

MEMORANDUM

**BOARD APPROVED**

MAY 17, 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  
 MATT MARTIN, URBAN DESIGNER  
 MARY KNASAS, SENIOR PLANNER

**SUBJECT:** 55 WEST FIFTH STREET, SOUTH BOSTON

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**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 Certification of Approval for the proposed development located at 55 West Fifth Street in South Boston (the "Proposed Project"), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the "Code"); (2) execute and deliver an Affordable Rental Housing Agreement and Restriction ("ARHAR") in connection with the Proposed Project; and (3) execute and deliver a Community Benefits Agreement and take any other action and execute and deliver any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

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### **PROJECT SITE**

The Proposed Project is located at 55 West Fifth Street in the South Boston neighborhood of Boston. The site consists of approximately 10,000 square feet of land located at the corner of West Fifth Street and B Street and is currently occupied by an automobile repair shop (the "Project Site").

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

The Project Site is within an approximately five (5) minute walking distance (0.2 miles away) from MBTA Red Line subway service (Broadway Station), providing direct access to Downtown and the Greater Boston area.

### **DEVELOPMENT TEAM**

The development team includes:

Proponent: Boston Real Estate Capital LLC  
Joseph Hassell

Architect: Choo and Company, Inc.  
Marc Sullivan

Legal Counsel: LaCasse Law, LLC  
Marc LaCasse

### **THE ORIGINALLY APPROVED PROJECT**

On May 6, 2016, Boston Real Estate Capital LLC (the “Proponent”) submitted a Small Project Review Application (“SPRA”) with the BRA seeking to redevelop the Project Site and construct a mixed-use building. On August 11, 2016, the BRA Board voted to approve the first iteration of the 55 West Fifth Street project (the “Originally Approved Project”).

The Originally Approved Project consisted of the demolition of the existing structure occupying the Project Site and the construction of a five (5) story, approximately 34,700 square foot mixed-use building with thirty-two (32) residential rental units, including four (4) units made affordable to households earning not more than 70% of the Area Median Income (“AMI”), thirty-six (36) off-street vehicle parking spaces, and 2,053 square feet of ground floor retail space.

### **THE REVISED PLAN FOR 55 WEST FIFTH STREET**

On February 28, 2018, the Proponent submitted a Notice of Project Change (“NPC”) to the BPDA to revise the Originally Approved Project.

The following changes have been proposed to the Originally Approved Project:

1. An increase in the building height from fifty (50) feet/ (5) five stories to approximately sixty (60) feet/ six (6) stories.
2. The addition of eighteen (18) residential units, bringing the total to fifty (50).
3. The addition of five (5) income restricted units, bringing the total to nine (9).
4. The addition of approximately seven (7) off-street parking spaces, bringing the total to approximately forty three (43).
5. An increase of approximately 11,057 square feet of gross floor area.
6. A reduction of approximately 453 square feet to the ground floor retail space, bringing the total to approximately 1,600 square feet of retail/commercial space.

As a result of these proposed changes, the proposed development at the Project Site will consist of the construction of a six (6) story, approximately 45,757 square foot mixed-use building that will include fifty (50) residential rental units, including nine (9) income restricted units, approximately forty three (43) parking spaces, and approximately 1,600 square feet of ground floor retail/commercial space (the "Proposed Project").

### **ARTICLE 80 REVIEW PROCESS**

On February 28, 2018, the Proponent filed an NPC with the BPDA. The BPDA sponsored and held a public meeting on April 4, 2018 at the BCYF Condon Community Center in South Boston. The public meeting was advertised in both the South Boston Online and South Boston Today. The public comment period concluded on April 6, 2018.

Outside of the BPDA sponsored public meeting, the Proponent conducted additional outreach with the Saint Vincent's Lower End Neighborhood Association, Cityside Neighborhood Association, local elected officials, and abutters to solicit feedback and review the Proposed Project.

