

BRA APPROVAL: 5/18/00
ZC APPROVAL: 6/28/00
EFFECTIVE: 7/13/00

DEVELOPMENT PLAN

FOR

PLANNED DEVELOPMENT AREA NO. 49

PARCEL 8 AND THE ADJACENT PARCEL

Dated: December 1, 1999

Development Plan: Pursuant to Sections 3-1A and 64-31 of the Zoning Code of the City of Boston, Massachusetts (the "Code"), this plan constitutes a Planned Development Area Plan (the "Plan") for the development of an approximately 1.16 acre site (the "Site") comprised of several parcels of land in the South End owned or to be owned by the Boston Redevelopment Authority (the "BRA") and made available to the Developer (hereinafter defined) for the construction of a mixed-use development, including residential, commercial/retail, cultural and parking uses (the "Project"). This Plan sets forth information on the proposed development of the Site including the proposed location and appearance of structures, open spaces and landscaping, proposed uses of the area, densities, proposed traffic circulation, parking and loading facilities, access to public transportation, and proposed dimensions of structures.

This Plan consists of six pages of text plus attachments designated Exhibits A through E. All references to this Plan contained herein shall pertain only to such pages and exhibits. This Plan represents a stage in the planning process prior to the stage at which final plans and specifications for the Project are submitted to the BRA pursuant to Section 3-1A and Article 80C of the Code for final design review approval and certification as to consistency with this Plan. Therefore, Exhibits A through E are subject to final design, environmental and other development review by the BRA and by other governmental agencies and authorities.

Developer: On February 26, 1998, the BRA tentatively designated The Druker Company, Ltd., a Massachusetts corporation ("The Druker Company"), as the redeveloper of the Site. The tentative designation was extended by the BRA on October 29, 1998 and on August 12, 1999. The Druker Company has formed TDC 8 LLC, a Massachusetts limited liability company having an address c/o The Druker Company, Ltd., 50 Federal Street, Boston, Massachusetts 02110, to develop the Site. TDC 8 LLC is a single purpose limited liability company having as its manager TDC 8 Holdings, Ltd., a Massachusetts corporation (the "Manager").

Site Description/Project Area: The Site contains approximately 1.16 acres bounded by Tremont Street to the south, Warren Avenue to the north, Berkeley Street to the east and the Cyclorama to the west and is comprised of the following contiguous parcels of land: (i) 515-529 Tremont Street and 4-12 Warren Avenue, also known as Disposition Parcel 8 ("Parcel 8"), which is owned by the BRA and leased to the Boston

Center for the Arts (the "BCA") through 2053 for surface parking (this lease will be terminated prior to commencement of construction); (ii) 531-533 Tremont Street, adjacent to Parcel 8 (the "Adjacent Parcel"), which the BRA has acquired or will acquire from the City of Boston acting by and through its Public Facilities Commission; (iii) a former portion of Berkeley and Tremont Streets located at the intersection of Tremont and Berkeley Streets (the "Berkeley Parcel"), which the BRA has acquired following a taking on September 10, 1998; (iv) a portion of the Cyclorama parcel adjacent to the Adjacent Parcel (the "Cyclorama Connector Parcel"), which is owned by the BRA and leased to the BCA (this lease will be terminated prior to commencement of construction); and (v) portions of the subsurface area under the sidewalks of Warren Avenue and Tremont Street, which the BRA will acquire following discontinuance proceedings (the "Subsurface Parcel"); Parcel 8, the Berkeley Parcel, the Adjacent Parcel, the Cyclorama Connector Parcel and the Subsurface Parcel are all more particularly described in Exhibit A attached hereto and are shown on the plans attached hereto as Exhibit B.

The Site is located in the Boston Center for the Arts – Franklin Institute Community Facilities (CF) Subdistrict of the South End Neighborhood District under Section 64-20 of the Code. With respect to current uses of the Site, Parcel 8 contains a townhouse which has been rented by the BCA for artists' housing and is currently vacant, and the balance of Parcel 8 is used by the BCA for surface parking. The Adjacent Parcel, the former site of the National Theater, is vacant. A portion of the Berkeley Parcel contains sidewalk and a portion is vacant. The Cyclorama Connector Parcel is vacant except for an egress from the Cyclorama. With respect to existing structures, Parcel 8 contains an underground parking garage that has been closed since 1993, a vacant non-operating gas station and the townhouse referred to above. The Site is located in the South End Landmark District, which is listed in the State Register of Historic Places and is also a Local Historic District. In addition, the Site is within the South End District, which is listed in the National Register of Historic Places. The Developer intends to demolish all of the existing buildings on the Site.

Urban Design Context: The Site contains frontage on three streets, each with distinct characteristics. Tremont Street is the commercial spine of the South End; towards the west it is a street with a mix of pedestrian and automotive traffic, with residences and offices sitting above shopfronts that open onto wide sidewalks. Along Tremont Street buildings generally range from five to eight stories, and the scale of the street is grand. East Berkeley and Berkeley Streets act as a spine perpendicular to Tremont Street, linking Route 93 to the Back Bay. Although shops and services are readily available north of the Site, Berkeley Street has developed as more of a vehicular thoroughfare than a pedestrian route. Building scales along Berkeley Street are higher, and the street is visually connected with the towers of the Back Bay. Although it is both residential and institutional, Warren Avenue becomes of smaller scale than either Tremont or Berkeley Streets as it moves west from Berkeley Street. The northern edge is lined with rowhouses and a large scale building housing a police station; the southern frontage is defined by the BCA Cyclorama building, the Boston Ballet building, Parcel 8 and the Adjacent Parcel.

The proposed mixed-use building is designed to blend visual and performing arts facilities of the BCA, retail stores, restaurants/cafes, residential condominiums and an underground parking structure to create a hub of arts activity for the City of Boston and a center of community activity for the South End. The building has been designed to accomplish the following goals: (i) to serve to welcome people to the South End; (ii) to appear as a series of related but distinct buildings; (iii) to provide a variety of locally oriented commercial uses that are active during the evening and weekends as well as during daytime business hours in the ground level along Tremont and Berkeley Streets, reflecting the scale of the surrounding retail environment; (iv) to design the Warren Avenue façade of the building to harmonize with the residential buildings along Warren Avenue; (v) to increase the supply of residential units in the South End; and (vi) to increase the supply of parking in the South End.

General Description of Proposed Development and Use Allocation: The Project will involve the construction of (a) a mixed use building containing up to 253,120 square feet of floor area; (b) an approximately 117,000 square foot below-grade parking structure containing approximately 350 parking spaces; and (c) two public plazas.

The proposed mixed-use building currently is designed to include the following elements:

- (i) approximately 34,000 square feet of new space for use by the BCA for two theaters and additional space for educational and administrative functions for the visual and performing arts;
- (ii) approximately 197,000 square feet of floor area containing approximately 99 residential condominiums;
- (iii) approximately 18,000 square feet of retail and restaurant space; and
- (iv) approximately 4,000 square feet of building services.

