# BOSTON REDEVELOPMENT AUTHORITY DEVELOPMENT PLAN FOR PLANNED DEVELOPMENT AREA NO. 102 For 45W3 Project

at 45 West Third Street, South Boston Dated: May 28, 2015

#### 1. Development Plan

Pursuant to Section 3-1A and Article 80C of the Zoning Code of the City of Boston, Massachusetts (the "Code"), this plan constitutes the Development Plan for Planned Development Area No. 102 (the "Plan") for the development of the 45 West Third Street ("45W3") project (the "Project") to be located on an approximately one acre site (the "Site") located at 45 West Third Street in South Boston, Massachusetts. The Site is described in Exhibit A attached hereto and is shown on the map and depicted on the Site Plans attached hereto as Exhibit B.

As described in more detail below, the Proponent intends to develop a mixeduse project including residential space, commercial or retail space, and parking.

This Plan sets forth information on the Project 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, and access to public transportation, and proposed dimensions of structures. Upon approval, this Plan shall constitute the zoning for the Site in accordance with Section 3-1A and Article 80C of the Code.

This Plan consists of 8 pages of text plus attachments designated Exhibits A through E. All references to this Plan contained herein shall refer only to such pages and exhibits. The Project is subject to final design, environmental, and other development review by the Boston Redevelopment Authority ("BRA") and by other governmental agencies and authorities, and minor changes may occur to the Project's design, subject to BRA design review, without the need to amend this Plan, provided that in all events the Project is consistent with the use, dimensional and other limitations described below and shown in this Plan.

#### 2. Developer/Proponent

The Proponent is SSI West Third Boston LLC, an affiliate of Spaulding & Slye Investments, with an address of One Post Office Square, 28th Floor, Boston, MA 02109.

Members of the Project Team are identified on Exhibit C attached hereto-

#### 3. Site Description/Project Area

The Site consists of approximately one acre (43,567 square feet) and most of the city block bounded by A Street on the west, West Third Street on the north, the depressed Haul Road on the East, and Athens Street on the south with the exception of two out parcels: 85-87 A Street, located on the corner of A Street and West Third Street, and 66 Athens Street, located on the corner of A Street and Athens Street. The one story brick industrial building and outside parking area currently on most of the site has been used for light-industry since its construction in 1927, until operations recently ceased at that location. The Site also includes a small lot at 68 Athens Street with a single family home thereon.

According to Map 4 (South Boston) of the Code, the Site is located in an M-2 restricted manufacturing zoning district. The Site is also in a restricted parking overlay district.

#### 4. Description of the Project

#### A. The Building

The Project involves the demolition pursuant to Article 85 of the Code of the existing one story industrial brick building and single family house on the Site.

The Project includes the construction of one mixed use building with residential dwellings, retail/commercial space, interior parking, sidewalk improvements including wider sidewalks, new street lighting, and related landscaped open space, and other public benefits.

#### B. Urban Design Context and Objectives

The Site is on the western edge of the more densely developed South Boston residential areas, but within a five minute walk of the MBTA Broadway Station. The area around the site includes a mix of relatively low density, legacy commercial and residential uses with surface parking lots, as well as a number of newer more dense residential developments that are taking advantage of the close proximity to transit, Downtown, and the growing South Boston waterfront. Transforming the site into up to 105 residential condominium units with commercial/retail space on the ground floor will continue the development of this growing area that has become increasingly desirable among young professionals and families. The intention of the Project is to enhance the public realm around the Project site, and develop an appropriately scaled building for the area that recognizes its unique location at the edge of the mature residential areas of South Boston, the industrial history of the area, and the growing areas of the Fort Point district and South Boston waterfront, as well as proximity to public transportation. As the Project site is situated in a transitional zone between several distinct

neighborhoods with buildings ranging in height from one to six stories, the Project consists of several differently scaled components. Each component is designed to integrate into its surroundings. Replacing the surface parking lots with a covered, partially below grade garage faced with active uses will improve the streetscape and create a pedestrian friendly environment.

The proposed Project is situated in a transitional zone between several distinct neighborhoods including the high density, high traffic West Broadway district to southwest, the burgeoning 100 Acres/Fort Point/Innovation District to the north, and the finer grained, lower scale St. Vincent Neighborhood across the Haul Road to the southeast. The proposed Project aspires to integrate and invigorate these varied contexts with an appropriate urban transition.

The design of the proposed Project acknowledges the complex, episodic relationships to the surrounding neighborhoods. The architecture responds to specific contextual conditions to enhance and improve the proposed Project's integration into the public realm in the following ways:

- (i) Widen sidewalk along West Third Street: The existing sidewalk on West Third Street is eight feet wide. The proposed Project will widen this sidewalk to create a more appropriately scaled pedestrian zone and comply with the City of Boston's Complete Streets Initiative.
- (ii) Townhouses, residential lobby and retail entries activate A Street and West Third Street: Active uses with distributed entries promote a vibrant street life and provide the crucial dimensions of visual interest and passive security ("eyes on the streets").
- (iii) Step down massing toward the St. Vincent neighborhood: The proposed Project steps down to provide an appropriate scale transition to the lower scale of the St. Vincent neighborhood to the South East.

#### 5. Proposed Location and Appearance of Structures

As stated above, the Site consists of approximately one acre (43,567 square feet) and most of the city block bounded by A Street on the west, West Third Street on the north, the depressed Haul Road on the East, and Athens Street on the south.

The Project will include one building with differentiated components of varying height up to four stories above the single level partially below grade parking garage. The Project's building shall not be greater than 55 feet in height, and shall step down to a height no greater than 45 feet along the Haul Road. The building will include two outdoor amenity areas or courtyards for residents on the roof of the parking garage along Athens Street. The building will include up to 105 residential condominium units in about 129,450 square feet of space. The residential units will include a variety of types and sizes to meet a number of different needs. Approximately 3,400 square feet of retail/commercial space shall be included on the ground floor and approximately

1,000 square feet in a mezzanine for storage or mechanical space. This space with an entrance on A Street will be used for a local business including restaurant, retail or other commercial use, or could be divided to accommodate more than one business. One level of interior parking that is partially below grade and accessed by West Third Street will include approximately 109 parking spaces and secure space for up to 110 bicycles within the building — one bicycle space per dwelling unit and about five spaces for site employees. The interior parking level is partially below grade and contains approximately 34,000 square feet of space and also includes a recycling/trash room and building maintenance office. Loading and service, including trash, recycling, and deliveries will occur on-site at the loading area located on West Third Street, just east of the parking garage driveway. The maximum gross floor area of the building, including residential and retail/commercial space but excluding without limitation the partially below grade interior parking level, is 132,850 square feet.

