

JUNE 9, 2016

RESOLUTION OF BOSTON REDEVELOPMENT AUTHORITY
RE: MODIFICATION TO CERTAIN URBAN RENEWAL PLANS OF
THE CITY OF BOSTON

WHEREAS, the City of Boston maintains sixteen (16) active urban renewal plans originally approved by the Boston Redevelopment Authority ("Authority"), Boston City Council, and the Mayor of Boston between 1957 and 1980; and

WHEREAS, the City's urban renewal program has effectuated great change in the City's inner neighborhoods, including the creation of new homes, new businesses, new schools, new parks and civic spaces, and new infrastructure; and

WHEREAS, federal funding for urban renewal was eliminated in the early 1970s; and

WHEREAS, the City of Boston suffered a number of economic downturns in the intervening time, including years in the 1970s, 1980s, 1990s, and 2000s; and

WHEREAS, despite the best efforts of the City of Boston and the Authority, several of the plans' renewal actions, design objectives, and other community development purposes remain incomplete; and

WHEREAS, several of the plan areas continue to contain open, blighted, decadent, and/or substandard properties that remain detrimental to the safety, health, morals, welfare, or sound growth of the surrounding community and without the tools provided by the plans it is unlikely that the properties will be redeveloped through the ordinary operations of private enterprise; and

WHEREAS, by their provisions, the plans and the powers conferred and programs set forth will terminate on June 29, 2016 unless so extended; and

WHEREAS, the Authority seeks a short-term, sixty (60) day extension for fourteen (14) of the active urban renewal plans since the Commonwealth's Department of Housing and Community Development's approval of a six (6) year, longer term extension of the fourteen (14) active urban renewal plans is still pending; and

WHEREAS, each plan includes within its provisions the ability to modify said termination or anticipated completion date and extend said plan; and

WHEREAS, the Urban Renewal Plan for the Brunswick-King Urban Renewal Plan (“Brunswick-King Plan”), Project No. Mass. R-168, received approval from the Authority on November 30, 1972 and, as amended, on February 22, 1973, from the Boston City Council on February 12, 1973, from the Mayor of Boston on February 15, 1973 and, as amended, on February 28, 1973, and from the Division of Urban Renewal of the Massachusetts Department of Community Affairs (together with its successor agency, the Department of Housing and Community Development, the “Commonwealth”) on March 3, 1973; and

WHEREAS, Chapter VI of the Brunswick-King Plan, entitled “Modification and Termination,” provides that the Brunswick-King Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the Brunswick-King Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter VI shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; that if the Brunswick-King Plan is recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter VI of the Brunswick-King Plan also provides that the Brunswick-King Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the Commonwealth, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Campus High School Urban Renewal Plan (“Campus High School Plan”), Project No. Mass. R-129, received approval from the Authority on August 11, 1966 (Early Land) and July 9, 1970, from the Boston City Council on December 28, 1966 (Early Land) and June 7, 1971, from the Mayor of Boston on December 30, 1966 (Early Land) and June 9, 1971, and from the Commonwealth on December 23, 1969 (Early Land) and June 30, 1972; and

WHEREAS, Chapter XII of the Campus High School Plan, entitled “Modification and Termination,” provides that the Campus High School Plan may be modified at any time by the Authority, provided: that any amendment that in the

reasonable opinion of the Authority substantially or materially alters or changes the Campus High School Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party's successors or assigns; that if the Campus High School Plan is recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter XII of the Campus High School Plan also provides that the Campus High School Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the Commonwealth, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Central Business District Urban Renewal Plan – Boylston-Essex Urban Renewal Plan ("CBD Boylston-Essex Plan"), Project No. Mass. R-82B, received approval from the Authority on May 23, 1968, from the Boston City Council on October 7, 1968, from the Mayor on October 9, 1968, and from the Commonwealth on June 6, 1969; and

