

MEMORANDUM

BOARD APPROVED

OCTOBER 17, 2019

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

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
COREY ZEHNGEBOT, SENIOR ARCHITECT/URBAN DESIGNER
MICHAEL CANNIZZO, SENIOR ARCHITECT/URBAN DESIGNER
PHILLIP HU, PLANNER II
MARY KNASAS, SENIOR PLANNER III
MICHAEL SINATRA, PROJECT MANAGER

SUBJECT: 201 STUART STREET – MOTOR MART GARAGE, DOWNTOWN

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, Large Project Review of the Boston Zoning Code (the “Code”) for the 201 Stuart Street – Motor Mart Garage project (the “Proposed Project”); (2) issue a Certification of Compliance pursuant to Section 80B-6 upon successful completion of the Article 80 review process; (3) approve the development being proposed by the Chinese Consolidated Benevolent Association of New England, Inc. and Beacon Communities Development LLC (together, “CCBA/Beacon”), adjacent to the existing Tai Tung Village development on Harrison Avenue in Chinatown, as the location for the Proposed Project's Off-Site IDP Units; (4) execute one or more Affordable Housing Agreements with Stuart Street Owner, LLC, c/o CIM Group LLC and Boston Global Investors (together, the “Proponent”) and CCBA/Beacon; and (5) execute and deliver a Cooperation Agreement and any and all other agreements and

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

documents that the Director deems appropriate and necessary in connection with the Proposed Project.

PROJECT SITE

The development site is an approximately 1.2-acre parcel in Downtown Boston bounded by Stuart Street to the south, Park Place to the east, Columbus Avenue to the northwest, Eliot Street to the northeast and Church Street to the west (the "Project Site"). The Project Site is located at the western edge of the Midtown Cultural District, with the Theatre District to the east and the Back Bay to the west.

The entirety of the Project Site is improved by the existing approximately 421,000 square foot, eight-story Motor Mart parking garage containing approximately 1,037 parking spaces. A large portion of the existing ground floor contains retail uses, with restaurants anchoring the corners and smaller retail uses (such as car rental agencies) in between. The existing building has three curb cuts: at the garage entrances on Stuart Street and at the corner of Eliot Street and Columbus Avenue, and at the loading area on Columbus Avenue. The basement level is used partly for a vehicle rental agency and as accessory space for retail/restaurant tenants.

DEVELOPMENT TEAM

The development team includes:

Developer: 201 Stuart Street Owner, LLC
 c/o CIM Group LLC
 4700 Wilshire Boulevard
 Los Angeles, CA 90010
 (646) 783-4600
 Adam Gibbons
 Richard Kershaw

Development Boston Global Investors, LLC
Partner: 55 Seaport Boulevard, 4th Floor
 Boston, MA 02210
 (617) 350-7577
 John Hynes
 Leonard Conlin

Architect: CBT Architects
110 Canal Street
Boston, MA 02114
(617) 262-4354
Phil Casey
Henry Celli

Legal Counsel: Goulston & Storrs
400 Atlantic Avenue
Boston, MA 02110
Matthew Kiefer
Michael Flannery

Permitting Consultants: Epsilon Associates, Inc.
3 Clock Tower Place, Suite 250
Maynard, MA 01754
(978) 897-7100
Cindy Schlessinger
Talya Moked

Transportation
Consultant: Howard Stein Hudson
11 Beacon Street, Suite 1010
Boston, MA 02108
(617) 482-7080
Elizabeth Peart

Civil Engineer: Nitsch Engineering
2 Center Plaza, Suite 430
Boston, MA 02108
(617) 338-0063
John Schmid
Zuki Mahmulin

Structural McNamara Salvia
101 Federal Street, Suite 1100
Boston, MA 02110
(617) 737-0040
Adam McCarthy

Sustainability
Consultant: The Green Engineer
23 Bradford Street, 1st Floor
Concord, MA 01742
(978) 369-8978
Sarah Michelman
Ryan Montoni

MEP Engineer: R. G. Vanderweil Engineers, LLP
274 Summer Street
Boston, MA 02210
(617) 574-8132
Alex Vanderweil

