

BOARD APPROVED

MEMORANDUM

MARCH 14, 2019

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
 KRISTINA RICCO, SENIOR PLANNER
 ALEXA PINARD, URBAN DESIGNER II

SUBJECT: FRANKFORT + GOVE STREET HOUSING PROJECT, EAST 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 Frankfort + Gove Street Housing project in East Boston (the "Proposed Project"); (2) issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement ("AHA"), 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 Petitions BOA-919603 and BOA-919610 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 located on four (4) parcels of land with addresses of 115 Gove Street, 120 Gove Street, 128-134 Gove Street, and 21-43 Frankfort Street that collectively comprise approximately 49,125 square feet (1.13 acres) at the intersection of Frankfort Street and Gove Street in the East Boston neighborhood of Boston (the "Project Site"). The Project Site is currently occupied by a vacant convent building, vacant lot, the closed Our Lady of Mount Carmel Catholic Church (the "Church Building") and attached rectory building. The area surrounding the Project Site includes a mix of residential, commercial, and institutional uses. Existing residences are located to the north, west, and south of the Project Site and the Donald McKay School and East Boston Early Education Center are located directly to the southeast.

The Project Site is located within an approximately seven (7) minute walk (0.4 miles) of MBTA bus and Blue Line subway service (Maverick Station), providing access throughout the City of Boston and the greater Boston area.

DEVELOPMENT TEAM

The development team includes:

Proponent:	<u>Frankfort Gove, LLC</u> Timothy White, Richard Egan
Architect:	<u>Bruner-Cott & Associates, Inc.</u> Jason Forney, Shaun Dempsey
Permitting Consultant:	<u>Epsilon Associates, Inc.</u> Peggy Briggs, Fiona Vardy
Legal Counsel:	<u>Drago + Toscano, LLP</u> Jeffrey Drago, Esq., Matthew Eckel, Esq.
Transportation Consultant:	<u>Vanasse & Associates, Inc.</u> Jeffrey Dirk

DESCRIPTION AND PROGRAM

The Proposed Project consists of redevelopment of the Project Site into an approximately 115,000 square foot residential development that will include a total of one hundred eight (108) condominium units, approximately eighty four (84) off-street vehicle parking spaces, storage space for approximately one hundred thirty five (135) bicycles (both covered and outdoor), and associated open space, landscaping, and other public realm improvements.

The proposed design is composed of two (2) buildings and will include the demolition of the vacant rectory and convent buildings. The Church Building will be renovated and converted into a residential structure with fourteen (14) condominium units. The portion of the Project Site that abuts the Church Building, where the rectory building is currently situated, will be converted into a landscaped lot with thirteen (13) off-street vehicle parking spaces. The thirteen (13) off-street vehicle parking spaces will be concealed from the street through plantings and topography and will be integrated into the landscape with graded trees, coordinated pavers, and plantings. The renovated Church Building is anticipated to include ten (10) one bedroom units and four (4) two bedroom units. The second proposed residential building (the "Second Building") will occupy the portions of the Project Site currently occupied by the convent building and vacant lot and will be five (5) stories in height and include a total of approximately ninety four (94) condominium units and seventy one (71) off-street vehicle parking spaces.

The estimated total development cost for the Proposed Project is \$50,000,000.

ARTICLE 80 REVIEW PROCESS

On February 23, 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 February 27, 2018, letters soliciting nominations for the Impact Advisory Group ("IAG") were delivered to local and state elected officials. On April 26, 2018, the IAG was finalized with twelve (12) members.

The Proponent filed a Project Notification Form ("PNF") for the Proposed Project on October 5, 2018, which initiated a thirty (30) day public comment period which was extended through mutual consent between the Proponent and BPDA and concluded on November 27, 2018. Notice of the receipt of the PNF by the BPDA was published in the Boston Herald on October 8, 2018. The notice and PNF were sent to the City of Boston's (the "City") public agencies/departments and elected officials

pursuant to Section 80A-2 of the Code. Additionally, copies of the PNF were sent to all IAG members.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on November 19, 2018 with the City's public agencies and elected officials to review and discuss the Proposed Project.

