

DEA APPROVAL: 9/11/00
ZC APPROVAL: 10/30/00
EFFECTIVE: 10/30/00

BOSTON REDEVELOPMENT AUTHORITY

DEVELOPMENT PLAN

for

THE RESIDENCES AT D STREET

SOUTH BOSTON

within

PLANNED DEVELOPMENT AREA NO. 50

CATHARTES/AEW 371-401 D STREET LLC, Developer

SEPTEMBER 21, 2000

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 of the project at 371-401 D Street, South Boston ("Site"), including the proposed location and appearance of structures, the proposed uses, the proposed dimensions of structures, the proposed density, the proposed parking and loading facilities, access to public transportation and other major elements of the development (the "Development Plan").

Proponent: The proponent is Cathartes/AEW 371-401 D Street, LLC ("Cathartes"), a Delaware limited liability company, the managing members of which are Cathartes/AEW, LLC, a Delaware limited liability company, and Boulder Capital, LLC a Massachusetts limited liability company, its successors and assigns.

Site: The development site is a parcel of land known as 371-401 D Street, consisting of approximately 243,195 SF (approximately 5.583 acres) located on D Street, South Boston, Suffolk County, Massachusetts, as more particularly bounded and described in Exhibit A

attached hereto and as shown on the plan entitled: "Plan of Land in South Boston, MA 371-391 "D" Street prepared for Cathartes/AEW Acquisitions, LLC & Chicago Title Insurance Company", prepared by Coastal Survey, scaled: 1" = 40 feet, dated November 30, 1998" ("Site Plan"). The Site is currently a vacant and fenced site with frontage of approximately 1,100 feet on D Street. The Site Plan is included in the set of plans referenced on Appendix A.

Project: The development consists of a multi-unit residential complex comprising approximately 726,000 square feet of gross floor area with a total of 695 residential units within four buildings and parking for approximately 778 vehicles (surface and sub-grade parking for 78 and 700 vehicles, respectively). The proposed development consists of two (2) Proposed Projects, which for all purposes will be considered to be separate Proposed Projects within the Planned Development Area. The Proposed Projects are as follows:

Proposed Project A. Proposed Project A will be developed on a portion of the PDA containing approximately 186,300 SF (4.28 acres) and consisting of the blocks or parcels numbered 381, 391 and 401 D Street ("Parcel A"). Proposed Project A will consist of 565 units of multi-family apartments with accessory retail/commercial/community uses within the following structures: 381 D Street, 391 D Street and 401 D Street, with on-grade and below grade parking spaces for 620 vehicles, together with 67 spaces from Proposed Project B dedicated to units within Proposed Project A. The majority of the proposed residential units (540 units) within Proposed Project A will be one-, two-, and three- bedroom apartments, and approximately 45 units will be single-level studio apartments.

Proposed Project B. Proposed Project B will be developed on a portion of the PDA containing approximately 56,895 SF (1.31 acres) and consisting of the block or parcel numbered

371 D Street ("Parcel B"). Proposed Project B will consist of 130 units of multi-family apartments on five floors with on-grade and below grade parking spaces for 158 vehicles, 91 spaces dedicated to the units within Proposed Project B and 67 spaces dedicated to the units within Proposed Project A.

9. Proposed Location and Appearance: The Proposed Projects address the aim expressed in *The Seaport Public Realm Plan (TSPRP)* of prohibiting uses incompatible with the nearby residential neighborhood and encouraging the extension of community housing. As a development of substance in this so-called 'enhancement zone', the Proposed Projects mitigate the visual/urban design impacts of the new Boston Convention & Exhibition Center ("BCEC"), to be constructed by the MCCA on D Street opposite this Site, by occupying a considerable portion of the intended buffer area. The buildings within the Proposed Projects have been designed to create and maintain a street wall on most of its D Street property line, with significant deviation only where a quasi-public open space is planned. The block sizes established by a series of access points and internal drives conform to the scale of the residential blocks beginning at Cypher Street. The massing, materials and fenestration are intended as respectful of the area in its evolving state, with a clear nod toward the residential scale of the neighborhood to the south. The Site is a rectangular shape, which occupies approximately 1,100 linear feet of frontage along D Street and is approximately 220 linear feet deep with a total site area of approximately 243,200 square feet (5.583 acres). The Proposed Project will be one of the first residential projects introduced into the South Boston waterfront neighborhood since completion of the *Seaport Public Realm Plan* in February 1999. The Proposed Project location is viewed as a transition area between the BCEC and the residential areas of South Boston. In

addition, the project will be designed in conjunction with planned public improvements along D Street associated with the BCEC. Construction completion is estimated for the first quarter of 2003.

A summary of the proposed uses follows:

- The Proposed Projects contain 695 total residential units of which 565 units will be developed on Parcel A and 130 units will be developed on Parcel B. The total area of the residential use is approximately 726,000 square feet of which approximately 105,000 square feet is common area (i.e. corridors, utility rooms, trash and recycling rooms, stairs, and elevators). The average unit size is approximately 870 square feet.
- The Proposed Projects contain approximately 5,600 square feet of programmed common space which includes the leasing office, a social function space, a fitness center, and retail space.
- The Proposed Projects contain underground parking/garage designed for approximately 700 vehicles, vehicular circulation space, a loading zone for trash and recyclable materials, and trash and utility rooms. In addition, there are approximately 78 at grade surface spaces.
- The First Floor or "Plaza" Level contains the first floor of the residential buildings totaling approximately 103,000 square feet. In addition, vehicular circulation and parking occupies another 41,000 square feet. The remaining 98,500 square feet consists of landscaped open space, which is easily accessible to local area residents.