The above-referenced elements will be incorporated into a single building (the "Building") that has been designed to incorporate several different building elements in order to allow for transitions in scale and to echo the nature of the South End fabric itself. The elements currently are designed to include: (i) a three-story pavilion structure housing a restaurant and BCA space, as well as a connection to the BCA's Cyclorama Building; (ii) a nine-story structure fronting along Tremont Street; (iii) a ten-story structure at the corner of Tremont and Berkeley Streets; and (iv) a four-story brick structure along Warren Avenue. The first level of the Building will be used for BCA and retail uses, building services (i.e. loading docks and corridors) and the lobby for the residences. The second and third stories of the Building will be used for BCA uses and residences. The fourth story and higher stories of the Building will be used for residences. The Building has been designed to incorporate setbacks at various levels of the Building to provide garden terraces for the residences.

Proposed Location and Appearance of Structures: The location and appearance of the Building is currently anticipated to be as shown on Exhibit C attached hereto. The Building will have a Floor Area Ratio of 5.0 and heights not in excess of those set forth on Exhibit D attached hereto. The Building will consist of elements at different heights ranging from ten stories at the corner of Berkeley and Tremont Streets, stepping down to nine stories along Tremont Street and four stories along Warren Avenue and stepping down further to a three story glass pavilion near the Cyclorama. The Building will be masonry, pre-cast, glass and metal.

The elevations attached hereto as Exhibit E illustrate the general appearance of the Building as currently envisioned. The final location, appearance, height, gross floor area and mix of uses of the Building are subject to final design, environmental and other development review by the BRA and other governmental agencies and authorities, but the maximum height will not exceed 110 feet and the maximum Floor Area Ratio will not exceed 5.0.

Proposed Dimensions of Structures: The Site is located in the Boston Center for the Arts – Franklin Institute Community Facilities (CF) Subdistrict of the South End Neighborhood District under Section 64-20 of the Code. Pursuant to Section 64-28 of the Code, Planned Development Areas (as described in Section 3-1A.a. of the Code) are permitted within Community Facilities (CF) Subdistricts. Section 64-29 of the Code regulates the height and Floor Area Ratio of projects in South End Neighborhood District Planned Development Areas. According to Section 64-29 of the Code, the maximum height is 110 feet and the maximum Floor Area Ratio is 5.0 in Planned Development Areas located in this Subdistrict. The height of the Building will not exceed 110 feet and the Floor Area Ratio of the Building will not exceed 5.0. The total footprint of all mechanical and other unoccupied structures built above the roof of the building is approximately 17% of the building's total roof area. The proposed Project dimensions, uses, and features are set forth in Exhibit D attached hereto.

The Project is subject to the Large Project Review requirements of Article 80B of the Code and this Plan is subject to the provisions governing approval of a PDA Development Plan of Article 80C of the Code. In accordance with Section 64-29 of the Code, conformance of the proposed Project to this Plan shall constitute compliance with the dimensional and use regulations of the Code. In addition, because the proposed Project is subject to extensive BRA review and control under the Article 80 requirements, the Code provides that the screening and buffering requirements of Section 64-33, the sign regulations of Section 64-35 and the off-street parking and loading requirements of Section 64-36 of the Code shall not be applicable to the Project.

Proposed Traffic Circulation: Currently, the eastern end of Warren Avenue is a one-way street with vehicular traffic moving from Clarendon Street toward Berkeley Street (a portion of the street is two-way for police vehicles only). Berkeley Street is predominantly a one-way street with traffic traveling from Tremont Street towards the Back Bay with a short two-way portion between Warren Avenue and Tremont Street, while Tremont Street is a busy two-way thoroughfare. It is anticipated

that the majority of traffic will approach the Site from the Tremont Street and East Berkeley Street corridors. Passenger car access and egress to and from the underground parking structure will be via a ramp located on Warren Avenue, approximately 100 feet from Berkeley Street. Off-street loading docks servicing the Building will also be located on Warren Avenue immediately to the west of the parking structure ramp.

In order to facilitate vehicular access to the Site, the Developer proposes to convert the initial section of Warren Avenue, between Berkeley Street and the parking structure ramp and loading docks, to two-way traffic. Such a change will allow cars to enter the parking structure without the need to travel along Warren Avenue from Clarendon Street and will also facilitate the entry and exit of all service vehicles to the loading docks from Berkeley Street. In order to preserve the integrity of access currently enjoyed by Warren Avenue between Clarendon Street and Berkeley Street, left turns will be prohibited from the parking structure and appropriate signage will be posted immediately to the west of the parking structure ramp and loading docks to limit the two-way traffic to the initial eastern section of the street.

Parking and Loading Facilities: The Project is currently designed to include a below-grade parking structure of two levels containing a total of up to 350 cars. Approximately 1.5 parking spaces per residential unit will be reserved for owners of the residential condominium units and the remaining spaces will be made available for use by patrons and visitors of the arts facilities and the commercial facilities as well as visitors to the South End and area residents. Pedestrian access to the parking structure will be through elevators located in a parking lobby with an entrance along the Building's Tremont Street frontage. There will be a separate direct elevator connection from the parking structure to the residential component. In order to promote more efficient use of the off-street parking structure, the parking structure may be operated as managed parking during high demand periods.

Two recessed at-grade loading docks will be provided with access and egress to and from Warren Avenue adjacent to the entrance to the parking garage.

Projected Number of Employees: It is anticipated that the Project will generate approximately 400 full time and part-time construction-related jobs and approximately 200 permanent jobs, principally in connection with the residential, restaurant, theatre and commercial uses.

Access to Public Transportation: The Site is well-served by MBTA transit facilities, including Orange Line, commuter rail and bus service at Back Bay Station and local bus routes on Tremont Street, Washington Street and Dartmouth Street.

Open Space and Landscaping: The Project includes two triangular plaza spaces. One plaza is along the Tremont side of the Building and is designed to be used for outdoor seating for the restaurant/café uses and as a public gathering place. The other plaza is at the Berkeley Street end of the Project, will be landscaped with trees and will also contain seating areas. Also, as a result of the proposed geometry of the Building

matching the orientation of Warren Avenue, a series of fourth-floor courtyard gardens is created between the larger volumes along Tremont Street and the lower volumes along Warren Avenue, serving to provide green, gardened spaces for the residential units to look down to, similar in character to South End backyards.

Development Review Procedures: All design plans for the Project are subject to ongoing development review and approval by the Authority. Such review is to be conducted in accordance with Article 80 of the Code. The Project is also subject to design review by the Boston Civic Design Commission and the South End Landmark District Commission.

