

BOARD APPROVED**MEMORANDUM****JULY 12, 2018**

TO: **BOSTON REDEVELOPMENT AUTHORITY**
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY*
AND BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
RAUL DUVERGE, SENIOR PROJECT MANAGER
MICHAEL CANNIZZO, SENIOR ARCHITECT/ URBAN DESIGNER
MATT MARTIN, URBAN DESIGNER II
MARY KNASAS, SENIOR PLANNER III

SUBJECT: 200-204 OLD COLONY AVENUE, SOUTH BOSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA") 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 Boston Zoning Code (the "Code") for the proposed 200-204 Old Colony Avenue project in South Boston (the "Proposed Project"); (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction ("ARHAR"), and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project; and (4) recommend approval to the Zoning Board of Appeal on Petition BOA-846136 for the zoning relief necessary to construct the Proposed Project.

PROJECT SITE

* Effective October 20, 2016, the BRA commenced doing business as BPDA.

The Proposed Project is situated on two (2) parcels comprising approximately 12,574 square feet of land (0.28 acres) at 200-204 Old Colony Avenue in the South Boston neighborhood of Boston, bounded to the north by Cottage Street, to the south by Lark Street, to the west by Old Colony Avenue, and to the east by Frederick Street (the "Project Site"). The Project Site is currently occupied by the Notre Dame Education Center ("NDEC"), an adult education school, located within the two (2) story structure located at 200-204 Old Colony Avenue and a single family residence located at 11 Frederick Street.

The Project Site is located within an approximately nine (9) minute walking distance of MBTA bus and Red Line subway service (Andrew Station), which provides access throughout the City of Boston and Greater Boston area.

DEVELOPMENT TEAM

The development team includes:

Proponent: All Saints Development, LLC
Patrick Mahoney, Enda Madigan

Architect: Embarc Architecture + Design Studio
Dartagnan Brown, Katie Fiedler, Camila Matho

Landscape Architect: Verdant Landscape Architecture
Blair Hynes

Legal Counsel: Adams & Morancy, P.C.
George Morancy, Esq.

Transportation Consultant: Howard/Stein- Hudson Associates
Brian Beisel, Michael Littman

DESCRIPTION AND PROGRAM

All Saints Development, LLC (the "Proponent") seeks to demolish the two (2) existing structures that occupy the Project Site and construct a six (6) story, approximately 55,919 square foot mixed-use building that will include approximately forty nine (49) residential rental units, including eight (8) income-restricted units,

approximately 9,800 square feet of educational space for the NDEC, approximately thirty one (31) off-street vehicle parking spaces, and approximately 902 square feet of bicycle storage and rental space (the "Proposed Project").

As currently proposed, the forty-nine (49) residential units are anticipated to consist of seven (7) studio units, twenty-six (26) one bedroom units, and sixteen (16) two bedroom units. The final unit mix may vary slightly due to on-going design review by the BPDA.

The estimated total development cost for the Proposed Project is \$26,000,000.

ARTICLE 80 REVIEW PROCESS

On March 9, 2018, the Proponent filed a Letter of Intent ("LOI") in accordance with the BPDA's policy regarding Provision of Mitigation by Development Projects in Boston. On March 15, 2018, letters soliciting nominations for the Impact Advisory Group ("IAG") were delivered to local and state elected officials. On May 8, 2018 the IAG was finalized with ten (10) members.

The Proponent filed a Project Notification Form ("PNF") for the Proposed Project on May 11, 2018, which initiated a thirty (30) day public comment period that concluded on June 11, 2018. Notice of the receipt of the PNF by the BPDA was published in the *Boston Herald* on May 11, 2018. The notice and PNF were sent to the City's public agencies/departments and elected officials. Additionally, copies of the PNF were sent to all IAG members.

The BPDA subsequently sponsored and held two (2) IAG meetings on May 24, 2018 and June 26, 2018 and one (1) general public meeting on May 31, 2018 in South Boston to solicit feedback and review the Proposed Project. The public meeting was advertised in the *South Boston Times* and *South Boston Online*.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on May 31, 2018 with the City's public agencies and elected officials to review and discuss the Proposed Project.

Supplemental information in connection with the Proposed Project was submitted to the BPDA on July 3, 2018 and was shared with the IAG, elected officials, and BPDA staff.

In addition to the above-mentioned meetings, the Proponent also undertook community outreach efforts and participated in a series of meetings before and during the Article 80 Review process with neighborhood residents, local elected officials, and area civic associations including the Andrew Square Civic Association to discuss the Proposed Project and solicit feedback.