The Developer has engaged the architectural firm of ADD Inc to design the Proposed

Projects. The preliminary architectural drawings are referenced on Appendix A.

Proposed Uses: The proposed zoning uses for the Site and for the Proposed Projects may include one or more of the following uses:

<u>Use No.</u>	<u>Description</u>
7	Multi-family Housing
29	Community center uses
34	Local retail store
38	Recreational or sports center
40	Real estate, insurance or other agency office
43	Barber/beauty/shoe shop services establishments
44	Tailor/Dry Cleaning
59	Parking Garage
71	Ancillary Uses
72	Accessory parking garage

Any other BRA allowed uses, which are necessary for the operation of the Proposed Projects.

Proposed Dimensions: The Proposed Projects consist of a multi-unit residential complex of 695 residential units in four buildings comprising approximately 726,000 square feet of gross floor area with parking for approximately 778 vehicles (surface and sub-grade parking for 78 and 700 vehicles, respectively):

Dimensions for Proposed Projects A & B:

Lot Area

243,195 S.F. (5.58 acres)

Square Footage	726,000 gross square feet
Floor Area Ratio (FAR) (excluding below-grade parking:)	3.0 (2.985)
Parking Spaces:	
Above-grade (surface):	78 spaces
Below-grade (garage):	700 spaces
Total	778 spaces
Street Wall:	48 feet to 150 feet
Building Heights:	60 feet to 150 feet
<u>Proposed Project A:</u>	
Lot Area	186,300 S.F. (4.28 acres)
Square Footage	576,519 gross square feet
Floor Area Ratio (FAR) (excluding below-grade parking:)	3.10
Parking Spaces:	
Above-grade (surface):	62 spaces
Below-grade (garage):	<u>558 spaces + 67 spaces (371 Parcel)</u>
Total	620 spaces + 67 spaces = 687 spaces
Building Wall:	48 feet to 150 feet
Building Heights:	60 feet to 150 feet
<u>Proposed Project B:</u>	
Lot Area	56,895 S.F. (1.31 acres)
Square Footage	149,481 gross square feet
Floor Area Ratio (FAR)	2.63

(excluding below-grade parking:)

Parking Spaces:

Above-grade (surface):	16 spaces
Below-grade (garage):	<u>142 spaces – 67 spaces (381-401 Parcel)</u>
Total	158 spaces – 67 spaces = 91 spaces
Street Wall:	48 feet
Building Height:	60 feet

Proposed Zoning District: The Site is presently situated within the Underlying Zoning district of South Boston, shown on Map 4 of the Zoning Maps of the City of Boston, which is an I-2 (General Industrial) District with a Floor Area Ratio (FAR) of 2.0 and minimal dimensional requirements (except for rear yard and setback). Residential uses are forbidden uses in 1-2 district. In addition to the Underlying Zoning district, the Site is situated within the Restricted Parking District and, to the extent parking is provided for non-residential uses, the Development Plan and the Article 80 Draft Project Impact Report address both the existing traffic conditions and impacts as well as proposed transportation management and mitigation measures to be undertaken by the Developer. Such study and proposals address the parking issues referenced in the Code for facilities within Restricted Parking Districts. The Site is also within the Enhancement Zone subdistrict (Study Area) of the South Boston Waterfront Interim Planning Overlay District (IPOD), Article 27P of the Boston Zoning Code (“Code”). Article 27P provides that the Zoning Commission may adopt amendments to the Underlying Zoning pertaining to land use within the IPOD, and such amendments shall govern the zoning within such area. In accordance with the general land use objectives of Section 27P-7, the approval of the Planned

Development Area by the BRA and the Zoning Commission constitute planning and rezoning actions within the Enhancement Zone subdistrict of the IPOD, which actions provide appropriate buffering between the residential community and the adjacent BCEC. Additionally, the approval of the Planned Development Area and the Development Plan fulfills the goals and planning objectives of the Seaport Public Realm Plan, which encouraged the development of moderate-income housing in the Seaport, including the development within the Enhancement Zone along D Street of affordable and community housing.

In accordance with the applicable provisions of the Code, including Section 80C, the Development Plan herein addresses the Underlying Zoning requirements by setting forth the following applicable standards and controls in lieu of the Underlying Zoning requirements for the Proposed Projects:

<u>Requirement</u>	<u>PDA Requirement</u>	<u>Proposed Project A</u>	<u>Proposed Project B</u>
Minimum Lot Area	1 acre (43,560 SF)	4.28 acres (186,300 SF)	1.31 acres (56,895 SF)
Minimum Lot Frontage	200 ft	844.5 ft.	260 ft
FAR	4.0	3.10	2.63
Max. Height	150 feet	150 feet	60 feet
Parapet Setback	BRA design review	(Subject to BRA design review)	
Yard Areas	BRA design review	(Subject to BRA design review)	

In addition to addressing the above-referenced zoning provisions, the Proposed Projects are also subject to Large Project Review by the BRA. In accordance with the requirements set forth in Section 80B, the Proponent has filed a Project Notification Form (“PNF”) and a Draft Project Impact Report (“DPIR”) with the BRA in response to the issuance of a Scoping Determination by the BRA and a Notice of Project Change (“NPC”) (the PNF, DPIR, Scoping

Determination and NPC are herein referred to as the "Article 80B Documents"). Subject to BRA and Zoning Commission approval, the Site will be subject to the use and dimensional controls set forth herein, which are comprehensive development controls delineating the uses and dimensions for the Project.