Geotechnical
Consultant: Haley & Aldrich, Inc.
465 Medford Street, Suite 2200
Boston, MA 02129
(617) 886-7400
Marya Gorczyca

DESCRIPTION AND PROGRAM

The Proposed Project consists of the redevelopment of the existing building and the construction of a 264,000 square foot, 20-story residential tower rising out of the existing building. The height of the building will be 310 feet. The western portion of the existing parking levels will be converted into new residential units, and the residential tower will rise out of the eighth floor of the existing building. The Proposed Project will create approximately 231 new homeownership residential units ranging in size from studios to three-bedroom units. The unit breakdown is projected to be as follows:

Studio Units: 35
One Bedroom Units: 88
Two Bedroom Units: 83
Three bedroom Units: 25

In addition, the Proposed Project will provide residential amenity spaces including a fitness center, a small pool, and a vegetated roof on the ninth floor.

Of the approximately 1,037 parking spaces in the existing garage, the Proposed Project will retain approximately 672 parking spaces, and the Proponent will allocate spaces for residential use, retail/restaurant tenant use, and public use in consultation with the Boston Transportation Department. The Proposed Project will also retain approximately 46,000 sf of commercial space on the ground and basement floors. Of the 46,000 sf, approximately 15,000 sf may be used as a grocery store. The total development costs of the Proposed Project will be approximately \$525,000,000.00.

As part of the overall revitalization of the existing building, the ground floor will be rehabilitated. The four major corners of the building will continue to be anchored by retail with some smaller infill retail spaces along Stuart Street, Columbus Avenue, and Park Place. Part of the basement floor will also be redeveloped to accommodate a shell space for future retail such as a grocery, with street presence to provide direct customer access to the basement. In addition, the Proposed Project will include a residential building entry along Church Street fronting Statler Park. The Proposed Project has also been designed to retain off-street loading near the current loading location along Columbus Avenue but within the building. The existing garage entries on Columbus Avenue and at the corner of Elliot Street and Columbus Avenue will remain in their current locations. Parking and loading for the Project will be as described in the Project's filings made during the Article 80 process detailed below.

ARTICLE 80 REVIEW PROCESS

On March 2, 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. Letters soliciting nominations for the Impact Advisory Group ("IAG") were delivered to local and state elected officials. On September 10, 2018, the IAG was finalized with seven (7) members.

The Proponents filed a Project Notification Form ("PNF") for the Proposed Project on September 10, 2018. Notice of receipt by the BPDA of the PNF was published in the *Boston Herald* on September 11, 2018, which initiated a public comment period that ended on October 19, 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 issued a Request for Supplemental Information in response to the PNF on December 5, 2018. Through this document, the BPDA requested that the Proponent provide more details around the information that was submitted in the PNF and respond to all comments and feedback received during the initial comment period. On March 25, 2019, the Proponent filed a Supplemental Information document ("SID") in response to the BPDA's Request for Supplemental Information. This initiated a thirty (30) day public comment period with a closing date of April 25, 2019. At the request of the development team, the community and the IAG, the comment period was extended until June 7, 2019, to allow more time for public input.

The BPDA sponsored four (4) IAG meetings on October 2, 2018, April 4, 2019, May 20, 2019, and June 18, 2019, at the Revere Hotel at 200 Stuart Street in Downtown Boston. In addition, three (3) public meetings were held on October 9, 2018, April 10, 2019, and May 28, 2019 at the Revere Hotel to solicit feedback and review the Proposed Project. One (1) Cantonese language public meeting was held for the Chinese community on June 6, 2019, at South Cove Plaza at 230 Stuart Street in Downtown Boston. The public meetings were advertised in the *Boston Sun* and the *Boston Guardian*, and the Cantonese language meeting was advertised in the *World Journal*. The IAG and public meeting notices were also posted on the BPDA website.

In addition to the above-mentioned meetings, the Proponent conducted community outreach and attended a series of meetings before and during the Article 80 review process with elected officials, public agencies, nearby neighbors, residents, and representatives of neighborhood groups including the Bay Village Neighborhood Association, One Charles Condominium Association, Four Seasons Condominium Association, Four Seasons Hotel Management, Mid-Town Park Plaza Neighborhood Association, Emerson College, the Boston Preservation Alliance, the Art Deco Society, Transom Real Estate (developers of 212 Stuart Street), and Park Plaza Hotel Management and Ownership. The Proponent has also met with the BPDA and other City agencies on multiple occasions.

ZONING

The Project Site is located within the Midtown Cultural District ("MCD") governed by Article 38 of the Boston Zoning Code (the "Code"). The Project Site is also located within the Groundwater Conservation Overlay District ("GCOD") governed by Article 32 of the Code and the Restricted Parking Overlay District ("RPOD") governed by Article 3 of the Code. As described below, the Proposed Project will require relief

from certain requirements of the Code. The Proponents will seek relief in the form of variances and/or conditional use permits from the Boston Zoning Board of Appeal.

The Proposed Project will include upper-floor multifamily dwelling use (with accessory parking), general retail use, and restaurant use, all of which are allowed as of right. The Proposed Project also includes ground floor retail uses, commercial parking and parking accessory to retail and restaurant uses. These are conditional uses—either under MCD zoning or under RPOD requirements. All of these proposed uses currently exist at the Project Site, with the exception of multi-family dwelling use and its accessory parking. The Proponents will seek conditional use permits if and to the extent required for the continuation of these uses as part of the Proposed Project.

Projects subject to Large Project Review, Article 38 of the Code sets a maximum building height of 155 feet and a maximum floor area ratio (“FAR”) of 10.0. The Proposed Project will exceed the maximum height and FAR allowed, with a proposed building height of 310 feet and an FAR of 13.1. The Proposed Project may also require relief from the design requirements set forth in Section 38-19 of the Code.

Within the RPOD, off-street parking for any non-residential uses is a conditional use. The Proponents will seek conditional use permits if and to the extent required for the continuation of these uses as part of the Proposed Project.

MITIGATION & COMMUNITY BENEFITS

The Project will provide the following mitigation and community benefits, subject to receipt of all applicable permits and approvals:

Urban Design and Public Realm Benefits

- Improving sidewalks surrounding the site in accordance with Boston Complete Streets guidelines, including new street lighting and new street trees where feasible.
- Improving accessibility and crosswalk configuration around the Project Site.
- Introducing residential uses to the Project Site, creating more activity in the area throughout the day.

- Improving existing retail storefronts and signage in order to further activate the site.
- Providing enhanced car sharing opportunities within the garage for use by neighborhood residents.
- Enhancing Church Street in order to visually extend through to Church Street Plaza and Statler Park.
- Collaborating with the Boston Transportation Department to improve bicycle connections between Elliot Street and Arlington Street, including along Stuart Street and Columbus Avenue, through new surface treatments such as colored paint and directional arrows but not including roadway, curb or sidewalk reconstruction. The estimated cost of such bike lane improvements is \$135,000, and the details of this collaboration will be memorialized in the Transportation Access Plan Agreement (TAPA) for the Proposed Project.
- Replacing exterior loading on Columbus Ave with interior loading inside the Project.
- Sponsorship of a Blue Bikes station in the vicinity of the Project Site.
- Proponent will investigate a parking program at City rates for neighborhood parkers.

Economic Benefits

- In keeping with Mayor Walsh's goal of adding significant new housing in the city, the Proposed Project will create approximately 231 new residential units, in close proximity to public transit.
- The Proposed Project will create new affordable housing units consistent with the BPDA's December 2015 Inclusionary Development Policy.
- The Proposed Project will create approximately 625 construction jobs and approximately 50 permanent jobs upon stabilization.
- The Proposed Project will result in increased tax revenues compared to the existing condition.

Community Benefits and Mitigation

1. **Recipient:** Boston Parks & Recreation Dept.

2. Address: 1010 Mass Ave

Use: Funds will be used for capital improvements to and maintenance of Statler Park.

Amount: An aggregate contribution of \$1,000/unit at the Proposed Project (anticipated to be \$231,000), plus a contribution of \$340,000 to establish a fund to support ongoing maintenance of the Park for an estimated total of \$571,000.

Timeline: Initial payment of one-half of the contribution will be due at the issuance of a building permit from ISD, and payment of the second half of the contribution will be due upon the issuance of a certificate of occupancy for the Project.

