

MEMORANDUM

JANUARY 17, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
DAVID CARLSON, SENIOR ARCHITECT
JOHN FITZGERALD, SENIOR PROJECT MANAGER

SUBJECT: 25 MORRISSEY BOULEVARD PROJECT
DORCHESTER

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (the “Code”) for the 25 Morrissey Boulevard Project (the “Proposed Project”); (2) issue a Certificate of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; (3) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and a Boston Residents Construction Employment Plan, and any and all other agreements and documents that the Director deems appropriate and necessary; and (4) recommend approval on Petition BZC-32463 and BZC-32464 to the City of Boston Zoning Board of Appeals for conditional use permits and variances necessary to construct the project.

PROJECT SITE

The Project Site is an approximately 2.35 acre site of vacant land, half which is used as accessory parking for Shaw’s supermarket in the Dorchester neighborhood located at 25 Morrissey Boulevard (the “Project Site”). The Project Site is bounded by the Morrissey Boulevard access road to the east; the elevated Interstate 93 and at grade MBTA rail lines to the west; the MBTA’s JFK/UMASS Red Line Station to the north; and the parking lot accessory to the Shaw’s supermarket to the south.

PROPOSED PROJECT

The Proposed Project will include the construction of two five-story buildings with a total gross floor area of approximately 220,000 square feet. The West Building will house 104 residential rental housing units, with 33 enclosed parking spaces at grade and

another 30 parking spaces on a mezzanine level behind the building. The East Building will house 174 residential rental units, with enclosed parking for 80 cars located a half level below grade. In total, the Proposed Project will include approximately 278 residential rental units and 143 parking spaces (the "Proposed Project").

The approximate development cost for the Proposed Project is \$50 million.

ARTICLE 80 REVIEW

On October 2, 2012, 25 Morrissey Boulevard Holdings LLC (the "Developer") filed a Letter of Intent in accordance with the Boston Redevelopment Authority's ("BRA") policy regarding Provision of Mitigation by Development Projects in Boston and an 18 member Impact Advisory Group ("IAG") was formed with assistance from City Councilor Frank Baker, State Representative Martin Walsh, the Mayor's Office of Neighborhood Services, and BRA Planning Agency.

The Developer filed an Expanded Project Notification Form ("Expanded PNF") for the Proposed Project on November 16, 2012 with the BRA and a Public Notice ran in the *Boston Herald*. This initiated a 30-day public comment period, which was then voluntarily extended by the Developer, with a closing date of January 8, 2013. The Public Notice and Expanded PNF were sent to the City's agencies pursuant to Section 80A-2 of the Code.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on December 10, 2012 with the City's agencies at which the Proposed Project was reviewed and discussed. The IAG members were also invited to attend the Scoping Session. The BRA held a publicly advertised meeting, also on December 10, 2012, at BC High School on Morrissey Blvd. in Dorchester.

Very few letters were received in regard to the Proposed Project, and those that were, echoed support for the development heard at the BRA-sponsored public meeting. It also has the support of the local elected officials State Representative Walsh and City Councilor Baker.

AFFORDABLE HOUSING

Thirty-six (36) rental units within the Proposed Project will be created as on-site affordable housing. This meets the requirement of 15% of the 242 market-rate rental units under the Mayor's Executive Order Relative to Inclusionary Housing. The thirty-six (36) affordable units will be affordable to households earning 70% of area median income (the "Affordable Units") at the time of rental and based upon United States Department of Housing and Urban Development ("HUD") guidelines.

The Developer will enter into an Affordable Rental Housing Agreement and Restriction with the BRA for the Affordable Units. The Affordable Rental Housing Agreement and Restriction must be executed along with or prior to issuance of the Certification of Compliance. The Developer has also agreed to submit an Affirmative Fair Housing Marketing Plan (the “Plan”) to the Boston Fair Housing Commission and the BRA, which shall be approved along with the execution of the Affordable Rental Housing Agreement and Restriction. A preference will be given to Boston residents. The Affordable Units will not be marketed prior to the submission and approval of the Plan. A deed restriction will be placed on the Affordable Units to maintain affordability for a period of fifty (50) years. The initial tenants and all subsequent tenants of the Affordable Units during this fifty-year (50-year) period must fall within the income eligibility requirements and occupancy standards set forth in the Affordable Rental Housing Agreement and Restriction.

ZONING

The Project Site is located in the Morrissey Boulevard Community Commercial (“CC”) Subdistrict of the Dorchester Neighborhood District, a Restricted Parking Overlay District and the Greenbelt Protection Overlay District (“GPOD”) of the Dorchester Neighborhood District. Code variances will be sought from the City of Boston Zoning Board of Appeal with regard to Floor Area Ratio and Building Height, as well as Conditional Use Permits for GPOD, multi-family residential use and one residential building behind another on the same lot. Pursuant to Section 29-5(1) of the Code, the Developer has submitted to the BRA evidence of having submitted its plans to the City of Boston Parks Commission at least sixty (60) days prior to the BRA Board meeting regarding the Proposed Project.

MITIGATION AND PUBLIC BENEFITS

- The provision of 36 units of affordable housing;
- Consistent with the recommendations of the Columbia Point Master Plan including construction of a new private way open to public travel running parallel to Morrissey Boulevard to the MBTA-JFK/UMass Station ;
- Creating approximately 180 construction jobs and 4 new permanent jobs on-site; and
- Expected to generate approximately \$650,000 in additional annual property taxes

RECOMMENDATIONS

BRA staff believes that the Expanded PNF, project design changes, and accompanying mitigation commitments meet the criteria for the issuance of a Scoping Determination Waiving Further Review. It is therefore recommended that the BRA approve the Proposed Project and authorize the Director to (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code; (2) issue a Certificate of Compliance under Section 80B-6 upon successful

completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and a Boston Residents Construction Employment Plan; and (4) recommend approval on petition BZC-32463 and BZC-32464 for variances and conditional use permits necessary to construct the Proposed Project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code (the “Code”), which (i) finds that the Expanded Project Notification Form (“PNF”) adequately describes the potential impacts arising from the development of two proposed five- story buildings containing, in total, two, hundred and seventy-eight (278) units of multi-family residential housing with approximately one hundred and forty-three (143) parking spaces (the “Proposed Project”), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsections 4 and 5 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority (“BRA”); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project upon the successful completion of the Boston Zoning Code’s Article 80 process for the Proposed Project subject to continuing design review by the BRA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the 25 Morrissey Boulevard project, all upon terms and conditions determined to be in the best interests of the BRA; and

FURTHER

VOTED: In reference to petitions BZC-32463 and BZC-32464 for two (2) variances for FAR and Height, as well as three (3) conditional use permits for Greenbelt Protection Overlay District multi-family residential use and to locate one residential building behind another on the same lot, the BRA recommends APPROVAL WITH PROVISIO: that plans be submitted to the BRA for design review approval.