

MEMORANDUM

NOVEMBER 14, 2013

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
DAVID CARLSON, SENIOR ARCHITECT, URBAN DESIGN  
TYLER NOROD, SENIOR PROJECT MANAGER

**SUBJECT:** THE FORECASTER BUILDING AT 121-127 PORTLAND STREET IN THE  
BULFINCH TRIANGLE

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority (“BRA” or “Authority”) authorize the Director to: (1) issue a Determination waiving the requirement of further review pursuant to Article 80, Section 80A-6.2 of the Boston Zoning Code; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and a Boston Residents Construction Employment Plan, and any and all other agreements and documents that the Director deems appropriate and necessary.

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**PROJECT SITE**

The development involves an existing six (6)-story vacant building located at 121-127 Portland Street at the southern point of the Bulfinch Triangle within Boston’s West End neighborhood. The Proposed Project is located on an 11,857 square foot parcel that fronts on Portland Street and runs through the block eastward to Friend Street (the “Project Site”). The existing building is bordered on the east by a service parking lot and on the west along Portland Street by an adjoining building and a smaller surface parking lot at the corner of Friend Street and Anthony “Rip” Valenti Way. The surrounding area is comprised of dense buildings with heights averaging six (6) stories but reaching as high as ten (10) stories.

The Project Site is currently occupied by a six (6) story building bounded by Valenti Way, Friend Street, New Chardon Street, Merrimac Street and Portland Street. The Project Site is ideally situated to take advantage of the existing and proposed surface transportation resources available in the North Station / Bulfinch Triangle area. The

Massachusetts Bay Transportation Authority (“MBTA”) commuter rail lines serving North Station are located directly to the east of the Project Site, as are the MBTA’s Green Line and Orange Line subway routes.

## **PROJECT HISTORY**

In January 2001, Cathartes/AEW Portland Street IV, LLC filed a Project Notification Form (“PNF”) to fully renovate and upgrade the 121-127 Portland Street into a Class A telecommunications building with accessory offices. This PNF proposal included façade improvements to the building, interior renovations including a new lobby, elevator upgrades, life safety upgrades to the stair tower, and upgrades to the electrical service and generators (the “Previously Approved Project”).

On October 14, 2005, Pizzuti Development Team (the “Proponent”) filed a Notice of Project Change (“NPC”) in accordance with Article 80 of the Boston Zoning Code (the “Code”) for the property at 121-127 Portland Street, calling for a proposed multi-family residential development of fifty-four (54) mixed-income, for-sale loft condominium units, associated parking for approximately forty-two (42) vehicles and 6,550 square foot of ground floor retail space (the “First NPC Project”).

The First NPC Project proposed to fully renovate, upgrade and add two stories to the approximately 73,000 square foot building, for a total of eight (8) stories with two (2) mezzanine floors (121.5 feet) with a gross square footage of 104,750 square feet. The first floor would have contained three (3) retail spaces for approximately 6,500 square feet, activating Portland and Friend Streets. Interior parking would have been located on portions of the first, second and third floors. Car lifts designed to maximize the use of each parking space would have allowed the garage to hold a total of 42 cars.

The condominium units were designed as loft-style with high ceilings and open layouts. There were seven (7) affordable units and forty-seven (47) market-rate units. The units were mostly designed as one-bedroom units but the flexible layouts allowed owners to potentially add an additional bedroom to some units. On the floors with higher ceilings, mezzanine levels were to be added. The residential condominium units on the top two floors had outdoor terraces.

On October 25, 2005, the Downtown North Association voted to approve the First NPC Project with the proviso that the Developer continue to work with the surrounding neighborhood on the design of the Proposed Project.

The Proponent also made a presentation to the Boston Civic Design Commission (“BCDC”) on November 1, 2005, and it was voted that the Developer should meet with the BCDC design subcommittee for further review and discussion of the First NPC Project. BCDC voted to approve the First NPC Project on December 6, 2005.

The BRA Board voted on January 10, 2006 to: (1) approve the First NPC Project and issue a Determination waiving further review pursuant to Article 80, Section 80A-6.2 of the Boston Zoning Code; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and a Boston Residents Construction Employment Plan, and any and all other agreements and documents that the Director deem appropriate and necessary.

## **PROPOSED PROJECT**

The Proponent filed a second NPC on June 14, 2013 with the BRA (the "Second NPC"). The Second NPC proposes (26) additional units for a total of (80) residential units comprised of one (1) 3-bedroom unit, (32) 2-bedroom units, and (47) 1-bedroom units. Ground floor retail space will now consist of two (2) spaces totaling approximately 3,719 square feet for a reduction of one (1) retail space and approximately 2,031 square feet. The First NPC Project proposed parking for (42) vehicles on three floors. By utilizing the ceiling height of the first floor, reduced size of new automobiles and improvements to the design of mechanical auto-stackers all parking will be contained on the first floor. This Second NPC Project will offer (32) parking spaces on-site for residents and will include space for electrical charging stations to encourage the use of alternatively fueled vehicles.