3. Recipient: City of Boston Arts & Culture Dept.

Address: Boston City Hall, Room 802

Use: Funds will be used to help pay for the Coconut Grove Fire Memorial

Amount: A one-time payment of \$50,000

Timeline: Payment will be due within 60 days following the issuance of a building permit from ISD

4. Recipient: Boston Police Department, A1 & A15

Address: 40 New Sudbury Street

Use: One-time contribution to fund security cameras in the area of the project

Amount: A one-time payment of \$50,000

Timeline: Payment will be due within 60 days following the issuance of a building permit from ISD

5. Recipient: Boston Transportation Dept.

Address: Boston City Hall, 7th Floor

Use: To be contributed toward the re-design of the Stuart St, Arlington St and Columbus Ave intersection. Details will be worked out in conjunction with BTS during the TAPA agreement process.

Amount: \$250,000 toward the re-design of the Stuart St, Arlington St and Columbus Ave intersection.

Timeline: Payment will be due upon the issuance of a building permit from ISD.

INCLUSIONARY DEVELOPMENT POLICY

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone A, as defined by the IDP. The Proposed Project will comply with the IDP. Under the IDP, the Proponent may elect to meet its IDP commitment through the creation or preservation (through the extension of an existing affordability restriction) of off-site Inclusionary Development Units ("Off-Site IDP Units"). The developer acknowledges that full satisfaction of the IDP obligations through the creation of Off-Site IDP Units will require that (i) 18% of the total number of units within the Proposed Project be created as Off-Site IDP units, and (ii) because the Off-Site IDP Units may differ in bedroom number and square footage than the units in the Proposed Project, 18% of the Proposed Project's net sellable residential square footage must be created as Off-Site IDP units. Adjustments may be made in the required square footage to address the provision of Off-Site IDP Units targeted to lower incomes than the maximum incomes set out below.

Any Off-Site IDP Units may be either rental or homeownership units. The maximum Area Median Income ("AMI"), as published by the BPDA annually and based on data from the United States Department of Housing and Urban Development ("HUD"), for rental units shall be 70% of AMI. For homeownership units, at least half of the Off-Site IDP Units will be made affordable to households earning not more than 80% of AMI, and the remainder will be made affordable to households earning not more than 100% of AMI.

The Proponent may create or preserve Off-Site IDP Units directly, or in conjunction with a third-party developer. The initial full building permit for any Off-Site IDP Units must be secured prior to receipt of the full or temporary Certificate of Occupancy for the residential portion of the Proposed Project. If such initial full building permit is not obtained for any Off-Site IDP Units before the receipt of the Certificate of Occupancy for the residential portion of the Proposed Project, a monetary contribution to the IDP fund shall be required in place thereof in accordance with the IDP. Any Off-Site IDP Units shall be completed within one-year after issuance of the Certificate of Occupancy for the Proposed Project. Upon request, the BPDA may grant a written one-year extension to allow for the completion of such Off-Site IDP Units.

The location of any Off-Site IDP Units must be within one half-mile radius of the Proposed Project unless otherwise approved by the BPDA. Any Off-Site IDP Units must meet or exceed the City's Department of Neighborhood Development ("DND") construction guidelines for affordable housing. The Proponent has proposed the creation of the Off-Site IDP Units in conjunction with a development being proposed by the Chinese Consolidated Benevolent Association of New England, Inc. and Beacon Communities Development LLC, on a site currently used as a parking lot, adjacent to the existing Tai Tung Village development on Harrison Avenue in Chinatown (the "CCBA/Beacon Project"). This site is less than one-half mile from the Proposed Project.

The CCBA/Beacon Project has not secured BPDA Article 80 approval, but the BPDA acknowledges that the CCBA/Beacon Project qualifies as an eligible location for the Off-Site Units under the IDP because it is located less than one half-mile from the Proposed Project. When and if the CCBA/Beacon Project secures its own BPDA Article 80 approval, one or more Affordable Housing Agreements ("AHA") and/or Affordable Rental Housing Agreement and Restriction ("ARHAR") for the Off-Site IDP Units would be entered into to detail the terms of Proponent's contribution to the construction of the Off-Site IDP Units as well as the sales prices, rents, and income limits for the Off-Site IDP Units, which will be adjusted according to BPDA published maximum sales prices and income limits, as available at the time of the initial sale or rental of the Off-Site IDP Units, as applicable. Nothing herein shall be construed to grant BPDA Board approval for the CCBA/Beacon Project.

