

Peter N. Kochansky pkochansky@goulstonstorrs.com (617) 574-3527 (tel)

July 20, 2018

### **BY EMAIL**

Boston Air Pollution Control Commission c/o Environment Department 1 City Hall Square, Room 709 Boston, MA 02201 Attn: Alison Brizius,

Director, Climate and Environmental Planning

Re: <u>Block L-4, Seaport Square Project</u>

Dear Ms. Brizius:

Enclosed please find the Application of Seaport L-4 Title Holder LLC (the "<u>Applicant</u>") to the City of Boston Air Pollution Control Commission (the "<u>APCC</u>") for a Parking Freeze Permit for the Block L-4 Project (the "<u>Block L-4 Project</u>") on Block L-4 of the Seaport Square project in the Seaport district of South Boston.

The Block L-4 Project involves the construction of a 17-story mixed-use building of approximately 525,000 square feet of Gross Floor Area (GFA), containing approximately 81,000 square feet of GFA of retail uses on the first and second floors and approximately 444,000 square feet of GFA of office uses on the upper floors, which will be leased to Amazon.com Services, Inc. The Block L-4 Project building includes a subsurface garage that will contain up to 333 self-park and valet spaces, plus up to 61 additional spaces that will be provided with the use of mechanical stackers, for a total of 394 spaces. The garage will also include 18 Electric Vehicle chargers. As further detailed in the enclosed materials, the Applicant seeks the APCC's approval of a new South Boston Parking Freeze Permit for 394 spaces, comprised of (i) an allocation of 273 commercial spaces from existing APCC Permit No. 44.05 (the "Block L Permit"), and (ii) an allocation of 121 commercial parking spaces from the South Boston Parking Freeze Bank.

We enclose the following in support of this Application:

- A. A completed APCC Application for Parking Freeze Permit;
- B. A Statement of Need;
- C. A Copy of the Deed of the Property to the Applicant; and
- D. A Site Plan showing the proposed location and dimensions of the Block L-4 Project garage, layout of the spaces, ground-level access to and egress from the Block L-4 Project garage, and the location and number of electric vehicle and bicycle parking spaces.

We would appreciate being included on the agenda for the next scheduled APCC meeting on Wednesday, September 19, 2018.

Hardcopies of the enclosed materials, together with a Joint Staff Report, will be submitted not less than three (3) weeks before the anticipated hearing date of September 19, 2018.

If you have any questions about this matter, please do not hesitate to contact me if any additional information is required.

Sincerely,

Actual Meets
Peter N. Kochansky

**Enclosures** 

cc (via email w/encl.):

Carl Spector, Commissioner of the Environment Department Nicholas Moreno, Conservation Assistant, Environment Department Yanni Tsipis, WS Development Amy Prange, WS Development Yareni Sanchez, Esq., Goulston & Storrs

# APPENDIX A

# APPLICATION

[See Attached]

Questions? Call Air Pollution Control Commission (617) 635-3850

**DATE OF APPLICATION:** 07 / 20 / 2018

GENERAL APPLIC	ATION INFORMATION	FACILITY IN	FORMATION	
PARCEL ID#: 06020	643060*	FACILITY NAM	E: Block L-4	
X Request a New	Parking Freeze Permit	FACILITY ADDRESS:	An address has not yet been assigned by ISD for the Facility.	
Modify an Exist	ting Parking Freeze Permit		Street State, Zip	
POINT OF CONTACT: Yanni	Tsipis	OWNER NAME	Seaport L-4 Title Holder LLC c/o WS Asset Management, Inc.	
		OWNER ADDRESS:	33 Boylston Street, Suite 3000	
NUMBER: ( 617	) 646 - 3180		Boston, MA 02467 City State, Zip	
EMAIL: Yanni.T	sipis@wsdevelopment.com	OWNER PHONE:	( 617 ) 646 - 3180	
NEIGHBORHOOD				
Downtown Bos	ton	X Sout	h Boston	
NEIGHBORHOOD	SPECIFIC INFORMATION: (Ple	ase list the number of eac	ch type of space)	
DOWNTOWN BOSTOR Commercial Spaces:	N .	SOUTH BOST	333 3cli-park and valct spaces,	
Exempt Spaces:		Residential		
Residential Excluded Spaces:		Included Spaces: Residential Excluded Spaces:	0	
IMPORTANT APPLICA	TION INFO			
PAYMENT	WHERE TO SEND		WRITTEN PROOF	

Please include a check or money order made payable to the City of Boston, Air Pollution Control Commission. The fee is \$10 per parking space. Application and renewal fees only currently apply to locations within the South Boston Parking Freeze Zones.

