

MEMORANDUM

APRIL 17, 2014

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

**FROM:** HEATHER CAMPISANO, CHIEF OF STAFF  
KEVIN MORRISON, GENERAL COUNSEL  
DAVID CARLSON, SENIOR ARCHITECT/URBAN DESIGNER  
CASEY HINES, PROJECT MANAGER

**SUBJECT:** PUBLIC HEARING TO CONSIDER THE DEVELOPMENT PLAN FOR  
PLANNED DEVELOPMENT AREA NO. 97, NORTHAMPTON SQUARE,  
LOCATED IN THE SOUTH END/LOWER ROXBURY  
NEIGHBORHOOD OF BOSTON, AND REQUEST FOR CHAPTER 121A  
APPROVAL

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority (the "BRA" or the "Authority") take the following actions regarding the redevelopment of the Northampton Square Campus ("Campus"), consisting of a Development Plan for the redevelopment of the Campus, and, as the second phase of the redevelopment of the Campus, the construction of a 26-story tower (the "Albany Tower") at the corner of Albany and Northampton streets and the rehabilitation of the 12-story residential building at 860 Harrison Avenue (the "Harrison Tower"; with the Albany Tower, collectively, the "Proposed Project"): (1) adopt a Report and Decision under Massachusetts General Laws Chapter 121A and the Acts of 1960, Chapter 652, as amended (collectively, "Chapter 121A") for the Harrison Tower component of the Proposed Project; (2) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Article 80B, Section 80B-5.3(d) of the Boston Zoning Code (the "Code") determining that the Expanded Project Notification Form ("PNF") adequately addresses any impacts of the Proposed Project; (3) authorize the Director to issue Certifications of Compliance for each of the Harrison Tower and the Albany Tower components of the Proposed Project upon successful completion of Article 80 review for each component, subject to continuing design review; (4) approve the Development Plan for Planned Development Area No. 97, Northampton Square (the "PDA Plan") pursuant to section 80C of the Code and the accompanying Map Amendment; (5) authorize the Director to petition the Boston Zoning Commission for approval of the PDA Plan pursuant to Sections 80C-5 and 80C-6 of the Code, and the accompanying

Map Amendment; (6) authorize the Director to issue Certificates of Consistency for each of the Harrison Tower and the Albany Tower components of the Proposed Project pursuant to Section 80C-8 of the Code; and (7) authorize the Director to execute for each of the Harrison Tower and the Albany Tower components of the Proposed Project Cooperation Agreements, Affordable Housing Agreements, Boston Residents Construction Employment Plans and any and all other documents that the Director in his sole discretion deems necessary and appropriate and upon terms and conditions determined to be in the best interest of the Authority in connection with the PDA Plan and the Proposed Project.

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## **THE PROJECT HISTORY**

The Northampton Square Campus (the “Campus”) consists of an approximately 3.59 acre parcel bounded by Massachusetts Avenue on the north side, Albany Street on the east side, Northampton Street on the south side, and Harrison Avenue on the west side. The Campus contains several different components, including a 29-story residential building at 35 Northampton Street (the “Northampton Tower”), the Harrison Tower, the Miranda Creamer Building housing the offices of the Boston Public Health Commission (the “BPHC”), the South End Fitness Center, the Carter Auditorium, a two-story commercial building along Massachusetts Avenue, and a parking garage that accommodates up to 538 vehicles. The Campus was built between 1969 and 1973 to house the Boston City Hospital School of Nursing. The BPHC acquired the Campus on July 1, 1996 and has managed the property ever since. The Campus does not include the air-rights structure that spans Massachusetts Avenue from Boston Medical Center to and over a portion of the Campus.

The existing Northampton Tower and Harrison Tower provide 347 low-rent units of housing to low wage earners, many of whom work in the adjacent medical district that includes Boston Medical Center, the BPHC, Boston University School of Medicine, and numerous other public and private employers. Although the Campus provides substantial benefits to the City, it has suffered from much deferred maintenance over the years, since there have not been sufficient resources to adequately maintain and invest in the aging property. As a result, this 40-year old property is physically dysfunctional and needs major capital investments. Repairs and upgrades to the buildings include new mechanical systems, windows, electric service, interior fixtures/finishes, and trash chutes. The buildings also do not meet handicap accessibility requirements and the existing entrances/exits make securing the campus nearly impossible.

In the fall of 2010, the BPHC, recognizing the need to enter into a public/private partnership to access the capital required to serve this property, issued a Request for Qualifications seeking a developer to redevelop various components of the site that are in need of significant capital improvements. On December 16, 2010, Trinity Northampton Limited Partnership, an affiliate of Trinity Financial, Inc., was designated as the redeveloper of the Campus by the BPHC Board.

In August 2012, Trinity Northampton Phase One Limited Partnership filed a Project Notification Form (“PNF”) with the Boston Redevelopment Authority (the “Authority” or “BRA”) for the first phase of the Northampton Square redevelopment, which was the rehabilitation of the existing Northampton Tower as affordable housing, the construction of a connecting corridor to the Harrison Tower, and the rehabilitation of the lobby and second floor of the Harrison Tower for shared access, mail and management facilities for the Northampton Tower and the Harrison Tower. The BRA Board approved the first phase of the Northampton Square redevelopment on September 13, 2012. Construction and renovation is under way, and will be completed by December 2014.

## **THE PROPOSED PROJECT**

The Northampton Square Phase Two project (“Proposed Project”) consists of two components, each of which will be a separate commercial condominium within the existing Northampton Square Condominium. The condominium form of ownership was employed by the BPHC to make possible the separation of financing sources for the different components of the redevelopment of the Campus. The Albany Tower component consists of the construction of a new 26-story tower at the corner of Albany and Northampton streets. The Harrison Tower component consists of the rehabilitation of 860 Harrison Avenue. The main components of the Proposed Project are as follows:

### **The Albany Tower**

The Albany Tower component of the Proposed Project is comprised of a new 26-story building to be developed at the corner of Albany and Northampton streets that will include 211 residential units and approximately 53,000 square feet of additional office space for the BPHC. The auditorium, pool, gym, and fitness center that currently exist adjacent to this location will be retained by the BPHC, as well as the existing Miranda Creamer building on Albany Street. The Albany Tower will have a total floor area of up to 277,210 square feet, with a height of up to 295 feet. The total development cost for the Albany Tower is projected to be approximately \$79 million.

### **The Harrison Tower**

The Harrison Tower component of the Proposed Project includes an extensive renovation of the 12-story (115 feet) residential mid-rise at 860 Harrison Avenue, including mechanical and electrical system upgrades, elevator system upgrades, all new

energy efficient windows, exterior façade repairs, a new roof, renovated and code compliant trash chutes, new laundry rooms on most floors, unit improvements including all new and upgraded kitchens, a new storage closet in the studio units, new low flow plumbing fixtures, and new blinds throughout. This renovation work will also include the replacement of the mechanical equipment currently fronting Massachusetts Avenue with new equipment on the roof, so this valuable street frontage can be repurposed into active commercial space. The total floor area of the Harrison Tower is 94,671 square feet, and will include 102 residential units. The total redevelopment cost of the Harrison Tower is projected to be approximately \$30 million.

### Parking Garage

The BPHC's existing public parking garage within Northampton Square will continue to be available to serve the needs of the Campus, including the Albany Tower and Harrison Tower. The existing garage is underutilized, and can serve the needs of the entire Campus. Upgrades will include additional handicapped parking spaces, accessible entrances and exits, bicycle racks, Zipcar spaces, and improved security features.

### Plaza

The open plaza area on top of the parking garage will be renovated into a successful open space amenity for residents, complete with additional areas of green roof (including rooftop farming activities such as Boston Natural Areas Network's Urban Agricultural Youth Conservation Corps), providing storm water capture, solar gain reduction and improved storm-water runoff quality.