WHEREAS, Chapter XII of the CBD Boylston-Essex Plan , entitled "Modification and Termination," provides that the CBD Boylston-Essex Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the CBD Boylston-Essex Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party's successors or assigns; that if the CBD Boylston-Essex Plan are recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter XII of the CBD Boylston-Essex Plan also provides that the CBD Boylston-Essex Plan shall be in full force and effect for a period of forty (40) years from the date of approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Central Business District Urban Renewal Plan – School-Franklin Urban Renewal Plan (“CBD School-Franklin Plan”), Project No. Mass. R-82A, received approval from the Authority on May 23, 1968, from the Boston City Council on October 7, 1968, from the Mayor on October 9, 1968, and from the Commonwealth on February 12, 1973; and

WHEREAS, Chapter XII of the CBD School-Franklin Plan , entitled “Modification and Termination,” provides that the CBD School-Franklin Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the CBD School Franklin Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; that if the CBD School-Franklin Plan are recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter XII of the CBD School-Franklin Plan also provides that the CBD School-Franklin Plan shall be in full force and effect for a period of forty (40) years from the date of approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Central Business District Urban Renewal Plan – South Station (“CBD South Station Plan”), Project No. Mass. R-82C, received approval from the Authority on May 23, 1968, from the Boston City Council on February 24, 1969, from the Mayor on February 28, 1969, and from the Commonwealth on December 31, 1969; and

WHEREAS, Chapter XII of the CBD South Station Plan , entitled “Modification and Termination,” provides that the CBD South Station Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the CBD South Station Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors

or assigns; that if the CBD South Station Plan are recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter XII of the CBD South Station Plan also provides that the CBD South Station Plan shall be in full force and effect for a period of forty (40) years from the date of approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Charlestown Urban Renewal Plan (“Charlestown Plan”), Project No. Mass. R-55, received approval from the Authority on March 25, 1965, from the Boston City Council on June 7, 1965, from the Mayor of Boston on June 10, 1965, and from the Commonwealth on July 6, 1965; and

WHEREAS, Chapter XII of the Charlestown Plan, entitled “Amendment and Termination,” provides that the Charlestown Plan may be modified by the Authority, provided: that any amendment that alters the boundary or basic elements be made in accordance with the Federal, State, and local approvals required by law at the original approval; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; and

WHEREAS, Chapter XII of the Charlestown Plan also provides that the Charlestown Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Downtown Waterfront-Faneuil Hall Urban Renewal Plan (“Waterfront Plan”), Project No. Mass. R-77, received approval from the Authority on April 24, 1964, from the Boston City Council on June 8, 1964, from the Mayor of Boston on June 11, 1964, and from the Commonwealth on August 26, 1964; and

WHEREAS, Chapter XI of the Waterfront Plan, entitled “Modification and Termination,” provides that the Waterfront Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the

Authority substantially or materially alters or changes the Waterfront Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XI shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party's successors or assigns; and

WHEREAS, Chapter XI of the Waterfront Plan also provides that the Waterfront Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Fenway Urban Renewal Plan ("Fenway Plan"), Project No. Mass. R-115, received approval from the Authority on November 24, 1965, from the Boston City Council on December 20, 1965, from the Mayor of Boston on December 23, 1965, and from the Commonwealth on April 26, 1967; and

WHEREAS, Chapter XII of the Fenway Plan, entitled "Modification and Termination," provides that the Fenway Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the Fenway Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter XII shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party's successors or assigns; that if the Fenway Plan is recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter XII of the Fenway Plan also provides that the Fenway Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the Commonwealth, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Government Center Urban Renewal Plan ("Government Center Plan"), Project No. Mass. R-35, received approval from the Authority on May 29, 1961 (Early Land) and June 5, 1963, from the Boston City Council on June 5, 1961

(Early Land) and May 25, 1964, from the Mayor of Boston on June 6, 1961 (Early Land) and May 26, 1964, and from the Commonwealth on June 24, 1964; and

