#### 206 West



# **Affordable Workforce Apartments**

Application for Article 80 Small Project Review Boston Redevelopment Authority June 30, 2016

Submitted by: South Boston Neighborhood Development Corporation and Caritas Communities, Inc.

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Appendix A: Architectural Plans

#### **Project Team**

Co-Developers:
South Boston Neighborhood Development Corporation
365 West Broadway
South Boston, MA 02127
Donna Brown, Executive Director
Donna.brown@sbndc.org

617 268-9610

Caritas Communities, Inc. 25 Braintree Hill Office Park Braintree, MA 02184

#### Legal Counsel:

**Cumsky and Levin LLP** 

6 University Road Cambridge, MA 02138 Tel: 617-492-9700 David Foss dfoss@cumskylevin.com

#### Architect:

**Davis Square Architects** 

240A Elm Street
Somerville, MA 02144
Tel: 617-628-5700
Cliff Boehmer
cboehmer@davissquarearchitects.com

#### Civil Engineer - Surveyor:

**Nitsch Engineering** 

2 Center Plaza, Suite 430 Boston, MA 02108 Tel: 617-338-0063

#### Environmental Engineer:

Loureiro Engineering

800 Hingham Street Ste. 202S Rockland, MA 02370

Tel: 781-878-1272

#### Surveyor:

Harry R. Feldman, Inc. 1212 Shawmut Ave. Boston, MA 02118

Michael Feldman <u>mfeldman@feldmansurveyors.com</u> 617 357-9740

#### **Project Description**

Address: 206 West Broadway, South Boston, MA 02127

Ward 6 Parcels 000288000 and 000287000

Total Development Cost: \$4.6 Million

South Boston NDC, in partnership with Caritas Communities, Inc., proposes to develop the two City-owned vacant parcels at 206-212 West Broadway into 206 West - affordable, transit-oriented housing for the workforce. As proposed, 206 West will provide 16 apartments, affordable to one or two-person households, and ground floor retail space. 206 West will be affordable to people with incomes at or below 80% of the area median income, and will be a mix of one-bedroom and studio apartments for small households. There will also be ground-floor retail space available to a local coffee shop or similar commercial enterprise.

The proposed structure will contain approximately 13,000 square feet of gross floor area, with the 15 residential units located floors 2-4and one ADA one-bedroom unit located on the ground floor. Two (2) of the units will be designated affordable to people with incomes at or below 30% AMI pursuant to the City of Boston's Homeless Set Aside policy. The building has been designed and modified with input from neighbors and residents of the South Boston community through community outreach. Four community meetings have been held to date since September 2014.

The following is a synopsis of the unit square footage and mix of unit types within the proposed building:

Affordability Type	<b>Quantity</b>
At or below 30% AMI	2
At or below 60% AMI	8
At or below 80% AMI	6
Commercial Space (approximately 1,000 square feet)	1

UN	IT AREA ANALYSIS	
Name	Area	Bedrooms
UNIT 100 COMMERCIAL	1050 SF	0
UNIT 101 1BR	625 SF	1
UNIT 201 1BR	625 SF	1
UNIT 202 1 BR	625 SF	1
UNIT 203 0BR	450 SF	0
UNIT 204 0 BR	450 SF	0
UNIT 205 0 BR	450 SF	0
UNIT 301 1BR	625 SF	1
UNIT 302 1BR	625 SF	1
UNIT 303 0BR	450 SF	0
UNIT 304 0BR	450 SF	0
UNIT 305 0BR	450 SF	0
UNIT 401 1BR	625 SF	1
UNIT 402 1BR	625 SF	1
UNIT 403 0BR	450 SF	0
UNIT 404 0BR	450 SF	0
UNIT 405 0BR	450 SF	0

#### **Neighborhood Context**

The proposed project will be located in the West Broadway local business district between the Broadway Red Line station and Perkins Square. There is a mix of commercial and residential properties in the immediate area, including buildings ranging from one to five stories. The area is rapidly being re-developed for market-rate housing and commercial/retail space.

#### Public Benefits: Affordable Housing and Job Creation

Rental housing in South Boston is in high demand, resulting in limited inventory and higher rents. The project will eliminate a vacant lot in exchange for much needed affordable workforce housing in a manner that is consistent with and complimentary to the surrounding neighborhood, thereby enhancing the residential nature of the community. The construction of this much-needed residential housing will provide 16 affordable units. The proposed project will continue to build upon the City's long standing goals of creating additional affordable housing.

The project also responds to a need for increased community and social space. The ground-floor commercial space intended for a coffee shop will act as an informal gathering place, and will create an active day-and-night space that fosters supervision and safety along this key stretch of Broadway between the Red Line station and South Boston's shopping center to the east.