## **PROJECT SITE AND CONTEXT**

The Campus is in the South End/Lower Roxbury neighborhood of Boston located on Massachusetts Avenue between Albany Street and Harrison Avenue, one block away from the Boston Medical Center and Boston University Medical Campuses (the "Project Site"). The Project Site is 3.59 acres and is bounded by Massachusetts Avenue on the north sides, Albany Street on the east side, Northampton Street on the south side, and Harrison Avenue on the west side.

The redevelopment of the Project Site, with the initial phase of the rehabilitation of the Northampton Tower, the construction of the new Albany Tower, and the rehabilitation of the Harrison Tower, is consistent with the 2004 Roxbury Strategic Master Plan (the "Master Plan"). While no specific goals were outlined for this parcel, the Master Plan sets forth a number of community-wide goals for improving existing housing stock, upgrading publicly owned housing, and creating new housing units on publicly-owned land. In addition, the Master Plan seeks to create new development opportunities for transit-oriented development and for higher density projects in the adjacent Crosstown Center Area and the Melnea Cass Boulevard to the south and west.

The Project Site is located just to the west of the study area of the Boston Redevelopment Authority's 2011 Harrison-Albany Corridor Strategic Plan (the "Strategic Plan"), the planning initiative developed to guide future development so that the diverse needs of the community are met without jeopardizing the needs and uses of the existing neighborhood. The proposed development plan for the Project Site complements the goals and strategies outlined in the Strategic Plan and balances the demand for new housing with the commitment to maintain affordability of the existing housing units.

The South End Landmark District (the "District") is located directly across Harrison Avenue from the Project Site, and extends north and west into the South End, primarily west of Harrison Avenue. The Project Site is located within the Harrison Avenue/Albany Street Protection Area, an area designated to ensure that new development is architecturally compatible with the District. Due to the existing high-rise buildings within the Campus, the addition of the new Albany Street Tower at the furthest corner of the site from the Landmark District will be barely visible, will blend in visually, and will be compatible with the District.

The Boston Medical Center is located to the north of the Project Site, across Massachusetts Avenue. Development activities within this area are implemented in accordance with the approved Institutional Master Plans developed by the institutions and serve to support the high quality care which is delivered at the Boston Medical Center, and the advanced research and educational opportunities provided at the medical schools. The proposed redevelopment of the Project Site is compatible with these important components of the health infrastructure, and will provide housing opportunities for workers in the medical center area.

## **DEVELOPMENT TEAM**

Boston Public Health Commission – Owner; Barbara Ferrer, Executive Director

Trinity Northampton Limited Partnership

c/o Trinity Financial, Inc. – Proponent; Patrick Lee, Principal

Wilmer Hale – Legal Counsel, Katharine Bachman

The Architectural Team – Architectural Design, Phil Renzi

Fort Point Associates, Inc. – Planning and Permitting Consultant, Jamie Fay and Richard Jabba

Howard/Stein-Hudson Associates, Inc. – Transportation, Jane Howard and Joe SanClemente

McPhail Associates, Inc. – Geoenvironmental and Environmental, Ambrose Donovan

Novus Environmental Inc.-Wind, Bill Waechter

Copley Wolff Design Group – Landscape Architect, Sean Sanger

Nitsch Engineering – Civil Engineer, John Schmid

## **ARTICLE 80 REVIEW**

The Proposed Project is subject to Large Project Review pursuant to Article 80 of the ("Code"). A Letter of Intent was filed with the Authority on September 23, 2011. On October 18, 2013 the Proponent filed a Development Plan for Planned Development Area No. 97, Northampton Square. The Expanded Project Notification Form ("PNF") was subsequently filed on October 31, 2013 in accordance with the requirements of Article 80B, Large Project Review with the Authority. On October 31, 2013 a notice of the PNF filing was published in the Boston Herald. The Authority held a Scoping Session with the City's public agencies on November 12, 2013. The project was presented to the Impact Advisory Group on November 21, 2013. An advertised community meeting was held on January 7, 2014 in the Carter Auditorium located at 35 Northampton Street, to solicit input from the community. In addition, the Proponent held a series of meetings with Northampton Square residents, neighbors, local businesses, state and City of Boston representatives, and the general community regarding the Proposed Project. An extended public comment period expired on January 13, 2014. A revised Development Plan and supplemental information for the PNF, each dated January 31, 2014 were submitted to the Authority. Additional supplemental information and a revised PDA Plan were submitted to the Authority on March 6, 2014.