We prefer you email your application and supporting documents to <a href="mailto:APCC@boston.gov">APCC@boston.gov</a> You can mail your application, documents, and payment to:

Air Pollution Control Commission Boston City Hall 1 City Hall Square, Room 709 Boston, MA 02201 Please attach written proof that the applicant is the owner of record or has written approval from the owner of record to file this application.

### WHAT NOT TO SEND

You'll need to put together at most six paper copies of your application. Do not deliver them to us too far in advance in case there are any changes. About two weeks before your hearing date is fine

<sup>\*</sup>Pursuant to the Subdivision Plan recorded in the Suffolk County Registry of Deeds in Book 2018, Weeks before your hearing date is a Page 148, this parcel was subdivided to create individual Blocks L3-L6. A Parcel ID specific to Block L-4 has not yet been assigned.



Questions? Call Air Pollution Control Commission (617) 635-3850

FREEZE AREA INFORMATION:				
DO YOU OR WILL YOU CHARGE FOR PARKING:	CURRENT OR PROPOSED PARKING METHOD:			
X Yes	X Valet			
☐ No	X Self-parking			
Not Sure	Surface Lot			
	X Garage			
TOTAL NUMBER OF SPACES: 394 total spaces (333 self-park and valet spaces; 61 stacker space)	TOTAL FACILITY SQUARE FOOTAGE: 147,000 sf of subsurface parking			
NUMBER OF NEW SPACES: 121	RATIO OF RESIDENTIAL SPACES TO RESIDENTIAL UNITS:			
NUMBER OF EXISTING SPACES: 273				
PLEASE LIST TOTAL BUILDING SQUARE FOOTAGE BY USE TYPE (E.g. 100,000 s.f. commercial, 200,000 s.f. residential, etc.)  81,000 sf of retail uses; 444,000 sf of office uses; 147,000 sf of subsurface parking				
Please verify all the information above. In anticipation of the application being in all respects an accurate and complete document; please mail the application fee (\$10 per parking space) to our office.  Application and renewal fees only currently apply to locations within the South Boston Parking Freeze Zones.				
$\mathcal{O}(I)$	Il respects, true, accurate and complete information.  Date 7-20-20(8			
Print Name, Uax	vier Las Banco			

### IMPORTANT APPLICATION INFO

# Attach a site plan of the parking facility showing:

- location of the facility;
- layout of the spaces;
- entry and exit points;
- total square footage of the parking area;
- location and amount of electric vehicle parking;
- location and amount of bicycle parking.

# STATEMENT OF NEED

A general description of the facility and the parking needs of the project, local entities, and patrons that the proposed facility will serve. Any written support (letters, etc.) that you wish to supply in support of this statement should be attached

# HISTORIC DISTRICT WORK

If you are working in a historic district or on a designated landmark, you should consult with the appropriate historic or architectural commission. Visit boston.gov/landmarks before starting any work.

### **APPENDIX B**

## SEAPORT SQUARE BLOCK L-4 - STATEMENT OF NEED

### SUBMITTED JULY 20, 2018

Seaport L-4 Title Holder LLC, a Delaware limited liability company ("<u>Applicant</u>"), is the owner of Block L-4 of the Seaport Square project, an approximately 71,004 square foot parcel of land in the Seaport district of South Boston, comprised of an approximately 41,492 square foot at-grade parcel, bounded by Autumn Lane to the north, East Service Road to the east, and a new pedestrian way to be constructed, Harbor Way, to the west, along with an approximately 29,512 square foot subsurface parcel (the "<u>Property</u>"). The Applicant acquired the Property from Seaport L Title Holder LLC, an affiliate of Seaport Square Development Company LLC ("<u>SSDC</u>"), by a deed dated March 12, 2018 and recorded with the Suffolk County Registry of Deeds in Book 59294, Page 173. The Applicant proposes to construct a mixed-used building on the Property (the "<u>Block L-4 Project</u>"), including a two-level subsurface parking garage.

