

MEMORANDUM

OCTOBER 17, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
MICHAEL CANNIZZO, SENIOR ARCHITECT / URBAN DESIGNER
JOHN DALZELL, SENIOR ARCHITECT / URBAN DESIGNER
TYLER NOROD, SENIOR PROJECT MANAGER

SUBJECT: THE COMMONS AT FOREST HILLS STATION, JAMAICA PLAIN

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), Large Project Review of the Boston Zoning Code (“Code”) for The Commons at Forest Hills Station project, located in Jamaica Plain (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) recommend approval to the City of Boston Zoning Board of Appeals on petitions BZC-33122 and BZC-33123 for zoning relief necessary to construct the Proposed Project; and (3) execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction, a Boston Residents Construction Employment Plan, along with any and all other agreements and documents that the Director deems appropriate and necessary in connection with Article 80B review of the Proposed Project.

LOCATION AND SITE DESCRIPTION

The Commons at Forest Hills Station project is located at 3593-3615 Washington Street in Jamaica Plain on an approximately 122,172 square foot (2.8 acre) parcel of land (the “Project Site”). Forest Hills Station, which offers access to several bus lines, commuter rail, and Orange Line trains, is only 0.15 miles away providing the excellent access to public transportation. The Project Site is bounded by Washington Street to the east; a retaining wall, ranging up to 18 feet in height, separating the Massachusetts Bay Transportation Authority (“MBTA”) rail tracks to the west; Burnett Street and several two- and three-family residences to the north; and a small MBTA substation building to

the south. The large MBTA owned Arborway Bus Yard lies directly across Washington Street. The Project Site is divided by a Boston Water and Sewer Commission (“BWSC”) easement that runs from east to west. Three partially occupied one- and two-story brick industrial buildings surrounded by surface parking lots are currently located on the Project Site. The land was formerly in use by the Hughes Oil Company for storage. As such the Project Site will require environmental remediation of any potential hazardous materials as part of the proposed development.

PROPOSED PROJECT

The development proposal calls for the redevelopment of an underutilized former industrial site which was used for approximately 100 years as a petroleum product distribution depot. The proposed The Commons at Forest Hills Station Project includes approximately 283 residential units, active ground floor uses and open space (the “Proposed Project”). Approximately 9,000 square feet of commercial/retail and amenity space is programmed in addition to publicly-accessible open space and streetscape improvements such as upgraded street trees, new lighting, and a bicycle lane on Washington Street.

The Proposed Project’s design reflects the principles of the 2008 BRA Forest Hills Improvement Initiative, which called for dense commercial and residential development on publicly-owned parcels that surround the MBTA’s Forest Hills Station. The end goal is a more walkable neighborhood with street-facing residential, commercial and retail space. The Proposed Project will increase pedestrian activity in the area and many residents and visitors alike will access the Project Site via public transit or the adjacent Southwest Corridor Park bicycle path. In addition, environmental quality will be enhanced on the Project Site as part of an extensive five year cleanup effort wherein excess of 30,000 tons of contaminated soil has been removed.

The Proposed Project will consist of four main buildings. These include one smaller building on the southern portion of the Project Site that is divided due to the BWSC easement running through the Project Site from the three other attached buildings. The residential units in all four buildings will include studios, one-, two-, two- plus a den, and three-bedroom units including some units designed as townhouse-style units. The Proposed Project will incorporate various sustainable building measures and will be Leadership in Energy and Environmental Design (“LEED”) certifiable as required by Article 37 of the Code with a goal of LEED Silver.

The Proposed Project will accommodate residential parking in an enclosed ground level podium in all four buildings. A small section of surface parking will also be created along the new “community street” spanning the BWSC easement that will service the Proposed Project’s commercial/retail space. In line with the Boston Transportation

Department (“BTD”) parking guidelines for reduced parking for transit oriented developments, the Proposed Project has been designed to accommodate a 0.6 ratio of parking spaces for the residences. Given its excellent proximity to public transportation and the Southwest Corridor Park bicycle path the Proposed Project has also been designed to include approximately 250 secure bicycle parking spaces for residents and visitors.

The Proposed Project is estimated to cost approximately \$95 million. Construction of the Proposed Project is estimated to last 24 months, with initial demolition work expected to begin in the spring/summer of 2014 and be completed in late 2016.

PROJECT TEAM

The Proposed Project is being proposed by Forest Hills Arborway, LLC, which is a partnership between The Brennan Group and John M. Corcoran and Company (the “Proponent”).

The architect for the Proposed Project is Utile, Inc.; the landscape architect is Offshoots, Inc.; legal counsel to the Proponent is Brennan, Dain, Le Ray, Weist, Torpy & Garner, P.C.; permitting consultant is Fort Point Associates; transportation consultation was provided by Howard/Stein-Hudson Associates, Inc.; McPhail Associates are the team’s geotechnical consultants; and H.W. Moore Associates, Inc. provided civil engineering services.

ZONING

Map 9C of the Boston Zoning Maps indicates that the Project Site is located within an LI, or Local Industrial, subdistrict of Article 55 of the Code, the Jamaica Plain Neighborhood District. The Proposed Project is located outside of the Restricted Parking Overlay District, the Groundwater Conservation Overlay District, and the Greenbelt Protection Overlay District.