The Second NPC Project will increase in height by approximately four (4) feet from (121) feet to (125) feet. This shift in height will allow for a more efficient design containing ten (10) stories instead of the originally proposed eight (8) stories with two (2) mezzanine levels. The gross square footage of the building will also increase by approximately (4,283) square feet from approximately (104,750) square feet to approximately (109,033) square feet. The modified design also calls for an additional curb cut along Friend Street.

## **ZONING**

The Second NPC Project is located within the Bulfinch Triangle District ("BTD") of the Bulfinch Triangle. As such, three (3) zoning variances will be sought with regard to floor area ratio (FAR), building height and extension of a conditional use to allow residential uses on site.

## **AFFORDABLE HOUSING**

The Proponent will enter into an Affordable Housing Agreement with the BRA for the Affordable Units consistent with the 15% ratio established by the Mayor's Executive Order regarding Affordable Housing. The First NPC Project allowed for three (3)

Affordable Units to be sold off-site. These units will count towards the 15% ratio and be allowed to be done off-site but the remaining seven (7) Affordable Units will be done on-site with an additional contribution of \$100,000 towards the Inclusionary Development Program Fund for affordable housing. Affordable units will be distributed evenly along the Portland Street and Friend Street sides of the building and will not be located along any lightwells. The unit breakdown is as follows:

On-Site Affordable Units

Unit Number	Bedrooms	Location of Affordable Unit	Percent of Median Income
201	Two	2 <sup>nd</sup> Floor	70% AMI
301	Two	3 <sup>rd</sup> Floor	70% AMI
308	One	3 <sup>rd</sup> Floor	70% AMI
402	Two	4 <sup>th</sup> Floor	70% AMI
410	One	4 <sup>th</sup> Floor	70% AMI
510	One	5 <sup>th</sup> Floor	70% AMI
610	One	6 <sup>th</sup> Floor	70% AMI

Off-Site Affordable Units

<u>Unit Address</u>	<u>Bedrooms</u>	<u>Location of Affordable Unit</u>	<u>Percent of Median Income</u>
2 Hawthorne Place Unit 2-14k	Studio	2 <sup>nd</sup> Floor	(Sold)
330 Summit Avenue Unit 105	One	1 <sup>st</sup> Floor	80%
330 Summit Avenue Unit 102	Two-Plus	1 <sup>st</sup> Floor	80%

The Affordable Housing Agreement must be executed along with, or prior to, the issuance of the Certification of Compliance. The Proponent must submit an Affirmative Marketing Plan for the Affordable Units (the “Marketing Plan”) to the Boston Fair Housing Commission and the BRA for approval, which approval must be in place before execution of the Affordable Housing Agreement. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident;
- (2) First-time homebuyers; and
- (3) Household size (a minimum of one (1) person per bedroom).

A deed restriction will be placed on the Affordable Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with an option to extend for an additional twenty (20) year period. The household income of any subsequent purchaser of the for-sale or rentable Affordable Units during this fifty (50) year period may not exceed the incomes as set forth in the Affordable Housing Agreement.

### **MITIGATION AND PUBLIC BENEFITS**

- The provision of (80) units of housing, 15% of which will be dedicated as affordable units, three (3) of which will be off-site as part of the original approval with the remaining seven (7) units on-site and a contribution of \$100,000 paid into the Inclusionary Development Program Fund for affordable housing;
- \$20,000 of in-kind donations for direct improvements to the Bulfinch Triangle;
- Continued efforts to bring the YMCA to the area of the Bulfinch Triangle;
- New construction and adaptive reuse of this original, historically significant building for residential condominiums, transforming an underutilized industrial building into an attractive, well-designed residential development;
- Enhanced pedestrian activity along Portland Street and Friend Street with a proposed mix of retail and commercial uses;
- The generation of approximately \$650,000 in tax revenue annually (at stabilization) to the City of Boston through the increase of property values anticipated as a result of the Proposed Project; and,
- The creation of up to 120 construction jobs.

### **RECOMMENDATIONS**

Approvals have been requested of the Authority pursuant to Article 80, Section 80A-6.2 of the Code for the issuance of a Determination waiving the requirement of further review, and for the issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process.

Authority staff believes that the Second NPC, project design changes, and accompanying mitigation commitments meet the criteria for the issuance of a Determination Waiving Further Review. It is therefore recommended that the Authority approve the Second NPC Project and authorize the Director to (1) issue a Determination waiving the requirement of further review pursuant to Article 80, Section 80A-6.2 of the Code; (2) issue a Certification of Compliance under Section 80B-6

upon successful completion of the Article 80 review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and a Boston Residents Construction Employment Plan.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Determination under Section 80A-6.2 of the Boston Zoning Code, which (i) finds that the Notice of Project Change submitted on June 14, 2013 (“Second NPC”) adequately describes the potential impacts arising from the 121-127 Portland Street project, to consist of eighty (80) residential units, parking for thirty-two (32) vehicles and 3,719 square feet of retail space (the “Second NPC Project”), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Second NPC Project, subject to continuing design review by the Boston Redevelopment Authority; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Second NPC Project upon the successful completion of all Article 80 processes; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Housing Agreement, 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 NPC Project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority.