

MEMORANDUM

**BOARD APPROVED**

APRIL 11, 2019

**TO:** BOSTON REDEVELOPMENT AUTHORITY  
D/B/A BOSTON PLANNING & DEVELOPMENT AGENCY (BPDA)\*  
AND BRIAN P. GOLDEN, DIRECTOR

**FROM:** JONATHAN GREELEY, DIRECTOR OF DEVELOPMENT REVIEW  
MICHAEL CHRISTOPHER, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW/GOVERNMENT AFFAIRS  
AISLING KERR, PROJECT MANAGER

**SUBJECT:** NOTICE OF PROJECT CHANGE  
DOT BLOCK DEVELOPMENT PROJECT, DORCHESTER

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority (“BRA”) d/b/a Boston Planning & Development Agency (“BPDA”)<sup>1</sup> authorize the Director to: (i) issue a Determination waiving the requirement of further review pursuant to Section 80A-6.2 of the City of Boston Zoning Code (the “Code”) in connection with the Notice of Project Change (“NPC”) for the Dot Block Development Project (the “Proposed Project”); (ii) issue one or more Certifications of Compliance or Partial Certifications of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process in connection with the Proposed Project; and (iii) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction and a Boston Residents Construction Employment Plan, and any and all other agreements and documents, as may be necessary and appropriate in connection with the Proposed Project.

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**PROJECT SITE**

Located along Dorchester Avenue in the Dorchester neighborhood of Boston, the Dot Block project site comprises most of a city block, consisting of an approximately 3.94 acre (approximately 171,657 square feet) parcel of land (the “Project Site”).

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

The Project Site is bounded by Greenmount Street to the north, Dorchester Avenue to the east, Hancock Street to the south, and Pleasant Street to the west. The Project Site currently comprises a series of separate parcels, including a small former private way called Greenmount Place, all of which will be consolidated into one Lot prior to the submission of a building permit application to the City of Boston's Inspectional Services Department ("ISD").

The Project Site slopes in both an east-west direction (from an approximate elevation of 25.4 feet Boston City Base ("BCB") at Pleasant Street to an approximate 17.6 feet BCB at Dorchester Avenue), and a north-south direction (from an approximate elevation of 25.4 feet BCB at Greenmount Street to an approximate 18.7 feet BCB at Hancock Street).

### **PROJECT TEAM**

The development team consists of:

Proponent: Samuels & Associates  
Peter Sougarides  
Abe Menzin  
Greg Contente

Wintergold, LLC  
Nathan Wong  
Kori LaMontagne

Architect: Stantec Architecture  
James Gray  
Werner Hoffman  
Louis D. Kraft

Landscape Architect: LeBlanc Jones Landscape Architects, Inc.  
Keith LeBlanc  
Doug Jones

Retail Consultant: The Dartmouth Company  
Sean Gildea

Community Outreach:	<u>Catherine O'Neill LLC</u> Catherine M. O'Neill
Legal Counsel:	<u>Mintz, Levin, Cohn, Ferris, Glovsky and Popeo, P.C.</u> Rebecca A. Lee
Transportation/Traffic Engineer:	<u>Howard Stein Hudson</u> Brian Beisel Andrew Fabiszewski
Geotechnical/Environmental Engineer:	<u>Haley &amp; Aldrich</u> Marya E. Gorczyca Rebecca Higgins Ian Phillips
Civil Engineer:	<u>Beals and Thomas, Inc.</u> Richard Kosian Jeffrey Heidelberg
Mechanical, Electrical, and Plumbing Engineer:	<u>R.W. Sullivan</u> Dorian Alba

**PROJECT HISTORY**

On May 12, 2016, Dot Block LLC, the previous owner of the Project Site, received approval from the BRA Board for a project totaling approximately 388,300 square feet of Gross Floor Area in size, and to contain approximately 362 residential units, approximately 37,000 square feet of new retail space on Dorchester Avenue and a five (5)-story, 450-space above-ground parking garage, and related landscape and streetscape improvements (collectively, the "Originally Approved Project").

The May 2016 BRA Board vote culminated a public agency and community review process for the Originally Approved Project that began officially in May 2015 when Dot Block LLC filed a Letter of Intent with the BRA, which was subsequently followed by the submission of an Expanded Project Notification Form ("EPNF") in June 2015. Three supplemental submissions followed the EPNF filing; the first was filed in September 2015, the second was filed in October 2015, and the third was filed in February 2016. Through the Article 80B review process of the Originally Approved Project, numerous meetings were conducted, including a BRA-hosted

Scoping Session and Impact Advisory Group and Public Meetings, and multiple meetings between community stakeholders and representatives of Dot Block LLC.

On February 2, 2016, the Boston Civic Design Commission ("BCDC") provided a recommendation of design approval for the Originally Approved Project. On July 18, 2016, Dot Block LLC obtained zoning relief for the Originally Approved Project from the City of Boston Zoning Board of Appeal, and subsequently received a one-year renewal on that zoning relief in July 2018.

### **NOTICE OF PROJECT CHANGE**

In December 2016, the Proponent acquired the Project Site from Dot Block LLC. Since that date, the Proponent has arranged for all of the previously existing vacant buildings on the Project Site to be remediated for asbestos-containing materials, and then demolished following Boston Landmarks Commission demolition delay approval under Article 85 of the Code, for a temporary fence to be erected around the Project Site and for the geotechnical conditions at the Project Site to be evaluated as part of an investigation into the feasibility of placing the proposed parking garage underground.

On January 31, 2019, the Proponent filed a Notice of Project Change ("NPC") with the BPDA, which builds on the planning goals of the Originally Approved Project, while also incorporating improvements driven by planning, urban design, and transportation considerations that have come out of the BPDA's PLAN: Glover's Corner Planning Study/Process. The most significant change to the Originally Approved Project is that the approximately 135,000 square foot, five (5)-story, above-grade parking garage has been replaced with a below-grade parking structure. This change has resulted in opportunities to create more open space and improve connectivity through the Project Site and to improve the Project site plan and building massing by increasing various setbacks and reducing the height of one of the buildings. Additionally, the current proposal includes increased affordable housing and mitigation commitments. In all respects, the impacts of the Proposed Project (defined below) are less than or equal to those of the Originally Approved Project.

The Proposed Project, which is expected to contain approximately 418,000 square feet of Gross Floor Area, would comprise the following:

1. The construction of four (4) new buildings to contain approximately 488 residential rental units (an increase from 362 residential units included under the Originally Approved Project) and associated tenant amenity spaces such as fitness facilities, lounges, shared work spaces, an above-ground pool and rooftop deck, and associated property management and leasing facilities;
2. Approximately 23,000 square feet of commercial space, intended to contain neighborhood-oriented retail and restaurant uses (a decrease from the approximately 37,000 square feet of large format retail stores contemplated in the Originally Approved Project);
3. An underground parking garage to contain parking for up to approximately 345 vehicles, including a ground-floor component containing approximately fourteen (14) enclosed parking spaces, and approximately nineteen (19) on-street spaces along new interior drives to support the retail/restaurant uses at the Proposed Project and short-term visitor use and multiple designated drop-off/pick-up locations; and
4. Approximately 1.34 acres of open space areas.

The garage, as currently proposed, will have two components and two vehicular access points from the interior drive, and contain spaces for approximately 345 vehicles. A portion of the parking garage will be located beneath each of the four (4) buildings in the Proposed Project, thus allowing direct elevator access for residents to parking areas.

The Proposed Project includes four (4) new buildings, as follows:

- Hancock Street Building: 62± foot maximum Building Height; 5 stories
- Pleasant Street Building: 48± foot maximum Building Height; 4 stories
- Dot North Building: 75± foot maximum Building Height; 6 stories
- Dot South Building: 75± foot maximum Building Height; 6 stories

The buildings will contain a mix of units (studios, one-bedroom, two-bedroom, and three-bedroom units), and the affordable housing units to be created in compliance with the City's Inclusionary Development Policy will all be located on-site, and distributed among each of the four (4) buildings. The Hancock Building, which consists of approximately twenty percent (20%) of the total number of units in the Proposed Project, will be comprised entirely of "compact units" pursuant to the City's Compact Unit Pilot program, which was approved by the BPDA Board in October 2018.

Under the NPC, a new interior drive through the Project Site will create new neighborhood connections and serve as an important publicly accessible pedestrian pathway between Dorchester Avenue and Hancock and Pleasant Streets. This drive will connect to Pleasant Street at the Hancock Street intersection under a new signalized configuration requested by the City that will be reconstructed by the Proponent. Vehicular and bicycle access to the Proposed Project will be from Dorchester Avenue (right turn only), Pleasant Street, and Hancock Street, while vehicular egress from the Proposed Project will be to Pleasant Street and Hancock Street (but not Dorchester Avenue). Pedestrian access will be afforded from Pleasant Street, Hancock Street, and Dorchester Avenue.

All loading operations are designed to take place within the Project Site at designated areas located within the Dot North and Dot South buildings, as well as at a designated loading area off Hancock Street.

The Proposed Project will include covered bicycle parking at a ratio of at least 1 bicycle storage space per residential unit in each of the four (4) buildings, as well as publicly-accessible bicycle storage spaces to be located on adjacent public sidewalks (subject to applicable City approvals) and within the Project Site.

### **ARTICLE 37 COMPLIANCE**

The Proponent has committed to the following:

1. Meeting LEED Silver certification, at minimum, on all buildings, with a target of achieving LEED Gold or better;
2. Conducting a Low Carbon Building Assessment during the Schematic/Design Development phase to assess options for reducing building-related carbon emissions, including;
  - a. Prioritizing passive strategies such as roof and wall insulation, window-to-wall ratios, and window performance
  - b. Minimizing mechanical heating, cooling, and DHW systems
  - c. Utilizing EnergyStar appliances and LED fixtures
  - d. Strategy Optimization – utilizing Whole Building Energy Modeling to determine the most cost effective option package including avoided costs
3. Conducting a Solar PV System Assessment with description of potential on-site PV systems including optimizing roof areas for PV arrays, system description and output, ownership, and financing options.

## **ZONING**

A portion of the Project Site is located within a Multi-Family Residential Subdistrict and the remainder of the Project Site is located within a Neighborhood Shopping Subdistrict, each as governed by Article 65 of the City of Boston Zoning Code (Dorchester Neighborhood District).

The Proposed Project will require zoning relief from the City of Boston's Zoning Board of Appeal to supplement and supersede the zoning relief granted for the Originally Approved Project, including without limitation, dimensional/density (floor area ratio) variances, and lot area and usable open space.

## **ARTICLE 80 REVIEW**

Following the Proponent's submission of the NPC to the BPDA on January 31, 2019, the BPDA hosted both an Impact Advisory Group ("IAG") Meeting and a Public Meeting, and the thirty (30)-day public comment period was originally scheduled to conclude on March 1, 2019. The Impact Advisory Group Meeting in connection with the submission of the NPC was held on February 6, 2019 at WORK, Inc. (25 Beach Street, Dorchester, MA). The Public Meeting was held at the same location on February 11, 2019 and was duly advertised in the local neighborhood newspapers. Both the IAG and Public Meetings were posted to the BPDA's calendar, notice was sent out to all subscribers of the BPDA's Dorchester neighborhood email updates, and local elected officials and their staff received email notification. The public comment period was subsequently extended to March 11, 2019, and an Open House Public Meeting was held on March 6, 2019 at WORK, Inc. in Dorchester. This second Public Meeting was also advertised in the local neighborhood newspapers, posted to the BPDA's calendar, and a notice of such meeting was sent out to all subscribers of the BPDA's Dorchester neighborhood updates, and local elected officials and their staff received email notification.

On February 5, 2019 the Proponent presented the Proposed Project to the Boston Civic Design Commission ("BCDC"), and as a result the Proposed Project was reviewed at the February 19, 2019 and February 26, 2019 BCDC Design Subcommittee meetings. The BCDC provided a recommendation of design approval for the Proposed Project on March 5, 2019.

## **PUBLIC BENEFITS**

The Proponent remains committed to the public benefits and mitigation agreed to as part of the Originally Approved Project. The Proposed Project will provide the following substantial public benefits to the City and its residents:

- The reconstruction of the intersection of Pleasant and Hancock Streets into a signalized intersection. The design and engineering of this intersection will be progressed by the Proponent in concert with the Boston Transportation Department (“BTD”), the City of Boston Public Improvement Commission (“PIC”), and the City’s Public Works Department (“PWD”), together with the community, to provide for safer pedestrian and bicycle accommodations and improved driving conditions. The completion of this intersection design and construction work is subject to the Proponent’s obtaining the applicable BTD, PIC, and PWD approvals. The Proponent expects to complete this work concurrently with the occupancy of the first residential building at the Proposed Project;
- The Dorchester Avenue, Greenmount Street, Hancock Street, and Pleasant Street sidewalks adjacent to the Project Site will all be reconstructed and improved with the addition of approximately ten (10) foot setbacks on Dorchester Avenue and Hancock Street, approximately 6.5 foot setbacks on Pleasant Street, and approximately 20 foot setbacks on Greenmount Street, which allow for new accessible pedestrian ramps, new curbing, new public bicycle storage facilities, new street trees and the replacement of street trees that are in poor health (subject to the Proponent’s receipt of all required City approvals). The Proponent will construct and maintain these streetscape improvements under one or more agreements with the PIC;
- Over one acre of open space within the Project Site;
- Alternative potential transit options, such as a car-sharing service, electrical vehicle charging stations in the project garage, and a bicycle sharing station;
- The Proponent will provide free, overnight use of the garage on a space-available basis for abutters and/or Dorchester residents residing within the immediate area of the Proposed Project during snow emergencies;

- Contribution in the amount of three-hundred and fifty-two thousand and five hundred dollars (\$352,500), payable at issuance of first building permit, to be managed by the BPDA through a Community Benefits Application Process;
- Contribution of two thousand five hundred dollars (\$2,500) towards the restoration of the Lyman Fountain in Eaton Square (Bowdoin Street), payable at issuance of first building permit;
- Contribution of twenty-five thousand dollars (\$25,000), payable at issuance of first building permit, for the purchase of security equipment to be used by the Boston Police Department to improve public safety in the immediate area; and
- The Proponent will make available at the Project, at no cost, a convening room to host meetings of local non-profit organizations, subject to availability.

**INCLUSIONARY DEVELOPMENT POLICY COMMITMENT**

The Proposed Project is subject to the Inclusionary Development Policy, dated September 27, 2007 (“IDP”). The Originally Approved Project complied with the requirements of the IDP by proposing to provide 13 percent, or forty-seven (47) units, of the originally planned 362 units as affordable IDP units. These units were to be affordable to households with incomes up to 70 percent of Area Median Income (“AMI”), as defined by the United States Department of Housing and Urban Development (“HUD”) and published by the BPDA. The Proposed Project will expand upon the IDP commitments of the Originally Approved Project by income restricting fifteen percent (15%) of the additional 126 units being proposed, which results in 19 additional units and increasing the depth of affordability of many of the units. The units in the Hancock Building will fall under the City’s new Compact Unit Policy, those units will have rents that are ninety percent (90%) of the regularly published BPDA rents, and therefore will be accessible to households of even lower incomes.

The following table summarizes the affordable housing program at the Proposed Project:

<b>Affordable Units</b>	<b>Prior Project</b>	<b>Proposed Project</b>
% of Original Units (362)	13%	13%
% Of New Units (126 units)		15%
<b>Number of Affordable Units</b>	<b>47</b>	<b>66</b>

#### **Affordability Mix**

Conventionally-sized 70% of AMI Units	47	41
Conventionally-sized 50% of AMI Units		12
Compact units –70% of AMI Units (affordable to households at or below 63% of AMI)		10
Compact units –50% of AMI Units (affordable to households at or below 45% of AMI)		3
<b>Total Affordable Units</b>	<b>47</b>	<b>66</b>

#### **Neighborhood Diversity Preservation**

General Pool of Affordable Units	47	66
Neighborhood Diversity Preservation Preference Units	0	33
<b>Total Affordable Units</b>	<b>47</b>	<b>66</b>

The locations of the IDP Units will be finalized in conjunction with BPDA staff and outlined in the Affordable Rental Housing Agreement and Restriction (“ARHAR”) to be executed by the Proponent, and annual rents and household income limits will be adjusted according to BPDA published maximum rents and household income limits, as based on HUD AMIs, available at the time of the initial rental of the IDP Units. The IDP Units will be required to be comparable in size, design, and quality to the market rate units in the Proposed Project, will not be allowed to be stacked or concentrated on the same floors, and will be required to be consistent in bedroom count with the entire Proposed Project.

The ARHAR will be required to be executed along with, or prior to, the issuance of the Certification of Compliance for the Proposed Project. The Proponent must register the Proposed Project with the Boston Fair Housing Commission upon

issuance of the building permit. Preference for the affordable IDP units will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Neighborhood Diversity Preservation Preference (on 33 units)
- (2) Boston resident; and
- (3) Household size (a minimum of one (1) person per bedroom).

The Proposed Project is in a location that is eligible for the Neighborhood Diversity Preservation Preference. This preference may be applied to one-half of the IDP Units (*i.e.*, 33 units), and those participating in the lottery who live within three-quarters of a mile from the Proposed Project and meet certain eligibility criteria may receive this preference. Eligibility for the preference shall be confirmed as part of the Affirmatively Furthering Fair Marketing process. Where an affordable IDP unit is built out to accommodate 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 Marketing Plan (the "Plan") for the Proposed Project by the Boston Fair Housing Commission and the BPDA. Through the ARHAR, a 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 the rent for any subsequent leasing of the IDP Units during this fifty (50) year period must fall within the applicable income and rent limits for each IDP Unit. The BPDA or its successors or assigns will monitor the on-going affordability of the IDP Units.

In connection with implementing the Neighborhood Diversity Preference at the Project, the Proponent has committed to opening an office nearby where local Dorchester residents may complete their applications for the IDP Units and receive assistance in doing so, at the Proponent's expense. The Proponent has also committed to making the marketing office available during convenient hours (including weekends) and to providing translation services on an as-needed basis. The specifics of these arrangements will be set forth in the Plan.

As there is no partial unit payment required, the sixty-six (66) designated IDP Units exceeds the requirements of the Inclusionary Development Policy, dated September 27, 2007.

## **RECOMMENDATION**

BPDA staff believes that the NPC adequately describes the Proposed Project's potential impacts, and the Proposed Project will not result in materially greater impacts from the Originally Approved Project. It is therefore recommended that the BPDA authorize the Director to: (i) issue a Determination waiving the requirement of further review pursuant to Section 80A-6.2 of the City of Boston Zoning Code (the "Code") in connection with the Notice of Project Change ("NPC") for the Dot Block Development Project (the "Proposed Project"); (ii) issue one or more Certifications of Compliance or Partial Certifications of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process in connection with the Proposed Project; and (iii) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, and any and all other agreements and documents, as may be necessary and appropriate in connection with the Proposed Project.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Determination waiving the requirement of further review pursuant to Section 80A-6.2 of the Code in connection with the Notice of Project Change for the Dot Block Development Project;

### **FURTHER**

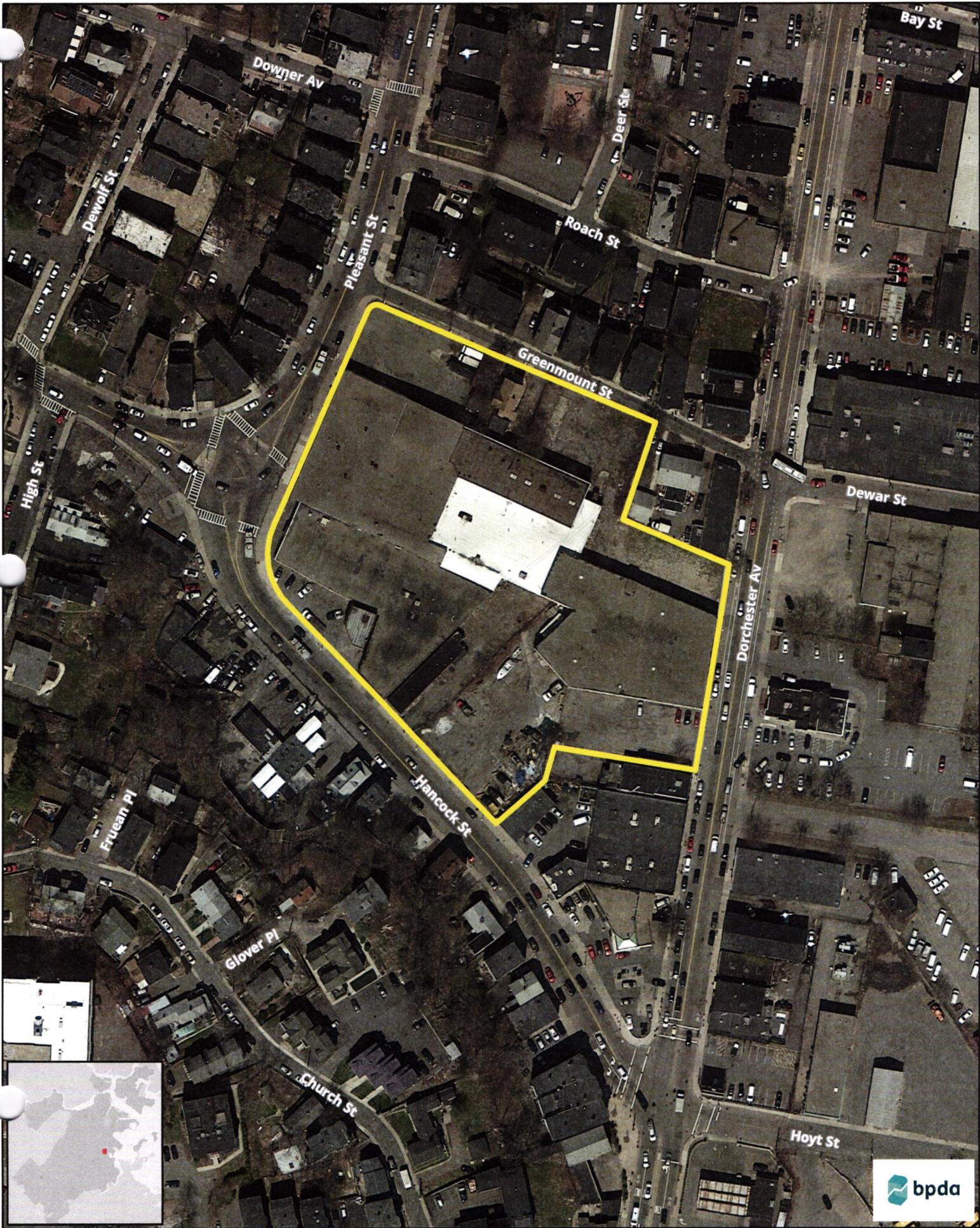
**VOTED:** That the Director be, and hereby is, authorized to issue one or more Certifications of Compliance or Partial Certifications of Compliance under Section 80B-6 of the Code for the Proposed Project, upon successful completion of the Article 80 review process; and

### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, 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.

# DOT Block

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