Any AHA or ARHAR must be executed along with, or prior to, the issuance of the Certification of Compliance for such Off-Site IDP Units (if applicable) or the initial full building permit for such Off-Site IDP Units.

The developer of any Off-Site IDP Units must also submit an Affirmative Marketing Plan (the "Plan") to the Boston Fair Housing Commission and the BPDA. Preference will be given to applicants who meet the following criteria, weighted in the order below:

1. Boston resident;
2. Household size (a minimum of one (1) person per bedroom); and
3. First Time Homebuyer (if applicable).

If the location of the Off-Site IDP Units is eligible, the Neighborhood Diversity Preservation Preference may also be applied to up to one-half of the Off-Site IDP Units. Additional preferences, such as for units built out for specific disabilities, shall also be considered, on a case-by-case basis. Any Off-Site IDP Units will not be marketed prior to the submission and approval of the Plan. A deed restriction or covenant will be placed on the Off-Site 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 and rent or sales price of any subsequent sale or rental of any Off-Site IDP Units during this fifty (50) year period must fall within the applicable income, rent, and sales price limits for each Off-Site IDP Unit. Any Off-Site IDP Units may not be rented out by the developer thereof prior to sale or rental to an income eligible household, and the BPDA or its assigns or successors will monitor the ongoing affordability of the Off-Site IDP Units.

Details of the Board's approval of the option to create or preserve Off-Site IDP Units will be incorporated into the Cooperation Agreement or one or more separate Affordable Housing Agreements, which shall be executed with, or prior to, the issuance of a Certification of Compliance for the Proposed Project. In addition, where necessary, the BPDA will create a Memorandum of Agreement to outline the rights and responsibilities of each party where the Proponent is working with a third-party developer to create or preserve any Off-Site Units.

The Proponent's compliance with the requirements of such Affordable Housing Agreement(s) or the provisions of a Cooperation Agreement relating to affordable housing and the creation of Off-Site IDP Units shall satisfy fully the IDP requirements applicable to the Proposed Project pursuant to the December 10, 2015 IDP.

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 BRA may issue a Scoping Determination Waiving Further Review if the PNF, together with the Supplemental Information document 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 and the SID together meet 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, subject to continuing design review by the BPDA; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) approve a development being proposed by CCBA/Beacon, on a site currently used as a parking lot, adjacent to the existing Tai Tung Village development on Harrison Avenue in Chinatown, as the location for the Proposed Project's Off-Site IDP Units; (4) execute one or more Affordable Housing Agreements with the Proponent and CCBA/Beacon; and (5) execute and deliver a Cooperation Agreement and any and all other agreements and documents upon terms and conditions deemed to be in the best interest of the BPDA.

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 Project Notification Form and the Supplemental Information Document together adequately describe the potential impacts arising from the proposed 201 Stuart Street – Motor Mart Garage project (the "Proposed Project"), and provide 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 under Section 80B-6 of the Code for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That a development being proposed by the Chinese Consolidated Benevolent Association of New England, Inc. and Beacon Communities Development LLC, on a site currently used as a parking lot, adjacent to the existing Tai Tung Village development on Harrison Avenue in Chinatown is hereby approved as the location for the Proposed Project's Off-Site IDP Units; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute one or more Affordable Housing Agreements, including for the creation or preservation of off-site Inclusionary Development Units, with the Proponent and a venture comprised of the Chinese Consolidated Benevolent Association of New England, Inc. and Beacon Communities Development LLC; and