Density: According to Section 64-29 of the Code, the maximum Floor Area Ratio is 5.0 in Planned Development Areas located in the Boston Center for the Arts – Franklin Institute Community Facilities (CF) Subdistrict of the South End Neighborhood District. The Floor Area Ratio of the Building will not exceed 5.0.

Proposed Uses of the Area: The proposed Project is planned to include (i) new space for the BCA including two theaters and additional space for educational and administrative functions for the visual and performing arts; (ii) residential condominium units; (iii) restaurants and cafes; and (iv) retail/commercial space. The proposed uses planned for the Project will include some or all of the uses listed on Exhibit D hereto.

Public Benefits:

A. **Cultural Facilities** The Project will provide benefits to the Boston Center for the Arts valued at over \$9.1 million, including the following: (i) the Developer will build and donate up to 34,000 square feet of new space for the BCA to be used by the BCA for two theaters and educational and administrative functions for the visual and performing arts; and (ii) the Developer will also pay to the BCA a lump sum payment of \$2,150,000. The construction of the new facilities and the provision of the financial subsidy to the BCA will allow the BCA to significantly expand its cultural programming.

B. **Improvements to Aesthetic Character of Development Site** The Project will improve the aesthetic character of the development Site and its surroundings by creating new open space plazas enhanced with trees and outdoor sculpture. The use of the Tremont Street plaza for outdoor dining combined with the pedestrian flow to the BCA facilities, the residences and the retailers in the complex will cause the outdoor areas of the Project to become a center of activity and a community gathering spot for all of the South End. The Project will also cause an empty, unused block in the heart of the South End to be improved by a complex of related but distinct building elements that both respects the urban design characteristics of the Site and its surroundings and creates a distinctive building providing a significant presence and focal point welcoming people to the South End.

C. Traffic and Transportation Parking supply in the north part of the South End is extremely limited. The Project will provide an underground parking facility that will help ease the existing parking shortages faced by both South End visitors and South End residents.

EXHIBIT A

LEGAL DESCRIPTION

Parcel I (Parcel 8)

Beginning at a point of intersection of northerly sideline of Tremont Street and the westerly sideline of Berkeley Street;

Thence running S 35°38'58" W a distance of 190.80 feet along the northwesterly side of Tremont Street;

Thence running S 53°54'20" W a distance of 24.46 feet;

Thence running N 36°34'26" W a distance of 201.91 feet;

Thence running N 69°43'40" E a distance of 238.24 feet running along the southerly sideline of Warren Avenue to the westerly sideline of Berkeley Street;

Thence running S 20°16'20" E along the westerly sideline of Berkeley Street a distance of 80.21 feet to the point of beginning.

Containing 31,096 square feet, more or less, as shown on the plan entitled, "Plan of Land, Boston, Mass.," dated June 30, 1999 and prepared by Bryant Associates, Inc. (the "Plan").

Parcel II (Adjacent Parcel)

Beginning at a point on the northerly sideline of Tremont Street, such point is located two courses from the intersection of the northerly sideline of Tremont Street and westerly sideline of Berkeley Street: S 35°38'58" W a distance of 190.80 feet; and N 53°54'20" W a distance of 24.46 feet to the point of beginning of Parcel II;

Thence running S 53°54'20" W a distance of 96.13 feet;

Thence running S 69°43'40" W a distance of 13.78 feet;

Thence running N 20°16'20" W a distance of 220.00 feet;

Thence running N 69°43'40" E a distance of 49.60 feet running along the southerly sideline of Warren Avenue;

Thence running S36°34'26" E a distance of 210.91 feet to the point of beginning.

EAST BERKELEY ST.

AVENUE

STREET

TREMONT

WARREN

CLARENDON

STREET

PARCEL VI
AREA ENCOMPASSED BY
CURBLINE TO STREET LINE
AREA = 13,065 ± S.F.

PARCEL V
AREA ENCOMPASSED BY
EASTERLY BUILDING FACE &
EXISTING PROPERTY LINE
AREA = 268 ± S.F.

NOTES:

1. PROPERTY LINES SHOWN HEREON ARE TAKEN FROM PLATS ENCLOSED.
2. PROPERTY LINES SHOWN HEREON DO NOT REPRESENT A BOUNDARY DETERMINED BY SURVEY ASSOCIATES.

PLAN OF LAND
BOSTON, MASS.

PREPARED BY
SURVEY ASSOCIATES, INC.
118 BR. ST. BOSTON, MASS. 02111-1117
PHONE (617) 542-0300 FAX (617) 542-0911
DATE: JUNE 30, 1989



DATE

CLAYTON HARRIS, P.E.
FOR: SURVEY ASSOCIATES, INC.

DATE: JUNE 30, 1989

Containing 16,677 square feet, more or less, as shown on the Plan.

Parcel III (a portion of the Berkeley Parcel)

Beginning at a point being the intersection of the northwesterly line of Tremont Street and the westerly line of Berkeley Street.

Thence N20°-16'-20"W, by the westerly line of Berkeley Street, eighty and twenty one hundredths (80.21) feet to a point;

Thence N69°-43'-40"E, through Berkeley Street, eleven and sixty-nine hundredths (11.69) feet to a point;

Thence S58°-03'-21"E, through Berkeley Street, sixty and sixteen hundredths (60.16) feet to a point;

Thence S35°-47'-29"W, by the northwesterly line of Tremont Street, fifty-eight and fifty-one hundredths (58.51) feet to the point of beginning.

Containing two thousand two hundred twenty five (2,225) square feet, more or less, as shown on the Plan.

Parcel IV (a portion of the Berkeley Parcel)

Beginning at a point being the intersection of the westerly line of Berkeley Street and the northwesterly line of Tremont Street.

Thence N35°-47'-29"E, by the northwesterly line of Tremont Street, fifty-eight and fifty-one hundredths (58.51) feet to a point;

Thence S58°-03'-21"E, through Tremont Street, two and twenty hundredths (2.20) feet to a point of curvature.

Thence turning by a curve to the right with a radius of three and eighty-two hundredths (3.82) feet, through Tremont Street, six and twenty-five hundredths (6.25) feet to a point of tangency;

Thence S35°-38'-58"W, through Tremont Street, forty-five and thirty-eight hundredths (45.38) feet to a point;

Thence S69°-43'-40"W, through Tremont Street, eleven and forty-three hundredths (11.43) feet to the point of beginning.

Containing three hundred thirty-eight (338) square feet, more or less, as shown on the Plan.