WHEREAS, Chapter IX of the Government Center Plan, entitled “Provision for Modification and Termination,” provides that the Government Center Plan may be modified at any time by the Authority, provided: that any amendment that substantially changes the Government Center Plan must be approved by the City Council and the Commonwealth; no modification to the Government Center Plan shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; and

WHEREAS, Chapter IX of the Government Center Plan also provides that the Government Center Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Kittredge Square Urban Renewal Plan (“Kittredge Square Plan”), Project No. Mass. R-167, received approval from the Authority on November 30, 1972 and as amended on February 22, 1973, from the Boston City Council on February 12, 1973, from the Mayor of Boston on February 28, 1973, and from the Commonwealth on March 3, 1973; and

WHEREAS, Chapter VI of the Kittredge Square Plan, entitled “Modification and Termination,” provides that the Kittredge Square Plan may be modified at any time by the Authority, provided: that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the Kittredge Square Plan must be subject to the Federal, State, and local approvals then required by law; that no amendment to any provision of Chapter VI shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; that if the Kittredge Square Plan is recorded no such amendment shall be effective until the amendment is also recorded; and

WHEREAS, Chapter VI of the Kittredge Square Plan also provides that the Kittredge Square Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the Commonwealth, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the

Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Park Plaza Urban Renewal Plan (“Park Plaza Plan”) received approval from the Authority on July 15, 1971, from the Boston City Council on December 6, 1971, from the Mayor of Boston on December 22, 1971; and from the Commonwealth on November 23, 1976; and

WHEREAS, Chapter M of the Park Plaza Plan, entitled “Modification and Termination,” provides that the Park Plaza Plan may be adjusted in minor ways from time to time by the Authority, provided: that any substantial change requires the same state and local approvals which would be required on submission of a new plan; that any change which increases any prescribed floor area ratio or height limit or which alters the uses prescribed for any parcel shall be deemed substantial; and

WHEREAS, Chapter M of the Park Plaza Plan also provides that the Park Plaza Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on February 24, 2005 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the South Cove Urban Renewal Plan (“South Cove Plan”), Project No. Mass. R-92, received approval from the Authority on June 10, 1965, from the Boston City Council on July 26, 1965, from the Mayor of Boston on July 29, 1965, and from the Commonwealth on August 27, 1965; and

WHEREAS, Chapter XII of the South Cove Plan, entitled “Modification and Termination,” provides that the South Cove Plan may be modified at any time by the Authority, provided: that no amendment to the South Cove Plan shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the South Cove Plan must be subject to the necessary Federal, State, and local approvals; and

WHEREAS, Chapter XII of the South Cove Plan also provides that the South Cove Plan shall be in full force and effect for a period of forty (40) years from the date of

its approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the South End Urban Renewal Plan (“South End Plan”), Project No. Mass. R-56, received approval from the Authority on May 2, 1962 (Early Land) and September 23, 1965, from the Boston City Council on October 1, 1962 (Early Land) and December 6, 1965, from the Mayor of Boston on October 3, 1962 (Early Land) and December 7, 1965, and from the Commonwealth on October 15, 1962 (Early Land) and January 17, 1966; and

WHEREAS, Chapter XII of the South End Plan, entitled “Modification and Termination,” provides that the South End Plan may be modified at any time by the Authority, provided: that no amendment to the South End Plan shall be effective with respect to any land disposed of or contracted for disposition by the Authority without the consent of the other party or such other party’s successors or assigns; that any amendment that in the reasonable opinion of the Authority substantially or materially alters or changes the South End Plan must be subject to the necessary Federal, State, and local approvals; and

WHEREAS, Chapter XII of the South End Plan also provides that the South End Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council and the Mayor of Boston, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Washington Park Urban Renewal Plan (“Washington Park Plan”), Project No. Mass. R-24, received approval from the Authority on June 27, 1962 (Early Land) and January 16, 1963, from the Boston City Council on August 13, 1962 (Early Land) and February 18, 1963, from the Mayor of Boston on August 14, 1962 (Early Land) and February 26, 1963, and from the Commonwealth on August 29, 1962 (Early Land) and March 15, 1963; and