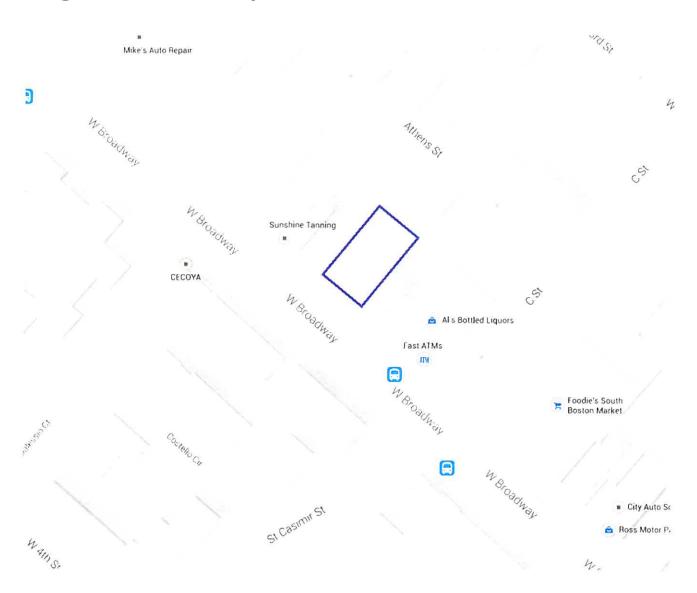
In addition to the creation of affordable housing and commercial space, the proposed project will create a number of construction jobs as well, for which the project is committed to hiring locally. Approximately 5 full-time jobs will be created by the coffee shop tenant.

#### Traffic, Parking and Vehicular and Pedestrian Access

The proposed project will provide an opportunity for accessible, transit-oriented housing which will be located along an MBTA Bus route and less than a quarter of a mile from the Broadway Red Line station. Lack of side street access precludes the inclusion of onsite parking, but the site's target demographic, central location, and proximity to the Red Line, car sharing, bike sharing, and two high-frequency bus lines make a no-parking approach feasible.

SBNDC plans to market this building as a "car-free, environmentally conscious community," strongly discouraging car ownership by asking residents to take a "Car Free Pledge" and offering discounted MBTA passes for those who sign on. We also plan to include bike racks in the ground floor common hallway for every unit. We have presented these plans to the community and have received support, despite offering no parking on the site.

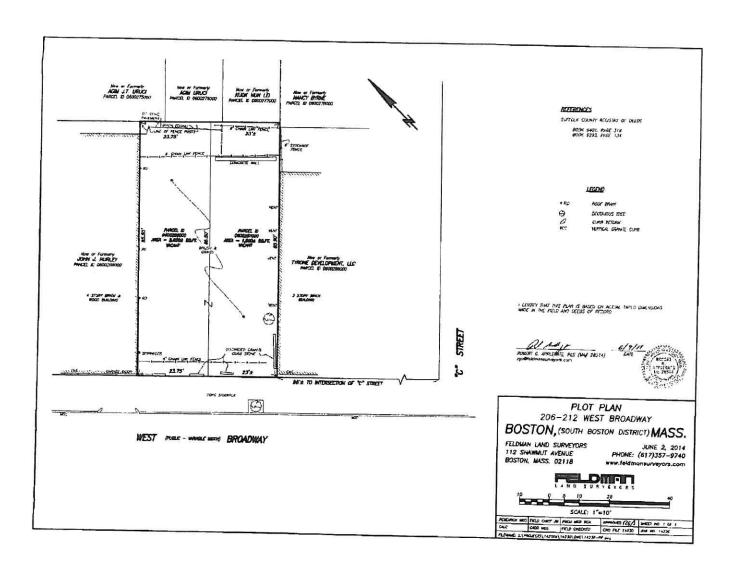
#### **Neighborhood Site Map**



#### Neighborhood Site Map (aerial)



# 206 West South Boston Survey



# **Neighborhood Photograph (Current Conditions)**



#### Community Vision, Goals and Impact

Affordable workforce housing is an important City-wide need identified by the Department of Neighborhood Development and the Boston Redevelopment Authority. The proposed project responds to neighborhood goals for workforce housing and a ground floor café. DND held 4 community meetings prior to Tentative Developer designation, and the proposal received general approval from neighborhood residents. The site is currently contaminated from its former use as a dry-cleaner. DND is remediating the contamination

When this project is completed, the neighborhood will benefit from the increase in affordable housing, the cleaning of the site, and the creation of a neighborhood amenity, a local café.

# Zoning Analysis- See attached Zoning Appeal and letter from ISD

District: St Vincent, Neighborhood

Uses Permitted: Multi-family dwelling: Conditional Café with take-out : Allowed

Frontage and Setbacks Required:

Frontage none
Front Yard 3'
Side Yard none
Rear Yard 20'

**Proposed Frontage and Setbacks** 

Provided:

Frontage Front Yard Side Yard

Rear Yard (variance requested)

FAR Allowed: 1.0

Total Site Area: 3,990 sq. ft.

Total Building Area Allowed:

Total Building Area Proposed: 12,212 sq. ft.

FAR Provided: (variance requested)

Height Allowed: 35

Height Provided: 42'6" (variance requested)

Parking Spaces Required: 0.7 spaces per affordable unit

(16 affordable units x 0.7 = 11 spaces)

2.0 spaces per 1,000 sq. ft. of gross floor area for retail uses

 $(1 \times 2 = 2 \text{ spaces})$ 

Total 13 spaces

Parking Spaces Provided: 0 parking spaces on site (variance requested)

Open Space Required:

Open Space Provided: (variance requested)

#### BOA 584946

This form must be completed and signed by the owner-of-record, their attorney and/or authorized agent. If form is not signed by property owner, please attach a signed letter of authorization designating the authorized agent.