ZONING

The Project Site is located in the South Boston Neighborhood District governed by the Underlying Zoning and more specifically in a M-1 Restricted Manufacturing Subdistrict. Additionally, the Project Site is located within the PLAN: South Boston Dorchester Avenue study area. The Proposed Project is consistent with the vision and guidelines of the PLAN: South Boston Dorchester Avenue initiative.

The Proposed Project required zoning relief from the following: height, lot area for additional dwelling unit(s), floor area ratio, usable open space, and side and rear yard insufficient. Conditional use permits will also be sought for the multi-family and school use.

MITIGATION & COMMUNITY BENEFITS

MITIGATION

The Proposed Project will provide mitigation and community benefits for the South Boston neighborhood and the City of Boston as a whole, including:

- **Smart Growth/Transit-Oriented Development**
-The Proposed Project is consistent with smart-growth and transit-oriented development principles. The Project Site is within an approximately nine (9) minute walk of MBTA Red Line subway (Andrew Station) and bus service, and supports the objectives of smart growth; specifically, new developments at existing nodes of excellent transit routes.
- **Public Realm Improvements**
-The Proposed Project will incorporate pedestrian access improvements, including new widened sidewalks, street trees, and landscaping around the Project Site. Additionally, new lighting and security cameras will be installed along the building perimeter to improve visibility and pedestrian safety.

- **Sustainable Design/Green Building**

-The Proposed Project is committed to the advancement of sustainable and environmentally conscious design and construction. To that end, the Proposed Project is being designed to meet the requirements of Article 37 of Code and is targeting LEED certifiability under the USGBC LEED v4 rating system. Sustainable design elements relating to building energy management systems, lighting, recycling, and conservation measures will also be incorporated. Short and long term bicycle storage will be provided on-site for both building residents and visitors.
- **Increased Employment**

-The Proposed Project will create approximately seventy five (75) construction jobs and will retain approximately twenty one (21) permanent full time jobs.
- **Additional Property Taxes**

-The Proposed Project will generate additional property tax revenues for the City of Boston.
- **Urban Design**

-The Proposed Project will revitalize an underutilized site into a vibrant mixed-use development. The Proposed Project has been designed to be responsive to the planning and design guidelines set forth in the PLAN: South Boston Dorchester Avenue study initiative, including the recommended heights, lot coverage ratio, and setbacks. The exterior building materials will be a combination of terra cotta, high density fiber cement, cedar, and glass fenestration and are intended to complement both the current and future neighborhood context.
- **Transportation**

-The Proponent has committed to providing ten thousand dollars (\$10,000) in transportation related improvements in the impacted neighborhood. The said improvements may include, but not be limited to pedestrian visibility improvements such as pedestrian delineator posts, installation of ADA compliant ramps, upgraded street signage, street striping, and a speed radar sign(s). The final scope of work for shall be determined through direct consultation with the Boston Transportation Department (“BTD”) Engineering and Planning divisions and/or other applicable City of Boston departments or agencies. The said improvements shall be specified in the Transportation

Access Plan Agreement (“TAPA”) to be executed between the Proponent and BTB.

- **Open Space**

-The Proponent has committed to providing a twenty five thousand dollar (\$25,000) financial contribution to the City of Boston Parks and Recreation Department (“BPRD”). The said amount shall be made payable to the BRA upon building permit issuance for the Proposed Project. The funds will then be disbursed by the BPDA to the Fund for Parks managed by the BPRD. The funds shall be used to support the acquisition, development and/or programming of open space within the PLAN: South Boston Dorchester Avenue district and adjacent open space areas that enhance and sustain the public realm, as determined by the BPRD

COMMUNITY BENEFITS

In addition to the aforementioned mitigation, the Proposed Project includes the following community benefit commitments:

- The Proponent will provide approximately 9,800 square feet of educational space to the NDEC at no cost. Per an executed agreement between the Proponent and the NDEC, the approximately 9,800 square feet of space will be built out and deeded to the NDEC upon completion of the Proposed Project; and