Projected Number of Employees: It is anticipated that the Project will generate approximately 400 to 500 construction jobs.

Parking, Loading and Access to Transportation:

The area of the parking garage is approximately 230,000 square feet and consists of parking for approximately 700 cars, vehicular circulation space, a loading zone for trash and recyclable materials, and trash and utility rooms. There are also a total of approximately 78 surface parking spaces.

The Proposed Projects are expected to generate 2,450 automobile trips on a daily basis, with 196 automobile trips during the weekday morning peak hour and 226 automobile trips during the weekday evening peak hour. Project related traffic volume increases within the study area are expected to be less than 3% for the year 2010. The expected increases in traffic volume range from 26 to 53 vehicles during the weekday morning and evening peak hours.

The Proposed Projects have been designed to provide an inviting pedestrian and bicycle environment following the principles outlined in the *Seaport Public Realm Plan*, as well as the planned streetscape environment to be developed as a part of the BCEC project along D Street. The Proposed Projects are expected to generate 1,170 pedestrian trips on a daily basis as well as a significant number of transit trips, which, upon arrival at a transit station, most likely will

become pedestrian trips between the station and the project site. In order to reduce any potential impacts of the planned residential community, a transportation mitigation plan has been proposed to require the property management team to encourage the use of public transportation by posting transit schedules in a central location and by coordinating car/vanpool options. This plan also calls for advocating the development of a MBTA surface bus route along D Street to serve the proposed residential community and link the South Boston neighborhood with the proposed Silver Line and Airport Intermodal Transit Connector.

Public Benefits: The direct public benefits of the Project are many.

- Replacement of an underutilized, vacant parcel of land with an attractive residential development;
- Contribution of affordable housing opportunities for area residents;
- Creation of approximately 400 to 500 new construction jobs;
- Generation of new tax revenue for the City of Boston;
- Upgrade of an existing industrial neighborhood to residential use;
- Streetscape, landscape and pedestrian improvements in coordination with the BCEC;
- Improvements to neighborhood safety and security; and
- Catalyst for future development compatible with the neighborhood plans for the area.

Phasing of Proposed Projects Nothing in this Development Plan shall be construed as an undertaking by the Proponent to construct or complete the Proposed Projects. If and to the extent that Proposed Project A is undertaken by Proponent, the sole obligation of the Proponent is to

adhere to the provisions of the Development Plan and the Article 80B Documents applicable to the Proposed Project A, to the extent provided herein. If and to the extent that Proposed Project B, or a portion thereof, is undertaken by Proponent, the sole obligation of the Proponent is to adhere to the provisions of the Development Plan and the Article 80B Documents applicable to the Proposed Project B, or a portion thereof, to the extent provided herein.

Notwithstanding the fact that (i) Proposed Project B is described in this Development Plan and in the Article 80B Documents, each of which describe the construction and use of buildings on Parcel B, and the mitigation of the impacts from such construction and use; and (ii) the construction and operation of Proposed Project B is authorized under the Code pursuant to this Development Plan and the Article 80B Documents, the Proponent's obligations under the Development Plan are: (i) to the extent that Proposed Project A is undertaken by Proponent, limited to undertaking Proposed Project A in accordance with the applicable provisions of this Development Plan and the Article 80B Documents as are specifically related to Proposed Project A and the Proponent's obligations under the Cooperation Agreement with the Authority, and (ii) (i) to the extent that Proposed Project B, or a portion thereof, is undertaken by Proponent, limited to undertaking such portion of Proposed Project B in accordance with the applicable provisions of this Development Plan and the Article 80B Documents as are specifically related to such portion of Proposed Project B and the Proponent's obligations under the Cooperation Agreement with the Authority, and the Proponent shall not be chargeable with any omission, commission, default or delay by any other person, including without limitation the proposed developer(s) of the remaining portion of Proposed Project B, in the implementation of this Development Plan or the undertakings of the Article 80B Documents with respect to the

completion of Proposed Project B.

Affordable Housing Goal In accordance with the provisions of Article 80 of the Code, the Proponent will enter into a Cooperation Agreement with the Authority, which agreement will include, inter alia, the implementation of the Mayor's Affordable Housing Goal within the South Boston neighborhood as outlined in the Executive Order entitled: "An Order Relative to Affordable Housing" issued by Mayor Thomas M. Menino on February 2, 2000 ("Executive Order") by means of through a housing creation proposal of the Proponent, which will consist of the following elements: (i) the development by the Proponent on Parcel B of a below-grade garage sufficient to accommodate the construction above such garage structure of 130 residential units, (ii) the development by the Proponent of 65 units of affordable housing on a portion of Parcel B; which units would be marketed at an average sales price of \$175,000 per unit, and (iii) the transfer by the Proponent to the BRA, or its designee, the remaining undeveloped portion of Parcel B together with the garage structure to support housing for the future development of 65 units of housing by the BRA or others.