On March 11, 2019 the Proponent submitted Supplemental Information to the BPDA.

All of the above noted project filings triggered a series of BPDA-sponsored meetings with both the general public and the IAG in which the Proposed Project and its related components were discussed and reviewed. Below is a list of the BPDA-sponsored public meetings that have been held to date on the Proposed Project:

IAG Meeting: August 21, 2018
IAG Meeting: October 30, 2018
IAG Meeting: February 4, 2019
IAG Meeting: March 13, 2019

Public Meeting: November 5, 2018

On January 8, 2019, the Proposed Project was approved by the Boston Civic Design Commission.

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 abutters, neighborhood residents, local elected officials, and the Gove Street Citizens Association to discuss the Proposed Project and solicit feedback.

ZONING

The Project Site is located in the East Boston Neighborhood Zoning District governed by Article 53 of the Code and more specifically in the Multi-Family Residential ("MFR") Subdistrict.

The Proposed Project will require zoning relief for the following: Interim Planning Overlay District ("IPOD") Enforcement, conformity with existing building alignment, lot area for additional dwelling units, floor area ratio ("FAR"), building height, building height number of stories, usable open space, front, side, and rear yard insufficient, off-street parking requirements, and off-street loading requirements.

MITIGATION & COMMUNITY BENEFITS

MITIGATION

The Proposed Project will provide mitigation and community benefits for the East Boston neighborhood and the City 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 seven (7) minute walk of MBTA Blue Line subway and bus service, and supports the objectives of smart growth; specifically, new developments at existing nodes of excellent transit routes.
- **Improved Street and Pedestrian Environment**
-The Proposed Project will activate an underutilized site, currently occupied by three vacant buildings and an open lot, with enhanced streetscapes that will include increased pedestrian activity, and an upgraded public realm along the Proposed Project frontage which will include new sidewalks, pedestrian lighting, landscaping, and street trees in compliance with City of Boston Complete Street Guidelines.
- **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 will seek to achieve LEED Silver certifiability under the USGBC LEED v4 rating system. The Proposed Project design includes measures to minimize the impact of high temperature events, including the planting of additional shade trees and a significant reduction of impervious surface as well as measures to minimize the effects of extreme precipitation events and droughts.

- **Urban Design**
 - The Proposed Project design will blend in with the predominantly residential neighborhood and will revitalize and convert the iconic, former Our Lady of Mount Carmel Catholic Church into a residential building. The proposed massing and materials of the new building along Frankfort Street will mirror those of the existing residences while providing distinct and contemporary design. Along Gove Street, the new building will be similar in height to other buildings along the street and in materials which were inspired by the context and in contemporary design. Appropriate landscaped buffers will be incorporated adjacent to abutting properties to limit noise and visual impacts associated with the Proposed Project.

- **Historical Preservation**
 - In addition to the preservation of the existing Church Building, the Proponent has agreed to incorporate plaques and other measures meant to commemorate the history of the Church Building, including the year of its original construction and relocation of the historical "Padre Pio" statue (the "Statue") currently situated within the Project Site. The Proponent has proposed relocating the Statue adjacent to the renovated Church Building, within the reflection space open area that is proposed along Frankfort Street. The relocation of the Statue shall be completed prior to Certificate of Occupancy issuance for the Church Building within the Proposed Project.

- **Increased Employment**
 - The Proposed Project will create approximately one hundred twenty four (124) construction jobs.

- **Additional Property Taxes**
 - The Proposed Project will generate additional property tax revenues for the City.