Throughout this Plan, except as specifically described herein all references to "floor area" shall refer to "gross floor area" as defined in the Code, and all references to "height" shall refer to "height of building" as defined in the Code.

The various components of the Project are shown on the plans and elevations attached hereto as Exhibit D (collectively, the "Project Materials"). The Project's design, layout and general appearance may evolve during ongoing design review with the BRA, and during other reviews and approvals of government agencies or authorities.

#### 6. Open Spaces and Landscaping

The Project includes a minimum of 20,000 square feet of open space including private and common roof decks, balconies, courtyards and space at grade on the Site, and landscaping improvements throughout and around the Site.

The Project will provide public open space and landscaping benefits in public areas off-site. As part of the Project, the Proponent will bring abutting sidewalks and pedestrian ramps to the City of Boston standards in accordance with the Boston Complete Streets design guidelines. This will include the reconstruction and widening of the sidewalks where possible, the installation of new, accessible ramps, improvements to street lighting where necessary, planting of street trees and landscaping, and providing bicycle storage racks and other street furniture surrounding the site, where appropriate. In particular, the width of the sidewalk outside the building along West Third Street will range from 12', to 15' at the main residential entrance, and to 15' in an area near each end of the building where small landscaped areas reminiscent of "pocket" parks will be situated. The building is also pulled back onto the Site along A Street outside the retail/commercial space to create sidewalks 11' 3" in width.

In addition, the Proponent will seek Massachusetts Department of Transportation approval to landscape and maintain appropriately the strip of Haul Road embankment

directly adjacent to the Site. Generally, the Proponent proposes removing overgrowth and augmenting the desirable existing trees with more low-maintenance evergreen trees and landscaping for a year-round buffer.

The Proponent will also provide funds for design improvements to the near-by Flaherty Park with the expectation such funding will be the catalyst for an expedited refurbishment of that public park.

Significant open space and landscaping will also be provided on the Site, including the two resident amenity courtyard spaces along Athens Street on the parking garage roof, an on-site dog run located along the Haul Road near the service vehicle entrance, and a deck for common use by the project residents on the roof over the third residential level at the building corner near the intersection of the Haul Road and West Third Street. There will also be private roof decks on the building for the use of individual residential units.

#### 7. Proposed Uses of the Area

As indicated above, the Project will include up to 105 residential units, commercial/retail space, an off-street parking garage, and accessory uses. Proposed uses are listed on Exhibit E attached hereto, and the Project may be used for any of the uses described in this Plan and set forth on Exhibit E.

#### 8. Proposed Traffic Circulation/Parking and Loading Facilities

Primary pedestrian access to the main residential component will be provided by an entrance along West Third Street, with emergency egress provided along Athens Street and through the parking garage. Pedestrian access to the retail portion of the site will be provided along A Street.

Access to the Site's parking garage and loading/service facility will be provided by a single driveway located along West Third Street in the same general location of the existing curb cut on West Third Street approximately 300 feet east of A Street. All other existing curb cuts along West Third Street and A Street will be closed improving pedestrian safety and convenience and providing additional curb side parking along West Third Street. Currently, no roads extend into or across the Site. The Project will not introduce any new roads into or across the Site. No vehicular access to the Site will be provided from A Street or Athens Street.

The approximately 34,000 square foot parking garage will be located partially below-grade and will contain approximately 109 parking spaces for the uses on the site. Loading and service, including trash, recycling, and deliveries will occur on-site at the loading area located on West Third Street, just east of the parking garage driveway. In addition, adequate space has been provided on-site at the loading area to

accommodate residential move-in/move-out without impacting the public sidewalk, parking, or roadway. Move-in/move-out activities will be scheduled through building management.

The Project includes bicycle facilities on the Site to encourage alternative means of transportation.

#### 9. Access to Public Transportation

The Project site is ideally situated to take advantage of several public transportation opportunities, and is located less than a quarter-mile from the MBTA Broadway Station and several MBTA bus routes. Broadway Station provides access to the MBTA Red Line and three MBTA bus routes (Routes 9, 11 and 47). The Red Line also provides access to South Station which has multiple transit modes including connections to Logan. A map of the nearby public transportation services is included in Exhibit B.

#### 10. Proposed Dimensions of Structures and Proposed Density.

The density and dimensional requirements applicable to the Project are described below:

- (a) Building Height: The proposed Project's building shall have a maximum height, as defined in the Code, not to exceed 55 feet.
- (b) Gross Floor Area: The proposed Project shall have maximum gross floor area, as defined in the Code, of 132,850 square feet.
- (c) Floor Area Ratio: After completion of the Project, the floor area ratio, as defined in the Code, on the Site will be a maximum of 3.0.

The maximum height, maximum floor area, and maximum gross square footage set forth above shall be the only dimensional requirements of the Code applicable to the Project and Site. All other dimensional requirements of the Code shall not be applicable to the Project and the Site, and are superseded by this Development Plan.

#### 12. Climate Resiliency

The Proponent shall strive to reduce the Project's overall energy demand and green house gas emissions that contribute to global warming. Although the Project is considered to be located in the coastal zone, the lowest site elevation is 23 feet Boston City Base, which is well above the potential mean higher high water level in fifty years (15.2 feet BCB) assuming a high emissions scenario of climate change.

#### 13. Green Building Measures

The Proponent is committed to pursuing a Leadership in Energy and Environmental Design (LEED) certified Project. Compliance with Article 37 of the Code shall be

confirmed by issuance of a Certification of Compliance pursuant to Section 80B-6 of the Code.

#### 14. Public Benefits

The Project includes the redevelopment of an underused site with a sustainably designed building and provides new housing in South Boston and new ground floor commercial/retail space to activate the site. The Project will include numerous benefits to the neighborhood and the City of Boston, including but not limited to:

- ♦ The Project will create up to 105 new residential units proximate to public transportation.
- ◆ The Project will include on-site affordable units in compliance with the Mayor's Executive Order on Inclusionary Development.
- ◆ Approximately 180 construction jobs and 15 permanent full- and part-time jobs will be created.
- ♦ The Project will substantially increase annual property taxes over the tax levied on the underdeveloped Project site.
- ♦ The Project will provide a creative variety of unit designs for individuals, couples, and today's families.
- ◆ The Project will fund design work for capital improvements to Flaherty Park and thus act as a catalyst for that active public park being refurbished in the near future.