#### APPEAL

under Boston Zoning Code

	Boston, Massachusetts April 27, 2046
To the Board of Appeal in the Inspection Services Depart	ment of the City of Boston:
The On	t. of the City of Boston, owner
of the lot at 206-212 West Broadway	06 St. Vincent Neighborhood District
hereby appeal(s) under St. 1956, c. 665, s. 8, to the Board	of Appeal in the Inspectional Services Department of the City
of Boston the action taken by Inspectional Services Conn	nissioner as outlined in the attached refusal letter.
space, for use as (i) 16 apartment units 1,050 square feet of ground floor commerce	ximately 3,990 square feet of land and ng approximately 13,000 square feet of floor and related facilities, and (ii) approximately
Please see attachment.	
PROVIDE REASONS WHY BOARD SHOULD GRANT Please see attachment.	RELIEF
COMMENTS Building Permit Application No. ERT566014	City of Boston South Boston Neighborhood Development Corporation OWNER Caritas Communities, Inc.  AUTHORIZED AGENT David M. Foss ADDRESS Cumsky & Levin LLP 6 University Road Cambridge, MA 02138  TELEPHONE 617-492-9700
	FAX617-492-9020

#### ZONING APPEAL FOR 206-212 WEST BROADWAY, SOUTH BOSTON, MASSACHUSETTS

Location:

206-212 West Broadway

Ward:

06

Zoning District:

St. Vincent Neighborhood District

Application No.:

ERT566014, filed with ISD on February 25, 2016

#### I. Purpose of the Appeal

The property that is the subject matter of this appeal (the "Property") consists of two (2) contiguous lots (City of Boston Parcel Nos. 06000288000 and 0600287000) which are located at 206-208 West Broadway and 210-212 West Broadway, in South Boston. According to Zoning Map 4E (St. Vincent Neighborhood District), the Property is located in the West Broadway Neighborhood Shopping (NS) Subdistrict of the Saint Vincent Neighborhood District.

Currently, the Property consists of vacant land which is owned by the City of Boston. On December 3, 2014, at a meeting of the City of Boston Public Facilities Commission (the "PFC"), the PFC voted to tentatively designate South Boston Neighborhood Development Corporation and Caritas Communities, Inc. (collectively, the "Appellant") as developer of the Property. A copy of a Certificate of the Secretary for the PFC which confirms such designation, and the intent of the PFC to transfer the Property to the Appellant, is attached hereto as Exhibit A.

The Appellant desires to combine these two (2) lots into one (1) parcel containing approximately 3,990 square feet of land and seeks approval to construct a three (3) story building on the Property containing approximately 13,000 square feet of floor space for use as (i) sixteen (16) apartment units and related facilities, and (ii) approximately 1,050 square feet of ground floor commercial space which will be used as a restaurant (which will include take-out), in accordance with the plans submitted with the Appellant's building permit application numbered ERT566014 which was filed with the City of Boston Inspectional Services Department (the "ISD") on February 25, 2016. Collectively, the Appellant's proposed development of the Property, as described above, is sometimes referred to herein as the "Project".

The ISD has denied the Appellant's building permit application and, in connection therewith, the ISD issued a Zoning Code Refusal letter dated March 21, 2016 (the "Refusal Letter"), a copy of which is attached hereto as Exhibit B.

#### II. Zoning Relief Requested.

The Appellant is seeking all relief necessary under the City of Boston Zoning Code (the "Zoning Code") to construct the Project, including, without limitation, a conditional use permit for the proposed residential (multi-family) use of the Property pursuant to Article 6 of the Zoning Code and variances from certain dimensional and parking requirements pursuant to Article 7 of the Zoning Code. The violations of the Zoning Code cited by the ISD in the Refusal Letter are as follows:

- 1. Article 57, Section 11 Multi family Dwelling Unit is Conditional Use
- 2. Article 57, Section 12 Floor Area Ratio Excessive
- 3. Article 57, Section 12 Maximum Building Height Excessive
- 4. Article 57, Section 12 Minimum Usable Open Space Insufficient
- 5. Article 57, Section 12 Side Yard Requirements Insufficient
- 6. Article 57, Section 12 Rear Yard Setback Requirements Insufficient
- 7. Article 57, Section 23 Street Wall Continuity
- 8. Article 57, Section 26 Off Street Parking Requirements Insufficient

To the extent not described above, the Appellant also is seeking any and all additional relief necessary under the Zoning Code, if any, to combine the two parcels and construct the Project, whether or not cited in the Refusal Letter.

#### III. Reasons for Appeal

The Appellant is a joint venture between (i) South Boston Neighborhood Development Corporation, a non-profit community development corporation organized to create affordable housing and preserve neighborhoods in South Boston, Massachusetts, and (ii) Caritas Communities, Inc., a non-profit corporation organized to create affordable housing and provide other social services to benefit low income members of society.

The Appellant seeks zoning relief for the Property to provide desperately needed affordable housing in South Boston. The demand for affordable housing in the City of Boston far exceeds the available supply, resulting in the displacement of many people who have resided in Boston all their lives. The Appellant's plan for affordable apartment units will provide a much needed contribution to the dwindling supply of affordable rental opportunities in South Boston. Preserving the neighborhood character and insuring the availability of quality and affordable workforce housing is essential to maintaining the original working class character of South Boston as the cost of housing in the St. Vincent's neighborhood continues to increase dramatically.

All apartment units in the Project will be workforce housing units and will be affordable to one or two person households earning up to eighty percent (80%) of the area median income, including two (2) apartment units which will be designated as affordable to persons earning no more than thirty percent (30%) of the area median income in accordance with the City of Boston Homeless Set Aside policy, and six (6) apartment units which will be reserved for persons earning no more than sixty percent (60%) of the area median income

In addition to creating new and affordable workforce housing in South Boston, the Project will significantly improve and enhance the surrounding neighborhood by rehabilitating an underutilized and currently vacant property.

#### IV. Why the Board of Appeal Should Grant Relief

#### A. Conditional Permit to Allow Multi-Family Dwelling Use.

The Board of Appeal should grant a conditional use permit to allow the Appellant to use the Property for multi-family housing because all conditions precedent to the issuance of a conditional use permit, as set forth in Section 6-3 of the Zoning Code, have been satisfied. In particular, (a) the Property is an appropriate location for multi-family housing, (b) the multi-family use will enhance the neighborhood (and not adversely affect it), (c) there will be no serious threat to vehicles or pedestrians from the proposed multi-family use of the Property, (d) no nuisance will be created by such use, and (e) adequate and appropriate facilities will be provided for the proper operation of the use of the Property.

The Project will eliminate a vacant lot in exchange for much needed affordable workforce housing in a manner that is consistent with, and complementary to, the surrounding neighborhood, thereby enhancing the residential nature of the community. The Project will continue to build upon the City of Boston's long standing goals of creating additional affordable housing and has been designed and modified with input from neighbors and residents of the South Boston community through community outreach and over the course of four community meetings held to date since September 2014.

#### B. Variances from Dimensional and Parking Requirements

The Board of Appeal should grant all zoning relief requested by the Appellant, including, without limitation, the above-referenced variances, because (i) special circumstances and conditions apply to the Property such that the application of the dimensional and parking requirements of the Zoning Code would deprive the Appellant of reasonable use of the Property, (ii) for reasons of practical difficulty and substantial hardship, the granting of these variances is necessary for the reasonable use of the Property and are the minimum variances that will accomplish this purpose, and (iii) the granting of these variances will be in harmony with the general purpose and intent of the Zoning Code and will not be injurious to the neighborhood or otherwise detrimental to the public welfare.

The Project replaces a vacant lot with residential and commercial uses which are consistent with the existing uses in the neighborhood and the Project's design is complementary to the abutting properties as well as the overall neighborhood.

The layout of the lot and the location and proximity of other surrounding buildings make substantial utilization of the site, as proposed by the Appellant, desirable and consistent with the surrounding neighborhood. The size and location of the building and the number of units to be developed have been determined after numerous community meetings and discussions with local residents, the Boston Redevelopment Authority and the City of Boston Department of Neighborhood Development. Moreover, the Project has been designed to meet as many of the Zoning Code requirements as possible, while simultaneously providing affordable and adequate living space for residents and a ground floor restaurant use which has received much support from neighborhood residents.

The Project provides an opportunity for accessible, transit-oriented housing which will be located along an MBTA bus route and is less than a quarter of a mile from the Broadway MBTA station. The small size of the site and lack of side street access preclude the inclusion of on-site parking, but the Project's target demographic, central location, and proximity to the Red Line, car sharing, bike sharing, and two high-frequency bus lines, make a no-parking approach feasible. The Appellant intends to market the Project as a "car-free, environmentally conscious community", strongly discouraging automobile ownership by asking residents to take a "Car Free Pledge" and offering discounted MBTA passes for those who participate. The Project also will include bike racks in the ground floor common hallway for every unit

The requested relief from the dimensional and parking requirements of the Zoning Code is the minimum relief that could be granted in order to enable the reasonable development of the Property as affordable housing. The granting of the above-described variances will be in harmony with the general purpose and intent of the Zoning Code: to promote the health, safety, convenience, and welfare of the inhabitants of the City of Boston, and to encourage the most appropriate use of land in the City of Boston.

The Appellant respectfully requests that the Board of Appeal grant the requested relief. The literal enforcement of the Zoning Code would involve substantial hardship to the Appellant. Further, the variances can be granted without substantial detriment to the public good and without substantially derogating from the intent and purpose of the Zoning Code and Chapter 665 of the Acts of 1956, as amended.

#### EXHIBIT A

Certificate of Secretary of Public Facilities Commission



# CITY OF BOSTON • MASSACHUSETTS DEPARTMENT OF NEIGHBORHOOD DEVELOPMENT MARTIN J. WALSH, MAYOR

The undersigned hereby certifies that she is the Secretary of the Public Facilities Commission, and that at a meeting of said Commission, duly called and held on Wednesday, December 3, 2014, whereat Chair Katherine P. Craven, Commissioner Lawrence D. Mammoli and Commissioner Patrick I. Brophy of said Commission were present, it was voted:

That South Boston Neighborhood Development Corporation, and Caritas Communities, Inc., Massachusetts non-profit corporations, with an address of 365 West Broadway, South Boston, MA 02127 be tentatively designated as developer of the vacant land located at 206-208 and 210-212 West Broadway (Ward 06, Parcel Numbers 00288000 and 00287000) in the South Boston District of the City of Boston containing approximately 3,983 total square feet of land, for the period of 12 months from the date of the vote subject to such terms, conditions and restrictions as the Director and staff deem appropriate for proper redevelopment of this parcel; and

FURTHER VOTED: Subject to the approval of the Mayor under St. 1909, c.486, § 31B (as appearing in St. 1966, c.642, § 12) that it is the intent of this Commission to sell the aforementioned property to South Boston Neighborhood Development Corporation or a nominee to be approved by the Director;

AND FURTHER VOTED: That the Director be, and hereby is, authorized to advertise the intent of this Commission to sell the above described property in accordance with the provisions of Chapter 642 of the Acts of 1966.

Colleen Daley

Secretary for the PFC

APPROVED:

Mayor Martin J. Walsh



#### EXHIBIT B

ISD Zoning Refusal Letter



# Boston Inspectional Services Department Planning and Zoning Division

1010 Massachusetts Avenue Boston, MA 02118 Telephone: (617) 635-5300

#### Martin J. Walsh Mayor

#### ZONING CODE REFUSAL

Gary P. Moccia Inspector of Buildings

SBNDC 365 WEST BROADWAY

SOUTH, MA 02127

March 21, 2016

Location:

206-208 W BROADWAY SOUTH BOSTON MA 02127

Ward:

06

Zoning District:

St Vincent Neighborhood

Zoning Subdistrict:

NS

Appl. #:

ERT566014

Date Filed:

February 25, 2016

Purpose:

Combination of 2 Parcels (0600288000 & 0600287000) New Construction of 16 Residential Units and

Café with takeout.

YOUR APPLICATION REQUIRES RELIEF FROM THE BOARD OF APPEAL AS SAME WOULD BE IN VIOLATION OF THE BOSTON ZONING CODE TO WIT: CHAPTER 665, ACTS OF 1956 AS AMENDED:

ation Comments
treet parking requirements: Insufficient
t wall continuity
family dwelling unit: Conditional use
area ratio: Excessive
mum building height: Excessive
num usable open space: Insufficient
yard requirements; Insufficient
yard setback requirements: Insufficient
t

THIS DECISION MAY BE APPEALED TO THE BOARD OF APPEAL WITHIN FORTY-FIVE (45) DAYS PURSUANT TO CHAPTER 665 OF THE ACTS OF 1956, AS AMENDED. APPLICATIONS NOT APPEALED WITHIN THAT TIME PERIOD WILL BE DEEMED ABANDONED. IF YOU HAVE INQUIRIES REGARDING THE NEIGHBORHOOD PROCESS AND PUBLIC PARTICIPATION, PLEASE CONTACT THE MAYOR'S OFFICE OF NEIGHBORHOOD SERVICES AT 617-635-3485.

Marc Joseph

(617)961-3233

for the Commissioner

Refusal of a permit may be appealed to the Board of Appeal within 45 days. Chapter 802, Acts of 1972, and Chapter 656, Acts of 1956, Section 19.

#### **Anticipated Permits and Further Public Review**

Pursuant to the requirements of Small Project Review under Article 80 of the Boston Zoning Code, the proposed project shall undergo further public comment and community process. Prior to submitting this Article 80 Application, however, the project team has conducted extensive preliminary outreach with local elected officials and has been involved with two community meetings, which abutting land owners were notified of. This application takes into account the input received in the preliminary outreach process with interested parties.

The table below lists the public permits and approvals that are anticipated to be required for the project.

#### **Anticipated Permits and Approvals**

AGENCY	APPROVAL
Boston Redevelopment Authority	Article 80 Small Project Review Application
Boston Transportation Department	Construction Management Plan (if required)
Boston Water and Sewer Commission	Site Plan approval for water and sewer connections
Public Improvement Commission	Specific repair plan approval
Zoning Board of Appeals	Variances/ Conditional Use Permits
Inspectional Services Department	Review/Compliance State Building Code
Boston Landmarks Commission (if required)	Determination of Applicability
Boston Parks Commission	Parks Commission Approval

**Appendix A: See Attached Architectural Plans** 

# **206 WEST**

206 West Broadway South Boston, MA



# PROJECT TEAM

365 West Broadway South Boston, MA 02127 617 268 - 9610

# ARCHITECT ADD Inc. Now With Stantec 311 Summer Street Boston MA 02210 617-234-3100

STRUCTURAL ENGINEER
Odeh Engineers, Inc.
1223 Mineral Spring Avenue
North Providene RI 02904
401-724-1981