## **CHAPTER 121A APPLICATION**

On November 21, 2013, Trinity Northampton Phase Two Limited Partnership (the "Applicant") filed with the Authority an application entitled, "APPLICATION OF TRINITY NORTHAMPTON PHASE TWO LIMITED PARTNERSHIP TO THE BOSTON REDEVELOPMENT AUTHORITY FOR AUTHORIZATION AND APPROVAL OF A PROJECT UNDER CHAPTER 121A OF THE GENERAL LAWS AND ACT OF 1960, CHAPTER 652, BOTH AS AMENDED" (the "Application"), as well as supplemental material updating the Application dated April 4, 2014 ("Supplemental Material"), which seeks approval under Chapter 121A for the Harrison Tower component of the Proposed Project, including the expansion of the lobby and management office, as well as new office space on a portion of the first floor (the "Chapter 121A Project"). (Portions of the first and second floors of Harrison Tower were included in Phase One of the Northampton Square redevelopment, and were included in the 121A approval for the Northampton Tower.) The Chapter 121A Project also includes the conversion of 7 residential units into handicap accessible units, which will reduce the total unit count at Harrison Tower from 103 to 102.

As outlined in Section 7 of the Application, the redevelopment of the Harrison Tower cannot occur without the benefit of Chapter 121A aid. Under existing conditions, it is

improbable that 860 Harrison will be rehabilitated, as without the infusion of private resources that will be made possible by the granting of Chapter 121A approval, there will be insufficient funds to carry out the Chapter 121A Project.

### **CHAPTER 121A APPLICANT**

The proposed Chapter 121A entity for which consent by the Authority is sought is Trinity Northampton Phase Two Limited Partnership, a Massachusetts limited partnership (the "Applicant"). The Applicant's sole general partner is Trinity Northampton Phase Two, Inc. (an affiliate of Trinity Financial, Inc.), and whose limited partners are Patrick A. T. Lee Revocable Trust and the James G. Keefe Revocable Trust (to be replaced with an institutional equity investor at closing).

### **FINANCING OF THE CHAPTER 121A PROJECT**

The estimated cost of the Chapter 121A Project will be approximately \$30 million. The financing for the Chapter 121A Project will come from a variety of sources including construction financing, state and city affordable housing loans, equity from low income housing tax credits, and the present value of lease payments to be made to PHC. The summary of the current anticipated sources of financing for the Chapter 121A Project is attached as Appendix 6 to the Application, as amended.

### **SECTION 6A CONTRACT**

The Applicant has been in negotiations with the City of Boston Assessing Department as to the terms of the payments under the Section 6A Contract for the Chapter 121A Project.

### **ZONING**

The Albany Tower component of the Proposed Project is subject to review by the Boston Civic Design Commission ("BCDC") under Article 28 of the Code. A recommendation from BCDC has been provided prior to final BRA approval.

The Project Site is currently zoned as the Albany Street Medical Area Community Facilities Subdistrict within the Roxbury Neighborhood District (Article 50 of the Code). This district was established to reflect the formerly predominant provision of health and educational services and is clearly outdated, given the closing of the Nursing School for which the Campus was originally constructed, and the current uses on the site. Zoning relief is required and is proposed to be accomplished with a new Planned Development Area ("PDA") designation for the Project Site. The PDA Plan will establish the use, dimensional and density requirements for the entire Campus.

The Project Site is also within the Restricted Parking Overlay District established under Article 3, Section 3-1A. As no new parking facilities are proposed as part of the Project, the Proposed Project is consistent with the provisions of this district.

The Proposed Project is subject to Article 37 Green Buildings of the Code. The new and retrofitted buildings will be LEED Certifiable.