Parcel V (Cyclorama Connector Parcel)

Beginning at a point located seventy four and eighty six hundredths (74.86) feet Northwesterly from the Southwesterly corner of parcel II, as shown on a plan (hereinafter mentioned), said point being the Southeasterly corner of herein described parcel;

Thence turning and running to the Southwest a distance of twelve and thirty four hundredths (12.34) feet along the face of building;

Thence turning and running to the Northwest a distance of two and thirty hundredths (2.30) feet along the face of said building;

Thence turning and running to the Northeast a distance of twenty and forty six hundredths (20.46) feet along the face of said building;

Thence by a curve to the left a distance of seven and seventy nine hundredths (7.79) feet along the face of said building;

Thence turning and running to the Northwest a distance of twenty three and sixty five hundredths (23.65) feet along the face of building;

Thence turning and running Northeasterly a distance of three and ninety nine hundredths (3.99) feet along the face of said building;

Thence turning and running Southeasterly a distance of fifty and eighteen hundredths (50.18) feet along the existing Westerly lot line of said parcel II to the point of beginning.

Containing approximately two hundred eighty eight (288±) square feet of land, more or less, as shown on the Plan.

Parcel VI (Subsurface Parcel)

Beginning at a point two hundred sixty (260.00) feet Northeasterly from the intersection of the easterly sideline of Clarendon Street and northerly sideline of Tremont Street, as shown on a plan (hereinafter mentioned);

Thence running five courses to the Northeast along the Northerly sideline of Tremont street a distance of about three hundred eighty two (382±) feet;