The proposed Project will provide a variety of urban design benefits to the surrounding neighborhood, including:

- ♦ The Project will activate A Street with new ground floor retail.
- ♦ The amenity space on the roof of the parking garage will include landscaped areas that will reduce storm water runoff from the site.
- ♦ Improved streetscape will be created along the major streets abutting the site with widened sidewalks, lighting and street trees.

#### 15. Applicability

In accordance with Section 80C-9 of the Code, upon issuance of a Certification of Consistency, the Project shall be deemed in compliance with the dimensional, use and other requirements of the underlying zoning to the extent such requirements have been addressed in this Plan. To the extent that any aspect of proposed uses and proposed structures complying with this Plan are in conflict with any requirement of the Code not specifically addressed in this Plan, such requirements shall be deemed to be waived upon approval of this Development Plan.

#### 16. Minor Changes

Subject to consistency with the dimensional regulations set forth in this Development Plan, minor changes can occur to the Project's design described in this Development Plan without requiring any amendment of this PDA.

#### 17. Proponent's Obligations to Proceed with Project

Notwithstanding anything set forth herein to the contrary, under no circumstances shall the Proponent be obligated to proceed with all or any portion of the Project.

#### **EXHIBITS**

Exhibit A Legal Property Description
Exhibit B Map and Site Plans
Exhibit C Project Team
Exhibit D Project Materials
Exhibit E Proposed Uses

### Exhibit A (Legal Property Description)

The land in Boston, Massachusetts, with the buildings thereon situated on West Third Street and Athens Street in that part of Boston called South Boston, and bounded and described as follows:

NORTHEASTERLY on West Third Street as shown on the plan hereinafter referred to, 192.42 feet;

SOUTHEASTERLY by land now or formerly of Catherine A. O'Brien et al, as shown on said plan, 90.50 feet;

NORTEASTERLY by land now or formerly of said Catherine A. O'Brien and now or formerly of Timothy Crowley, as shown on said plan, 48 feet;

SOUTHEASTERLY by land now or formerly of New York, New Haven and Hartford Railroad Company as shown on said plan, 55 feet;

SOUTHWESTERLY on Athens Street, 216 feet;

NORTHWESTERLY by land now or formerly of Michael McDermott, as shown on said plan, 55 feet;

SOUTHWESTERLY by land now or formerly of Michael McDermott, as shown on said plan, 24.17 feet;

NORTHWESTERLY by land now or formerly of Ellen O'Mara and Michael Foley, as shown on said plan, 90.50 feet.

The premises are shown on a plan by Schein and Levine dated October 1, 1927 recorded with Suffolk Deeds, Book 4947, Page 545, and contain 29,274.8 square feet according to said plan.

Also, eight parcels of vacant land in that part of Boston, County of Suffolk and Commonwealth of Massachusetts known as South Boston, as shown on a plan of the City of Boston's Assessors Office as part of Ward Six and

as being Block 14 of said plan.

Said plan also shows the location of said eight parcels, and the respective areas, namely

(1)	1,000 square feet	(A Street)
(2)	1,504 square feet	(West Third Street)
(3)	1,504 square feet	(West Third Street)
(4)	2,534 square feet	(West Third Street)
(5)	1,320 square feet	(Athens Street)
(6)	735 square feet	(A Street)
(7)	1,735 square feet	(A Street)
(8)	1,063 square feet	(A Street)

Also, a parcel of land in that part of Boston, Suffolk County, Commonwealth of Massachusetts known as South Boston conveyed to West Third Street Garage, Inc. by the City of Boston by deed recorded in Suffolk Deeds on June 6, 1946 in Book 6230, Page 633.

Said parcel is shown on the above mentioned plan of the City of Boston Assessor's Office as containing 2,172 square feet and being on West Third Street.

The above described premises are shown on a plan entitled "Plan of Land Boston (South Boston) Mass." Dated September 24, 1965, by Robert H. Dunning, Surveyor, duly recorded with said Deeds, Book 7986, Page 536.

The above described premises are all of the premises conveyed to Cliflex Bellows Corporation by deed of Arthur L. Stevenson, Jr. as Trustee of 45 West Third Street Trust, dated June 30, 1986 recorded in Suffolk County Registry of Deeds Book 12619, page 40.

Also, a certain parcel of land with the buildings thereon situated in that part of said Boston called South Boston, known and numbered as 68 Athens Street and bounded and described as follows:

SOUTHWESTERLY by Athens Street thirty (30) feet;

SOUTHEASTERLY by land now or formerly of one McDermott, twenty-five (25) feet;

NORTHEASTERLY by land now or formerly of Milligan, thirty (30) feet; and

NORTHWESTERLY by land now or formerly of Murtagh, twenty-five (25) feet.

The Northwesterly boundary line of the parcel hereby conveyed is parallel to and distant forty-two feet, or about forty-two feet, Southeasterly from A Street, and the house on said parcel is numbered sixty-eight. Being the same premises shown on a Plan by N.J. Holland, C.E. dated October 16, 1915 and recorded with Suffolk Deeds with a deed from Mary E. Jordan to Pauline L. Hutchins under the name of Pauline L. Davis, October 22, 1915, and recorded with said Deeds, Libro 3914, Page 272. Being all the land conveyed by deed of Anthony Baracewicz to Stanley Przybylosky et al. dated August 14, 1929 recoded in Suffolk County Registry of Deeds Book 5123, Page 578.

All of the above-described parcels of land are shown on a plan to be recorded in Suffolk County Registry of Deeds entitled "Proposed Plan Development Area Plan, 45 West Third Street, Boston, Massachusetts" dated May 7, 2015, prepared by Nitsch Engineering, and have according to such plan an area of about 43,567 square feet.

## Exhibit B (Map and Site Plans)

Exhibit C (Project Team)

Owner:

SSI West Third Boston LLC

Developer:

Spaulding & Slye Investments

One Post Office Square, 28th Floor Boston, MA 02109

(617) 531-4244

Daniel St. Clair

Architect:

Hacin + Associates

112 Shawmut Avenue, Studio 5A

Boston MA, 02118 (617) 426-0077

David J. Hacin, FAIA Scott Thomson, AIA

Legal Counsel:

Kevin P. Kerr, ESQ.

587 East Broadway #1 South Boston, MA 02127

(617) 269-3329

**Permitting Consultants:** 

Epsilon Associates, Inc.