The Project Site is subject to the South End Urban Renewal Plan (“SEURP”), as Amended. Minor Modifications to the SEURP were needed in order to permit new development within a 20-foot setback area along Northampton and Albany Streets, and to allow office use within Harrison Tower. The Minor Modifications were adopted and approved by the Authority on August 15, 2013.

### **PUBLIC BENEFITS**

The Proponent has committed to a number of public benefits that will improve the Northampton Square Campus and the surrounding area, and include:

- Harrison Tower and Albany Tower will preserve or create 313 units of housing, at least 102 (33%) of which will be affordable. With Northampton Tower, at least 347 units (62%) of the 558 residential units on the Northampton Square Campus will be affordable.
- At least 50 redeveloped units in the Harrison and Northampton Towers will be set aside to house clients of the BPHC’s social service programs.
- A number of sustainable/green design features will be incorporated into the Proposed Project to preserve and protect the local environment, including a large green roof above the parking garage, racks to store at least 211 bicycles, and highly efficient and sustainable housing units in an area well served by public transit.
- The Proposed Project will create approximately 925 construction phase employment opportunities, and the Proponent will promote local employment through good-faith efforts to hire Boston residents.
- The Proposed Project will provide substantial property tax revenues to the City of Boston at full build-out and occupancy.
- The Proposed Project will invest over \$100 million in the Northampton Square Campus (over \$150 million when Northampton Tower is included).
- Harrison Tower and Northampton Tower will provide at least \$1.5 million annually to the BPHC in support of public health initiatives in the City of Boston.

### **AFFORDABLE HOUSING COMPONENT**

The Proposed Project will comply with the City’s Inclusionary Development Policy (the “IDP”).



The Harrison Tower and Albany Tower components of the Proposed Project will provide 29 affordable units (the "Affordable Units"). The Harrison Tower will include 15 units that will be affordable to households earning up to 70% of the Area Median Income ("AMI"). There will be a transition period for the Harrison Tower during which existing tenants, a portion of whom do not meet these income guidelines, may be held over. As these non-qualifying tenants turn over, their units within Harrison Tower will be filled with tenants qualifying within the income limits described above. The Albany Tower will include 14 affordable units for households earning up to 70% of AMI.

The size and location of the Affordable Units will be approved by Authority staff. The Proponent will enter into a separate Affordable Rental Housing Agreement and Restriction with the Authority for the affordable units located within each of the Albany Tower and the Harrison Tower. In addition, the Proponent is required to submit Affirmative Fair Housing Marketing Plans to the Boston Fair Housing Commission and the Authority for the Affordable Units.

In addition to the Affordable Units, the Harrison Tower contains an additional 87 units which shall be subject to affordability restrictions associated with the low income housing tax credits and other affordable housing financing for the Harrison Tower.

### **RECOMMENDATION**

Authority staff have examined the PNF, PDA, 121A Application, and supplemental material and find that all such information contains sufficient evidence in support of the PDA Plan and the Proposed Project to permit the Authority to make the findings and determinations necessary to proceed with the PDA Plan and the Proposed Project. Housing is appropriate and desirable at this location and is consistent with plans for the South End/Lower Roxbury area and the most suitable development of the neighborhood. The Proposed Project is in the best interest of the public and the City of Boston and will enhance public safety and convenience. The Proposed Project will eliminate a blighted, open, substandard, decadent area, and will support the Northampton Tower affordable housing project approved as the first phase of the Northampton Square redevelopment. The Proposed Project will provide affordable housing in the City of Boston and will enhance the South End/Lower Roxbury neighborhood. Therefore, the staff recommends that the Authority take the following actions: (1) adopt a Report and Decision on the Chapter 121A Project for the Harrison Tower under Massachusetts General Laws Chapter 121A and the Acts of 1960, Chapter 652, as amended (collectively, "Chapter 121A"); (2) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Article 80B, Section 80B-5.3(d) of the Boston Zoning Code (the "Code") determining that the Project Notification Form ("PNF") adequately addresses any impacts of the Proposed Project; (3) authorize the Director to issue Certifications of Compliance for the separate components of the Proposed Project upon successful completion of the Article 80