Thence by a curve to the left a distance of about six (6±) feet;

Thence turning and running to the Northwest along the Westerly sideline of East Berkeley Street a distance of about sixty two (62±) feet;

Thence turning and running to the Southwest along the Southerly sideline of Warren Avenue a distance of about three hundred (300±) feet;

Thence turning and running northwesterly through Warren Avenue a distance of about eighteen (18±) feet;

Thence running turning and running Northeasterly along the existing curblin a distance of about two hundred nine (209±) feet;

Thence by a curve to the left a distance of about eight (8±) feet along the curblin;

Thence by a curve to the right a distance of about twenty seven (27±) feet along the curblin;

Thence turning and running southeasterly a distance of about seventy four (74±) feet along the curblin;

Thence by a curve to the right a distance of about forty one (41±) feet along the curblin;

Thence by a curve to the left a distance of about eight (8±) feet along the curblin;

Thence turning and running Southwesterly a distance of about one hundred eighty five (185±) feet along the curblin;

Thence by a curve to the right a distance of about ninety five (95±) feet along the curblin;

Thence turning and running Southwesterly a distance of about ninety three (93±) feet along the curblin;

Thence turning and running Northwesterly through Tremont Street a distance of about twenty four (24±) feet to the point of beginning.

Containing approximately thirteen thousand sixty five (13,065±) square feet of land, more or less, as shown on the Plan.

EXHIBIT B
SURVEY PLAN

EXHIBIT C

SITE PLAN

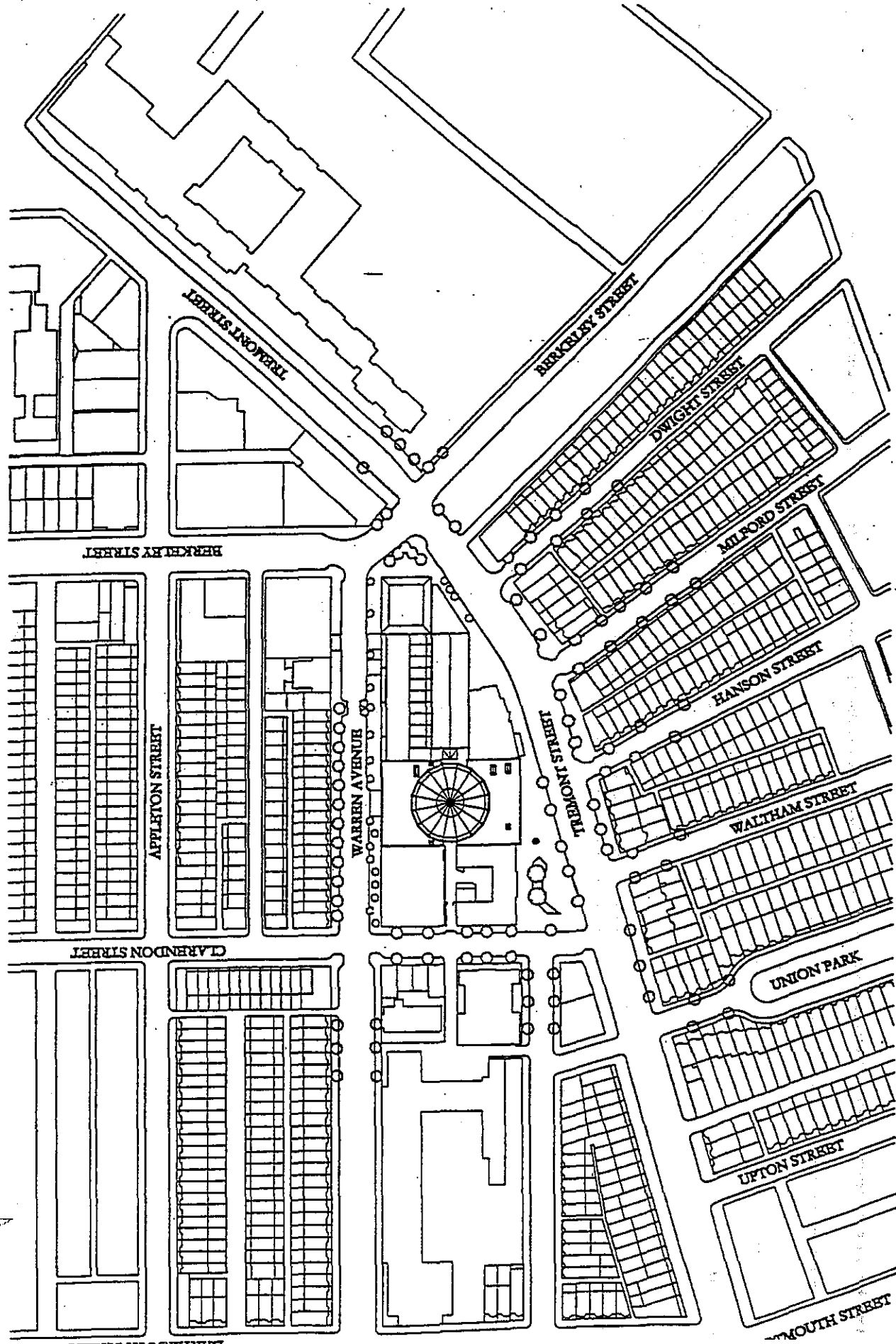
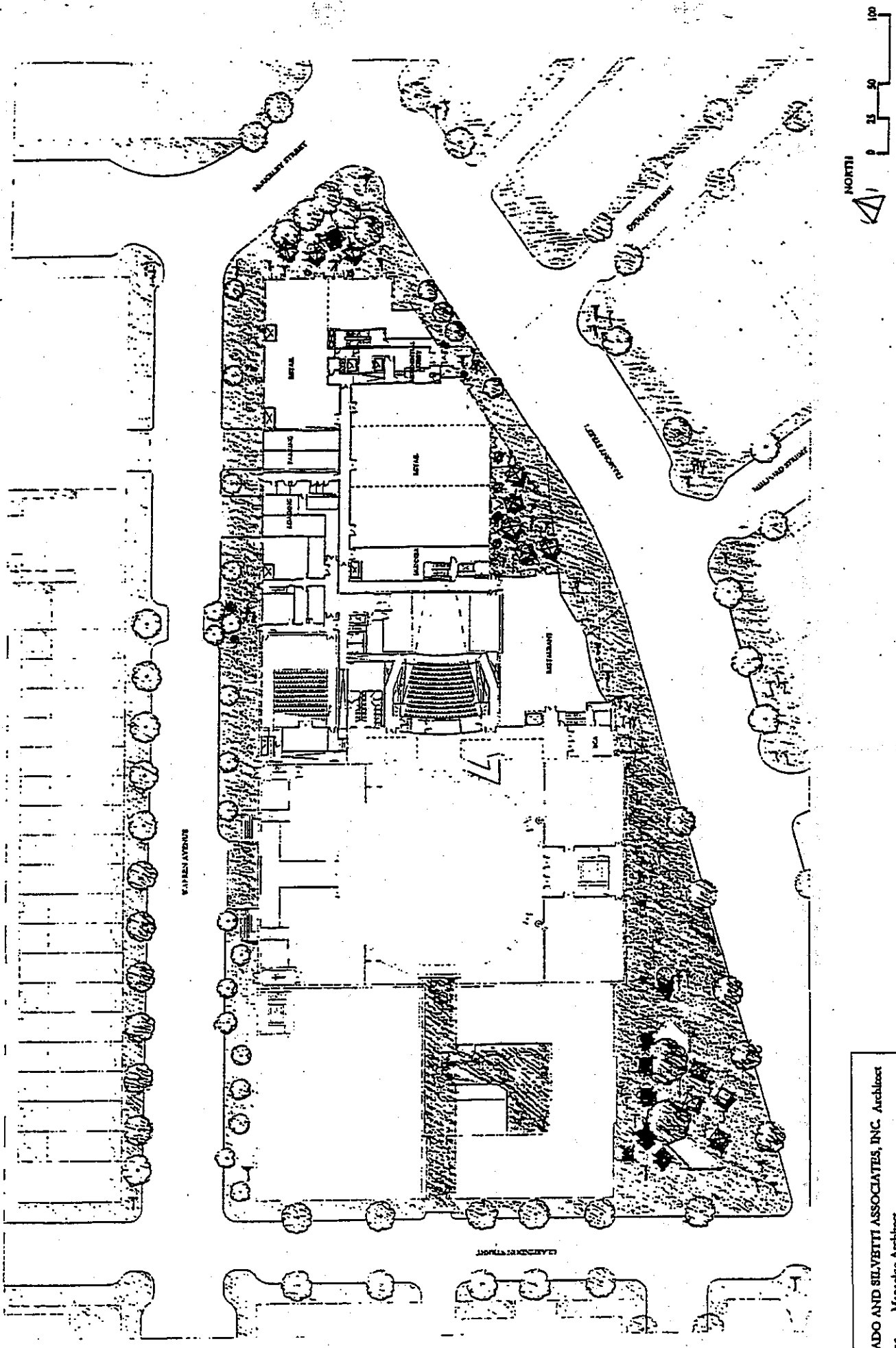