3 Clock Tower Place, Suite 250

Maynard, MA 01754

(978) 897-7100

Geoff Starsiak Laura Rome

Government and Neighborhood Affairs:

William F. Coyne, Jr., ESQ, P.C. 11 Beacon Street, Suite 415

Boston, MA 02108 (617) 367-1610

Transportation Consultant: Howard/Stein-Hudson Associates

38 Chauncy Street Boston, MA 02111 (617) 482-7080 Guy Busa

Michael Santos

Civil Engineer:

Nitsch Engineering

2 Center Plaza, Suite 430

Boston, MA 02108 (617) 338-0063 John Schmid

**Geotechnical Consultant:** 

Haley & Aldrich, Inc.

465 Medford Street, Suite 2200

Boston, MA 02129 (617) 886-7400 Mark Haley

## Exhibit D (Project Materials)

#### Exhibit E (Project Uses)

#### **Allowed Uses**

Uses allowed within the Planned Development Area Overlay District shall be the following uses:

#### Residential Uses allowed in the Project include the following:

Multifamily residential uses and town houses.

#### Uses allowed in the retail/commercial space of the Project include the following:

#### **Service Uses**

All local service uses, including, but not limited to, barber shop, beauty shop, caterer's establishment, dressmaker shop, framer's studio, laundry (retail/self-service) or drycleaner (pick-up/delivery), photocopying establishment, photographer's studio, shoe repair shop, tailor (custom) shop, rental agency for cars, and video or motion picture store (sale or rental), agency or professional offices, offices for medical services, and general offices.

#### **Retail Uses**

Any retail business, including, but not limited to, stores primarily serving the local retail business needs of the neighborhood, including, but not limited to, any store retailing food, baked goods, groceries, packaged alcoholic beverages, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware, indoor sale of auto parts and/or minor household appliance, and any store serving the general retail business needs of a major part of the city, including, but not limited to, any department store, furniture store, general merchandise mart and accessory storage.

#### **Restaurant and Food Service Uses**

Bakery, café, coffee shop, delicatessen, diner, restaurant (which may include take-out), cafeteria or other place for the service or sale of food or drinks for on- or off-premises consumption, with or without entertainment, including outdoor seating.

#### **Cultural Uses**

Art gallery (commercial or nonprofit), art needle workshop, costume rental establishment, historical exhibit, musical instrument repair, public art display space, studios (music, dancing, visual arts or theatrical), production studios, and ticket sales.

#### **Childcare Uses**

Childcare uses, including, but not limited to, day care center and nursery school.

#### **Banking and Postal Uses**

Banking and postal uses, including, but not limited to, automatic teller machine, bank, or post office.

Entertainment and Recreational Uses Fitness center, yoga studio, or gymnasium, theater, museum, library, and cinema.