Development Review Procedures: All design plans for the Projects are subject to on-going development review and approval of the BRA. Such review is to be conducted in accordance with Article 80 of the Code and the BRA Development Review Procedure, dated 1985, revised 1986.

LIST OF EXHIBITS AND APPENDICES

to

DEVELOPMENT PLAN

For

THE RESIDENCES AT D STREET

EXHIBIT A SURVEY PLAN – PLAN OF LAND -LEGAL DESCRIPTION

APPENDIX A PROJECT DRAWINGS AND PHOTOGRAPHS

<u>Item No.</u>	<u>Description</u>
1	Perspective
2.	Aerial Photograph Montage
3	Elevations – D Street (West)
4	Site Location Plan
5	Site Plan
6	Floor Plans – Garage and First Floor
7	Floor Plans – Second and Third Floor

Amendments to the above together with additional drawings, perspectives and plans of the Proposed Projects described in the Development Plan will be provided to the Authority for Authority review in compliance with the Design Review Process.

BOARD APPROVED

MEMORANDUM

SEPTEMBER 21, 2000

**TO: BOSTON REDEVELOPMENT AUTHORITY AND
MARK MALONEY, DIRECTOR**

FROM: SUSAN M. HANNON, SENIOR PROJECT MANAGER

**SUBJECT: PUBLIC HEARING ON THE DEVELOPMENT PLAN FOR PLANNED
DEVELOPMENT AREA FOR THE RESIDENCES AT D STREET
PROJECT, 371- 401 D STREET, SOUTH BOSTON, AND RELATED
ARTICLE 80 APPROVALS**

SUMMARY: This memorandum requests that the Boston Redevelopment Authority (the "Authority") approves the Planned Development Area (the "PDA") Development Plan for The Residences at D Street (the "PDA Development Plan"), pursuant to Section 80C of the Boston Zoning Code (the "Code"), and approves the undertaking of the Proposed Projects described in the Development Plan; and authorizes the Director to (1) petition the Zoning Commission of the City of Boston for adoption of a map amendment to the Boston Zoning Code; (2) issue a Preliminary Adequacy Determination waiving further review pursuant to Section 80B-5.4(c)(iv) of the Code; (3) issue a Certification of Compliance pursuant to Section 80B-6 for the Proposed Projects described in the DPIR, NPC and the Development Plan; (4) petition the Zoning Commission of the City of Boston for approval of the PDA and the PDA Development Plan pursuant to Sections 3-1A.a and 80C-6 of the Code; (5) issue a Certification of Consistency pursuant to Section 80C-8 for the Proposed Projects described in the PDA Development Plan; and (6) take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including without limitation the execution of a Cooperation Agreement, Affordable Housing Agreement and Boston Residents Construction Employment Plan with Cathartes AEW/371-401D Street LLC, its successors and assigns.

PROJECT DESCRIPTION:
Cathartes AEW/371-401D Street LLC, a Massachusetts limited liability company, ("Cathartes") is the owner of the approximately 5.583 acre site known as 371-401 D Street, which was a former warehouse site located on the east side of D Street in the South Boston section of Boston, Suffolk County, Massachusetts (the "Site"). Cathartes has submitted to the Authority its plan to develop the Site with a multi-unit residential complex comprising approximately 726,000 square feet of gross floor area with a total of 715 residential units within four buildings and parking for approximately 778 vehicles (surface and sub-grade parking for 78 and 700 vehicles, respectively). The proposed development consists of two (2) Proposed Projects, which for all purposes are

considered to be separate Proposed Projects within the Planned Development Area. The Proposed Projects are as follows:

Proposed Project A. Proposed Project A will be developed on a portion of the PDA containing approximately 186,300 SF (4.28 acres) and consisting of the blocks or parcels numbered 381, 391 and 401 D Street ("Parcel A"). Proposed Project A will consist of 585 units of multi-family apartments with accessory retail/commercial/community uses and on-grade and below-grade parking for 620 vehicles within the following structures: 381 D Street, 391 D Street and 401 D Street. The majority of the proposed residential units (540 units) within Proposed Project A will be one-, two-, and three- bedroom apartments, and approximately 45 units will be single-level studio apartments.

Proposed Project B. Proposed Project B will be developed on a portion of the PDA containing approximately 56,890 SF (1.31 acres) and consisting of the block or parcel numbered 371 D Street ("Parcel B"). Proposed Project B will consist of 130 units of multi-family apartments on five floors with on-grade and below-grade parking for approximately 158 vehicles (collectively, the "Development").

PLANNING OBJECTIVES

SOUTH BOSTON WATERFRONT AND SEAPORT PUBLIC REALM PLAN:

The Development is situated within the South Boston Waterfront area, which has been the subject of in-depth and comprehensive planning studies by the Authority in connection with the development of new zoning and planning controls for the South Boston Waterfront areas. In February 1999, the Authority issued the Seaport Public Realm Plan ("Seaport Plan") which was the culmination of two years of planning initiated by Mayor Thomas Menino who charged the Authority with leading one of Boston's most substantial planning initiatives in MORE THAN twenty years. The Seaport Plan initiative began with a community process to create a public realm plan for an area of over a thousand acres. This community planning process is recognized in the Seaport Plan and is referenced in the introductory paragraphs, which stress the importance of the enhancement of the South Boston community as one of the five primary objectives of the Plan:

"Because the South Boston residential community lies immediately to the south of the Seaport, it has the greatest potential to benefit in a number of ways from Seaport growth. The Seaport Public Realm Plan must ensure that mechanisms to maximize benefits from new development are incorporated not only as plan policies, but also into the regulatory framework of implementing the Public Realm Plan.

