

BOARD APPROVED

MEMORANDUM

MAY 12, 2016

TO: BOSTON REDEVELOPMENT AUTHORITY AND
BRIAN P. GOLDEN, DIRECTOR

FROM: JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW/GOVERNMENT AFFAIRS
MICHAEL CANNIZZO, SENIOR ARCHITECT/URBAN DESIGNER
GARY UTER, PROJECT ASSISTANT

SUBJECT: DOT BLOCK, DORCHESTER

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA") 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 DOT Block project, located in the Dorchester neighborhood (as further described below, the "Proposed Project"); (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process for the Proposed Project; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan and an Affordable Rental Housing Agreement and Restriction, along with any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Article 80B review of the Proposed Project; and (4) recommend approval of Zoning Board of Appeal Petitions BOA-576951, BOA-576976, and BOA-576954, WITH PROVISIO that plans be submitted to the Authority for design review approval.

PROJECT SITE

The Project site (the "Site") is comprised of four existing parcels totaling 172,023 square feet (3.9 acres) of land, and bounded by Greenmount Street to the North, Dorchester Avenue to the East, Hancock Street to the South, and Pleasant Street to the West. The Site excludes the South corner piece of the city-block bounded by Hancock Street and Dorchester Avenue, as well as the North-East corner piece of the block at the intersection of Dorchester Avenue and Greenmount Street.

The Site currently includes four existing two-story buildings which are all vacant and in poor condition; an auto-body shop; a private-way (Greenmount Place) off Greenmount Street, which is expected to be incorporated into the Site; and a 15-foot City of Boston Sewer Easement that runs through a portion of the Site from Dorchester Avenue to Pleasant Street. The existing buildings will be demolished to enable the Proposed Project to be constructed.

DEVELOPMENT TEAM

The development team consists of:

Developer: DOT BLOCK, LLC
Sean P. Gildea, Managing Member

Development Counsel: Goodwin Procter
Martin R. Healy
Jennifer R. Schultz

Architect: RODE Architects, Inc.
Eric Robinson
Kevin Deabler
Ben Wan

Permitting Consultant: Mitchell L. Fischman Consulting LLC
Mitchell L. Fischman

Transportation Consultant: Howard Stein Hudson
Brian Beisel

DESCRIPTION AND PROGRAM

DOT BLOCK LLC (the "Proponent") proposes to develop an approximately 388,400 gross square foot development containing approximately 362 residential units, approximately 37,000 square feet of new retail space on Dorchester Avenue, and a five-story 450 parking space garage (the "Proposed Project"). The proposal calls for five buildings ranging from four to six stories in height. The total development cost is approximately \$150 million.

ARTICLE 80 REVIEW PROCESS

On May 22, 2015, the Proponent filed a Letter of Intent in accordance with the BRA's policy regarding Provision of Mitigation by Development Projects in Boston. On June 2, 2015, the Proponent filed an Expanded Project Notification Form ("PNF") with the BRA

pursuant to Article 80B of the Code, and on September 16, 2015, October 6, 2015, and February 12, 2016, the Proponent filed additional materials (the "Supplementary Filings") with the BRA to respond to comments and suggestions from the Article 80 public process.

An Impact Advisory Group ("IAG") was formed as part of the review process for the Proposed Project and IAG meetings were held on June 15, 2015, July 20, 2015, and March 29, 2016 at 1156 Dorchester Avenue, 1135 Dorchester Avenue, and 1135 Dorchester Avenue, respectively.

On June 22, 2015, the BRA convened a public meeting for the community's review and comment at 1135 Dorchester Avenue, and a Scoping Session for City and State officials at Boston City Hall. The public meeting was advertised in the Dorchester Reporter and was posted on the BRA website.

After responding to feedback from the first public meeting, a second public meeting was held on September 28, 2015 at 1135 Dorchester Avenue. A third community meeting was held on February 23, 2016. All public meetings were advertised in the Dorchester Reporter and were posted on the BRA website.

The public comment period was extended from February 26, 2015 to August 4, 2015 and then again until March 7, 2016.

On February 2, 2016, the Boston Civic Design Commission ("BCDC") voted to recommend approval of the schematic design plans for the project.

ZONING

The Proposed Project is located in two subdistricts of the Dorchester Neighborhood District, subject to Article 65 of the Boston Zoning Code. Approximately 90% of the lot is in an NS (Neighborhood Shopping) Subdistrict, with 10% or less of the lot located in a 3F-D-3000 (Triple-Decker Residential) Subdistrict.

The Proposed Project will require zoning relief from the following:

NS Subdistrict:

- Article 65, Section 15: Use Regulations – Multi-Family, Conditional on First Floor; Accessory Parking and Amenities to Multi-Family/First Floor, Conditional;
- Article 65, Section 15: Use Regulations – Certain Retail and Restaurant Uses, Conditional; Accessory Parking to Certain Retail and Restaurant Uses, Conditional;
- Article 65, Section 16: Dimensional Regulations – Floor Area Ratio Excessive;

- Article 65, Section 16: Dimensional Regulations – Height Excessive;
- Article 65, Table D, FN 6: Dimensional Regulations – Side Yard Abutting Residential District Insufficient; and
- Article 65, Section 38: Dimensional Regulations – Inconsistent Street Wall Continuity.

3F - D - 3000 Subdistrict:

- Article 65, Section 8: Use Regulations – Multi-Family, Forbidden; Accessory Parking to Multi-Family, Forbidden;
- Article 65, Section 9: Dimensional Regulations – Lot Area Insufficient;
- Article 65, Section 9: Dimensional Regulations – Floor Area Ratio Excessive;
- Article 65, Section 9: Dimensional Regulations – Height/Stories Excessive;
- Article 65, Section 9: Dimensional Regulations – Usable Open Space Insufficient;
- Article 65, Section 9: Dimensional Regulations – Side Yard Insufficient;
- Article 65, Section 7: Dimensional Regulations – Number Dwelling Units Excessive;
- Article 65, Section 42: Dimensional Regulations – Accessory Buildings in Side or Rear Yards Excessive Height and Insufficient Side Yard; and
- Article 65, Section 42: Dimensional Regulations – Failure to Conform with Existing Building Alignment.

PUBLIC BENEFITS

DOT Block Project will provide the following substantial public benefits to the City, the Dorchester neighborhood, its residents, and retailers:

- Create approximately 362 units of much-needed residential housing, and adhere to the City’s Inclusionary Development Policy (“IDP”).
- Enhance Boston’s largest residential neighborhood, provide its residents with walkable and quality mixed-retail offerings, and provide support to the local community by utilizing local businesses.
- Create new housing and retail within a ½ -mile walk of the Savin Hill Redline MBTA station which will contribute to transit-oriented development goals set for the City.
- Improve the safety and appearance of the immediate area for nearby residences and businesses by demolishing blighted vacant buildings and revitalizing a long underutilized site, while also adding new retail and pedestrian-oriented public realm uses.
- Rebuild street frontages to fully comply with Boston’s Complete Streets guidelines, including the introduction of fully accessible sidewalks, contextual residential and retail ground floor uses, street trees and other streetscape amenities.
- Provide more than one acre of publicly accessible, at grade, usable open space including a recreational outdoor amenity available for neighborhood use.

- Improve on-site water retention and storm water mitigation, easing demand on local infrastructure.
- Create a new traffic pattern at the intersection of Hancock Street/Pleasant Street by constructing a new intersection that is safer for vehicular use and pedestrian traffic.
- Serve as an example of sustainable and environmentally responsible construction and development.
- Provide new bicycle facilities, including on-site bike storage for retail customers and employees, as well as covered/secure bike storage for residents; create the opportunity for various transit options, including Zipcar, or comparable car-sharing services, a public shared bicycle station, such as Hub Way, and a public Electrical Vehicle charging station and parking.
- Provide reliable, 24-hour on-site property management, including security to areas having public access.
- Create new construction jobs over a 3-year period, and provide long-term employment opportunities for Boston residents.
- Endeavor to provide free use of the garage for abutters and/or Dorchester residents within the immediate area of the project during snow emergencies.
- Endeavor to provide free and validated parking for patrons of the retail tenants.
- Add new annual property taxes for the City of Boston.
- Establish a community fund for the betterment of the immediate surrounding area, in the amount of \$250,000, which will be provided to the Boston Redevelopment Authority.
- \$2,500.00 to go toward the restoration of the Lyman Fountain in Eaton Square on Bowdoin Street in Dorchester, Massachusetts.
- \$2,500.00 to go to the "Friends of Ronan Park" group - a 501 (c)(3) not-for-profit organization in Dorchester, Massachusetts. This money will be used to aid in park upkeep and maintenance and support community events in the park.
- \$25,000.00 for the purchase of cameras in the area of Bay Street. These cameras will be tied into the Boston Regional Intelligence Center (BRIC) and used by the Boston Police Department.

INCLUSIONARY DEVELOPMENT COMMITMENT

The Proposed Project is subject to the Inclusionary Development Policy, dated September 27, 2007 ("IDP"). IDP requires that 15% of the market rate units within the development be designated as IDP units. In this case, forty-seven (47) of the 362 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 as based upon the United States Department of Housing and Urban Development ("HUD") ("AMI").

The sizes and locations of the IDP Units will be determined upon completion of the final design and finalized in conjunction with BRA staff and outlined in the Affordable

Rental Housing Agreement and Restriction ("ARHAR"), and rental prices and income limits will be adjusted according to BRA published maximum rents, as based on HUD AMIs, available at the time of the initial rental of the IDP Units.

The Affordable Rental Housing Agreement and Restriction must be executed along with, or prior to, issuance of a Certification of Compliance. The Developer will submit an Affirmative Marketing Plan (the "Plan") to the City of Boston Office of Fair Housing and Equity and the BRA, which shall be approved along with the execution of the Affordable Rental Housing Agreement and Restriction. Preference for the IDP Units 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).

The IDP Units will not be marketed prior to the submission and approval of the Plan. A restriction will be placed on each IDP Unit(s) to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BRA option to extend for an additional period of twenty (20) years). 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.

In addition to the 47 designated IDP Units an IDP contribution of \$43,478 as a partial unit payment to the IDP Special Revenue Fund ("IDP Fund") managed by the Department or Neighborhood Development ("DND"). This payment will be made at the time of building permit issuance. Combined, this contribution together with the 47 designated IDP Units satisfies fully the IDP requirements pursuant to the September 27, 2007 IDP.

RECOMMENDATION

BRA staff believes that the PNF and the Supplementary Filings meet the criteria for the issuance of a Scoping Determination Waiving Further Review. It is therefore recommended that the BRA 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 for the Proposed Project; (2) issue a Certification of Compliance under Section 80B-6 for the Proposed Project upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan and an Affordable Rental Housing Agreement and Restriction in connection with the Proposed Project, along with any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Article 80B review of the Proposed Project; and (4) recommend

approval of Zoning Board of Appeal Petitions BOA-576951, BOA-576976, and BOA-576954, WITH PROVISIO that plans be submitted to the Authority for design review approval.

Appropriate votes follow:

VOTED: That the Director of the Boston Redevelopment Authority (the "Authority") 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 Supplementary Filings adequately describe the potential impacts arising from the DOT Block project, located in the Dorchester neighborhood (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Project under Section 80B-5 of the Code, subject to continuing design review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, a Boston Residents Construction Employment Plan and an Affordable Rental Housing Agreement and Restriction, along with any and all other agreements and documents that 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 Authority; and

FURTHER

VOTED: In reference to Zoning Board of Appeal Petitions BOA-576951, BOA-576976, and BOA-576954, constituting the DOT Block Development Project, the BRA recommends APPROVAL WITH PROVISIO that plans be submitted to the Authority for design review approval.