The Property is a part of the approximately 23.5 acre Seaport Square project, a phased, mixed-use project approved in 2010 by the Boston Planning & Development Agency ("BPDA") and the Boston Zoning Commission ("BZC") in the form of a Development Plan for Planned Development Area No. 78, Seaport Square ("2010 PDA Plan"). In 2015, after the construction of certain Blocks of the Seaport Square project, SSDC acquired the undeveloped Seaport Square Blocks – Blocks D, F, G, L3-L6, N, and P (the "Remaining Blocks") – from the original master developer, MS Boston Seaport, L.L.C. In 2017, SSDC filed an Amended and Restated Development Plan for Planned Development Area No. 78 for the Seaport Square Project (the "PDA Plan"), which has been approved by the BPDA and the BZC. One key change in the PDA Plan is a reduction in the total number of parking spaces in the Seaport Square project – from approximately 6,350 approved subsurface spaces in the 2010 PDA Plan to approximately 5,500 subsurface spaces in the new PDA Plan. Of those 5,500 approved spaces, approximately 2,104 spaces have been constructed or are under construction.

The Block L-4 Project is comprised of a 17-story mixed-use building of approximately 525,000 square feet of Gross Floor Area (GFA), containing approximately 81,000 square feet of GFA of retail uses on the first and second floors, approximately 444,000 square feet of GFA of office uses on the third through seventeenth floors, and significant public realm improvements, including the partial construction of the Harbor Square park and Harbor Way, a pedestrian way. The garage that is the subject of this application will contain up to 333 self-park and valet spaces, plus 61 spaces to be provided with mechanical stackers, for a total of 394 spaces. The 394 total spaces requested under this application will be for use by Amazon.com Services, Inc., the Block L-4 Project's office tenant, retail tenants, their patrons and employees, and will be open to the general public at market rates. The 394 parking spaces are necessary in order to meet the market demands of a first class commercial office building and the destination-style retail uses envisioned for the Property.

Vehicular access and egress to the two-level subsurface parking garage will be off of Autumn Lane. The Block L-4 Project proposes to eventually connect the Block L-4 Project garage to the subsurface garages of Blocks L-3, L-5 and L-6 when those Blocks are developed; vehicular access and egress to that expanded garage has not yet been determined. The Block L-4 Project garage will include 18 Electric Vehicle chargers.

Currently, the Block L-4 Property contains a total of 273 commercial surface parking spaces. Those spaces are included within a larger Block L surface parking lot (comprising Seaport Square Blocks L-3, L-4, L-5, and L-6), which is operated pursuant to APCC South Boston Parking Freeze Permit No. 44.05 (the

"Block L Permit"). The Applicant respectfully requests that the APCC allocate 273 spaces from the 1,004 spaces permitted under the Block L Permit to the permit for the new Block L-4 garage, which number represents the approximate number of surface spaces that will be taken out of service to construct the Block L-4 Project. The Applicant also requests that the APCC allocate 121 spaces from the South Boston Parking Freeze Bank, for a total of 394 spaces.

# APPENDIX C

# COPY OF DEED TO THE APPLICANT

[See Attached]

00020561

Bk: 59294 Pg: 173 Page: 1 of 5 Recorded: 03/12/2018 12:42 PM ATTEST:Stephen J. Murphy, Register Suffolk County Registry of Deeds

# **QUITCLAIM DEED**

SEAPORT L TITLE HOLDER LLC, a Delaware limited liability company ("Grantor"), having a mailing address c/o WS Development, 33 Boylston Street, Suite 3000, Chestnut Hill, Massachusetts 02467, for consideration of Ten Dollars (\$10.00) paid, hereby GRANTS to SEAPORT L-4 TITLE HOLDER LLC, a Delaware limited liability company ("Grantee"), having a mailing address c/o WS Development, 33 Boylston Street, Suite 3000, Chestnut Hill, Massachusetts 02467,

# with quitclaim covenants

That certain parcel of land, together with the improvements thereon, situated on East Service Road and Autumn Lane in the City of Boston, Suffolk County, Massachusetts and being described on *Exhibit A* attached hereto and made a part hereof (the "Property"). Fee title to the land lying within the bed of Autumn Lane is expressly excluded from this conveyance as Grantor does not hold fee title to such land.