The Public Realm Plan must ensure that new jobs created in the Seaport are available to South Boston residents and are actively marketed through job training programs and the South Boston Jobs and Development Resource Center. Furthermore, moderate-income housing must be available in the Seaport. To this end, the Enhancement Zone along D Street will be developed to accommodate community housing and at the same time to connect South Boston to the waterfront."

The location of the Development on D Street accomplishes to a great extent this objective by developing community and affordable housing within the Enhancement Zone and connecting this neighborhood of South Boston to the Waterfront. The PDA Development Plan will be the means to carry out this objective in keeping with the zoning and planning actions contemplated in the Seaport Plan.

D STREET AND THE ENHANCEMENT ZONE

The state legislation locating the convention center designated the area immediately east and south of the convention center as a Buffer Zone (now termed Enhancement Zone) and prohibited uses incompatible with the adjacent residential neighborhood. Working with the community and South Boston elected officials, it was determined that this area could provide a good location for the expansion of community housing.

D Street borders the convention center on its east and is one of the three streets identified that could best serve as a pedestrian route from the St. Vincent's neighborhood and the rest of South Boston to the water. The Authority identified over 100 sites in the South Boston area that could be suitable for community housing. This area as well as D Street could comprise a receiving area for any program in addition to linkage that would tie market-rate development in the Seaport to assist construction of community housing. Residential development will occur on the first 200 feet east of D Street in buildings ranging from three to four stories in the south and eight to ten stories nearer Summer Street. The housing types will be mixed, including rowhouses, duplexes, small apartments, and apartment buildings built around small parks and courtyard spaces. Community and retail services will occur at street level.

The D Street Study Area of the Enhancement Zone was created "with the assistance of South Boston community representatives" so that to the east and south of the convention center entertainment uses would be prohibited in order "to limit potentially adverse impacts on the South Boston community." As referenced in the Seaport Plan, "the Enhancement Zone is viewed not as an area of division between areas and uses, but one of compatible transition, where affordable housing for South Boston residents can be constructed". Through the Article 80 process, along with the continual involvement of the community, public agencies and individuals, the PDA Development Plan evolved to constitute a plan which thoroughly addressed impacts of the Development. This process recognized that the area's uses and physical character are in rapid transition, and provided through the Authority's design review process that residential areas would be developed and protected. The design of the housing as depicted in the PDA Development Plan also fulfills one of the early planning concepts for the Enhancement Zone:

Design guidelines for the new housing should promote community housing with character conducive to family living; density that allows for a critical mass of residents to create a neighborhood; and scale that is low as it approaches First

Street and compatible with the South Boston neighborhood.

The PDA Development Plan also responds to the goals of the Seaport Plan that housing be affordable to the impacted community, and that affordable housing, linkage and community benefits are benefits from a Planned Development Area (PDA) review process. Thus, the implementation of the PDA review process will assist in the provision of new affordable housing within the South Boston Waterfront district.

Establishment of Planned Development Area

The Site is situated within the South Boston zoning district, shown on Map 4 of the Zoning Maps of the City of Boston. The Site is also within the South Boston Waterfront Interim Planning Overlay District, Article 27P of the Code. Article 27P provides that the Zoning Commission may adopt amendments to the underlying zoning pertaining to land use within the Study Area, and that such amendments shall govern the zoning within such area. Any such amendment may relate to any area for which a planning and rezoning study has been completed by the Authority.

As referenced herein, in February 1999 the Authority issued the Seaport Public Realm Plan, a planning and rezoning study, which included as one of the five primary objectives, the enhancement of the South Boston Community by the creation of the Enhancement Zone along D Street. This area would be developed to accommodate community housing and at the same time to connect South Boston to the waterfront through the re-zoning and implementation of a Planned Development Area review process:

Establishment of PDAs. The zoning will establish those areas or sites where Planned Development Areas (PDAs) may be allowed. A PDA is a special type of zoning overlay district that allows for a more comprehensive balancing of the impacts and benefits of a project. PDAs will be approved only after an extensive public review process that ensures that PDA plan conforms to the principles of the Seaport Public Realm Plan and offers substantial public benefits. PDAs provide for both greater flexibility and additional controls for project development, and are proposed to be allowed in the Inner Harbor district, the Fort Point Waterfront, and the Enhancement Zone.

A map amendment to Map 4 of the zoning maps of the City of Boston to accomplish the planning objectives of the South Boston Waterfront IPOD and the Seaport Plan is recommended in connection with approval of the PDA Development Plan. The PDA Development Plan proposes a plan for public benefits, including one or more of the following: (a) diversification and expansion of Boston's economy and job opportunities through economic activity, such as private investment in the development of housing, (b) the provision of Affordable Housing available to Boston residents, and (c) improvements to the aesthetic character of the development site and its surroundings, which includes the provision of open space connections, the provision of street trees and other improvements that enhance open space, the improvement of the urban design characteristics of the site and its surroundings, and the creation of new open space.