### **ZONING**

The Project Site is located in the South Boston Neighborhood District governed by the Underlying Zoning and more specifically in a L-.5 Local Business Subdistrict. Additionally, the Project Site is located within the PLAN: South Boston Dorchester Avenue study area. The proposed changes to the Originally Approved Project are

consistent with the vision and guidelines of the PLAN: South Boston Dorchester Avenue initiative.

The Proposed Project required zoning relief from the following: lot area, floor area ratio (F.A.R), building height, usable open space, front yard, rear yard, traffic visibility at corner, and off-street parking. The City of Boston Zoning Board of Appeal ("ZBA") approved the requested variances needed to construct the Originally Approved Project on January 10, 2017 subject to design review by the BPDA.

### **MITIGATION & COMMUNITY BENEFITS**

The Proposed Project will provide a number of public benefits to the South Boston neighborhood and the City of Boston as a whole, these include:

#### ***MITIGATION***

- Additional pedestrian and commercial activity along West Fifth and B Street;
- Pedestrian access improvements, including new widened sidewalks in and around the Project Site;
- New street trees and landscaping improvements along West Fifth and B Street and around the Project Site;
- Installation of new lighting along the building perimeter to improve visibility and pedestrian safety;
- The creation of approximately one hundred (100) construction jobs;
- The Proponent has agreed to provide a shared and recorded easement to the adjacent property owner of 40 B Street, should the adjacent parcel be redeveloped in the future. The easement shall provide the adjacent property owner access to their property (40 B Street) through the Proposed Project's vehicular entrance/egress along B Street. The said easement shall be recorded upon Certificate of Occupancy issuance for the Proposed Project; and
- Additional property tax revenue for the City of Boston.

#### ***COMMUNITY BENEFITS***

In addition to the aforementioned mitigation, the Proponent has supplemented and revised the community benefits that were included with the Originally Approved Project and will now include the following:



- At least eighteen percent (18%) or approximately two hundred eighty eight (288) square feet of the ground floor retail/commercial space contained within the Proposed Project will be dedicated towards a local retailer(s);
- The Proponent has agreed to provide the approximately 1,600 square feet of retail/commercial space at a below market rate rent. As such, the Proponent will work with the BPDA and enter into an agreement that will specify and set forth those details;
- A ten thousand dollar (\$10,000) financial contribution to the City of Boston Parks and Recreation Department ("BPRD") to support maintenance and improvements to parks and other public open space located in South Boston. 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;
- A five thousand dollar (\$5,000) financial contribution the City of Boston's Love Your Block program which will be used to fund grants for neighborhood beautification and other programs in the Saint Vincent's Lower End and Cityside sections of the impacted neighborhood. 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 City of Boston's Love Your Block program; and
- The Proponent has agreed to collaborate with representatives from the BCYF Condon Community Center, to remodel the existing community room within the Condon Community Center into a state of the art teen center with new furniture, kitchenette, computers, and additional equipment/materials. The Proponent anticipates expending up to thirty thousand dollars (\$30,000) on the improvements and intends on completing the renovation within approximately one (1) year of building permit issuance for the Proposed Project.

In connection with the community benefits described above, the Proponent and BPDA will enter into a Community Benefit Agreement.

### **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 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 initiative. 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 4% of units as income restricted. As a result, 17% of the total units should be IDP Units. As the Proposed Project will provide fifty (50) new rental units, seven (7) units within the Proposed Project will be created as IDP rental units (the "IDP Units"), 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% AMI.

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

Unit Number	Number of Bedrooms	Square Footage	Percent of Area Median Income	Rent
Unit 3	Studio	467 SF	70%	\$1,094
Unit 6	One	650 SF	70%	\$1,277
Unit 7	Studio	450 SF	70%	\$1,094
Unit 9	Two	850 SF	100%	\$2,084
Unit 15	One	650 SF	70%	\$1,277
Unit 18	Two	850 SF	100%	\$2,084
Unit 26	One	650 SF	70%	\$1,277
Unit 27	Studio	450 SF	70%	\$1,094
Unit 29	Two	850 SF	70%	\$1,459

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 Approval for the Proposed Project. The Proponent must also submit an Affirmative Fair Housing 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; 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.

## **RECOMMENDATIONS**

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, staff recommends that the BPDA approve and authorize the Director to: (1) issue a Certification of Approval for the Proposed Project; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction in connection with the Proposed Project; and (3) execute and deliver a Community Benefits Agreement and take any other action and execute any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Approval, approving the development proposed by Boston Real

Estate Capital (the "Proponent") at 55 West Fifth Street in South Boston (the "Proposed Project"), in order to construct fifty (50) residential rental units, including nine (9) income restricted units, approximately 1,600 square feet ground floor retail/commercial space, and up to approximately forty three (43) off street parking spaces, in accordance with the requirements of Small Project Review, Article 80E, of the Boston Zoning Code, subject to continuing design review by the Boston Redevelopment Authority; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute and deliver an Affordable Rental Housing Agreement and Restriction ("ARHAR") for the creation of nine (9) on-site IDP Units in connection with the Proposed Project; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute and deliver a Community Benefits Agreement and execute and deliver any other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project.



# 55 West Fifth Street, South Boston

2014 Aerial



1 inch = 50 feet

0 25 50 75 100 Feet

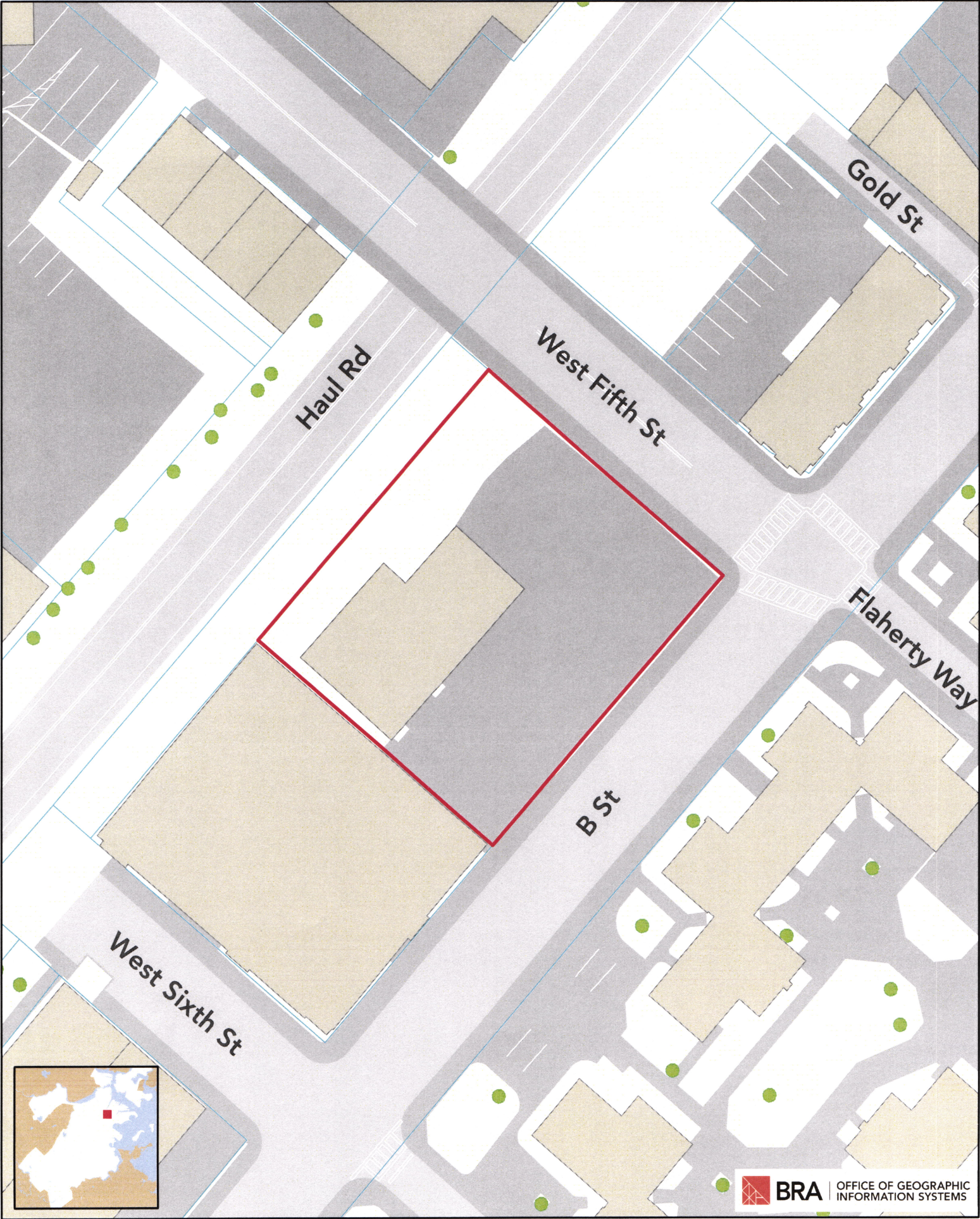
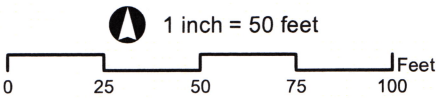


**BRA**

OFFICE OF GEOGRAPHIC  
INFORMATION SYSTEMS



# 55 West Fifth Street, South Boston





Comment: Created Date	First Name	Last Name	Organization	Opinion	Comments
3/5/2018	Jason	Weissman	The Broadway Company, LLC	Support	To Whom It May Concern: I have reviewed the plans proposed and I would like to propose my full support for this development. The design is attractive and appropriate for the neighborhood. Thank You Jason S. Weissman 9 W Broadway
3/5/2018	Dan	Duval		Support	As a property owner and business owner in this South Boston neighborhood, I wanted to offer my full support for this project. Additional rental units are needed in South Boston to compensate for growing demand. The additional parking as well as retail space are greatly needed as well. Please reach out to me directly if you need additional comments. Thank you!
3/6/2018	Cyrus	Tehrani	South Boston Resident	Support	I fully support the updated proposal as a South Boston resident and homeowner. We need much more housing in the neighborhood and across Boston, and the upzoning that the Plan Dot Ave Corridor has brought should be fully utilized to maximize housing creation. In fact, this upzoning needs to happen all across South Boston. There is a huge public benefit to adding more housing to make the city more affordable, and this updated project offers more than the previously approved project already did.
3/8/2018	Jason	Kaplan		Support	Boston is in the midst of one of the worst housing shortages in the country. In order to prevent displacement and stabilize real estate prices for buyers at all economic levels, we need to build as many houses as possible. I'm glad the plan has been revised to meet the changes to Dot ave zoning. It would be a mistake not to add the new 50 units that meet this zoning. This development's 7 income-restricted units are a welcome and necessary addition, as well as the \$48K for the IDP fund. I support this project.
3/27/2018	Maryellen	Hennessey		Support	Is their going to be any elderly or low income available for this project? I want to retire but living expenses make it all most impossible.

3/27/2018	Eric	Herot	JP YIMBY	Support	It is great to have density on this street corner (although even more would be better!) but the provided parking is excessive given the SIX minute walk to Broadway station and unnecessarily drives up the cost of housing both in this building and in area development generally. Furthermore it draws more traffic across the already overloaded Broadway and W 4th bridges.
4/4/2018	Jason	Kaplan		Support	I'd like to prevent displacement in a south Boston. If this ?already approved? project is able to add homes through a new zoning plan, there should be zero opposition. 10 extra feet more than doubles the number of income-restricted homes, adds valued homes to the neighborhood and prevents existing residents from being displaced. I support this project as proposed.
4/6/2018	Nicholas	Wencis		Support	I'm a South Boston resident and I support this project. We need more housing.
4/6/2018	Joel	Barciauskas		Support	I support more density across the city