Figure 2-1
 Locus Plan
 Parcel 8 at the Boston Center for the Arts

DO AND SILVETTI ASSOCIATES, INC. Architect
 Managing Architects



HADO AND SILVETTI ASSOCIATES, INC. Architects
 Inc. Managing Architects

Figure: 3-2
 Site Plan
 Parcel 8 at the Boston Center for the Arts

EXHIBIT D

PROPOSED USES AND DIMENSIONS

A. Proposed Uses

Automatic Teller Machine	Bank
Art Gallery	Art Use
Auditorium	Cinema
Concert Hall	Museum
Public Art, Display Space	Studios, Arts
Studios, Productions	Theater (500 seats or less)
Theater (greater than 500 seats)	Ticket Sales
Artist Mixed Use	Agency or Professional Office
General Office	Multi-Family Dwelling
Take-Out Restaurant (small)	Take-Out Restaurant (large)
Restaurant	Bakery
General Retail Business	Local Retail Business
Photographer Studio	Parking Garage
Accessory Art Use	Accessory Cultural Uses
Accessory Offices	Accessory Outdoor Café
Accessory Parking	Accessory Retail
Accessory Services for Apartments and Hotel Residences	

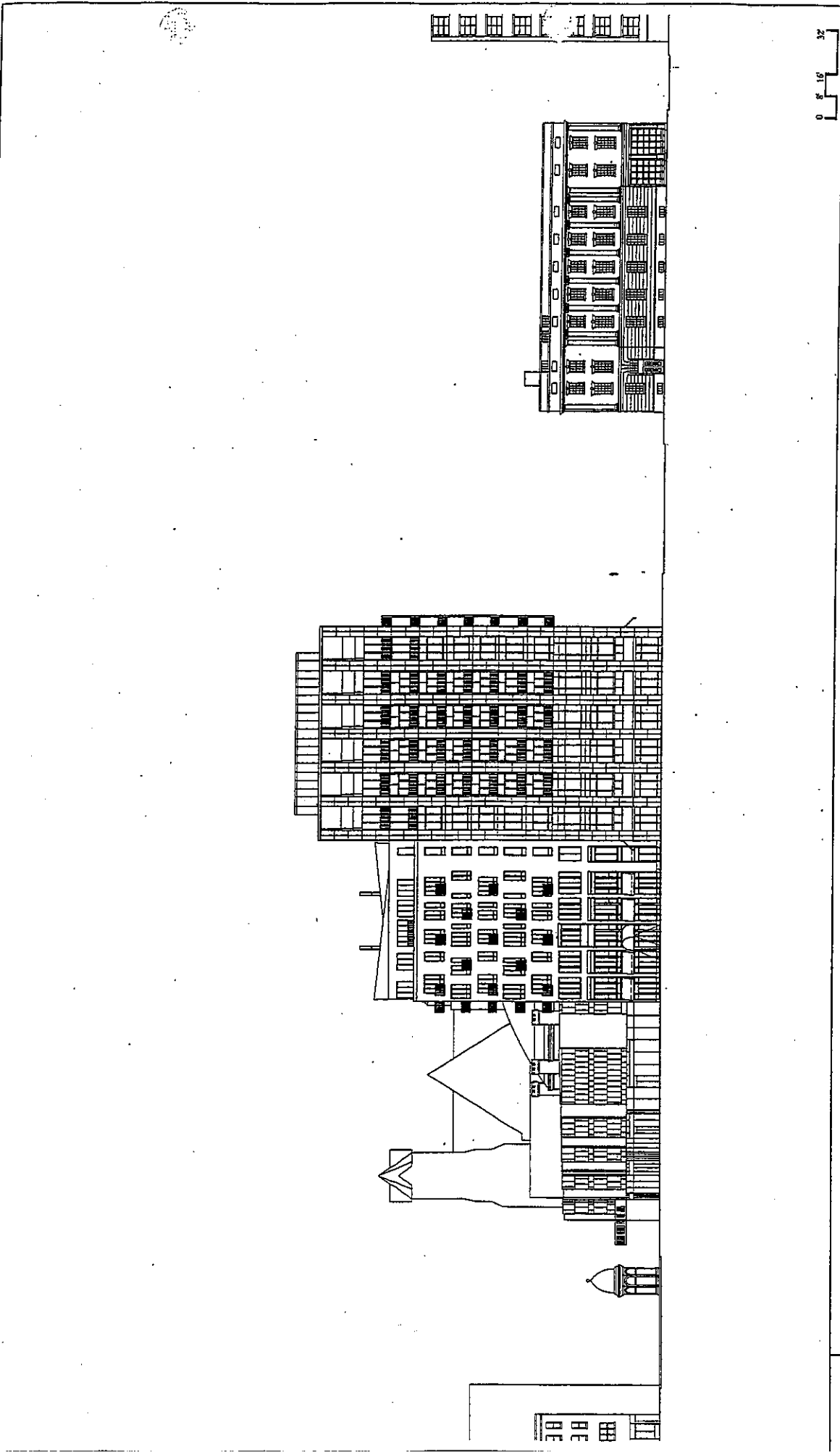
and

All other uses allowed as of right in Community Facilities Subdistricts pursuant to Table A of Article 64 of the Zoning Code of the City of Boston, Massachusetts.

B. Dimensions

Maximum Floor Area Ratio	5.0
Maximum Building Height*	110 feet
Minimum Building Height	none
Minimum Lot Size	none
Minimum Lot Area Per Dwelling Unit	none
Minimum Usable Open Space Per Dwelling Unit	none
Minimum Lot Width	none
Minimum Lot Frontage	none
Minimum Front Yard	none
Minimum Side Yard	none
Minimum Rear Yard	none

*not including unoccupied rooftop structures



0 8' 16' 32'

Sheet A2.03

Title: East Extension
 Scale: 1/8"=1'-0"
 Date: 23 JUNE 1999

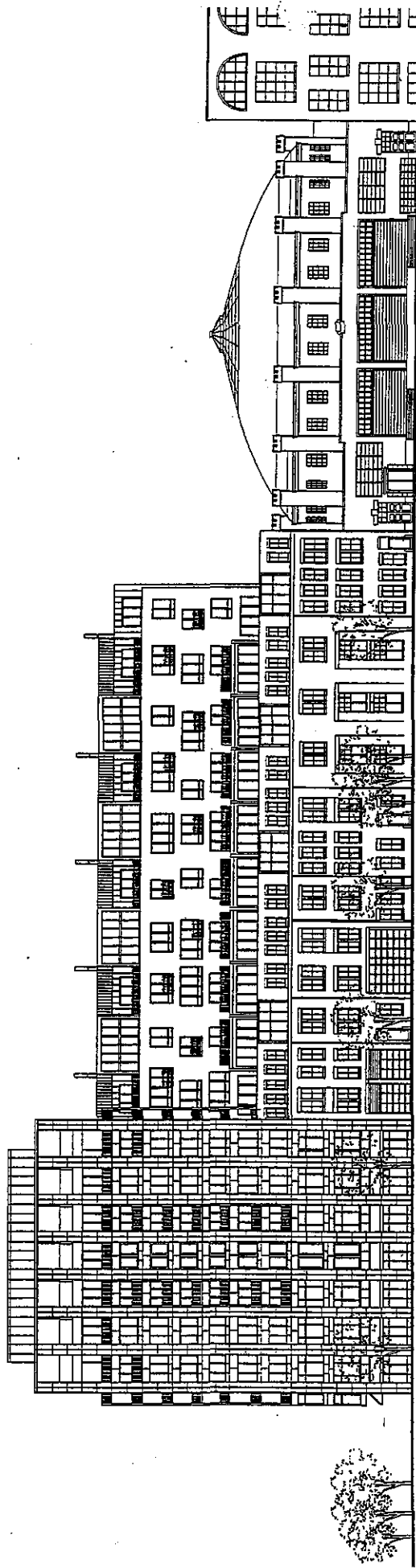
PARCEL 8

ATTN:

BOSTON CENTER FOR THE ARTS

TJIS DRUKER COMPANY, LTD. Designer
 MACILARIO AND SILVETTI ASSOCIATES, INC. Architect
 AED Inc. Managing Architect

THIS DOCUMENT IS THE PROPERTY OF T. J. DRUKER COMPANY. IT IS TO BE USED ONLY FOR THE PROJECT AND SITE SPECIFICALLY IDENTIFIED HEREON. IT IS NOT TO BE REPRODUCED, COPIED, OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF T. J. DRUKER COMPANY.



0 5 10 15 20

Sheet: A2.04
 Title: North Elevation
 Scale: 1/16" = 1'-0"
 Date: 23 JUN 1999

PARCEL 8
 AT THE
 BOSTON CENTER FOR THE ARTS

THE DRUKER COMPANY, LTD. Designer
 MACIARDI AND SILVETTI ASSOCIATES, INC. Architect
 ABB Inc. Modeling/Architect

THIS DRAWING IS THE PROPERTY OF THE ARCHITECT AND IS NOT TO BE REPRODUCED OR COPIED IN ANY MANNER WITHOUT THE WRITTEN PERMISSION OF THE ARCHITECT. THE ARCHITECT ASSUMES NO LIABILITY FOR THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT'S RESPONSIBILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS DRAWING. THE ARCHITECT DOES NOT WARRANT THE ACCURACY OF THE INFORMATION PROVIDED HEREON. THE ARCHITECT'S LIABILITY IS LIMITED TO THE DESIGN AND CONSTRUCTION OF THE PROJECT AS SHOWN ON THIS DRAWING.

FACT SHEET

PARCEL 8 AND THE ADJACENT PARCEL

DEVELOPMENT PLAN

DEVELOPMENT TEAM:

Developer: TDC 8 LLC, an affiliate of The Druker Company, Ltd.

Architects: Machado and Silveti Associates, Inc.
ADD Inc.

Planning
Consultants: Epsilon Associates, Inc.

Counsel: Goulston & Storrs

SITE:

Approximately 1.16 acres of land bounded by Tremont Street to the south, Warren Avenue to the north, Berkeley Street to the east and the Cyclorama to the west. The bulk of the site consists of Disposition Parcel 8 and the Adjacent Parcel, on which the National Theater was previously located. The balance of the site is comprised of various sliver parcels and subsurface areas. The site is presently owned in part by the BRA and in part by the City of Boston.