- **Construction Employment**
 - The Proposed Project is a "Covered Project" pursuant to the "Ordinance Amending the Boston Residents Jobs Policy and Boston Employment Commission," dated January 9, 2017, approved by the Boston City Council and filed with the City Clerk on January 25, 2017 (the "Boston Residents Jobs Policy").
 - The Proponent agrees to adhere to the Boston Residents Jobs Policy in all respects, including the procedures specified therein regarding electronic

project registration, monitoring, meetings, updates, referrals, record keeping, site visits as well as the applicable compliance review, oversight and sanctions available to the Boston Employment Commission.

○ **Transportation Improvements and Mitigation**

- The Proposed Project will provide a number of multi-modal transportation improvements and implement various mitigation measures, including:
 - Installation of a large transit information screen or similar service to list public transit information in each building within the Proposed Project's lobby areas prior to Certificate of Occupancy issuance for the Church Building and the Second Building within the Proposed Project; and
 - Providing electric vehicle charging stations for five percent (5%) of the vehicle parking spaces in the Proposed Project's garage and infrastructure in place for up to fifteen percent (15%) of the spaces; and
 - As determined by the Boston Transportation Department ("BTD") through the Transportation Access Plan Agreement ("TAPA"), the Proposed Project will include an audio and visual notification system(s) to notify pedestrians of vehicles entering and exiting the off-street vehicle parking accommodations throughout the Project Site. A best faith effort will be made by the Proponent to select a system(s) that is the least audibly and visually disruptive.

COMMUNITY BENEFITS

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

- The Proponent shall allow public access to the new open space being constructed adjacent to the Church Building as part of the Proposed Project and shall install the appropriate publicly visible signage in and around the Project Site to indicate such; and
- Should the vehicle parking demand from residential unit owners exceed the amount of off-street vehicle parking accommodations being provided through the Proposed Project, the Proponent shall enter into an agreement with a valet parking management company to handle excess parking demand. Prior to entering into an agreement with a valet parking management company, the Proponent shall provide parking utilization data

to the BPDA and BTD for two (2) years following Certificate of Occupancy issuance for each building within the Proposed Project. If, after review of the data by the BPDA and other applicable City agencies, it is determined that vehicle parking demand from residential unit owners exceeds the amount of off-street vehicle parking accommodations being provided through the Proposed Project, the Proponent shall provide an executed valet parking plan to the BPDA that shall demonstrate that use of valet parking will ensure at least a one (1) to one (1) unit to parking ratio through tandem parking within the Project Site or through off-site arrangements; and

- The Proponent has agreed to provide Two Hundred Thousand Dollars (\$200,000) in funding and/or in-kind off-site multi-modal transportation, infrastructure, public open space, and public realm improvements within the impacted neighborhood. The Proponent shall engage with a consultant(s) to develop and implement a project scope which shall be developed in consultation with the BPDA, BTD, Public Works Department ("PWD"), Public Improvement Commission ("PIC"), and any other applicable City agencies or departments. The BPDA and the Proponent shall review the project scope with the IAG prior to execution of the Cooperation Agreement associated with the Proposed Project. The proposed scope of work shall be completed prior to Certificate of Occupancy issuance for the Second Building within the Proposed Project.

To the greatest extent possible, the Proponent will provide the BPDA with evidence indicating that the above referenced mitigation and community benefits have been satisfied. BPDA approved construction signage must be installed at the project construction site(s) before and during project construction. The signage must be in the form of panels at highly visible locations at the construction site(s) or around the construction site perimeter and must be adjacent to each other. The BPDA will work with development teams to provide high-resolution graphics that must be printed at large scale (minimum 8 feet by 12 feet).

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated December 10, 2015 ("IDP"), and is located within Zone C, as defined by the IDP. The IDP requires that 13% of the total number of units within the development be designated as IDP units. As the Proposed Project will provide one hundred eight (108) new homeownership units, fourteen (14) units within the Proposed Project

will be created as IDP homeownership units (the "IDP Units"), of which at least seven (7) will be made affordable to households earning not more than 80% 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 seven (7) will be made affordable to households earning greater than 80% of AMI but not more than 100% of AMI.

