

MEMORANDUM

MARCH 14, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

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

SUBJECT: PUBLIC HEARING FOR THE FIRST AMENDMENT TO THE AMENDED
AND RESTATED DEVELOPMENT PLAN FOR 1282 BOYLSTON
STREET, BOSTON WITHIN PLANNED DEVELOPMENT AREA NO. 81,
AND A NOTICE OF PROJECT CHANGE REGARDING THE 1282
BOYLSTON STREET PROJECT, LOCATED ON BOYLSTON STREET,
FENWAY

SUMMARY: This Memorandum requests authorization for the Director to: (1) approve the proposed First Amendment to the previously approved Amended and Restated Planned Development Area No. 81 (“First Amendment to PDA 81”); (2) authorize the Director to petition the Boston Zoning Commission for approval of the First Amendment to PDA 81; (3) authorize the Director to issue a Determination Waiving the requirement of further review pursuant to Section 80A-6.2 of the Code in connection with the Second Notice of Project Change; (4) authorize the Director to issue a Certification of Compliance for the Proposed Project under Section 80B-6 upon successful completion of the Article 80 review process; (5) authorize the Director to issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (6) authorize the Director to execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and a Boston Residents Construction Employment Plan.

INTRODUCTION

On July 5, 2011 the Abbey Group (the “Proponent”) submitted a Project Notification Form (“PNF”) to the Boston Redevelopment Authority (“BRA”) for the development of the 1282 Boylston Street project located at 1282 Boylston Street in the Fenway neighborhood. On July 2, 2011, the Proponent submitted a Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 to the BRA in

connection with the Original 1282 Boylston Street project (the “Original Development Plan”). The 1282 Boylston Street Project was to contain up to 348,235 gross square foot of mixed uses that includes 210 residential units, 99,000 square feet of office space, 15,000 square feet of ground floor retail space, and underground parking for approximately 295 vehicles (the “Original Proposed Project”). On November 17, 2011 the Original Proposed Project received approval from the BRA Board for both the Article 80 Large Project Review, as well as the Original Development Plan. The Boston Zoning Commission approved the Original PDA Plan on December 14, 2011.

On July 25, 2012 the Proponent submitted an Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 (the “Amended PDA Plan”), as well as a Notice of Project Change. The changes resulted in a project that consists of up to 348,235 square feet of mixed-use development containing 322 residential units and approximately 15,000 square feet of ground floor retail space fronting on Boylston Street. The previously approved office use was being switched to residential; hence the higher number of units. Underground parking will be provided for approximately 295 vehicles (the “Amended Project”). On September 13, 2012, the proposed changes to the Original Proposed Project received approval from the BRA Board for both the Amended PDA Plan as well as the Notice of Project Change. On October 10, 2012 the Boston Zoning Commission approved the Amended PDA Plan.

PROPOSED FIRST AMENDMENT AND PROJECT CHANGE

On January 25, 2013 the Proponent submitted the First Amendment to the Amended and Restated Development Plan for 1282 Boylston Street, Boston within Planned Development Area No. 81 and a Second Notice of Project Change for Article 80 approval. As a result of further refinements to the design, the Proponent is proposing to increase the number of residential units from approximately 322 to up to 350 residential units. The number of affordable units has increased from approximately 36 to approximately 38 units on-site.

AFFORDABLE HOUSING

The Proponent will still comply with the Mayor’s Executive Order. To do so, because of the increase in units, two additional on-site affordable units will be included. That brings the total of on-site affordable units to 38.

This will be in addition to the previously approved affordable housing conditions that were approved in the September 13, 2012 BRA Board meeting.

RECOMMENDATION

Based on the foregoing, BRA staff recommends that the Secretary be authorized to (1) approve the proposed First Amendment to the previously approved Amended and Restated Planned Development Area No. 81; (2) authorize the Director petition the Boston Zoning Commission for approval of the First Amendment to PDA 81; (3) authorize the Director to issue a Determination Waiving the requirement of further review pursuant to Section 80A-6.2 of the Code in connection with the Second Notice of Project Change; (4) authorize the Director to issue a Certification of Compliance for the Proposed Project under Section 80B-6 upon successful completion of the Article 80 review process; (5) authorize the Director to issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (6) authorize the Director to execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, and a Boston Residents Construction Employment Plan.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to approve the First Amendment ("First Amendment") to the previously approved Amended and Restated Planned Development Area No. 81; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to petition the Boston Zoning Commission ("Zoning Commission") for approval of the First Amendment to the previously approved Amended and Restated Planned Development Area No. 81; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Determination pursuant to Section 80A-6.2 of the Code waiving further review of the Proposed Project and in connection with the Notice of Project Change dated January 25, 2013 ("Second Notice of Project Change"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Notice of Project Change pursuant to Section 80B-6 of the Code upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Consistency pursuant to Section 80C-8 of the Code for the Proposed

Project as described in the Amended PDA Plan as further amended by the First Amendment; 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 Second Notice of Project Change and the Amended PDA Plan, as further amended by the First Amendment, all upon terms and conditions determined to be in the best interests of the BRA.