The Property is conveyed subject to and together with the benefit and burden of all matters of record, including all easements, restrictions, reservations, agreements, rights of way and other encumbrances of record, insofar as the same are now in force and applicable, and including but not limited to the following:

(a) That certain Declaration of Covenants, Restrictions, Development Standards and Easements dated as of December 22, 2011 and recorded with the Registry in Book 48846, Page 1, as supplemented by that certain Agreement of Declarant dated as of December 27, 2011 and recorded with the Registry in Book 48869, Page 252 and that certain First Amendment to Agreement of Declarant dated as of January 16, 2013 and recorded with the Registry in Book 52661, Page 283, and as amended by that certain First Amendment to Declaration of Covenants, Restrictions, Development Standards and Easements dated as of October 23, 2015 and recorded with the Registry in Book 55221, Page 229, that certain Second Amendment to Declaration of Covenants, Restrictions, Development Standards and Easements dated as of July 7, 2017 and recorded with the Registry in Book 58200, Page 221, and that certain Third Amendment to Declaration of Covenants, Restrictions, Development Standards and Easements dated February 16, 2018 and recorded with the Registry in Book

Property Location: East Service Road and Autumn Lane, Boston, Massachusetts

Goulston - Stores 400 Atlantic Ave Boston MA 02110

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59200, Page 294, and as affected by Assignment and Assumption of Declarant's Rights dated as of October 23, 2015 and recorded with the Registry in Book 55221, Page 267 (collectively, the "<u>Declaration</u>"), which Declaration provides inter alia that the Seaport Square Project is a multi-phase, mixed-use project being developed in the Seaport District of Boston. Development of the Seaport Square Project may occur in phases over a period of time. The Seaport Square Project will involve a variety of uses, including without limitation residential, office, hotel, research and development, cultural, educational, retail, and restaurant uses. As a result of the Seaport Square Project, the character of the Seaport Square area will change over time. The Seaport Square Project is expected to bring pedestrian and vehicular traffic into the area, and involves the construction of roadway and traffic signalization improvements. Because the Seaport Square Project will occur over an extended period of time in a phased manner, construction activities will occur on the Seaport Square Project property and on adjacent roadways regularly.

(b) That certain Notice of Activity and Use Limitation by The McCourt-Broderick Limited Partnership dated December 22, 2000 and recorded with the Registry in Book 25700, Page 329, as affected by Confirmatory Notice of Activity and Use Limitation dated January 8, 2001 and recorded with the Registry in Book 25788, Page 287, and as further affected by Partial Termination of Notice of Activity and Use Limitation dated June 19, 2014 and recorded with the Registry in Book 53112, Page 257; Partial Termination of Notice of Activity and Use Limitation dated July 29, 2015 and recorded with the Registry in Book 54915, Page 47; Partial Termination of Notice of Activity and Use Limitation dated July 29, 2015 and recorded with the Registry in Book 54915, Page 54; Partial Termination of Notice of Activity and Use Limitation dated May 18, 2017 and recorded with the Registry in Book 57999, Page 265; and Partial Termination of Notice of Activity and Use Limitation dated May 26, 2017 and recorded with the Registry in Book 57999, Page 272.

Grantor hereby certifies that the conveyance of the above-described land does not constitute a sale of all or substantially all of the Grantor's assets in The Commonwealth of Massachusetts.

For Grantor's title, see Deed of MS Boston Seaport, L.L.C. dated October 23, 2015 and recorded with Suffolk County Registry of Deeds in Book 55221, Page 252.

This conveyance is a transfer between related parties and the consideration for this conveyance is less than \$100. Accordingly, no deed excise tax is due.

[Balance of page intentionally left blank; signature/acknowledgement page follows]

Executed as a sealed instrument to take effect as of the /a day of March, 2018.

**SEAPORT L TITLE HOLDER LLC,** a Delaware limited liability company

Title: Assistant Treasurer
As Authorized Representative of, and on behalf of, each of its Members

COMMONWEALTH OF MASSACHUSETTS	)
	) ss.
County of Middlesex	)
On this A day of March, 2018, before m personally appeared Dudy A Gronly	ne, the undersigned notary public,
personally appeared Dillar A. (Cichill	(n), the
ASSISTANT ITLA SUURT SEAPORT L'TITU	E HOLDER LLC, proyed to me through
satisfactory evidence of identification, which was/	were his mill known,
to be the person whose name is signed on the prece	
me that he/she signed it voluntarily for its stated pu	<del>-</del>
Title Holder LLC.	
	Maria Mila Culling
	MUYU MUN SUIIWA
· · .	Motary Public JAIME-LEIGH SULLIVAR
	Motery Public