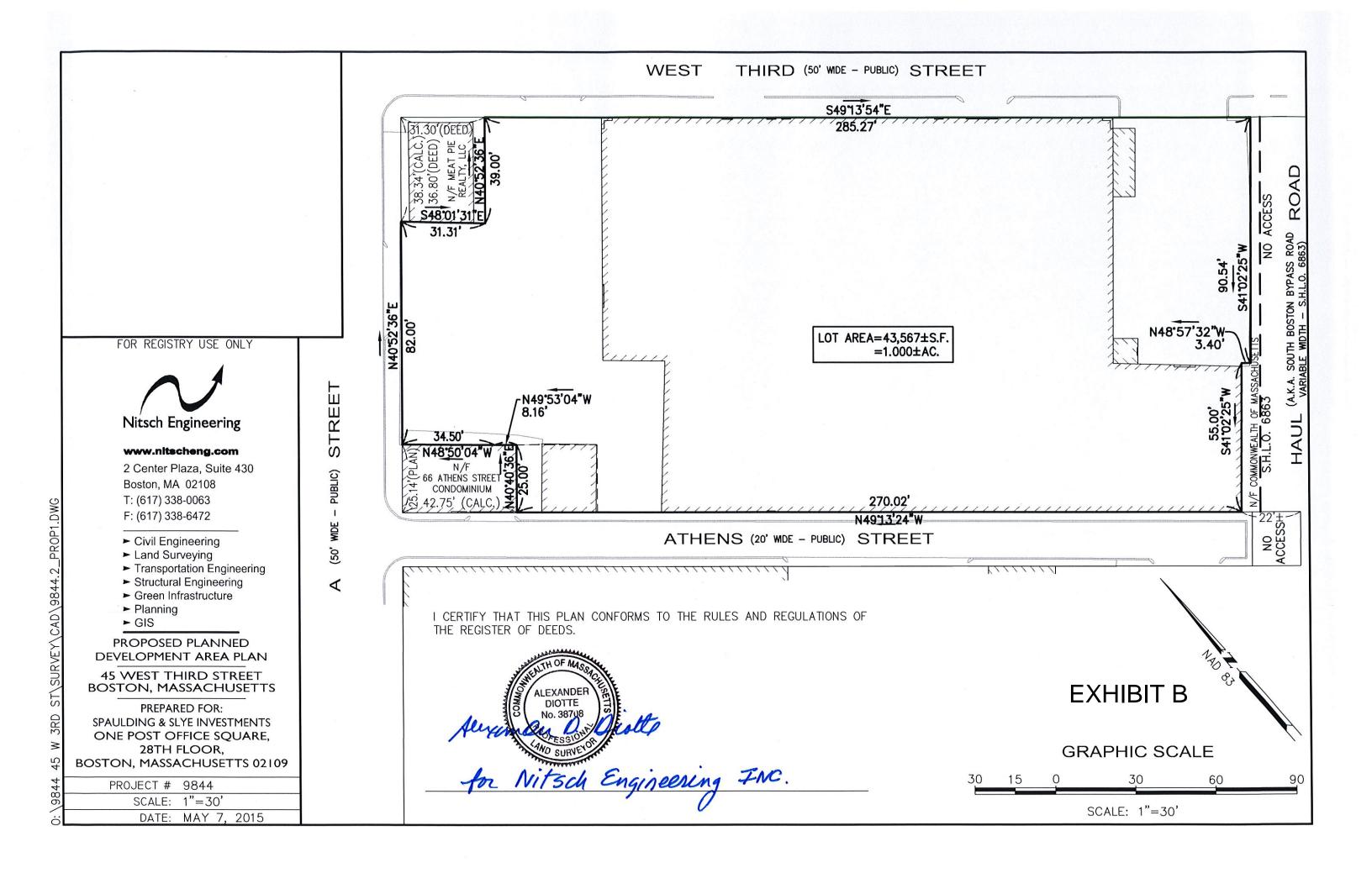
#### **Accessory Uses**

Accessory uses reasonably incident to a lawful main use are allowed, subject to the provisions of Article 10. Without limitation, such accessory uses include: (i) accessory loading; (ii) a parking garage and surface loading/service area, including parking spaces, for residents, occupants, employees and visitors of the Project; (iii) accessory services and amenities for residents, including, but not limited to, resident lobbies and common areas, concierge facilities, mail and package facilities, accessory health club/fitness center facilities, accessory amusement games and accessory ATM; (iv) accessory and/or ancillary food service/cafeteria use and/or accessory outdoor café use; (v) the storage of flammable liquids and gases incidental to a lawful use; and (vi) any use ordinarily incident to a lawful main use, provided that any such use shall be subject to the same restrictions,







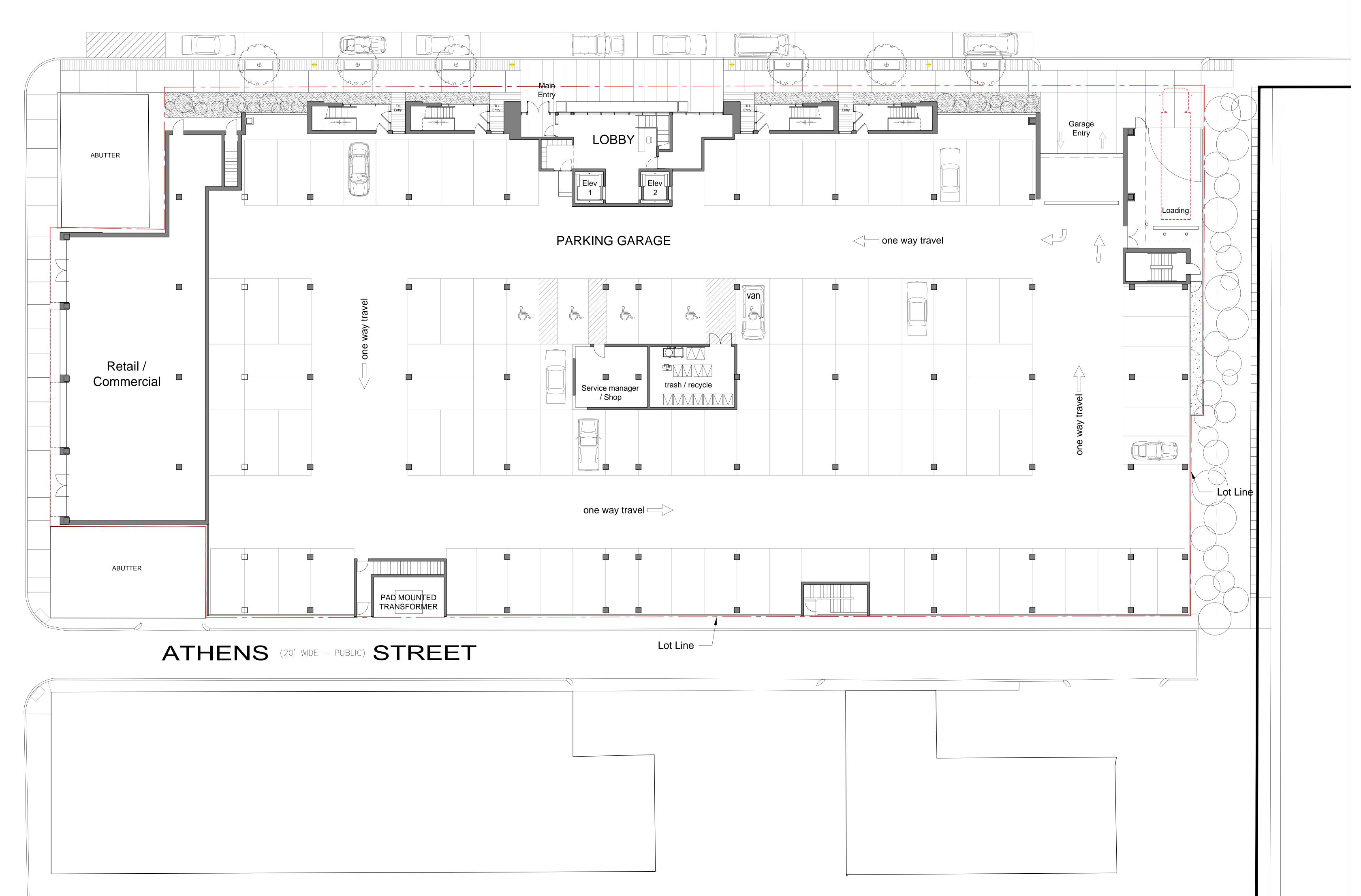






Developer: SSI West Third Boston LLC One Post Office Square, 28th Floor Boston, MA 02109

45 West
Third Street,
Boston, Ma



THIRD (50' WIDE - PUBLIC) STREET

WEST

0 5 10 20 feet

Ground Floor Plan

SCALE

Δ-100





Developer: SSI West Third Boston LLC One Post Office Square, 28th Floor Boston, MA 02109