PROPOSAL:

The Development Plan calls for the construction of a mixed-use building containing up to 253,120 square feet of floor area, an approximately 117,000 square foot below-grade parking structure containing approximately 350 parking spaces and two public plazas. The Project will include approximately 34,000 square feet of new space for the Boston Center for the Arts for two theaters and for educational and administrative functions for the visual and performing arts, approximately 197,000 square feet of floor area containing approximately 99 residential condominium units; approximately 18,000 square feet of retail and restaurant space; and approximately 4,000 square feet of building services.

**ESTIMATED
PROJECT COST:** \$68,000,000.00

PUBLIC BENEFITS:

Cultural Facilities: The construction of 34,000 square feet of new space for the Boston Center for the Arts for two new theaters and educational and administrative functions plus a lump sum payment to the BCA of \$2,150,000.00. Together, these benefits are valued at over \$9,100,000.00.

Built Environment: The Project will greatly improve the aesthetic character of the Site and its surroundings by introducing a complex of related but distinct building elements that respect the urban design characteristics of the Site and its surroundings and include two new open space plazas enhanced by trees and outdoor sculpture.

**Traffic and
Transportation:** The Project will provide an underground parking facility that will help ease the existing parking shortage faced by South End visitors and residents.

Job Creation: Approximately 400 full and part-time construction jobs and approximately 200 permanent jobs.

ZONING: The Site is currently located within the Boston Center for the Arts – Franklin Institute Community Facilities Subdistrict within the South End Neighborhood District under Article 64 of the Code. The Project is designed to comply with the provisions of Article 64.

MEMORANDUM

MAY 18, 2000

TO: BOSTON REDEVELOPMENT AUTHORITY AND
MARK MALONEY, DIRECTOR

FROM: JAMES G. KOSTARAS, AIA, AICP, ASSISTANT DIRECTOR
FOR ECONOMIC DEVELOPMENT
SUE O. KIM, PROJECT MANAGER/REGIONAL PLANNER

SUBJECT: PARCEL 8 AND THE ADJACENT PARCEL REDEVELOPMENT AT
THE BOSTON CENTER FOR THE ARTS IN THE SOUTH END

SUMMARY: This memorandum requests that, as part of a scheduled public hearing to consider the proposed mixed-use development of Parcel 8 and the Adjacent Parcel at the Boston Center for the Arts in the South End:

- (1) authorization be granted for the Director to submit a petition to the Boston Zoning Commission for approval of Planned Development Area No. 49 and associated map amendment and for approval of the Development Plan for the Parcel 8 and Adjacent Parcel Redevelopment at the Boston Center for the Arts project, PDA No. 49; and
- (2) authorization be granted for the Director to issue a Certification of Consistency pursuant to Article 80, Section 80C-8 indicating that the Proposed Project is consistent with the PDA Development Plan for Planned Development Area No. 49 upon the approval of the Development Plan by the Boston Zoning Commission and the completion of the BRA design review; and
- (3) authorization be granted for the director to execute a Cooperation Agreement.

On April 25, 2000, the Boston Redevelopment Authority (the "BRA") authorized the scheduling of a public hearing relative to the Development Plan for Planned Development Area No. 49 for the Parcel 8 and Adjacent Parcel Redevelopment at the Boston Center for the Arts in the South End ("Proposed Project"). This action by the BRA Board was taken in connection with the proposed mixed-use redevelopment project proposed to be developed at 515-529 Tremont Street, 531 Tremont Street, and 4-12 Warren Avenue by The Druker Company on behalf of TDC8 LLC ("Project Proponent").

A Project Notification Form ("PNF") for the Proposed Project was submitted on May 6, 1998. In response to the PNF, the BRA issued a Scoping Determination ("Scope") on June 30, 1998. A Draft Project Impact Report ("DPIR") for the Proposed Project addressing the concerns of the Scope was submitted to the BRA on March 26, 1999. The BRA issued a Preliminary Adequacy Determination on May 25, 1999 requiring the Proponent to submit a Final Project Impact Report.

The Final Project Impact Report ("FPIR") for the Proposed Project was submitted to the BRA on January 27, 2000. The BRA issued an Adequacy Determination on May 8, 2000.

The Proposed Project consists of a mixed-use building containing up to 253,120 gross square feet of new construction. The Proposed Project will include approximately 34,000 gross square feet of new space for the Boston Center for the Arts for two theatres and educational and administrative functions for the visual and performing arts, approximately 197,000 gross square feet of residential use (99 condominium units), approximately 18,000 gross square feet of retail and restaurant space, and approximately 4,000 gross square feet of building services. Parking will be accommodated on-site with two levels of below-grade parking, including approximately 350 parking spaces, contained within the building. The massing will be such that heights will vary from four stories to emulate the historic townhouses on Warren Avenue to the highest point of ten stories (maximum of 110' under zoning) at the Berkeley Street end of the parcel. The design of the building reflects the modern and artistic aspect of the Proposed Project's program while respecting the historic architectural character of the South End.

DEVELOPMENT PLAN

In accordance with Section 3-1A and Section 80C of the Boston Zoning Code (the "Code"), the Development Plan sets forth information on the development of the Proposed Project as required by Section 80C of the Code. This information includes the proposed location and appearance of the structure, the proposed uses of the project, the proposed dimensions of the structure, the proposed density, the proposed parking and loading facilities, access to public transportation, and other major elements of the Proposed Project. The proposed Development Plan for Planned Development Area No. 49 is attached hereto as Exhibit A.

RECOMMENDATION

The BRA staff recommends that, as part of the public hearing, the Director be authorized to submit a petition to the Boston Zoning Commission for approval of Planned Development Area No. 49 and associated map amendment and Development Plan, PDA No. 49, and be authorized to issue a Certification of Consistency upon approval of the Development Plan by the Boston Zoning Commission and completion of BRA design review for the Parcel 8 and the Adjacent Parcel Redevelopment at the Boston Center for the Arts, South End.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to petition to the Zoning Commission to adopt a map amendment to Map 1P, South End Neighborhood District, to add the designation "D", indicating a Planned Development Area overlay district to the parcel of land known as Parcel 8 and the adjacent parcel containing approximately 1.16 acres of land in substantial accord with the map amendment application submitted to the Authority at its meeting on May 18, 2000.

FURTHER

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. 49, Parcel 8 and The Adjacent Parcel.

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to issue a Certification of Consistency pursuant to Article 80, Section 80C-8 of the Boston Zoning Code, upon the approval by the Boston Zoning Commission of the Development Plan approved this date in accordance with Article 80 and Article 3, Section 3-1.A(a) of the Boston Zoning Code and the completion of the BRA design review.