review, subject to continuing design review; (4) approve the Development Plan for Planned Development Area No. 97, Northampton Square (the "PDA Plan") pursuant to section 80C of the Code and the accompanying Map Amendment; (5) authorize the Director to petition the Boston Zoning Commission for approval of the PDA Plan pursuant to Sections 80C-5 and 80C-6 of the Code, and the accompanying Map Amendment; (6) authorize the Director to issue separate Certificates of Consistency pursuant to Section 80C-8 of the Code for the separate components of the Proposed Project; and (7) authorize the Director to execute Cooperation Agreements, Affordable Housing Agreements, Boston Residents Construction Employment Plans and any and all other documents for the separate components of the Proposed Project that the Director in his sole discretion deems necessary and appropriate and upon terms and conditions determined to be in the best interest of the Authority in connection with the Proposed Project.

Appropriate votes follow:

**VOTED:** That the document presented at this meeting entitled "REPORT AND DECISION ON THE NORTHAMPTON SQUARE PHASE II CHAPTER 121A PROJECT FOR THE APPROVAL, UNDER MASSACHUSETTS GENERAL LAWS, CHAPTER 121A AND THE ACTS OF 1960, CHAPTER 652, BOTH AS AMENDED AND CONSENT TO FORM TRINITY NORTHAMPTON PHASE TWO LIMITED PARTNERSHIP AS A NEW URBAN REDEVELOPMENT LIMITED PARTNERSHIP PURSUANT TO SAID CHAPTER 121A AND CHAPTER 652 FOR THE PURPOSE OF CARRYING OUT OF SUCH PROJECT, AND RELATED MATTERS" (the "Report and Decision") for the Harrison Tower be and hereby is, approved and adopted in all respects; and

**FURTHER**

**VOTED:** That, pursuant to Article 80, Section 80B-5 of the Boston Zoning Code (the "Code"), the Director of the Boston Redevelopment Authority (the "Authority") be, and hereby is, authorized to issue a Scoping Determination, for the Proposed Project, waiving the requirements of further review pursuant to Article 80, Section B-5.3(d) of the Code determining that the Project Notification Form adequately addresses any impacts of the Proposed Project, subject to ongoing Authority design review and design approval; and

**FURTHER**

**VOTED:** That, pursuant to Article 80, Section 80B-6 of the Code, the Director of the Authority be, and hereby is, authorized to issue, when appropriate, Certifications of Compliance for the separate components of the Proposed Project, upon the successful completion of Article 80 review; and

**FURTHER**

**VOTED:** That the Authority hereby approves, pursuant to Article 80C of the Boston Zoning Code (the “Code”), the PDA Plan and the associated Map Amendment, all in substantial accord with the versions presented to the Authority at its public hearing on April 17, 2014; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to petition the Boston Zoning Commission pursuant to Article 80C of the Code to approve the PDA plan and associated Map Amendment, all in substantial accord with the versions presented to the Authority at its public hearing on April 17, 2014; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue Certifications of Compliance for the separate components of the Proposed Project after the Director has determined that each such component of the Proposed Project complies with: (1) the terms of the Scoping Determination; and (2) to the extent applicable, the following provisions of the Code: (a) Section 80B-8, Disclosure of Beneficial Interests, (b) Section 80C-8, Planned Development Area Review, and (c) as to Albany Tower, Article 28, Boston Civic Design Commission Review; and

**FURTHER**

**VOTED:** That the Director of the Authority be, and hereby is, authorized to execute Cooperation Agreements, Affordable Housing Agreements, Boston Residents Construction Employment Plans, and any and all other documents for the separate components of the Proposed Project that the Director, in his sole discretion, deems appropriate and necessary, and upon terms and conditions determined to be in the best interests of the Authority in connection with the PDA Plan and the Proposed Project.

Exhibit A  
Site Plan