# MEP ENGINEER WSP Grop 88 Black Falcon Avenue. Suite 210 Boston MA 02210 617-210-1600

CODE CONSULTANT ARUP 955 Massachusetts Ave Cambudge, MA 02139 617-864-2987

# CIVIL ENGINEER Nitsch Engineering 2 Center Plaza, Surte 430 Boston MA 02108 617-338-0063

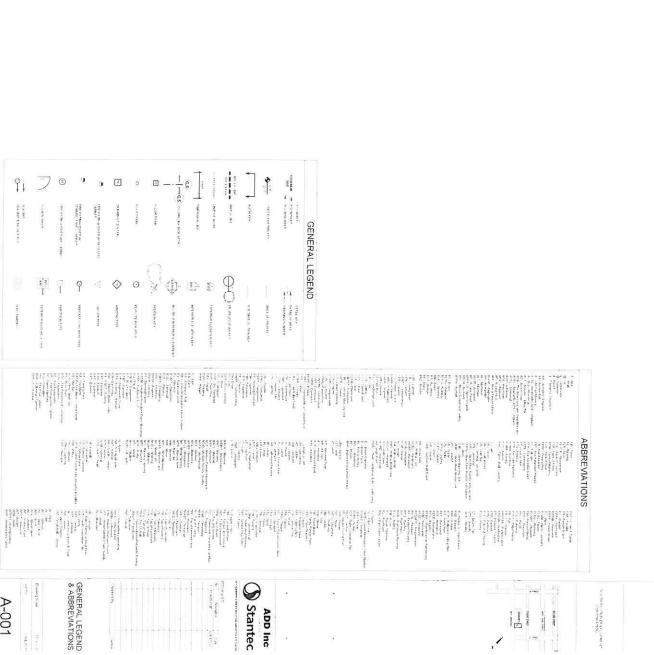
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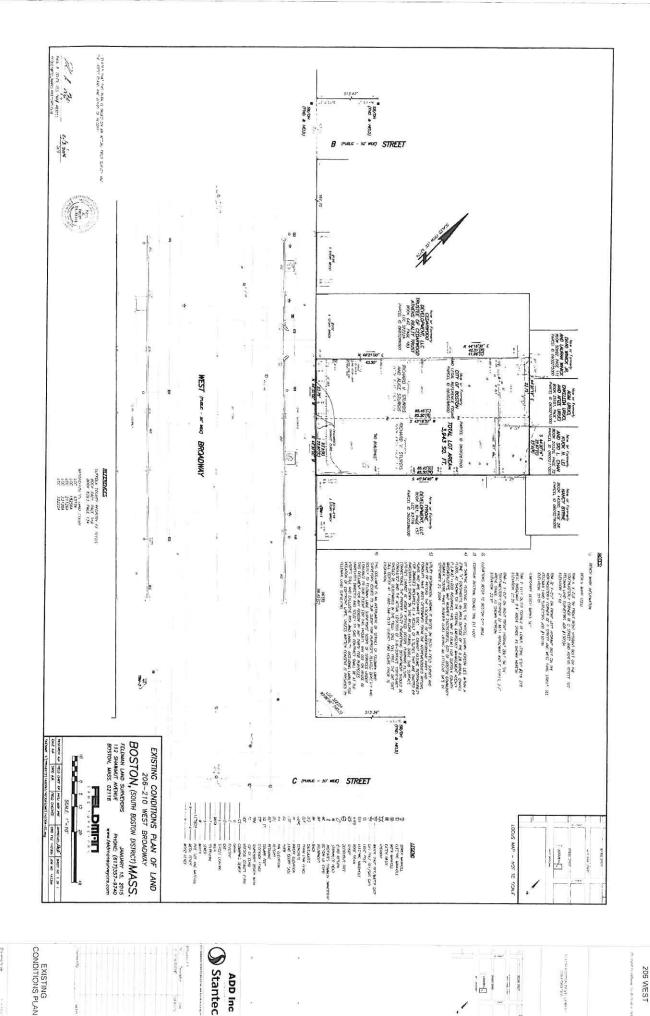
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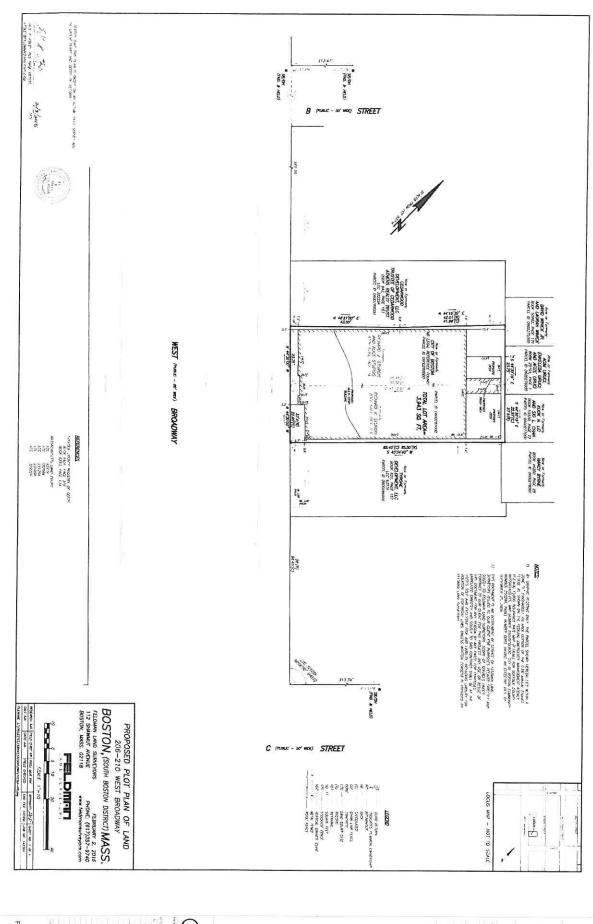


