suffix "D", indicating a Planned Development Area overlay district, to the zoning designation of approximately 3.029 acres of land located at 375-401 Mt. Vernon Street, Dorchester, as shown on Appendix A.

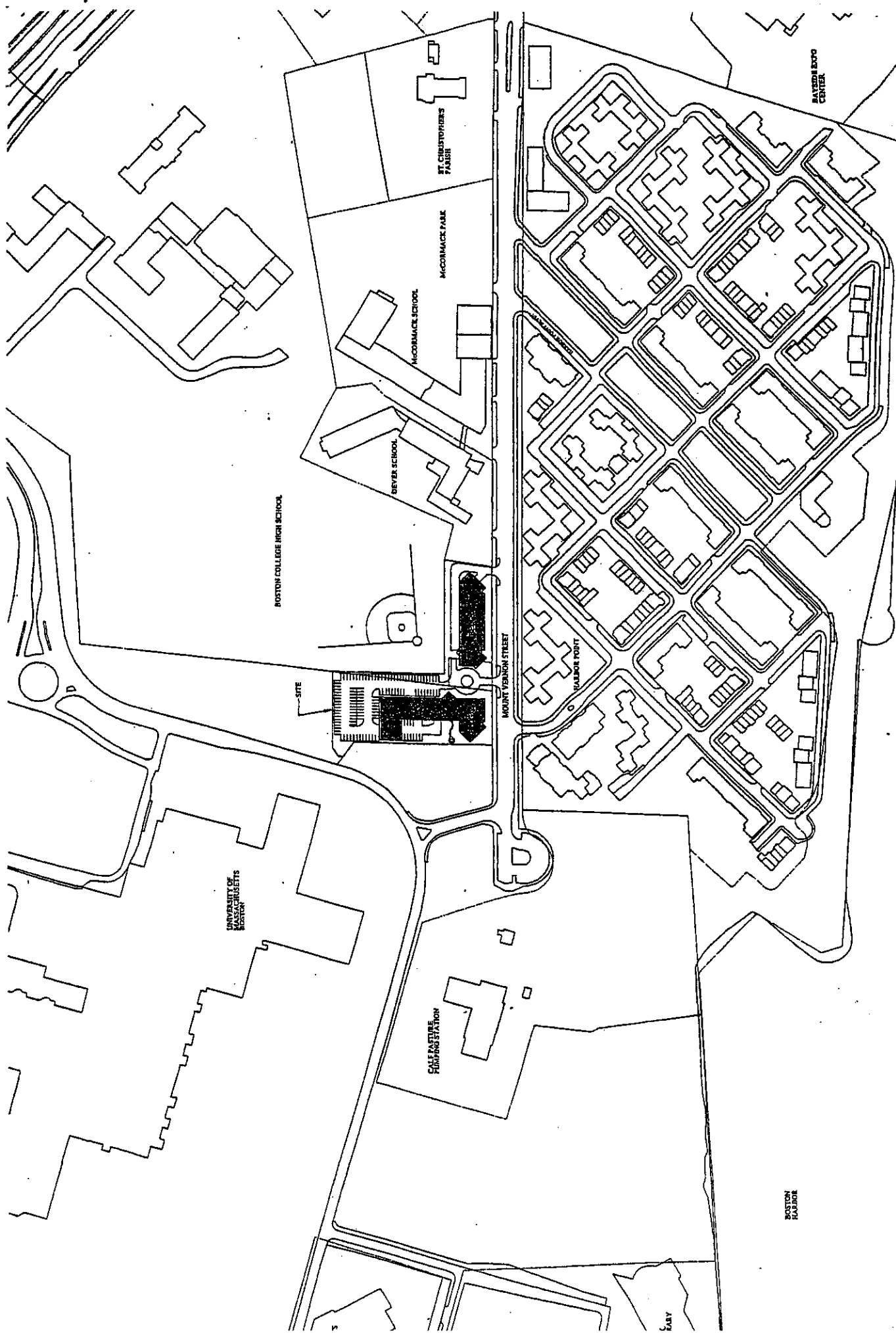


Figure II-2 Contextual Site Plan
 Mt. Vernon Street Housing
 C.J. Mount Vernon LLC