45 West
Third Street,
Boston, Ma

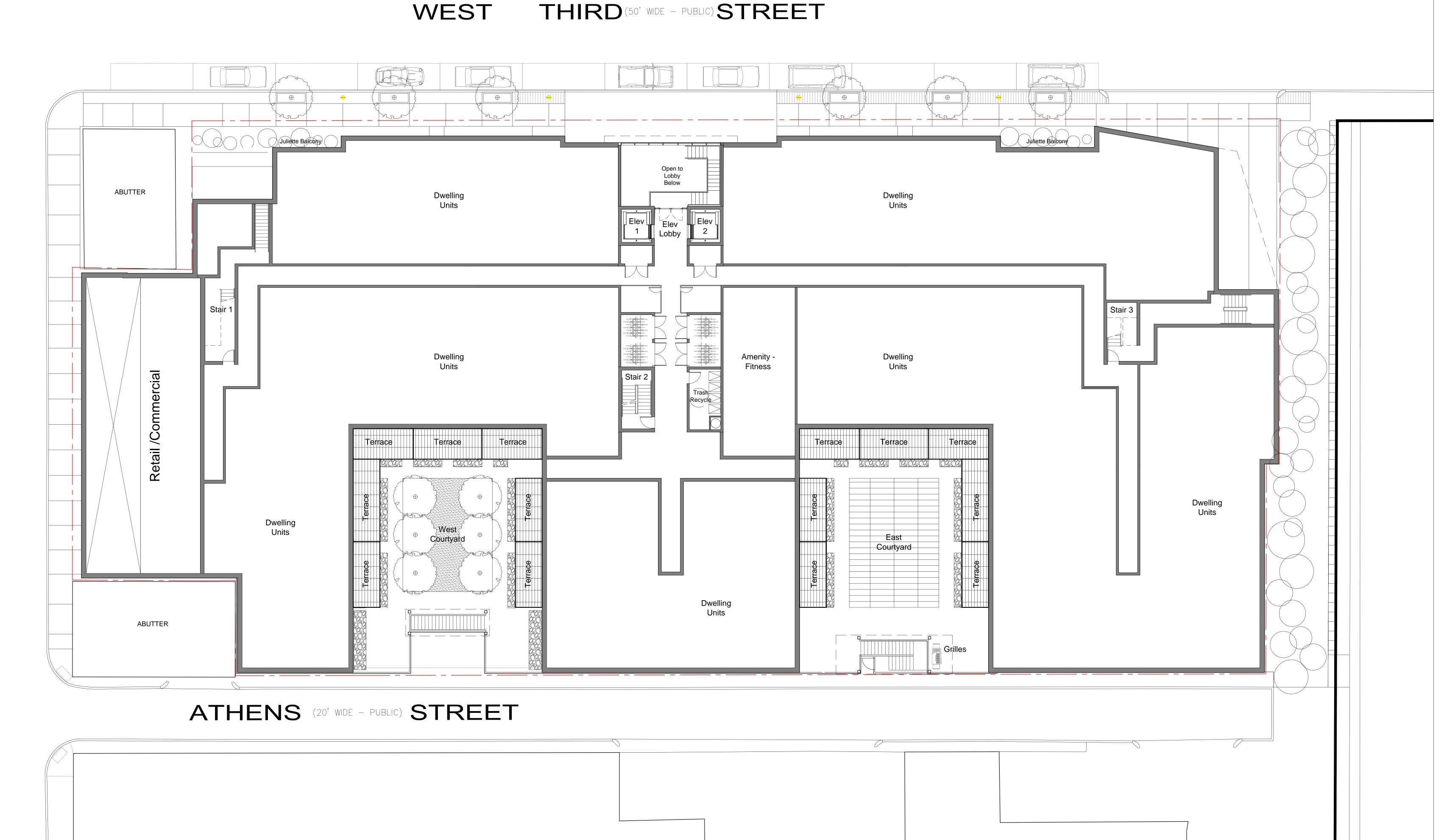


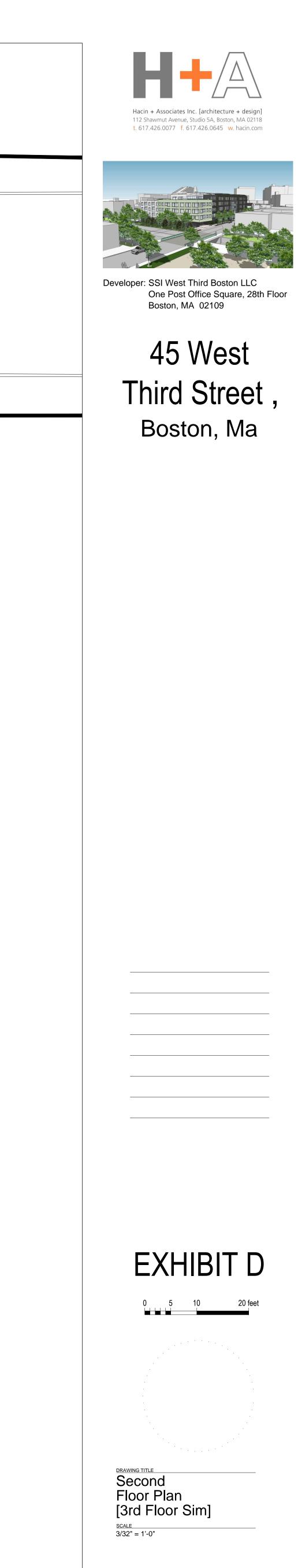
EXHIBIT D

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First Floor Plan

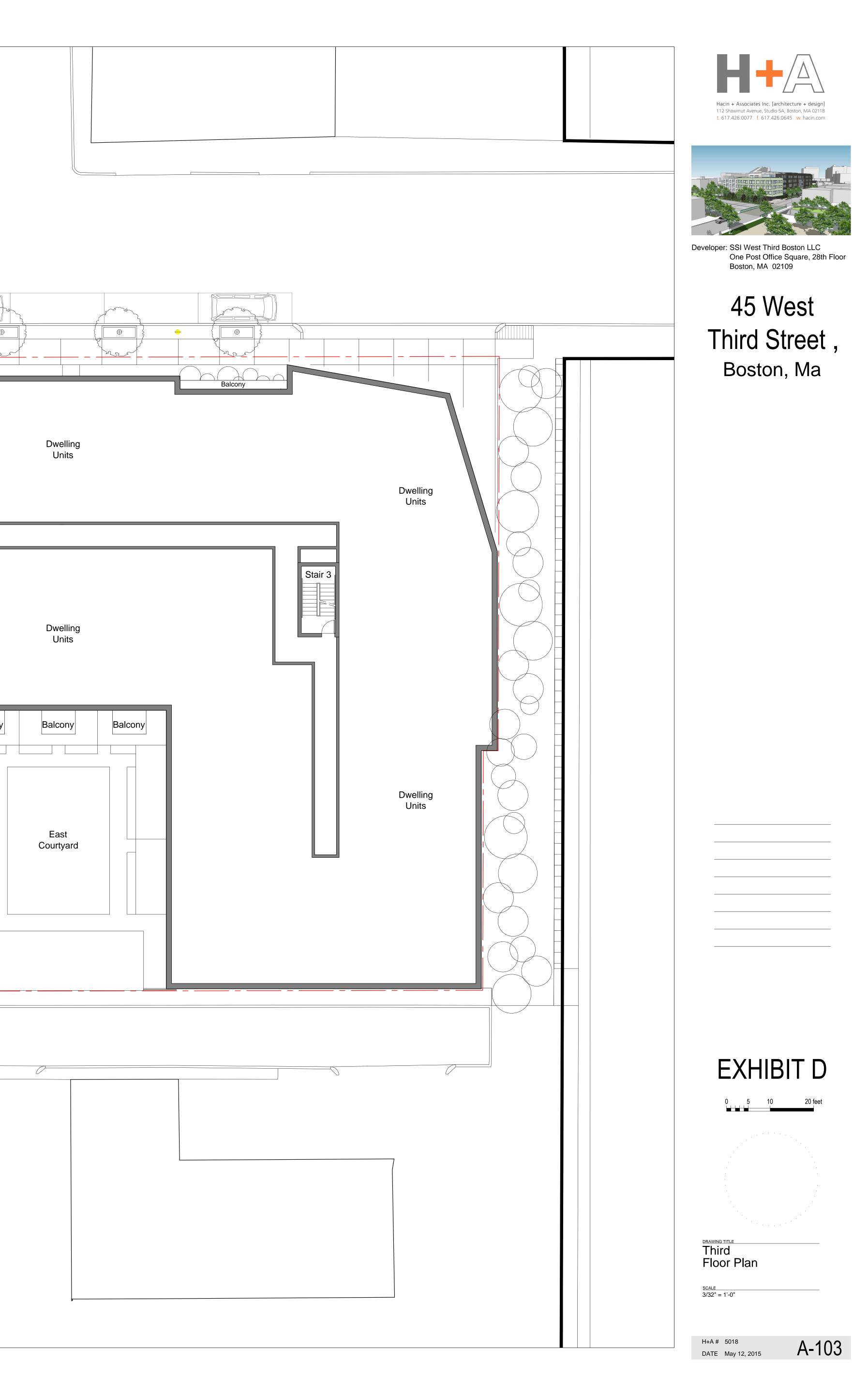
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# WEST THIRD (50' WIDE - PUBLIC) STREET