- The Proponent has committed to providing a twenty thousand dollar (\$20,000) contribution towards the creation of a public benefits fund through the BPDA to provide support for local non-profit organizations that provide substance abuse and recovery services, educational opportunities for local community members, and support activities for those in the community that may have developmental disabilities or physical challenges. The said amount shall be made payable to the BRA upon building permit issuance for the Proposed Project. The proposed public benefits fund will be managed by the BPDA through a public community benefits application process that is compliant with BPDA policies and procedures.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 (“IDP”), and is located within Zone B, as defined by the IDP. The IDP requires that thirteen percent (13%) of the total number of units within the

development be designated as IDP units. In addition, the Proposed Project is located within the boundaries of the PLAN: South Boston Dorchester Avenue district. Under the BPDA approved planning guidelines, developments which exercise the bonus height density under the PLAN: South Boston Dorchester Avenue initiative are required to provide an additional four percent (4%) of units as income restricted. As a result, seventeen percent (17%) of the total units should be IDP Units. As the Proposed Project will provide forty nine (49) new rental units, eight (8) units within the Proposed Project will be created as IDP rental units (the "IDP Units"), of which six (6) will be made affordable to households earning not more than 70% of the Area Median Income ("AMI"), as published by the BPDA and based upon data from the United States Department of Housing and Urban Development ("HUD"), and two (2) will be made affordable to households earning not more than 100% of AMI.

The proposed locations, sizes, income restrictions, and approximate rental prices for the IDP Units are as follows:

Unit Number	Number of Bedrooms	Square Footage	Percent of Area Median Income	Rent	ADA/Group 2 Designation (if any)
Unit 304	One	627 SF	70%	\$1,277	
Unit 306	Two	996 SF	100%	\$2,084	
Unit 312	One	657 SF	70%	\$1,277	Group 2
Unit 405	One	628 SF	70%	\$1,277	
Unit 410	Two	917 SF	100%	\$2,084	Group 2
Unit 504	One	627 SF	70%	\$1,277	
Unit 511	One	656 SF	70%	\$1,277	
Unit 610	Studio	452 SF	70%	\$1,094	

The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Rental Housing Agreement and Restriction ("ARHAR"), and rents and income limits will be adjusted according to BPDA published maximum rents and income limits, as based on HUD AMIs, available at the time of the initial rental of the IDP Units. IDP Units must be comparable in size, design, and quality to the market rate units in the Proposed Project, cannot be stacked or concentrated on the same floors, and must be consistent in bedroom count with the entire Proposed Project.

The ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must also submit a draft Affirmative Fair Housing Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BPDA prior to the issuance of the building permit. Preference will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom)

Where a unit is built out for a specific disability (e.g., mobility or sensory), a preference will also be available to households with a person whose need matches the build out of the unit. The City of Boston Disabilities Commission may assist the BPDA in determining eligibility for such a preference.

The IDP Units will not be marketed prior to the submission and approval of the Plan. An affordability covenant will be placed on the IDP Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BPDA option to extend for an additional period of twenty (20) years). The household income of the renter and rent of any subsequent rental of the IDP Units during this fifty (50) year period must fall within the applicable income and rent limits for each IDP Unit. IDP Units may not be rented out by the developer prior to rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition to the designated IDP units, the Proponent has agreed to make an IDP contribution of \$99,000 as a partial unit payment (based on 0.33 unit) to the IDP Special Revenue Fund ("IDP Fund") managed by the City of Boston Department of Neighborhood Development ("DND"). This payment is required to be made at the time of building permit issuance. The combination of this contribution and the eight (8) designated IDP Units fully satisfies the IDP requirements pursuant to the December 10, 2015 IDP, as well as the Plan: South Boston Dorchester Avenue affordability guidelines.

RECOMMENDATIONS

Approvals have been requested of the BPDA pursuant to Article 80, Section 80B of the Code for the issuance of a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the

issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process. In accordance with Section 80B-5.3(d) of the Code, the BPDA may issue a Scoping Determination Waiving Further Review if the PNF, together with any additional material and comments received by the BPDA prior to the issuance of the Scoping Determination, are found to adequately describe the impacts of the Proposed Project and offer appropriate mitigation of such impacts.