The PDA Development Plan includes all of the zoning elements referenced in Section 80C-3 of the Code, including the location and appearance of structures, open spaces and landscaping, uses, densities, traffic circulation, parking and loading facilities, access to public transportation and proposed dimensions of the structures. The PDA Development Plan also includes proposed elevations of the buildings, schematic design layout drawings, and examples of exterior building materials. The PDA Development Plan contains the detailed information necessary to authorize construction of the Proposed Projects.

PDA DEVELOPMENT PLAN, ARTICLE 80 AND MEPA REVIEW:

The Development has been subject to review under both Section 80C, Planned Development Areas, and Section 80B, Large Project Review, of Article 80 of the Code and the Massachusetts Environmental Policy Act ("MEPA"). In accordance with MEPA regulations, Cathartes filed an Environmental Notification Form ("ENF") on August 31, 1999 with MEPA and notice was published in the *Environmental Monitor* on September 8, 1999. On November 8, 1999 a Certificate of the Secretary of Environmental Affairs was issued waiving further review under MEPA. In accordance with Section 80B of the Code, Cathartes filed with the Authority a Project Notification Form ("PNF") on September 2, 1999. A Scoping Determination was issued on November 15, 1999 and a Draft Project Impact Report ("DPIR") was submitted in accordance with the Scoping Determination on May 26, 2000 pursuant to Article 80B-3 of the Code.

A Scoping Session for the Development was held at the Authority on September 16, 1999. In addition, community meetings were held at the Condon School, located on D Street in South Boston, on October 6, 1999, October 19, 1999, July 6, 2000 and September 11, 2000.

As a result of the finalization of the affordable housing component for the Development, on August 25, 2000 a Notice of Project Change ("NPC") was filed with the Authority pursuant to Section 80A-6 of the Code and also filed with MEPA pursuant 301 CMR 11.10 requesting concurrence that no further review is necessary either under Article 80 of the Code or the MEPA regulations. On September 9, 2000, the Secretary of Environmental Affairs issued his Certificate waiving further review.

In accordance with Section 80C of the Code, Cathartes filed with the Authority a proposed development plan for the Development on June 30, 2000. A notice was published pursuant to Article 80A-2 of the Code on July 2, 2000, which initiated a 45 day comment period. On August 25, 2000, the Developer submitted a Notice of Project Change for the PDA Development Plan, which provides for an increase in the project square footage from approximately 677,000 to approximately 726,000 SF and increasing the number of dwelling units from 650 to 715 to accommodate the increase in the number of on-site affordable units. In accordance with Sections 3-1A and 80C of the Boston Zoning Code, the PDA Development Plan, as amended by the Notice of Project Change, sets forth information of the proposed development including the

location and appearance of the structure, the proposed uses of the project, the proposed dimensions of the structure, the proposed parking and loading facilities, access to public transportation, the proposed community benefits, and other major elements of the Proposed Projects.

BOSTON CIVIC DESIGN COMMISSION REVIEW:

The Development comes under the jurisdiction of the Boston Civic Design Commission (the "BCDC") pursuant to Article 28 of the Code. At its meeting of March 7, 2000 the BCDC voted a recommendation of approval of the Development.

AFFORDABLE HOUSING PROGRAM:

The affordable housing component for the Development provides for construction of 130 home-ownership units on the 371 D Street block, the block closest to the existing South Boston residential community. Cathartes, as their Inclusionary Development Policy contribution, will construct 65 of the affordable units as well as the foundation and garage for the remaining 65 units. In addition, as was requested through the community review process, there will be a 1:1 parking ratio for the affordable units achieved through on-site underground and surface parking and through the acquisition of a sufficient interest in an abutting sliver parcel from the Massachusetts Port Authority.

The affordable component will contain one-third one bedrooms, one-third two bedrooms and one-third three bedrooms. The housing units will have an approximate average sales price of \$136,600, and range in price from approximately \$80,200 to \$199,000 including parking. The 65 units to be constructed by Cathartes will have an average sales price of \$175,000 and will be marketed to families with an income not greater than 120% of median. The second 65 units will have an average sales price of \$118,000 and will be marketed to families with incomes not greater than 80% and 100% of median. Through the range of unit size and affordability levels, 80% of median to 120% of median, the Authority will be able to reach families with income ranging from \$33,400 to \$91,000, which includes 1 to 6 person households. The Authority will be able to attain this level of affordability in the second phase of the affordable housing component, the second 65 units, through a contribution of \$750,000 from the Inclusionary Development Policy fund.

The Authority plans to issue a Request for Proposals for the development of the second 65 units as soon as all approvals have been obtained for the Development. It is anticipated that the construction of the entire affordability component happen simultaneously.

PUBLIC BENEFITS:

A primary planning goal for the South Boston Waterfront is to ensure that housing becomes an essential component of the district's mixed-use land plan. The Seaport Plan for the South Boston Waterfront calls for the expansion of the South Boston residential community along D Street, and specifically identifies the site as an optimal location for housing development. As housing costs in South Boston continue to rise, new housing needs to be built in order to address current as well as future demand.