THIRD (50' WIDE - PUBLIC) STREET

WEST

Dwelling

Units

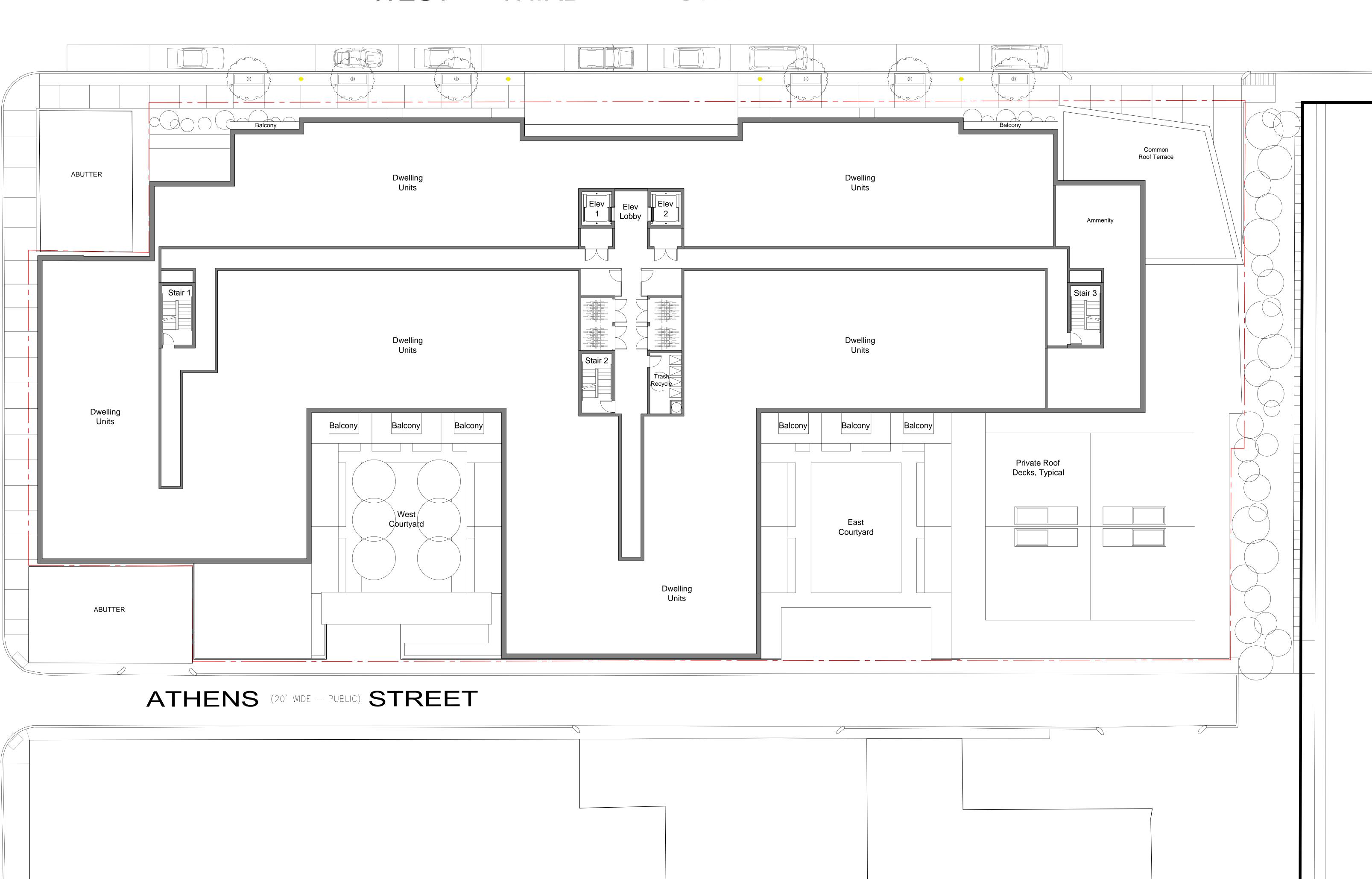
Roof

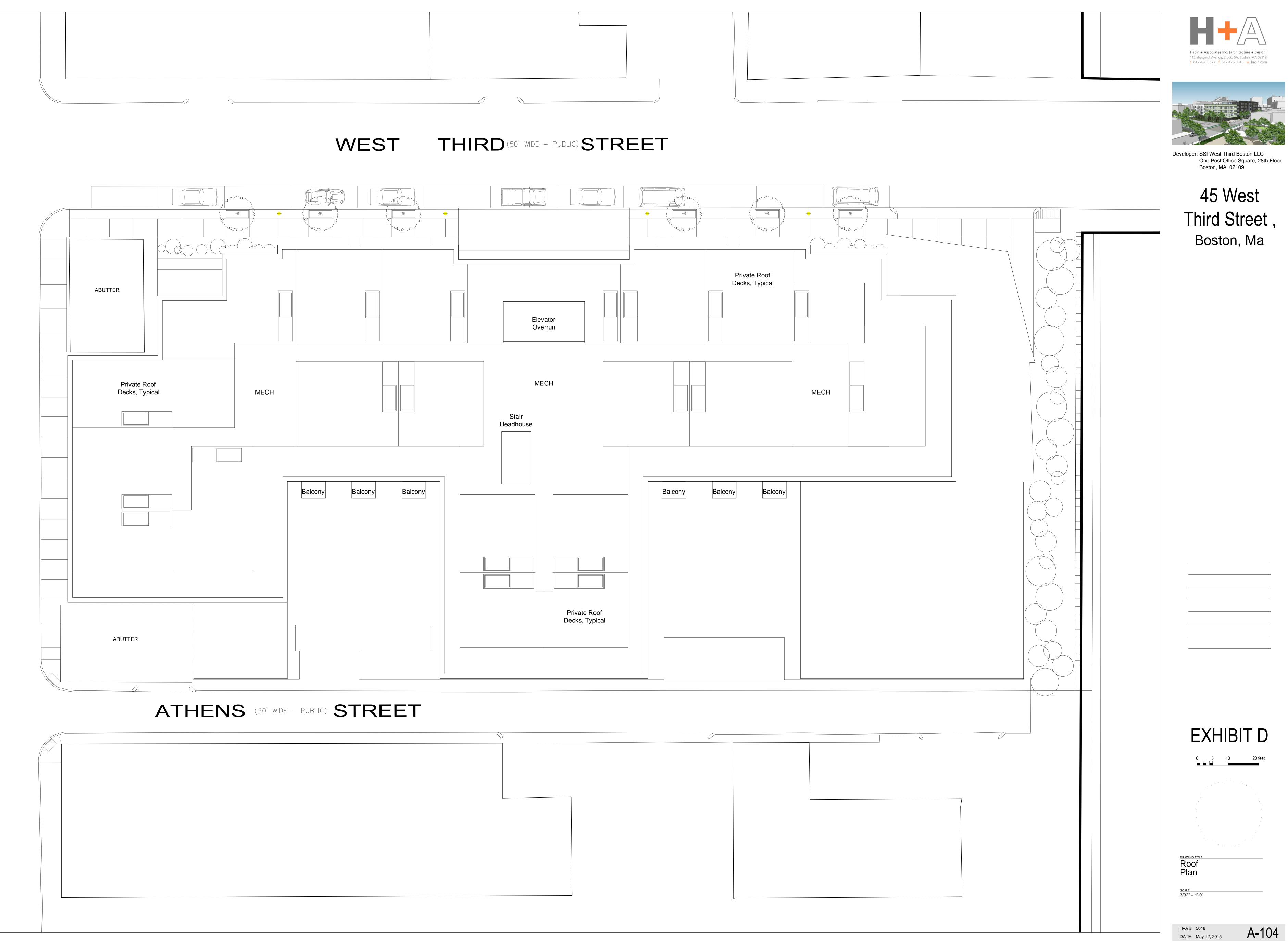
ATHENS (20' WIDE - PUBLIC) STREET

ABUTTER



# WEST THIRD (50' WIDE - PUBLIC) STREET







Third Street, Boston, Ma





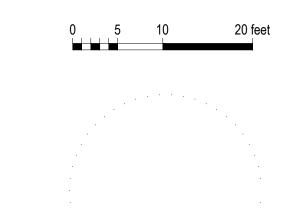
Hacin + Associates Inc. [architecture + design]
112 Shawmut Avenue, Studio 5A, Boston, MA 02118
t. 617.426.0077 f. 617.426.0645 w. hacin.com



Developer: SSI West Third Boston LLC One Post Office Square, 28th Floor Boston, MA 02109

45 West
Third Street,