**FURTHER
VOTED:**

That the Director be, and hereby is, authorized to execute a Cooperation Agreement with TDC8LLC in connection with the Development Plan for Planned Development Area No.49, Parcel 8 and The Adjacent Parcel.

Map Amendment Application No. 434
Planned Development Area No. 49
Parcel 8 (Boston Center for the Arts)
Map 1P, South End Neighborhood
District
Boston Redevelopment Authority

MAP AMENDMENT NO. 375

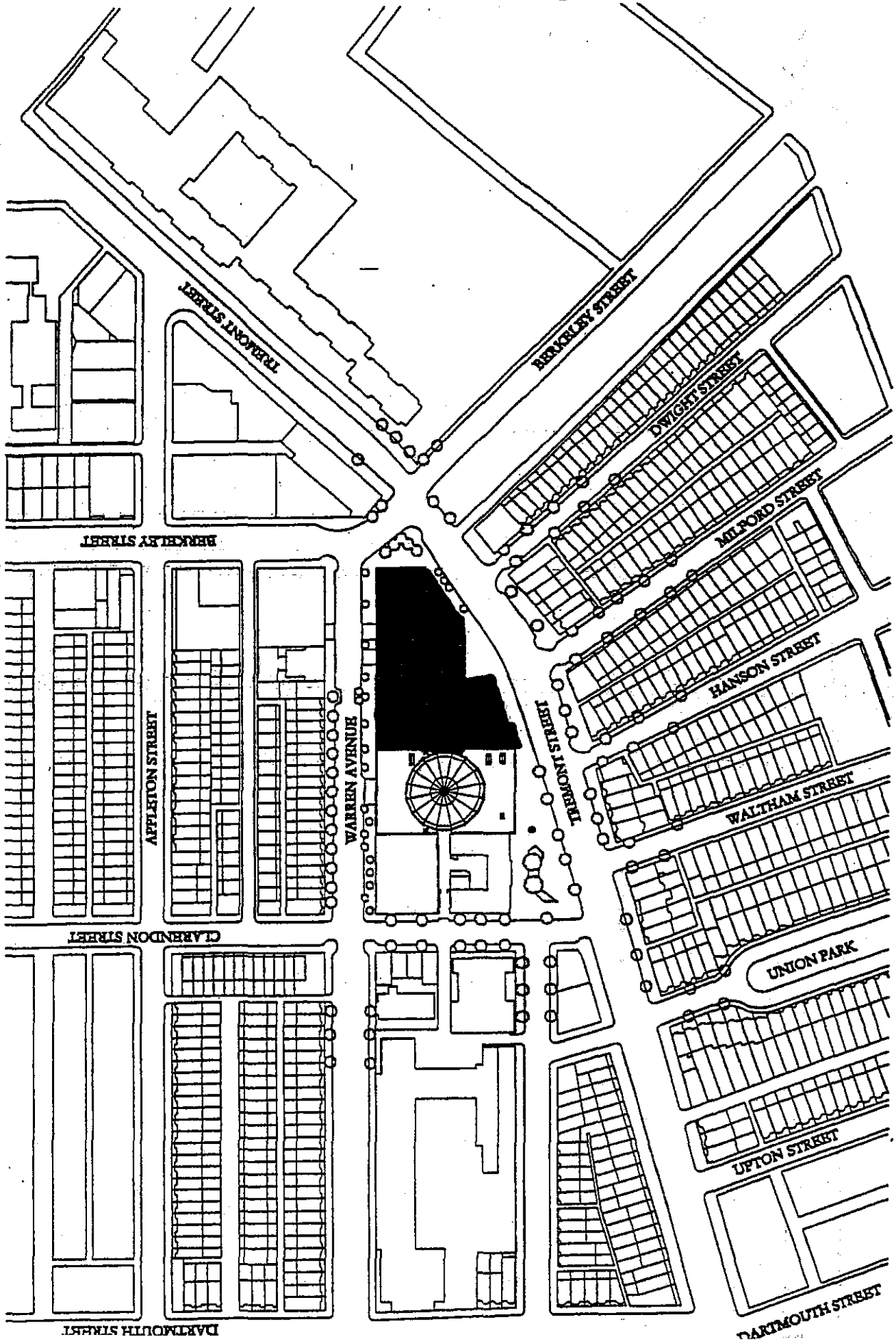
THE COMMONWEALTH OF MASSACHUSETTS

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. 49, and amends "Map 1P, South End Neighborhood District," 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 1.16 acres of land bounded generally by Tremont Street to the south, Warren Avenue to the north, Berkeley Street to the east and the Cyclorama to the west, as shown on Appendix A.



Appendix A
Parcel 8 at the Boston Center for the Arts

R. G. Mann
Chairman

Robert Foubert
Vice Chairman

James C. Clark

Mary P. Loring

Walter A. Neff

William Tombert

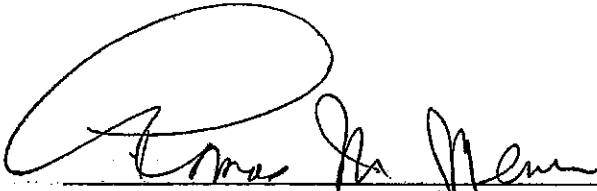
John Bean

Gill Statton

In Zoning Commission

Adopted: June 28, 2000

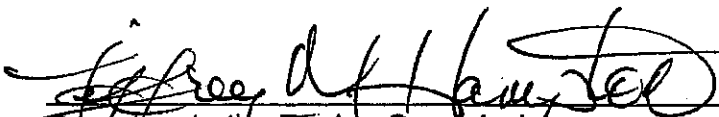
Attest: Joseph H. [Signature]
Secretary



Mayor, City of Boston

Date: 7/13/00

The foregoing amendment was presented to the Mayor on July 13, 2000, and was signed by him on July 13, 2000, whereupon it became effective on July 13, 2000, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest: 

Secretary to the Zoning Commission

Development Plan for Planned Development Area No. 49, Parcel 8 (Boston Center for the Arts)

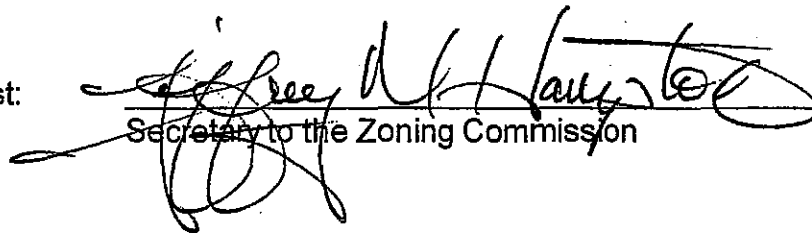


Mayor, City of Boston

Date: 7/13/00

The foregoing development plan was presented to the Mayor on July 12, 2000, and was signed by him on July 13, 2000, whereupon it became effective on July 13, 2000, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Secretary to the Zoning Commission