

MEMORANDUM

Date: October 25, 2012

To: Donna S. VanderClock, Town Manager
Town of Weston

From: Steven Cecil AIA ASLA

RE: Criteria Review
Josiah Smith Tavern and Old Library
Urbanica, Inc. Proposal

Copies: Peter Smith, Peter Smith Associates
Emily Innes, The Cecil Group

The Cecil Group recommends that Urbanica, Inc. be designated as the preferred developer for the Josiah Smith Tavern and Weston Old Library site consistent with the process as described in the Request for Proposals (RFP) issued April 5, 2012. The Cecil Group is a consultant providing advisory services to the Town of Weston under the direction of the Town Manager, Donna VanderClock.

We have based this recommendation on our initial finding that all submittal elements have been provided to a level sufficient for advancing this designation. This information includes the original proposal from Urbanica, Inc., dated July 20, 2012, the subsequent letter responding to additional questions, dated October 9, 2012, a letter from Brookline Bank dated October 24, 2012, and reference checks that we conducted.

We have provided a summary of our observations which is attached to this memorandum and is based on our evaluation of this proposal, using the threshold and evaluation criteria as defined in the RFP. Should the Board of Selectmen designate Urbanica as the preferred developer, the subsequent process as defined within the RFP would include the negotiation and execution of a Letter of Intent; a due diligence process and a negotiation process prior to the execution of a Purchase and Sale agreement and a Land Disposition Agreement; and a vote on the negotiated proposal by Town Meeting in May 2013.

ATTACHMENT

Urbanica, Inc.

Criteria Review

Adaptive Reuse of the Josiah Smith Tavern and Old Library, Town of Weston

October 25, 2012

Prepared by The Cecil Group, Inc.

We have reviewed the proposal of Urbanica, Inc. for the adaptive reuse of the Josiah Smith Tavern and Old Library relative to its compliance with the criteria requirements contained in the Request for Proposals, Disposition of Interest in Real Property and Adaptive Reuse of the Josiah Smith Tavern and Old Library, April 5, 2012 and addendum.

The criteria were divided into two types: Threshold Criteria, which must be met, and Evaluation Criteria, which are weighted according to the priorities of the Town.

Threshold Criteria

The proponent meets the Threshold Criteria. The proponent has responded for request for further clarifications in his letter of October 9, 2012 to our satisfaction and has submitted a letter from Brookline Bank dated October 24, 2012.

Evaluation Criteria

The maximum possible score is 42. The proponent's score on the Evaluation Criteria is as follows:

Evaluation Criteria

Heritage and Character		
1. Historic Preservation		
<i>1.1 Building Exterior</i>	Highly Advantageous	3
<i>1.2 Building Interior</i>	Highly Advantageous	3
2. Availability of Building for Active Public Use	Highly Advantageous	3
3. Aesthetic Integrity of the Town Center	Highly Advantageous	3
4. Community Orientation	Highly Advantageous	3
5. Enhanced Vibrancy of the Town Center	Advantageous	2
Town Funding and Management		
6. Financial Sustainability	Advantageous	2
7. Comprehensiveness	Highly Advantageous	3
8. Town Risk	Advantageous	3
9. Town Costs (CPA Sources)	Advantageous	2
10. Town Control	Highly Advantageous	3

Impacts		
11. Traffic	Advantageous	2
12. Parking	Advantageous	2
13. Environment	Advantageous	2
14. Abutting Property	Advantageous	2
Total Weighting		38

We have provided more detailed notes below on the items rated advantageous.

- 1. Historic Preservation – Although we rated this highly advantageous, this criterion is an area of some concern to the Town and so we have provide further detail. Of the references we contacted, two with direct experience of the yoo D4 South End project noted that that project was a combination of historical renovation and new construction. The exterior, at a minimum, was required to be restored consistent with the *Secretary of Interior Standards for Historic Preservation*. One reference noted that the proponent as chosen for this project because of their design which blended the old with the new.
- 5. Enhanced Vibrancy of the Town Center – This received a score of advantageous because while the residential and bed-and-breakfast uses for the site will provide increased activity during the evening, these uses do not allow full public uses of the site. The spaces set aside for the Weston Historical Society and the Women’s Community League and the café will provide an important public component to the proposal.
- 6. Financial Sustainability – This letter from Brookline Bank dated October 24, 2012 describes three prior loans of between \$2,500,000 and \$15,000,000. Two of these were repaid on time and the third was repaid ahead of schedule. All three loans were for construction projects completed in 2005. The letter indicates that the proponent’s credit is good and that they would place priority on a loan request in the amount of \$2,500,000 (the amount on page 82 of the proposal) although funding would be subject to the bank’s lending process and requirements. We rated this category advantageous because of his demonstrated financial track record and resources. There will be further assessment of his financial qualifications and more solid lender underwriting and interest prior to Town Meeting or CPA final approval.
- 8. Town Risk – Although we rated this highly advantageous, this criterion is an area of some concern to the Town and so we have provided further detail. Town Risk as defined in the Evaluation Criteria involves the financial risk to the Town if the project is not complete. Some of the references we contacted provided details that are relevant