# **EXHIBIT A**

To

Quitclaim Deed from Seaport L Title Holder LLC to Seaport L-4 Title Holder LLC

### **OVERALL PARCEL L4**

A PARCEL OF LAND LOCATED IN THE CITY OF BOSTON, COUNTY OF SUFFOLK, COMMONWEALTH OF MASSACHUSETTS, BEING SHOWN AS OVERALL PARCEL L4 ON A PLAN ENTITLED, "VOLUMETRIC SUBDIVISION PLAN, SEAPORT BLOCK L, CONGRESS STREET, BOSTON, MA" PREPARED BY NITSCH ENGINEERING, DATED JANUARY 2018, RECORDED AT THE SUFFOLK REGISTRY OF DEEDS IN PLAN BOOK 2018, PAGE 148, AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

HAVING A REMOTE POINT OF COMMENCEMENT AT THE POINT OF CURVATURE OF THE NORTHWESTERLY INTERSECTION OF CONGRESS STREET AND EAST SERVICE ROAD:

THENCE N 29°40'19" E, A DISTANCE OF 83.63 FEET CONTIGUOUS WITH SAID WESTERLY SIDELINE OF EAST SERVICE ROAD TO THE POINT OF BEGINNING OF SAID OVERALL PARCEL L4;

THENCE N 60°32'48" W, A DISTANCE OF 243.86 FEET TO A POINT;

THENCE N 29°27'12" E, A DISTANCE OF 290.52 FEET TO A POINT COINCIDENT WITH THE SOUTHERLY SIDELINE OF AUTUMN LANE;

THENCE S 60°32'36" E, A DISTANCE OF 244.97 FEET CONTIGUOUS WITH SAID SOUTHERLY SIDELINE OF AUTUMN LANE TO A POINT COINCIDENT WITH SAID WESTERLY SIDELINE OF EAST SERVICE ROAD;

THENCE S 29°40'19" W, A DISTANCE OF 290.50 FEET CONTIGUOUS WITH SAID WESTERLY SIDELINE OF EAST SERVICE ROAD TO THE POINT OF BEGINNING.

A PORTION OF OVERALL PARCEL L4 IS SUBSURFACE ONLY AND IS DESCRIBED AS FOLLOWS:

HAVING THE SAME POINT OF BEGINNING AS OVERALL PARCEL L4;

THENCE N 60°32'48" W, A DISTANCE OF 243.86 FEET TO A POINT:

THENCE N 29°27'12" E, A DISTANCE OF 290.52 FEET TO A POINT COINCIDENT WITH THE SOUTHERLY SIDELINE OF AUTUMN LANE;

THENCE S 60°32'36" E, A DISTANCE OF 54.98 FEET CONTIGUOUS WITH SAID SOUTHERLY SIDELINE OF AUTUMN LANE TO A POINT;

THENCE S 23°47'53" W, A DISTANCE OF 118.52 FEET TO A POINT;

THENCE S 12°03'49" W, A DISTANCE OF 127.08 FEET TO A POINT;

THENCE S 57°13'44" E, A DISTANCE OF 139.62 FEET TO A POINT COINCIDENT WITH SAID WESTERLY SIDELINE OF EAST SERVICE ROAD;

THENCE S 29°40'19" W, A DISTANCE OF 43.21 FEET CONTIGUOUS WITH SAID WESTERLY SIDELINE OF EAST SERVICE ROAD TO THE POINT OF BEGINNING.

SAID SUBSURFACE PORTION OF OVERALL PARCEL L4 TOP COMMENCES AT ELEVATION 16.00 FEET, BOSTON CITY BASE VERTICAL DATUM, AND HAS NO LOWER BOUND.