Boston, Ma

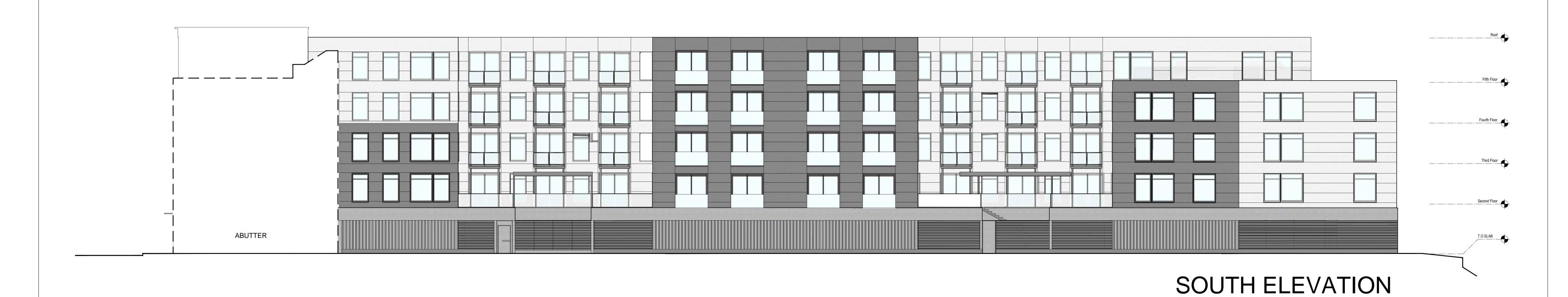
EXHIBIT D



EXTERIOR ELEVATIONS

SCALE 3/32" = 1'-0"

A-20





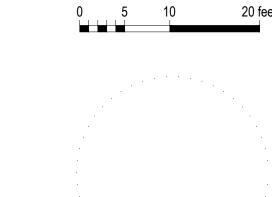


Developer: SSI West Third Boston LLC One Post Office Square, 28th Floor Boston, MA 02109

45 West Third Street, Boston, Ma







EXTERIOR ELEVATIONS

SCALE 3/32" = 1'-0"

5018









Developer: SSI West Third Boston LLC One Post Office Square, 28th Floor Boston, MA 02109

45 West
Third Street,
Boston, Ma

EXHIBIT D

0 5 10 20 feet

EXTERIOR VIEWS

SCALE 3/32" = 1'-0"

H+A # 5018 DATE May