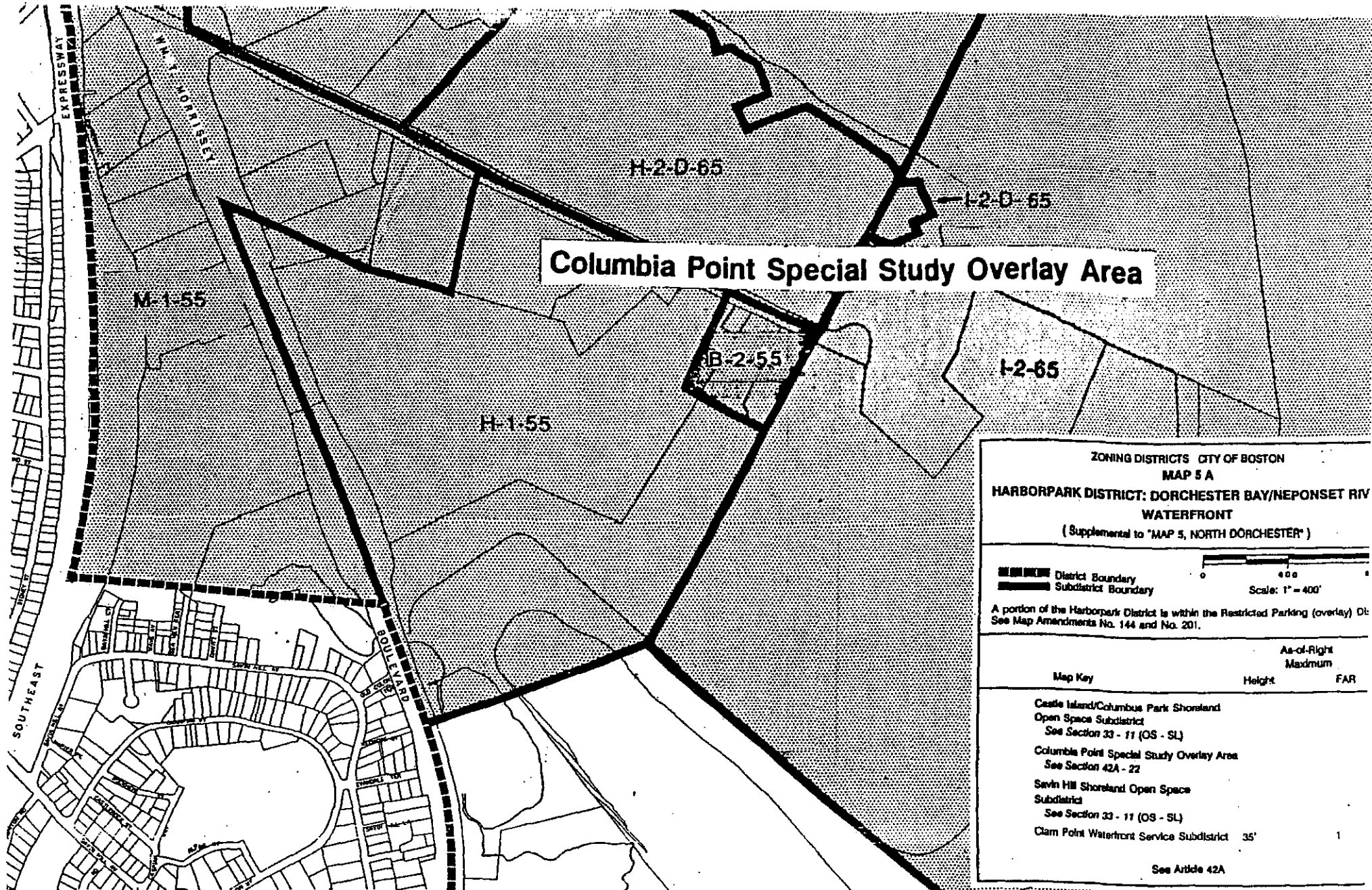
D/R, Submittal
 December, MA
 November, 2001



APPENDIX A

375-401 Mount Vernon Street

ARCHITECT AND PLANNERS
DIMELLA SHAFER



Columbia Point Special Study Overlay Area

ZONING DISTRICTS CITY OF BOSTON
 MAP 5 A
 HARBORPARK DISTRICT: DORCHESTER BAY/NEPONSET RIV
 WATERFRONT
 (Supplemental to "MAP 5, NORTH DORCHESTER")

District Boundary
 Subdistrict Boundary
 Scale: 1" = 400'
 0 400

A portion of the Harborpark District is within the Restricted Parking (overlay) District. See Map Amendments No. 144 and No. 201.