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PROPOSED PLOT

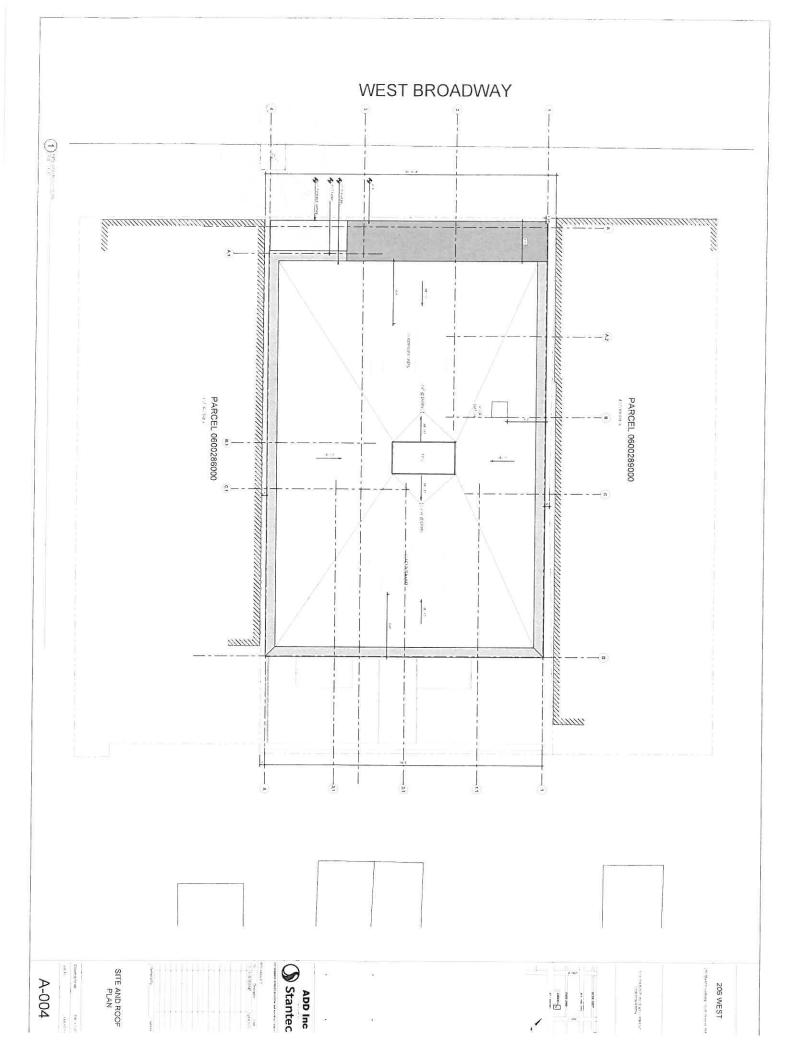
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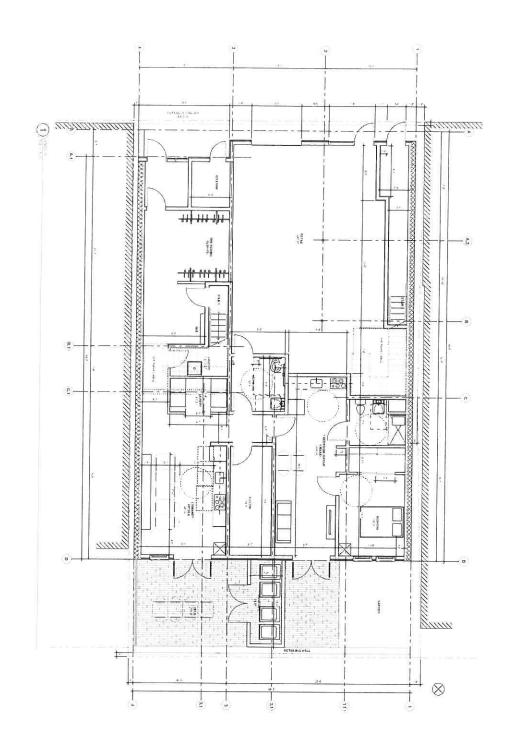
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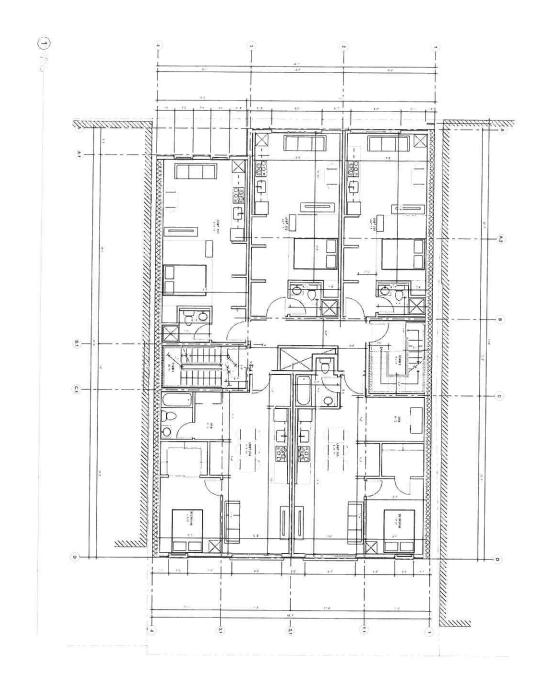