SAID OVERALL PARCEL L4 CONTAINS THE FOLLOWING AREA:

PARCEL L4 = 41,492 SQUARE FEET MORE OR LESS;

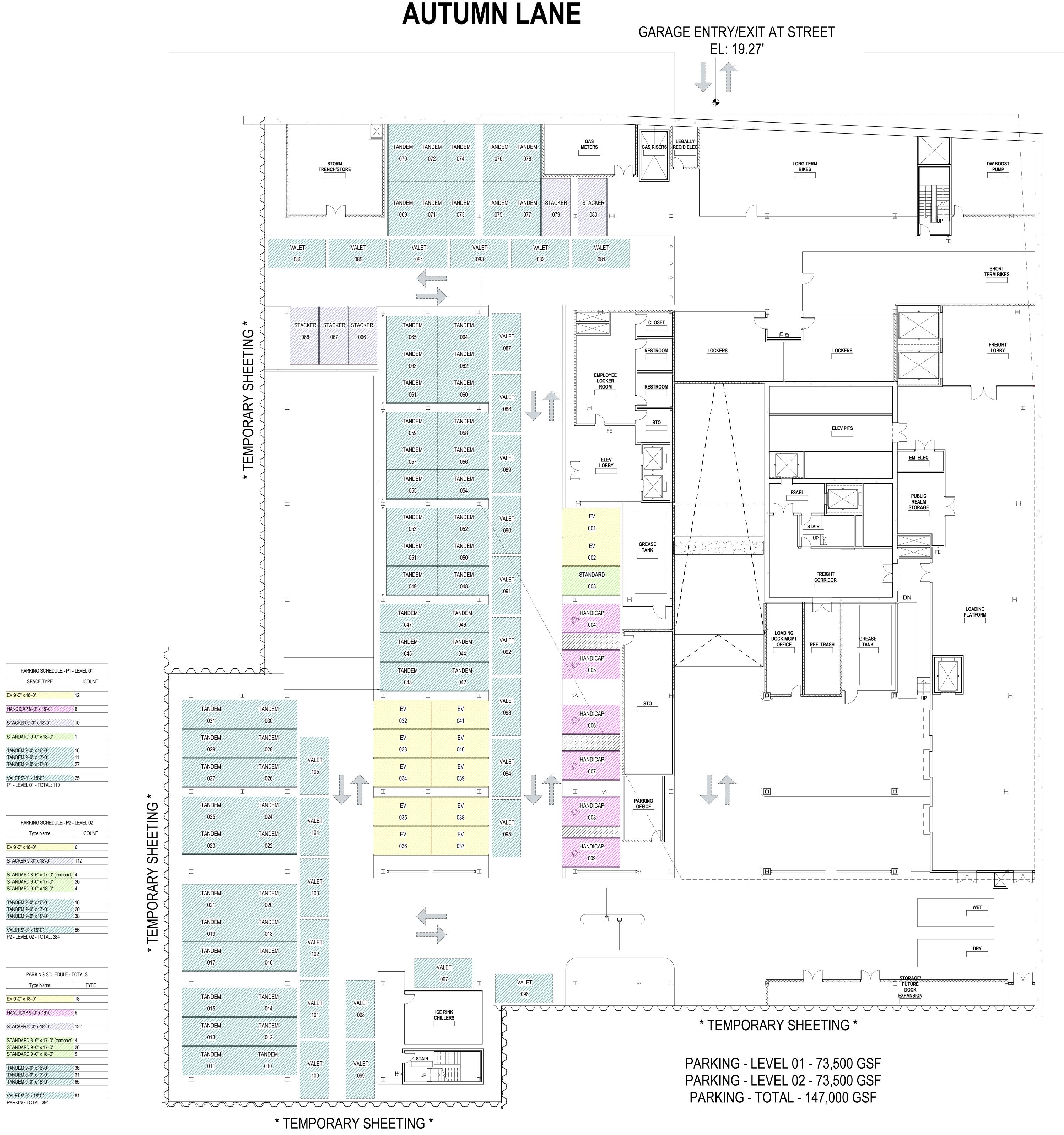
PARCEL L4 SUBSURFACE = 29,512 SQUARE FEET MORE OR LESS; AND

OVERALL PARCEL L4 = 71,004 SQUARE FEET, OR 1.63 ACRES, MORE OR LESS.

# APPENDIX D

# SITE PLAN OF THE BLOCK L-4 PROJECT GARAGE

[See Attached]



WS DEVELOPMENT

Gensler

EV 9'-0" x 18'-0"

EV 9'-0" x 18'-0"

Seaport L4 Office Tower

© 2016nsler

# **AUTUMN LANE**



EAST SERVICE ROAD

WS DEVELOPMENT

Gensler

Seaport L4 Office Tower