to this section. One, who has worked with him on various projects since the 1980's, noted that the proponent brought a recent project in on time and under budget. Another reference, who has worked on various projects with him over the past fifteen years, noted that the proponent always completes his projects.

- 9. Town Costs (CPA Sources) – The criteria as written assumed submittal of more than one proposal. The proponent does require CPA funds and will need to work with the Community Preservation Committee to determine the amount of those funds and the designated purposes.
- 11. Traffic – The proposal provides for a set of uses that represent an increase in the number of people using this site. We expect that there may be some effect on traffic in the area which should be quantified during the due diligence process.
- 12. Parking – The proposal indicates that parking for all uses will be provided for on-site. It is reasonable to assume that some people will choose to use on-street parking which is available in that area. The effect on parking should be quantified during the due diligence process.
- 13. Environment – The proponent has provided for additional landscaping and garden area and understands that wetlands are on the site that will need to be protected. Precise quantification of this issue should be accomplished during the due diligence process.
- 14. Abutting Property – The proposal appears to meet current zoning requirements, but the proponent has identified at least one item which will require a variance. A full list of waivers or variances required for this project should be developed during the due diligence process.

We have attached the following itemized matrix of the criteria requirements, both threshold and evaluation, for your reference.



Threshold Criteria

1. Complete use of at least one site Component	
No proposal will be accepted for reuse, improvement or stabilization of only a portion of either the Tavern Component or Library Component that are the subject of this RFP.	✓
2. Demonstration of financial capacity	
The proposing entity must demonstrate the financial capacity to maintain and operate the premises for the term of the agreement without any operating or ongoing subsidy or expense to the Town. This will include but not be limited to the financial capacity of the proponent to make purchase or lease payments, initial capital improvements not funded by agreement with the Town, taxes, insurance, utilities, maintenance and capital replacement reserves, common charges for shared parking, site maintenance or site septic systems, or any other cost that would be otherwise be the Town's responsibility.	✓
3. Compliance with all applicable historic preservation restrictions	
The reuse and renovation must comply with all existing historic preservation restrictions applicable to the structures.	✓
4. Restriction on demolition	
None of the structures subject to the RFP may be demolished.	✓
5. Conformance with Town CPA funding requirements	
The reuse or renovation must be consistent with the legal standards and public purposes associated with the Town's previous or the Developer's proposed use of Community Preservation Act funds for any of the buildings.	✓
6. Conformance with applicable Massachusetts regulations	
The reuse proposal must have no apparent inconsistency with any applicable Massachusetts regulations and standards that would make the project infeasible. These regulations and standards include, but are not limited to wastewater and stormwater regulations, wetlands and waterways, building codes, and accessibility.	✓
7. Completeness of application	
The application must meet all submission requirements in Section IV. Proposal Submission Requirements, including the completion of all forms.	✓