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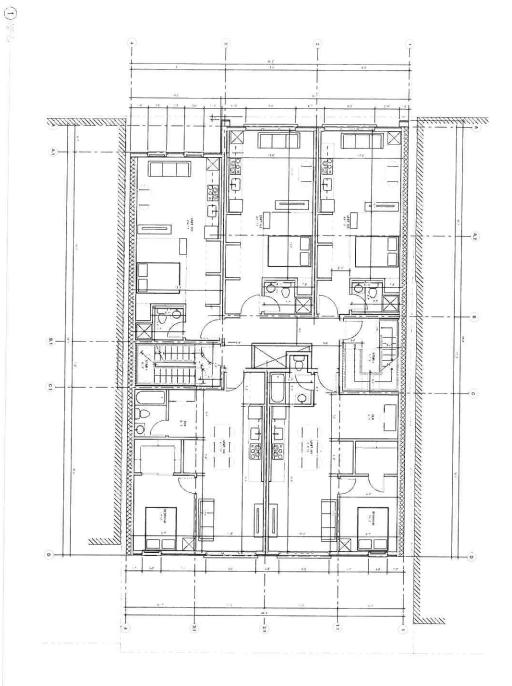
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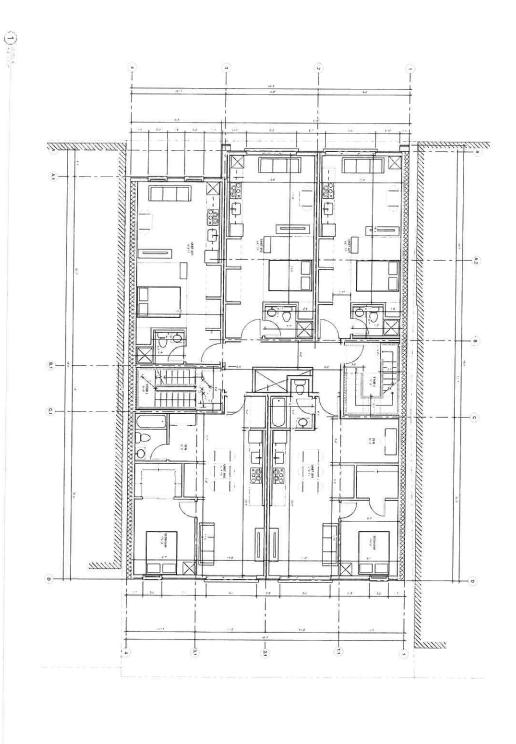
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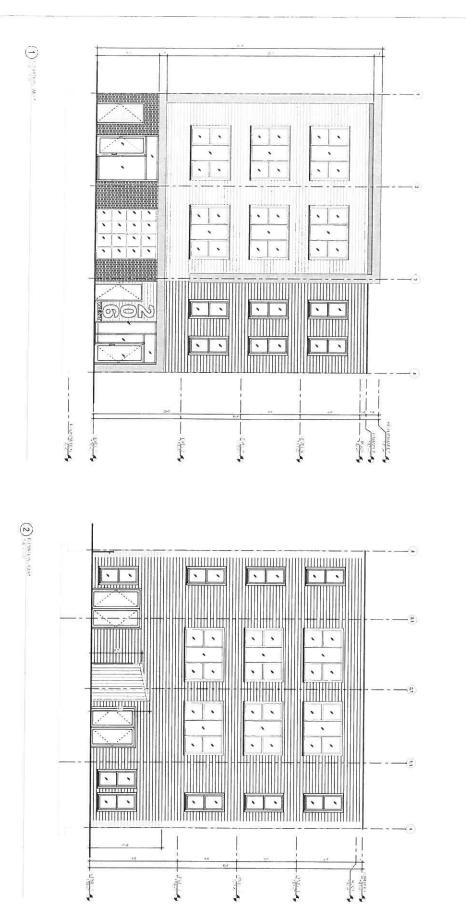
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