FURTHER

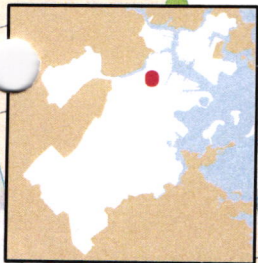
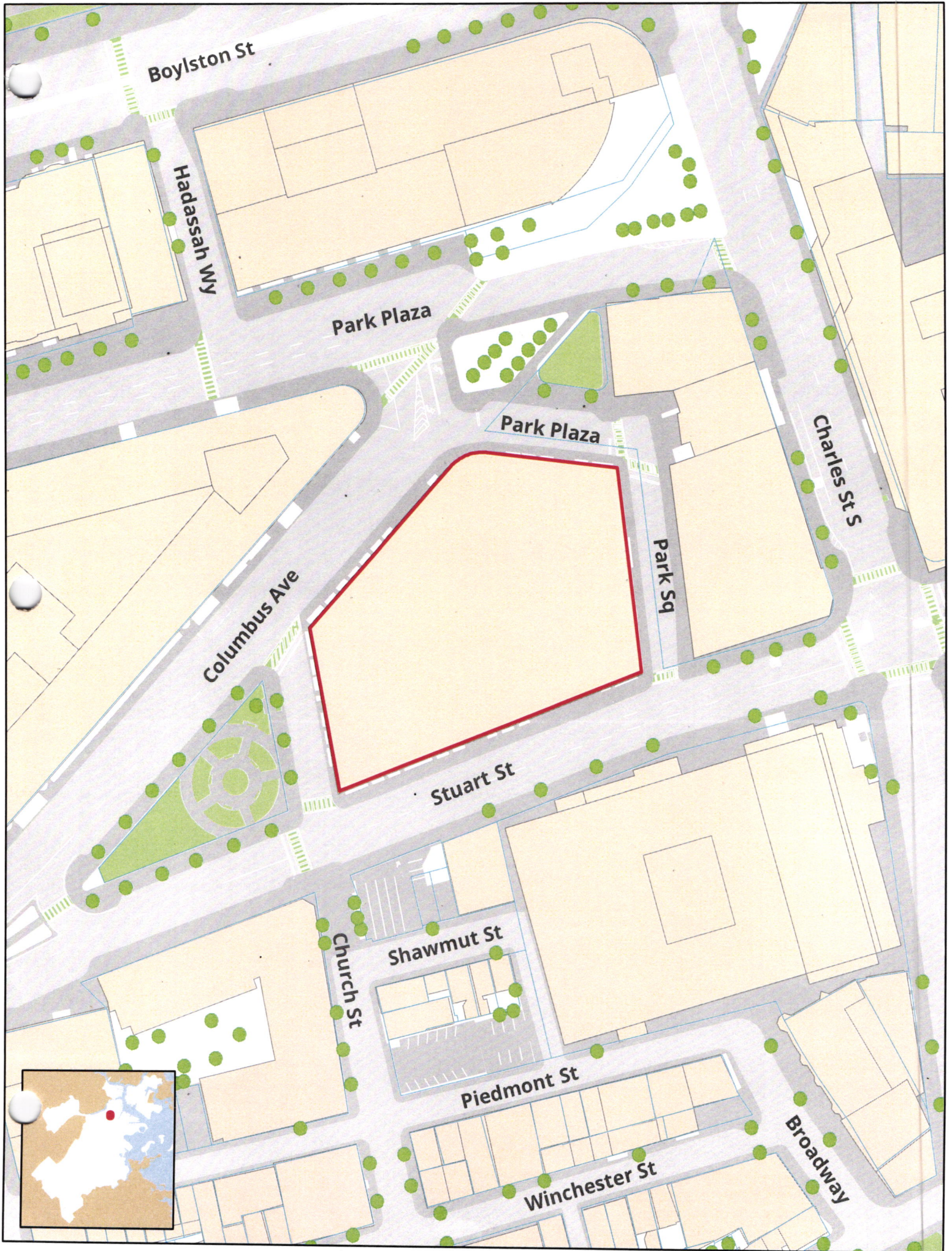
VOTED:

That the Director be, and hereby is, authorized to execute a Cooperation Agreement 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.

201 Stuart Street, Motor Mart Garage, Downtown



1 inch = 100 feet
0 25 50 75 100 Feet



201 Stuart Street, Motor Mart Garage, Downtown



2017 aerial imagery
0 25 50 75 100 Feet