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

Unit Number	Number of Bedrooms	Square Footage (SF)	Percent of Area Median Income	Sales Price
Unit 118-Frankfort Building	Two	1015 SF	80%	\$217,000
Unit 119-Frankfort Building	One	715 SF	80%	\$182,100
Unit 125-Frankfort Building	One	760 SF	80%	\$182,100
Unit 205-Frankfort Building	Two	1040 SF	80%	\$217,000
Unit 209-Frankfort Building	Two	1040 SF	100%	\$281,600
Unit 214-Frankfort Building	One	715 SF	80%	\$182,100
Unit 216-Frankfort Building	One	715 SF	80%	\$182,100
Unit 218-Frankfort Building	One	715 SF	80%	\$182,100
Unit 220-Frankfort Building	One	720 SF	80%	\$182,100
Unit 306-Frankfort Building	One	690 SF	100%	\$243,200
Unit 312-Frankfort Building	Two	1125 SF	100%	\$281,600
Unit 315-Frankfort Building	One	715 SF	100%	\$243,200
Unit 322-Frankfort Building	One	700 SF	100%	\$243,200

Unit 416- Frankfort Building	One	715 SF	100%	\$243,200
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The location of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Housing Agreement (“AHA”), and sales and income limits will be adjusted according to BPDA published maximum sales prices and income limits, as based on HUD AMIs, available at the time of the initial sale 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 Project does not currently contemplate IDP Units located in the Church Building; indeed, it is the expectation that the fifteen (15) IDP Units will be located in the Second Building. Nevertheless, if the Second Building has not received its full building permit before or by the time the Church Building portion receives a temporary or final Certificate of Occupancy, the Proponent will be required to meet an IDP obligation of two (2) IDP Units from the Church Building portion of the Proposed Project. If the Second Building portion of the Proposed Project receives its full building permit subsequent to the Church Building receiving a temporary or final Certificate of Occupancy, the Second Building portion of the Proposed Project shall include twelve (12) on-site IDP Units. Therefore, each portion of the Proposed Project would meet its IDP commitment independently.

The AHA must be executed along with, or prior to, the issuance of the Certification of Compliance or Partial Certification of Compliance for the Proposed Project. The Proponent must also register the Proposed Project with the Boston Fair Housing Commission (“BFHC”) at the time of building permit issuance. 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.

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 an Affirmative Fair Housing Marketing Plan (the "Plan") by the BFHC and the BPDA. An affordability covenant will be placed on the IDP Units to maintain affordability for a period of up to 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 buyer and sales price of any subsequent sale of the IDP Units during this fifty (50) year period must fall within the applicable income and sales price limits for each IDP Unit. IDP Units may not be rented out by the developer prior to sale to an income eligible buyer, and the BPDA or its assigns or successors will monitor the ongoing affordability of the IDP Units.

In addition to the fourteen (14) designated IDP Units, the Proponent has agreed to make an IDP contribution of \$8,000 as partial payment (0.04 unit) to the IDP Special Revenue Fund ("IDP Fund") managed by the Department or Neighborhood Development. This payment will be made at the time of the building permit issuance for the Second Building. Combined, this contribution together with the fourteen (14) designated IDP Units satisfies fully the IDP requirements pursuant to the December 10, 2015 IDP.

RECOMMENDATIONS

Based on the foregoing, staff recommends 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 one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, 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 Petitions BOA-919603 and BOA-919610 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 October 5, 2018 adequately describes the potential impacts arising from the

Frankfort + Gove Street Housing project in the East 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 Boston Redevelopment Authority ("BRA"); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; and