The Development will help ensure that attractively designed housing is developed. The Development provides substantial public benefits in the form of housing, job creation, and improvement of an under-utilized parcel of land in the South Boston Waterfront District. The Development also conforms to the Seaport Plan's "buffer zone" concept with its planned residential use serving as a transition from the convention center to South Boston neighborhoods.

Direct public benefits of the Development include:

- Replacement of an underutilized, vacant parcel of land with an attractive residential development;
 - ◊ Upgrade of an existing industrial neighborhood to residential use;
- Creation of new rental-housing opportunities in South Boston;
- Contribution of 130 affordable home-ownership opportunities;
 - ◊ Creation of 65 affordable units and construction of garage and building ready foundation pad for additional 65 affordable units by Cathartes; developer of additional 65 which will be selected by RFP issued by the Authority;
- Creation of approximately 400 to 500 new construction jobs;
- Generation of new tax revenue for the City of Boston;
- Streetscape, landscape and pedestrian improvements in coordination with the BCEC;
- Improvements to neighborhood safety and security.

RECOMMENDATION:

The Development represents a beneficial re-use of an industrial site, at a scale and density appropriate for the Site and location, which on balance will be beneficial to the public welfare. In light of the substantial public benefits from the Development as described in the PDA Development Plan, it is recommended that the Authority recommend the adoption of an amendment to the Underlying Zoning; approve the PDA Development Plan pursuant to Section 80C of the Code; approve the Development within the meaning of Section 80B of the Code; and authorize the Director to (1) petition the Zoning Commission of the City of Boston for adoption of a map amendment to Map 4 of the zoning maps of the City of Boston; (2) issue an Preliminary Adequacy Determination waiving further review on the DPIR pursuant to Section 80B-5.4 of the Code; (3) issue a Certification of Compliance pursuant to Section 80B-6 for each Proposed Project described in the DPIR, NPC and PDA Development Plan; (4) petition the Zoning Commission of the City of Boston for approval of the PDA Development Plan pursuant to Section 80C-6 of the Code; (5) issue a Certification of Consistency pursuant to Section 80C-8 for the Development and/or each Proposed Project

described in the PDA Development Plan; and (6) take all actions and execute all documents deemed necessary and appropriate by the Director in connection with the foregoing, including without limitation the execution of a Cooperation Agreement, Affordable Housing Agreement and Boston Residents Construction Employment Plan with Cathartes.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to petition the Zoning Commission to adopt a map amendment to Map 4, South Boston, of the series of maps entitled "Zoning Districts City of Boston," as established under Chapter 665 of the Acts of 1956 as amended, changing from an I-2 district to an H-4D* district, the land known as 371-401 D Street, consisting of approximately 243,195 SF (approximately 5.583 acres) located on D Street, South Boston, Suffolk County, Massachusetts in substantial accord with the map amendment application presented to the Authority at its hearing of September 21, 2000; and

FURTHER VOTED: That the Director be, and hereby is, authorized to issue a Preliminary Adequacy Determination under Section 80B-5.4(c)(iv) of the Boston Zoning Code (the "Code") and under Section 80A-6.2 of the Code which (i) finds that such Draft Project Impact Report and Notice of Project Change adequately describes the potential impacts arising from the Residences at D Street project and provides sufficient mitigation measures to minimize these impacts and (ii) waives further review of the Proposed Project under subsection 5 of Section 80B-5 of the Code, subject to continuing design review, including a wind study, by the Boston Redevelopment Authority; and

FURTHER VOTED: That the Director be and hereby is, authorized to issue a separate Certification of Compliance pursuant to Section 80B-6 of the Code for each of the Proposed Projects when the Director has determined that each respective Proposed Project complies with (a) the conditions of the Preliminary Adequacy Determination, and (b) applicable provisions of the Code, including Section 80B-8: Disclosure of Beneficial Interests; and

FURTHER VOTED: That Authority hereby approves the Development Plan for Planned Development Area No. 50 for The Residences at D Street project pursuant to Section 80C of the Code;

FURTHER VOTED: That the Director is authorized to petition the Zoning Commission of the City of Boston for approval of the Development Plan for Planned

Development Area No. 50; and

FURTHER
VOTED:

That the Director is authorized to issue a Certification of Consistency pursuant to Section 80C-8 of the Code for each of the Proposed Projects respectively, when the Director finds that (a) each such Proposed Project is described adequately in the PDA Development Plan; (b) each respective Proposed Project is consistent with such PDA Development Plan, and (c) the PDA Development Plan has been approved by the Authority and the Zoning Commission in accordance with the applicable provisions of Section 3-1A.a and Planned Development Area Review; and

FURTHER
VOTED:

That the Director is authorized to execute all documents deemed necessary and appropriate by the Director in connection with The Residences at D Street project, including, without limitation, as necessary or appropriate, a Cooperation Agreement, Affordable Housing Agreement and Boston Residents Construction Employment Plan with Cathartes; and

FURTHER
VOTED:

That after a public hearing duly held at the offices of the Authority on September 21, 2000 and after consideration of evidence presented at, and in connection with the hearing, the Authority hereby finds that, upon adoption of the Zoning Amendment and the PDA Development Plan (a) is not for a location in which Planned Development Areas are forbidden by the Code, (b) each Proposed Project complies with provisions of underlying zoning that establish use, dimensional design or other requirements for such Proposed Projects; (c) complies with provisions of underlying zoning that establish planning and development criteria for planned development areas; (d) conforms to the plan for the district, subdistrict, or similar geographic area in which the such PDA Development Plan 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.