Evaluation Criteria

Heritage and Character		Goal: Retain integrity and provide active use		
1. Historic Preservation	Compliance with existing historic preservation deed restrictions on the Josiah Smith Tavern and Barn is a threshold criterion. The following criteria will be applied to those proposals that have demonstrated their compliance with this threshold.			
<i>1.1 Building Exterior</i>				
Highly Advantageous	Restores and maintains building exteriors meeting <i>Secretary of Interior Standards for Historic Preservation</i> .	3	Y	
Advantageous	Restores and maintains building exteriors in a historically sensitive manner, but without full compliance with the <i>Secretary of Interior Standards for Historic Preservation</i> .	2		
Not Advantageous	Has significant exterior alterations that are prominently visible and inconsistent with the historic character of the original building.	1		3
<i>1.2 Building Interior</i>				
Highly Advantageous	Restores and maintains building interiors meeting Secretary of Interior Standards for Historic Preservation.	3	Y	
Advantageous	Restores and maintains building interiors in a historically sensitive manner, but without full compliance with the Secretary of Interior Standards for Historic Preservation.	2		
Not Advantageous	Substantially changes interiors in a manner that is inconsistent with the historic character.	1		3
2. Availability of Building for Active Public Use				
Highly Advantageous	Provides one or more civic-oriented uses, services or shops that are likely to be frequently used by a broad range of citizens or patrons described and demonstrated in the proposal.	3	Y	
Advantageous	Provides one or more uses that are open to the public, but none that are likely to be frequented by a broad range of citizens and patrons as described and demonstrated in the proposal.	2		
Not Advantageous	Does not propose any use that is normally open to the public.	1		3
3. Aesthetic Integrity of the Town Center				
Highly Advantageous	Improves and maintains the exterior appearance of the existing buildings, provides for landscape improvements visible from the street similar to nearby areas, and limits views of parked cars from the adjacent streets.	3	Y	
Advantageous	Improves and maintains the exterior appearance of the existing buildings, does not provide for landscape improvements visible from the street that are similar to nearby areas, but limits views of parked cars from the adjacent streets.	2		

Not Advantageous	Improves and maintains the exterior appearance of the existing buildings, does not provide for landscape improvements visible from the street that are similar to nearby areas, does not limit views of parked cars.	1		
No Benefit	Does not improve or maintain the exterior appearance of the existing buildings, does not provide for landscape improvements visible from the street that are similar to nearby areas, does not limit views of parked cars.	0		3
4. Community Orientation				
Highly Advantageous	Provides at least one use that will primarily involve and benefit a high number and broad range of citizens of Weston as users and patrons.	3	Y	
Advantageous	Provides at least one use that will primarily involve and benefit a relatively small number or relatively limited range of citizens of Weston as users and patrons.	2		
Not Advantageous	Provides uses that are available and will benefit citizens of Weston to the same degree as users and patrons from elsewhere.	1		
No Benefit	Provides all uses that primarily involve users or patrons from other communities.	0		3
5. Enhanced Vibrancy of the Town Center				
Highly Advantageous	Significantly increases activity on the site from current conditions and provides uses that include activity during weekdays, evenings and weekends for a wide spectrum of users such as patrons, citizens and visitors and employees.	3		
Advantageous	Increases the activity on the site and provides uses that include activity during weekdays, evenings and weekends for a wide spectrum of users such as patrons, citizens and visitors and employees.	2	Y	
Not Advantageous	Increases the activity on the site and provides uses that include limited activity during portions of weekdays, evenings or weekends or engages a limited range of users such as patrons, citizens and visitors and employees.	1		
No Benefit	Maintains or reduces the same level of activity as current conditions.	0		2
Town Funding and Management	Goal: Lower cost, risk, and maintain Town controls			
6. Financial Sustainability				
Highly Advantageous	Provides evidence of substantial financial capabilities and specific enforceable mechanisms to ensure financial sustainability without relying on Town expenditures. A lease agreement would be for a long duration.	3		

Advantageous	Provides evidence of limited financial capabilities and specific enforceable mechanisms to ensure financial sustainability without relying on Town expenditures.	2	Y	
Not Advantageous	Provides limited evidence of limited financial capabilities and no enforceable mechanisms to ensure financial sustainability without relying on Town expenditures. A lease agreement would be for a short duration.	1		2
7. Comprehensiveness				
Highly Advantageous	The proposal includes all the buildings and site.	3	Y	
Advantageous	The proposal includes one Component and has no restrictions regarding the use or redevelopment plan for the other Component that would limit the Town's options and actions.	2		
Not Advantageous	The proposal includes one Component and has proposed restrictions regarding the use or redevelopment plan for the other Component that would limit the Town's options and actions.	1		3
8. Town Risk				
Highly Advantageous	The Town is unlikely to incur any significant costs in the event of the failure of the proponent or of its tenants to complete the proposed improvements, maintain or use the property as described in the proposal because of the characteristics of the use and improvements.	3	Y	
Advantageous	The Town is likely to incur significant short term costs in the event of the failure of the proponent or of its tenants to complete the proposed improvements, maintain or use the property as described in the proposal because of the characteristics of the use and improvements.	2		
Not Advantageous	The Town is likely to incur significant short term and long term operating and maintenance costs in the event of the failure of the proponent or of its tenants to complete the proposed improvements, maintain or use the property as described in the proposal because of the characteristics of the use and improvements.	1		3
9. Town Costs (CPA Sources)				
Highly Advantageous	The proponent requires no Town funds (CPA fund resources) to provide for capital improvements associated with their proposal.	3		
Advantageous	The proponent requires some Town funds (CPA fund resources) to provide for capital improvements associated with their proposal within the ranges described in this RFP, but less than all other proposals.	2	Y	