FURTHER

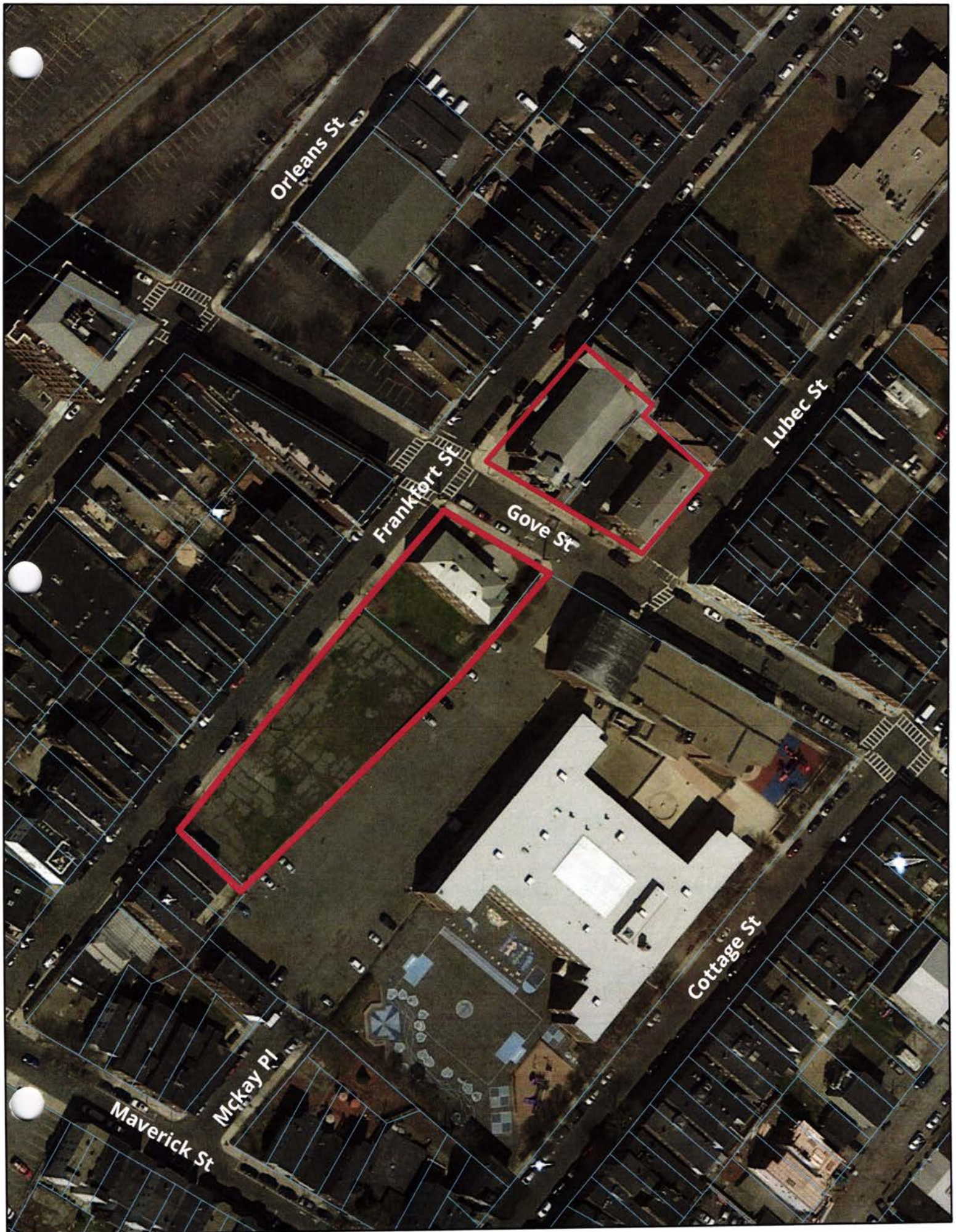
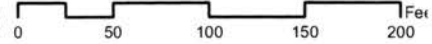
VOTED: That the Director be, and hereby is, authorized to execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the BRA; 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 Petitions BOA-919603 and BOA-919610 for zoning relief necessary in connection with the Proposed Project: APPROVAL WITH PROVISIO: that plans be submitted to the BRA for design review approval.

Franklin and Gove Street Housing, East Boston

2017 aerial imagery



Franklin and Gove Street Housing, East Boston