BPDA staff believes that the PNF meets the criteria for the issuance of a Scoping Determination Waiving Further Review. It is therefore recommended that the BPDA 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 Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction, and any and all other agreements and documents upon terms and conditions deemed to be in the best interest of the BPDA; and (4) recommend approval to the Zoning Board of Appeal on Petition BOA-846136 for the zoning relief 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, which (i) finds that the Project Notification Form filed on May 11, 2018 adequately describes the potential impacts arising from the 200-204 Old Colony Avenue project in the South Boston neighborhood of Boston (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 Boston Zoning Code, subject to continuing design review by the 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 all Article 80 processes; and

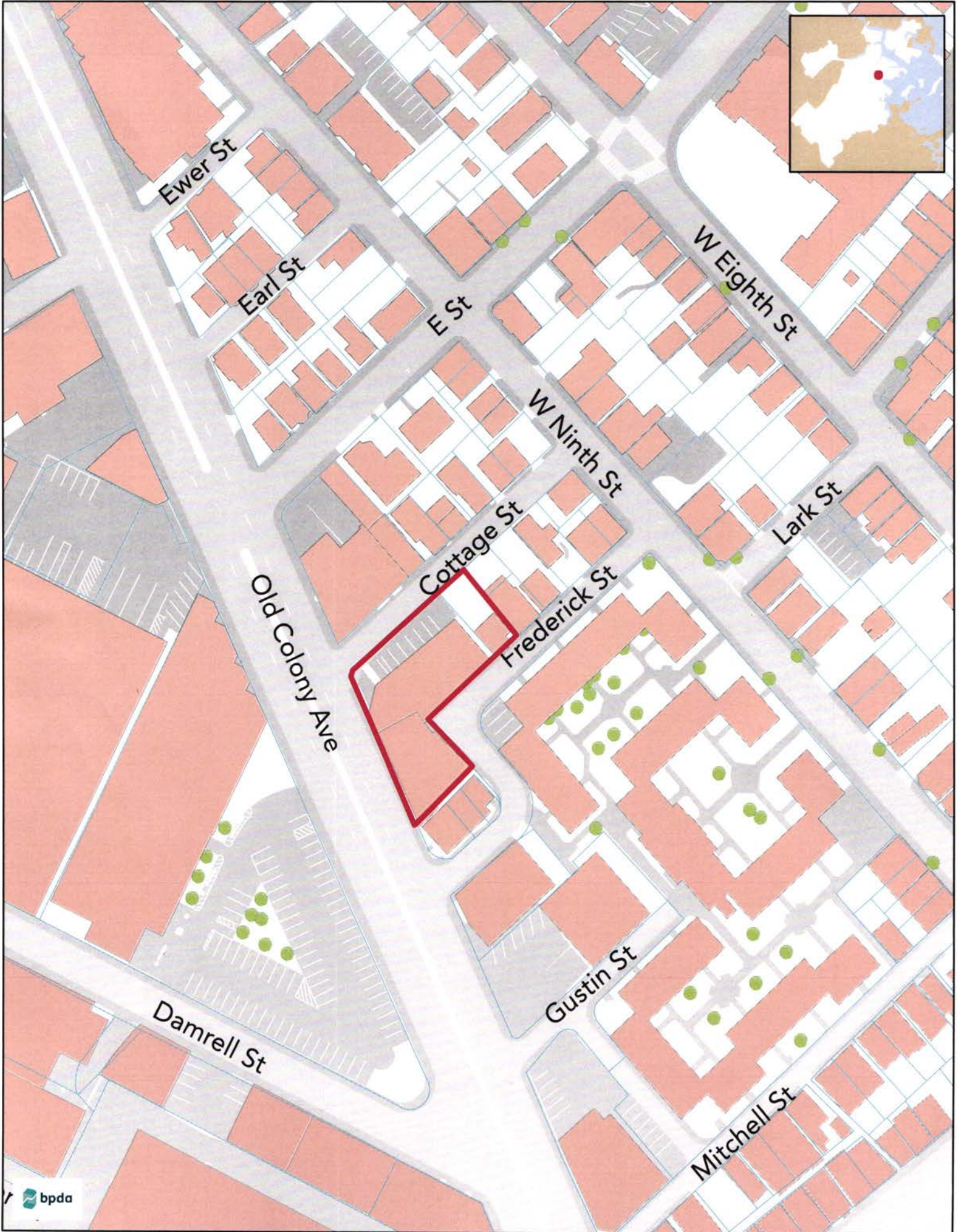
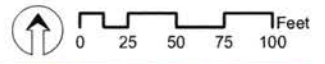
FURTHER

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

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue the following recommendation to the City of Boston Zoning Board of Appeal on Petition BOA-846136 for zoning relief necessary in connection with the Proposed Project: APPROVAL WITH PROVISIO: that plans be submitted to the BRA for design review approval.

200-204 Old Colony Avenue, South Boston



200-204 Old Colony Avenue, South Boston

2017 aerial imagery