WHEREAS, Chapter XII of the Washington Park Plan, entitled “Modification and Termination,” provides that the Washington Park Plan may be modified at any time by the Authority, provided: that no amendment to the Washington Park Plan shall be effective with respect to any land disposed of or contracted for disposition

by the Authority without the consent of the other party or such other party's successors or assigns; that any amendment that substantially or materially alters or changes the Washington Park Plan must be approved by the City Council and the Commonwealth; and

WHEREAS, Chapter XII of the Washington Park Plan also provides that the Washington Park Plan shall be in full force and effect for a period of forty (40) years from the date of its approval by the City Council, said date was extended to April 30, 2015 by the Boston City Council on December 15, 2004, by the Authority on December 21, 2004 and by the Commonwealth on September 26, 2005, and further extended by the Authority on December 18, 2014 and then again extended by the Authority on April 14, 2016; and

WHEREAS, the Authority has determined that certain urban renewal areas require continuing efforts to accomplish their goals; and

WHEREAS, in order to ensure the future success of urban renewal, the Authority believes that a six (6) year extension is necessary to complete the commitments set forth by the Authority and the City since the late 1950s; and

WHEREAS, over the past year, the Authority has gone to great lengths to foster a public conversation about urban renewal, which included the formation of an Urban Renewal Task Force representing the neighborhoods where urban renewal plans are active. Since March 2015, the Authority held twelve (12) large public meetings in different neighborhoods and five (5) neighborhood Q&A sessions; and

WHEREAS, the Authority presented at an information session, two briefings, and one hearing of a committee of the Boston City Council. These sessions were open to the public. Additionally, on March 3, 2016, the Boston City Council held a public hearing regarding the proposed extension of the urban renewal plans. To continue the discussion of the proposed extension, on March 8, 2016 a working session was held. Subsequently, the Boston City Council, by vote duly taken and recorded on March 23, 2016, approved the extension of fourteen (14) of Boston's urban renewal plans for a period of six (6) years. Subsequently, on March 28, 2016, Mayor Martin J. Walsh approved the extension of the plans; and

WHEREAS, although the Authority has been working with the Commonwealth throughout the public process regarding the extension request, the Authority is seeking a short-term, sixty (60) day extension of the Urban Renewal Plans in order to continue the dialogue with the Commonwealth;

WHEREAS, the Authority recognizes that certain plans, including the Brunswick-King Plan, the Campus High School Plan, the CBD Boylston-Essex Plan, the CBD School-Franklin Plan, the CBD South Station Plan, the Charlestown Plan, the Fenway Plan, the Government Center Plan, the Kittredge Square Plan, the Park Plaza Plan, the South Cove Plan, the South End Plan, the Washington Park Plan, and the Waterfront Plan, have outstanding activity that must be accomplished to fulfill the goals established within the plans and therefore require extension at this time; and,

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Authority does hereby modify the Brunswick-King Urban Renewal Plan, the Campus High School Urban Renewal Plan, the Central Business District Boylston-Essex Plan, the Central Business District School-Franklin Plan, the Central Business District South Station Urban Renewal Plan, the Charlestown Urban Renewal Plan, the Downtown Waterfront-Faneuil Hall Urban Renewal Plan, the Fenway Urban Renewal Plan, the Government Center Urban Renewal Plan, the Kittredge Square Urban Renewal Plan, the Park Plaza Urban Renewal Plan, the South Cove Urban Renewal Plan, the South End Urban Renewal Plan, and the Washington Park Urban Renewal Plan (together, the "Plans") to incorporate the following language:

"Notwithstanding the termination dates and provisions within this plan, the plan shall not terminate before August 28, 2016."

2. That the modification set forth in 1. above is found to be a minor modification which does not substantially or materially alter or change the Plans.