Not Advantageous	The proponent requires some Town funds (CPA fund resources) to provide for capital improvements associated with their proposal within the ranges described in this RFP, but more than at least one other proposal.	1		
No Benefit	The proponent requires some Town funds (CPA fund resources) to provide for capital improvements associated with their proposal but exceeds the ranges described in this RFP.	0		2
10. Town Control				
Highly Advantageous	Proposes measures for providing Town control to ensure the consistency of the project with the approved Disposition Agreement using reliable and practical enforcement mechanisms.	3	Y	
Advantageous	Does not include measures for providing Town control to ensure the consistency of the project with the approved Disposition Agreement using reliable and practical enforcement mechanisms.	2		
Not Advantageous	Restricts future Town control to ensure the consistency of the project with the approved Disposition Agreement using reliable and practical enforcement mechanisms.	1		3
Impacts	Goal: Minimize, mitigate or make compatible			
11. Traffic				
Highly Advantageous	The proposal would not trigger off-site mitigation to meet typical safety standards for traffic operations directly attributable to the increased traffic demand or circulation patterns created by the project.	3		
Advantageous	The proposal would trigger off-site mitigation at proponent's full expense to meet typical safety standards for traffic operations directly attributable to the increased traffic demand or circulation patterns created by the project.	2	Y	
Not Advantageous	The proposal would trigger off-site mitigation, expenses to be shared jointly between the Town and the proponent, to meet typical safety standards for traffic operations directly attributable to the increased traffic demand or circulation patterns created by the project.	1		
No Benefit	The proposal would trigger off-site mitigation at full Town expense to meet typical safety standards for traffic operations directly attributable to the increased traffic demand or circulation patterns created by the project.	0		2
12. Parking				

Highly Advantageous	The proposal can provide for normal peak parking requirements associated with its uses without compromising the ability to occupy and use all of the buildings on the campus. The parking supply consists of dedicated parking spaces or shared parking spaces on the “campus” with no reliance on nearby-on street parking and is consistent with the Town zoning and discretionary approval process.	3		
Advantageous	The proposal can reasonably provide for normal peak parking requirements associated with its uses without compromising the ability to occupy and use all of the buildings on the campus. The parking supply consists of dedicated parking spaces or shared parking spaces on the “campus” and reasonable reliance on nearby-on street as provided for within the Town zoning and discretionary approval process.	2	Y	
Not Advantageous	The proposal cannot reasonably provide for normal peak parking requirements associated with its uses and compromises the ability to fully occupy and use all of the buildings, taking into account dedicated parking spaces or shared parking spaces on the “campus,” and reasonable reliance on nearby-on street parking without changes the Town zoning and discretionary approval process.	1		2
13. Environment				
Highly Advantageous	The proposal provides measures that would enhance the existing environment and would also mitigate any anticipated environmental impacts at the site at the proponent’s cost using technology, design, best management practices or other methods.	3		
Advantageous	The proposal provides measures at the proponent’s cost to mitigate any anticipated environmental impacts using technology, design, best management practices or other methods.	2	Y	
Not Advantageous	The proposal provides measures that would require Town expenditures to mitigate at least some anticipated environmental impacts using technology, design, best management practices or other methods.	1		2
14. Abutting Property				
Highly Advantageous	The proponent meets all zoning standards and provides specific measures to enhance the visual buffer relative to the adjacent property.	3		
Advantageous	The proponent meets all zoning standards.	2	Y	
Not Advantageous	The proposal does not meet the minimum zoning standards but suggests alternative approaches to address setbacks and relationships to abutting property, subject to Town Meeting and other approvals.	1		
No Benefit	The proposal does not meet zoning standards and does not suggest alternative approaches.	0		2
		Total Weighting		38