Map Amendment Application No. 442
Planned Development Area No. 50
Boston Redevelopment Authority, on
behalf of Cathartes/AEW 371-401 D
Street, LLC
371-401 D Street, South Boston,
Map 4 – South Boston
I-2 to H-4-D*

MAP AMENDMENT NO. 383

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. 50, and amends "Map 4, South Boston," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

By changing from a I-2 (General Industrial) district to an H-4-D* (Apartments, Planned Development Area) district, the land described as follows: Said land is a parcel of land known as 371-401 D Street, consisting of approximately 243,195 SF (approximately 5.583 acres) located on D Street, South Boston, Suffolk County, Massachusetts, as more particularly bounded and described on the plan entitled: "Plan of Land in South Boston, MA 371-391 "D" Street prepared for Cathartes/AEW Acquisitions, LLC & Chicago Title Insurance Company", prepared by Coastal Survey, Scale: 1" = 40 feet, dated November 30, 1998", more particularly described as:

Beginning at a point in the southeasterly sideline of D Street; an eighty-foot wide public street; said point being 649.00 feet southwesterly from the southwesterly sideline of Fargo Street; a public street 50.00 feet wide, and on the division line of the parcel herein described and land of Bowne of Boston, Inc.; thence running

South 50° 00' 00" East by Bowne of Boston, Inc., two hundred twenty and 60/100 (220.60) feet to a point at land of the Commonwealth of Massachusetts; thence turning and running

South 40° 00' 00" West by said Commonwealth of Massachusetts; one thousand five and 26/100 (1,005.26) feet to a point; thence turning and running on a curve to the right having a radius of 346.81 feet, a distance of one hundred and 61/100 (100.61) feet by the

Commonwealth of Massachusetts to a point in the northeasterly
sideline of a 24.00 foot Right of Way, as shown on said plan;
thence turning and running

North 50° 0' 55" West by said 24.00 foot Right of Way two hundred six
and 11/100 (206.11) feet, to a point in the southeasterly sideline of
said D Street; thence turning and running

North 40° 00' 00" East by said D Street one thousand one hundred four
and 52/100 (1,104.52) feet to the point of beginning.

For title see deed dated December 22, 1998, recorded with Suffolk County
Registry of Deeds on December 23,

* Inconsistent provisions of the Boston Zoning Code notwithstanding, the
applicable use, dimensional and other zoning controls shall be as set forth in the
development plan for Planned Development Area No. 50.

R. E. Allen

Chairman

Robert Jordan

Vice Chairman

James C. Clark

Mary P. Jones

Denise A. Dejeu

William T. Lebeck

[Signature]

In Zoning Commission

Adopted: October 20, 2000

Attest:

[Signature]

Secretary

Planned Development Area No. 50, The Residences at D Street

A. H. Kau

Chairman

Robert Jondien

Vice Chairman

William Taula

[Signature]

James C Clark

Mary P. [Signature]
Debra A. [Signature]

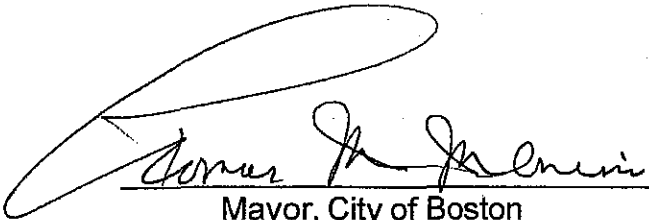
In Zoning Commission

Adopted: October 20, 2000

Attest:

[Signature]
[Signature]

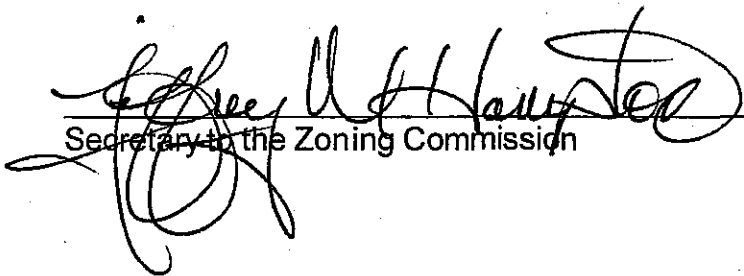
Secretary



Mayor, City of Boston

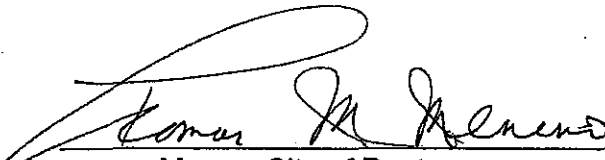
Date: 10/20/00

The foregoing amendment was presented to the Mayor on OCTOBER 20, 2000, and was signed by him on OCTOBER 20, 2000, whereupon it became effective on OCTOBER 20, 2000 in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest: 

Secretary to the Zoning Commission

Planned Development Area No. 50, The Residences at D Street



Mayor, City of Boston

Date: 10/20/00

The foregoing Institutional Master Plan was presented to the Mayor on ~~OCTOBER 20, 2000~~, and was signed by him on ~~OCTOBER 20, 2000~~, whereupon it became effective on ~~OCTOBER 20, 2000~~ in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission