

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 DESIGNER
RICHARD McGUINNESS, DEPUTY DIRECTOR FOR WATERFRONT
PLANNING
LAUREN WILLIAMS, PROJECT MANAGER

SUBJECT: AMENDMENT TO THE FIRST AMENDED AND RESTATED ON-SITE
AFFORDABLE RENTAL HOUSING AGREEMENT AND RESTRICTION
FOR THE 315 A STREET DEVELOPMENT (FORMERLY 319 A STREET
REAR) IN THE FORT POINT CHANNEL DISTRICT IN SOUTH BOSTON

SUMMARY: This Memorandum requests authorization for the Director to amend the
First Amended and Restated On-Site Affordable Rental Housing
Agreement and Restriction for the 315 A Street Development.

BACKGROUND

On August 16, 2010, a Development Plan for 319 A Street Rear within Planned Development Area No. 69, South Boston/The 100 Acres ("Original PDA Plan") was filed with the Boston Redevelopment Authority ("BRA" or "Authority") for a project to be located at 319 A Street Rear in the Fort Point Channel District of South Boston, on an approximately 20,659 square-foot site that includes an existing five-story former warehouse building (the "Project Site"), by W2005 BWH II Realty L.L.C., an entity controlled by the Archon Group, LLC. The Project Site is located within the boundaries of the Master Plan for Planned Development Area No. 69, South Boston/The 100 Acres (the "PDA Master Plan"). Specifically, the Project Site is identified in the PDA Master Plan as a portion of Parcel A₃, and is generally bounded by United States Postal Service ("USPS") land to the south, existing buildings owned by W2005 BWH II Realty L.L.C. at 319 A Street Front to the west and 327 and 337 Summer Street to the north, and West Service Road, a state highway, to the east.

The surrounding neighborhood, much of which was developed by the Boston Wharf Company, has evolved over the past century from primarily warehouse and industrial uses toward a mix of uses including commercial, retail, office, artist live/work units,

and residential uses. The Project Site is also located within the boundaries of the Innovation District, an area of the South Boston Waterfront in which Mayor Menino and the City are focused on attracting startup companies and innovation industries, by creating housing types and office space that are oriented towards startup companies and their employees.

On December 14, 2010, the BRA approved the Original PDA Plan for demolition of the existing building at the Project Site, and construction in its place of an up to 268,500 square-foot, 21-story, 180 foot-tall residential building, as measured from Summer Street pursuant to the PDA Master Plan, that included approximately 184 rental apartments, a ground-level lobby, building amenities, service and mechanical space, four levels of above-grade parking for approximately 96 vehicles, and an off-site Innovation District component (the "Previously Approved Project"). The PDA Plan was approved by the Boston Zoning Commission on January 19, 2011, and became effective January 20, 2011. A Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction (On-Site) and an Affordable Rental Housing Agreement and Restriction (Off-Site) were executed and dated September 20, 2011.

On September 30, 2011 319 ASR, LLC, successor in interest to W2005 BWH II Realty L.L.C., (the "Proponent") filed an Amended and Restated PDA Plan and a Notice of Project Change ("NPC") relating to the Previously Approved Project. The NPC made certain changes to the Previously Approved Project, chiefly: reducing the gross floor area by 11,500 square feet, increasing the number of dwelling units from 184 to 202, increasing the number of on-site affordable units from 19 to 22, reconfiguring floor plans and unit mix, the elimination of a residential floor and minor changes in fenestration (the "Project"). On November 17, 2011 a public hearing was held, and the BRA voted, among other things, to approved the Amended and Restated PDA Plan, approved the NPC and authorize the Director to enter into one or more Amended and Restated Affordable Rental Housing Agreement(s) and Restriction(s). The Amended and Restated PDA Plan was approved by the Zoning Commission on December 14, 2011 and was effective December 15, 2011.

The address of the Project was changed from 319 A Street Rear to 315 A Street in May 2012 due to a request by the USPS for mail delivery purposes.

AFFORDABLE RENTAL HOUSING AGREEMENT AND RESTRICTION

The BRA and the Proponent entered into a First Amended and Restated On-Site Affordable Rental Housing Agreement and Restriction for 22 affordable rental housing units on April 24, 2013 (the "Agreement"). Exhibit B of the Agreement filed with the Registry of Deeds on September 26, 2012, states specifies unit 9H as an "On-Site Affordable Unit." The BRA, with the City of Boston Fair Housing Commission,

proposes the substitution of 9H with 10H, an ADA compliant unit, as a designated On-Site Affordable Unit to be marketed for the 315 A Street Development. In order to facilitate this unit substitution, the BRA and the Proponent will need to enter into an amendment to the Agreement.

RECOMMENDATION

It is the staff recommendation that the Authority enter into an amendment to the First Amended and Restated On-Site Affordable Rental Housing Agreement and Restriction for the 315 A Street Development to reflect the substitution of units to designate and ADA unit as an On-Site Affordable Unit.

An appropriate vote follows:

VOTED: That the Director be, and hereby is, authorized to execute and deliver an amendment to the First Amended and Restated On-Site Affordable Rental Housing Agreement and Restriction for the 315 A Street Development to allow for the substitution of an ADA complaint unit.