Map Key	As-of-Right Maximum	
	Height	FAR
Castle Island/Columbus Park Shoreland Open Space Subdistrict See Section 33 - 11 (OS - SL)		
Columbia Point Special Study Overlay Area See Section 42A - 22		
Savin Hill Shoreland Open Space Subdistrict See Section 33 - 11 (OS - SL)		
Clam Point Waterfront Service Subdistrict	35'	1

See Article 42A

Chairman

Robert Jordan

Vice Chairman

Robert Long
William Taylor

James Clark

Jill Statten
Nancy A. Duff

Mary P. Ruiz
MO

In Zoning Commission

Adopted: April 3, 2002

Attest:

Joseph H. Houghton
[Signature]

Secretary

Planned Development Area No. 55, 475-401 Mount Vernon Street, Dorchester

Chairman

Robert Jordan

Vice Chairman

Wickiana Fialco

James Clark

Jill Stator

Melissa Long

Mark P. Long

Dennis Ady

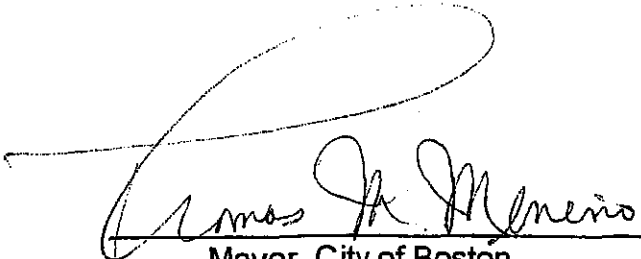
In Zoning Commission

Adopted: April 3, 2002

Attest:

[Signature]
Secretary

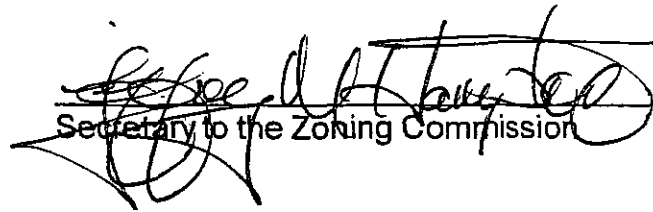
Planned Development Area No. 55, Mount Vernon Street Housing, Dorchester



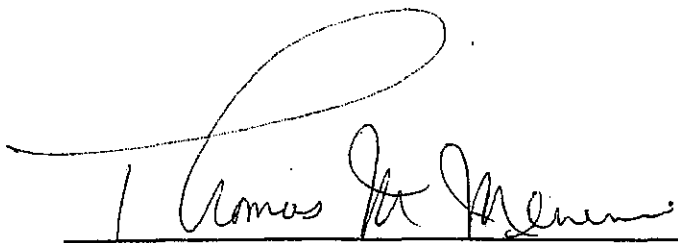
Mayor, City of Boston

Date: 4/3/02

The foregoing Development Plan was presented to the Mayor on April 3, 2002, and was signed by him on April 3, 2002, whereupon it became effective on April 3, 2002, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest: 

Secretary to the Zoning Commission

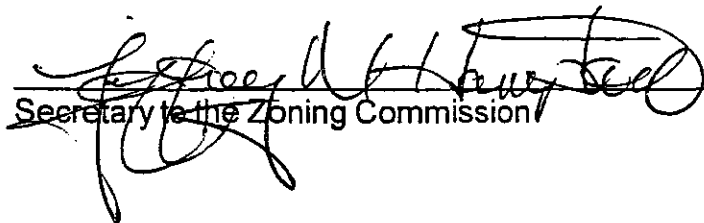


Mayor, City of Boston

Date: 4/3/09

The foregoing amendment was presented to the Mayor on April 3, 2009, and was signed by him on April 3, 2009, whereupon it became effective on April 3, 2009, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission