

MEMORANDUM

JUNE 13, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
MICHAEL CANNIZZO, SENIOR ARCHITECT
JOHN FITZGERALD, SENIOR PROJECT MANAGER

SUBJECT: 105A SOUTH HUNTINGTON AVENUE PROJECT
JAMAICA PLAIN

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) authorize the Director to (1) issue a Scoping Determination Waiving Further Review pursuant to Article 80B-5, Large Project Review of the Boston Zoning Code (the “Code”); (2) issue a Certificate of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and a Boston Residents Construction Employment Plan, and any and all other agreements and documents that the Director deems appropriate and necessary.

PROJECT SITE

The Project Site is an approximately 1.1 acre vacant parcel of land located at 105A South Huntington Avenue in Jamaica Plain near the border with Mission Hill. The Project Site is bounded by South Huntington Avenue to the east; the Jamaicaway to the west; a boutique hotel at 81 South Huntington Avenue to the north; and the Native American Indian Center to the south (the “Project Site”).

PROPOSED PROJECT

The Proposed Project will include the construction of a single new residential building totaling approximately 214,000 square feet. The new building will contain approximately one hundred ninety-five (195) residential units, with approximately 1,860 square feet of retail use at the ground floor. The units will be a mixture of townhouse style and apartment style units. Townhouse along South Huntington Avenue will have direct access to South Huntington Avenue to further improve public safety and the pedestrian friendly environment of the surrounding community. The four story townhouse component along the Jamaicaway will step back to better align

with the surrounding uses. These lower level units will be accessible from both the garage and the courtyard with access from South Huntington Avenue. There will be a total of approximately one hundred forty-seven (147) parking spaces in a partially below-grade garage resulting in a parking ratio of approximately .75 (the "Proposed Project").

It is anticipated that construction will start in the 1st quarter of 2014 with an estimated completion date in the 3rd quarter to 2015.

The approximate development cost for the Proposed Project is \$60 million.

ARTICLE 80 REVIEW

On April 2, 2012, Cedar Valley Development LLC (the "Developer") filed a Letter of Intent in accordance with the BRA's policy regarding Provision of Mitigation by Development Projects in Boston and a 14 member Impact Advisory Group ("IAG") was formed with assistance from City Councilors Michael Ross and Matt O'Malley, Representative Jeffrey Sanchez, and the Mayor's Office of Neighborhood Services.

The Developer filed an Expanded Project Notification Form ("EPNF") for the Proposed Project on July 11, 2012 and a Public Notice ran in the *Boston Herald* on the same day. This initiated a 30-day public comment period, which was then voluntarily extended by the Developer through August 27, 2012. The Public Notice and PNF were sent to the City's agencies pursuant to Section 80A-2 of the Code.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on July 31, 2012 with the City's agencies at which the Proposed Project was reviewed and discussed. The IAG members were also invited to attend the Scoping Session. The BRA held a publicly advertised meeting on July 31, 2012 at the Back of the Hill Apartments on South Huntington Avenue in Jamaica Plain.

After the end of the comment period, the BRA advised the Developer to pause the Article 80 review process due to the overwhelming response by the neighborhood for an overarching planning study for the South Huntington Avenue corridor given the current and possible future development that could occur along the street.

The BRA Planning Department conducted a 4-month study of all the potential parcels along South Huntington from Huntington Avenue up to the intersection at Centre Street. Several meetings were held out in the community to get feedback as to what should be seen along South Huntington Avenue. The BRA Planning Department then created guidelines as a result of these meetings, which were then voted upon by the BRA Board on May 16, 2013.

Throughout the planning process, the BRA worked parallel with the Development Team of 105A South Huntington, to help make sure that their proposal kept up with the changing guidelines of the study. This ensured that the project would remain respectful to the guidelines, and where it exceeded the proposed guidelines, that the Developer would provide exceptional public benefits as called for in the study.

The BRA held a publicly advertised meeting on June 10, 2013 at the Hennigan School in Jamaica Plan to present the final version of 105A South Huntington that is a direct result from the planning study, the subsequent approved guidelines, and the consistent shaping of the project by BRA Staff throughout both the Article 80 Review and the Planning Study.

DEVELOPER ASSURANCES REGARDING OCCUPANCY

The Developer has given assurances to comply with the following:

- a. The lessee may not be a full-time undergraduate student.
- b. A lessee/occupant must provide financial information acceptable to landlord to ensure the ability to pay the monthly rent, the first and last month's rent and security deposit. This may include, without limitation, those who are employed full-time or are self-employed, retirees, medical interns or residents, veterans or other financially responsible applicants.
- c. The lessee must be a person living in the unit and may not sublet or assign the apartment. There will be only one lease per unit.
- d. The lessor will comply with applicable occupancy codes. The lessor will not allow more than two unrelated individuals to occupy a studio or one bedroom apartment, not more than three unrelated individuals to occupy a two bedroom apartment, and not more than four unrelated individuals to occupy a three bedroom apartment.
- e. The building will have a professional, experienced management firm and an on-site resident manager.
- f. The rules and regulations of the apartment building will be part of the lease and will specify limitations or restrictions on behavior/activities in the building so as not to disturb other tenants of the building or the neighborhood residents and which will be enforced by the resident manager and landlord. A violation of rules and regulations will be specified as grounds for termination of tenancy/eviction.

- g. Owner's representative will meet with each lessee before signing lease to go over provisions and expectations and verify who will be occupying the unit.
- h. Owner will make best efforts to minimize the number of leases that begin and end in the month of September.

AFFORDABLE HOUSING

Thirty-two (32) rental units within the Proposed Project will be created as on-site affordable housing. This is more than the required 15% under the Mayor's Executive Order to Inclusionary Housing. The thirty-two (32) affordable units will be affordable to households earning up to 70% of area median income (the "Affordable Units"). The unit mix for the Affordable Units will be comprised of fifteen (15) one bedroom units, ten (10) two bedroom units and seven (7) studios.

The Developer will enter into an Affordable Housing Agreement with the BRA for the Affordable Units. The Affordable Housing Agreement must be executed along with or prior to issuance of the Certification of Compliance.

ZONING

The Project Site is located in the Neighborhood Institutional ("NI") Subdistrict of Boston and the Greenbelt Protection Overlay District ("GPOD") of Jamaica Plain Neighborhood District. Code variances will be sought with regard to Ground Floor Retail Uses, Minimum Lot Size for Dwelling Units, Floor Area Ratio, Building Height and Front Yard, and a Conditional Use Permit for GPOD.

MITIGATION AND PUBLIC BENEFITS

- The provision of thirty-two (32) units of affordable rental housing, which equals 20% of all units in perpetuity located on-site without the assistance of City or State dollars;
- Creating significant additional real estate tax revenues to the City's General Fund commencing after Project completion, totaling \$9 million of net new tax revenue over the next 20 years;
- \$200,000 contribution to install new signal system for South Huntington/Huntington intersection;
- Creating approximately two hundred twenty-five (225) construction jobs and ten (10) new permanent jobs on-site;
- Providing additional customers for retail shops and markets in the neighborhood of the Project;
- Ground-floor active retail;
- View corridor to the Jamaicaway;

- Building materials to compliment and match existing built context;
- Clearing of dead or sick trees and adding ninety (90) new trees;
- Public Realm improvements to the existing bus stop and sidewalk; and
- Developing an underutilized parcel of land.

RECOMMENDATIONS

Approvals have been requested of the BRA pursuant to Article 80, Section 80B of the Code for the issuance of a Scoping Determination Waiving Further Review waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the issuance of a Certificate of Compliance under Section 80B-6 upon successful completion of the Article 80 review process. In accordance with Section 80B-5.3(d) of the Code, the Authority may issue a Scoping Determination Waiving Further Review if the EPNF, together with any additional material and comments received by the BRA prior to the issuance of the Scoping Determination Waiving Further Review, adequately describe the impact of the Proposed Project and offer appropriate mitigation of such impacts.

BRA staff believes that the EPNF, project design changes, and accompanying mitigation commitments meet the criteria for the issuance of a Scoping Determination Waiving Further Review. It is therefore recommended that the BRA approve the Proposed Project and 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; (2) issue a Certificate of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; and (3) execute and deliver a Cooperation Agreement, an Affordable Housing Agreement, and a Boston Residents Construction Employment Plan.

Appropriate votes follow:

VOTED: That the Director 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 Expanded Project Notification Form adequately describes the potential impacts arising from the development of an approximately one hundred and ninety-five (195) unit multi-family residential building with approximately one hundred and forty-seven (147) parking spaces (the “Proposed Project”), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsection 5 of Section 80B-5 of the Code, subject to continuing design review by the Boston Redevelopment Authority (“BRA”); and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue Certification(s) of Compliance for the Proposed Project, or any component thereof, upon the successful completion of the Boston Zoning Code's Article 80 process for the Proposed Project, or any component thereof subject to continuing design review by the BRA; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, an Affordable Housing Agreement, 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 105A South Huntington Avenue project, all upon terms and conditions determined to be in the best interests of the BRA.