

MEMORANDUM

SEPTEMBER 12, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
TYLER NOROD, SENIOR PROJECT MANAGER

SUBJECT: SCHEDULING OF PUBLIC HEARING FOR THE PARCEL P- 7A
PROJECT IN THE MIDTOWN CULTURAL DISTRICT OF BOSTON TO
BE CONSIDERED AS A DEVELOPMENT IMPACT PROJECT

SUMMARY: This Memorandum requests authorization for the Secretary to advertise a public hearing before the Boston Redevelopment Authority ("BRA") at its October 17, 2013, Board meeting to consider the Parcel P-7A project located at 240 Tremont Street in the Midtown Cultural District of Boston as a Development Impact Project pursuant to Section 80B-7 of the Boston Zoning Code (the "Code").

LOCATION AND BACKGROUND INFORMATION

Parcel P-7A, known as and numbered 240 Tremont Street, is located at the corner of Tremont and Stuart Streets in the Midtown Cultural District of Boston. This parcel, which is approximately 5,787 square feet in area, is restricted by easements for access, egress, and other purposes that benefit the Wilbur Theatre, which abuts the property. Parcel P-7A is in the South Cove Urban Renewal Area, and from a zoning perspective is located within the Midtown Cultural District, Article 38 of the Code.

Parcel P-7A, which currently contains a temporary advertisement structure, is surrounded by over a dozen theaters. It is within walking distance to 14 public transit stations, over 5,000 parking spaces, and nearly 5,000 hotel rooms.

On February 24, 2004, the BRA authorized its Secretary to advertise a Request for Proposals ("RFP") for the long-term lease and development of Parcel P-7A. The BRA made Parcel P-7A available for lease to create a commercial development that lends further impetus to the City of Boston's ongoing effort to reinvigorate the Theater District and to provide programmatically and technologically innovative enhancements to the area's current vitality. On August 18, 2004, two (2) proposals were submitted in

response to the RFP. Due to unsatisfactory submissions, the BRA rejected both proposals on September 9, 2004.

On September 29, 2004, the BRA again issued an RFP for the long-term lease and development of Parcel P-7A. On November 10, 2004, three (3) proposals were submitted in response to the RFP. On December 8, 2004, the BRA conducted a public meeting at the Doubletree Hotel located at 821 Washington Street for the development teams to present their proposals to the community for input.

On May 11, 2005, the BRA sent out a Request for Second Stage Submission to the three (3) entities who responded to the RFP of September 29, 2004. The purpose of the Request for Second Stage Submission was to encourage such entities to add more height and a residential component to their proposals submitted on November 10, 2004. On June 22, 2005, all three (3) entities submitted their proposals in response to the Request for Second Stage Submission of May 11, 2005.

On August 11, 2005, the BRA granted a Tentative Designation to Amherst Media Investors Boston, LLC ("Amherst"), as the redeveloper of Parcel P-7A for the development of a three-story structure to contain commercial and retail space, community and cultural space, and a spectacular signage component (the "Original Proposal").

On January 26, 2006, in connection with the adoption of authorization to issue Notices of Termination to the two then occupants of Parcel P-7A, the BRA Board was advised that Amherst's Original Proposal would be revised to occupy a substantially larger structure that would introduce residential use to the program (which residential development was to be undertaken in a venture with Abbott Real Estate Development LLC); eliminate commercial, community and cultural space; and retain a signage component substantially in accordance with the Original Proposal (the "Revised Project").

On July 20, 2006, the BRA extended the Tentative Designation of Amherst to November, 2006.

On November 16, 2006, the BRA amended the Tentative Designation of the Redeveloper for Parcel P-7A from Amherst alone to add a venture between Amherst and Tremont-Stuart Development, LLC, a single purpose entity formed by Amherst and Abbott Real Estate Development, LLC, and also extended the Tentative Designation of the designee to November 3, 2007.

On August 14, 2007, the BRA Board authorized the Director to issue a Scoping Determination waiving further review of the Revised Project. On the same day, the BRA Board also authorized staff to petition the City of Boston Zoning Commission (the

“Zoning Commission”) to designate Parcel P-7A an Urban Renewal Area “U*” Overlay District, adopt a minor modification to the South Cove Urban Renewal Plan, and petition the Public Improvement Commission (“PIC”) for the discontinuance of certain surface, subsurface, and air rights portions of Tremont and Stuart Streets.

A Scoping Determination for the Revised Project was issued on September 7, 2007.

On October 31, 2007, the Zoning Commission designated Parcel P-7A an Urban Renewal Area “U*” Overlay District.

The BRA has extended the Tentative Designation annually since 2006, and most recently on July 16, 2013, at which time this designation was extended until January 31, 2014.

DEVELOPMENT TEAM

The development team consists of:

Proponent: Amherst Media Investors Boston, LLC
OTO Development, LLC

Project Manager: Colliers International

Architect (s): Group One Partners, Inc.

Legal Counsel: Dain, Torpy, Le Ray, Wiest & Garner, P.C.

THE PROPOSED PROJECT

As noted above, on August 14, 2007, the BRA Board approved the Revised Project, which was planned to be a fourteen (14) story structure containing approximately 74,458 square feet of gross floor area, and including approximately seventy-two (72) studio and one-bedroom dwelling units, restaurant space, and a signage component. The centerpiece of the signage was proposed to be an electronic video board that would play full motion video, subject to obtaining applicable approvals, and could be used to provide news as well as arts and cultural information.

On April 6, 2012, the Proponent submitted a Notice of Project Change (“the NPC”) pursuant to Article 80A-6 of the Code, detailing certain changes to the Revised Project. The NPC described plans for a nineteen (19)-story hotel containing approximately 240 guest rooms, as well as associated lobby, back-of-house, and retail/restaurant spaces. In addition, the NPC detailed plans for a three (3)-story digital media signage component.

The NPC was reviewed by BRA Urban Design staff and received approval from the Boston Civic Design Commission on June 5, 2012. However, the NPC has not been considered by the BRA Board.

An Amendment to the NPC (the “Amendment”) was submitted to the BRA on July 16, 2013. The Amendment calls for an increase in the size of the proposed hotel rooms to better accommodate visitor expectations in the current hospitality marketplace. This revision to the NPC will result in both a reduction in the hotel’s total room count (from 240 to 202 rooms) as well as an increase in the building’s overall height by two stories to a total of twenty-one (21) stories. The Amendment will result in an increase in total project square footage from 101,000 square feet to approximately 117,000 square feet.

The Amendment also refers to the involvement of OTO Development, LLC. OTO Development, LLC, is a national hotel developer with the objective of developing and managing high-quality select-service hotels in the top markets in the United States. As the Amendment notes, OTO Development, LLC, is “a highly experienced and financially sound hotel development” organization, and “the addition of OTO Development to the Proposed Project team demonstrates the Proponent’s commitment to advancing the Site’s development.”

RECOMMENDATIONS

Based on the foregoing, BRA staff recommends that the Secretary be authorized to advertise a public hearing to consider the hotel proposed for Parcel P-7A as a Development Impact Project pursuant to Section 80B-7 of the Code.

An appropriate vote follows:

VOTED: That the Secretary be, and hereby is, authorized to advertise a public hearing before the Boston Redevelopment Authority at its meeting on October 17, 2013, to consider the Parcel 7A project at 240 Tremont Street in the Midtown Cultural District of Boston as a Development Impact Project pursuant to Section 80B-7 of the Boston Zoning Code.