The Proposed Project requires zoning relief for its principal use of multi-family residential housing, and also for certain other potential uses at the Project Site, including take-out restaurant, day care center, and fitness center. In addition, the Proposed Project will require dimensional zoning relief for its height, floor area ratio, front and rear yard setbacks, and the design of its off-street parking spaces.

ARTICLE 80 REVIEW

On June 18, 2013, the Proponent filed a Letter of Intent in accordance with the BRA’s policy regarding Provision of Mitigation by Development Projects in Boston. On July 22, 2013, the Proponent filed a Project Notification Form with the BRA pursuant to

Article 80B of the Code. Notice of receipt by the BRA of the PNF was published in the *Boston Herald* on July 22, 2013, initiating the public comment period.

The PNF notice and the PNF were sent to the City's public agencies by the BRA pursuant to Section 80A-2 of the Code. Pursuant to Section 80B-5.3(c) of the Code, a scoping session was held on August 13, 2013 with the City's public agencies at which the Proposed Project was reviewed and discussed. The BRA convened a public meeting for the community's review and comment on August 21, 2013 at Curtis Hall at 20 South Street in Jamaica Plain. The public meeting was advertised in *Jamaica Plain Gazette*. In response to community feedback the comment period was extended from September 9, 2013 to October 11, 2013 and a second BRA sponsored public meeting was held on September 21, 2013 in the auditorium at Boston English High School in Jamaica Plain.

An Impact Advisory Group ("IAG") was also formed as part of the review process for the Proposed Project. A total of three IAG meetings were held. The first on August 12, 2013 at the E19 Police Station in Roxbury, the second on August 14, 2013 at Curtis Hall in Jamaica Plain, and the third on September 18, 2013 at the E19 Police Station.

In addition to these BRA sponsored meetings, the Proponent attended more than 15 meetings with individuals and local groups, including the Stony Brook Neighborhood Association, the Jamaican Plain Neighborhood Council, Washington Business Street Association, Child Street Neighborhood Association, and the Egleston Main Streets.

Since submitting the PNF, the Proponent has made a number of modifications to the Proposed Project's design in direct response to both BRA and community feedback. These include:

- Reorienting Building "A" to provide a more urban character for the development by reorganizing the exposed surface parking spaces along Washington Street and strengthening the sense of a consistent streetwall along the Project Site. The result is a more pedestrian friendly environment along this important corridor;
- Redesigning the land where the BWSC easement is located to function as a "community street" that allows for surface parking for retail while accommodating bike and pedestrian circulation with a safe and convenient connection to the future Southwest Corridor Park Extension should it become a reality. The landscaping and paving treatment of this area will support the shared use of the space for pedestrians, bicycles, automobiles, and community events;
- Massing on the Proposed Project's northern edge has been further stepped back so to significantly minimize any net new shadow impacts on the existing Burnett Street Residences;

- The sidewalk and landscape buffer along Washington Street has been widened providing additional room for seating as well as additional space for retail and lobby entrances.
- Ground floor housing units along Washington Street in Buildings “B”, “C”, and “D” have been deepened, from eighteen (18) to twenty-five (25) feet, to allow for future use as commercial/retail space or artist studios should there be sufficient market demand;
- The approximate total retail space has increased; and
- The number of “family style” units, consisting of two-bedroom with dens and three-bedroom units, were increased from 4% of the total unit count to 11%. In addition, all units have been designed to be 10-20% larger than the minimum transit oriented development requirements established by the BRA.

PUBLIC BENEFITS

The Proposed Project will offer the City of Boston and the surrounding community the following public benefits:

- Providing 283 new non-luxury residential units which will aid in achieving the City’s goal of creating 30,000 new units of housing by 2020;
- Providing 250 secure bicycle parking spaces;
- Providing electric vehicle and clean vehicle parking and repowering facilities;
- Transforming an underutilized parcel of land into a vibrant, mixed-use, pedestrian and bicycle friendly development;
- Providing ground floor commercial, retail and open space to activate the public realm;
- The environmental cleanup of a 100 year old fuel oil distribution facility;
- The Proposed Project will act as a catalyst to help reinvigorate the rest of the Washington Street Corridor;
- Improve the walkability of the corridor by providing new sidewalks, new period lighting, and new planting of green space and trees along Washington Street;
- An increase in annual property tax revenues of approximately \$500,000;
- Increased affordable housing in addition to the 15% required as part of the Mayor’ Executive Order as further described below;
- Approximately 11% of the residential units will be constructed as “family sized” units consisting of two-bedroom units with a den or three bedroom units;
- The Proponent will contribute \$25,000 to the BRA prior to the issuance of the building permit for the Proposed Project to be granted to the Stony Brook Neighborhood Association, or a related community group, to be used to further the planning and design efforts of the Southwest Corridor Extension abutting the Project Site;
- Design the Proposed Project in anticipation of access to the potential Southwest Corridor Extension through the Project Site;

- The creation of new construction and permanent jobs;
- The accommodation of at least two parking spaces for car share services with the potential for more given market demand;
- Design/implement a new bike lane along a portion of Washington Street adjacent to the Proposed Project;
- The creation of a new “community street” along the BWSC easement between Building “A” and Buildings “B”, “C”, and “D”;
- The Proposed Project will be LEED certifiable;
- Design and implementation of a new crosswalk at the corner of South Burnett and Washington Street depending on discussions with BTB;
- Implement improvements to traffic controls signal timing at the intersection of Washington and McBride Streets during all peak hours;
- Design and implement a left turn storage lane northbound on Washington Street at Rossmore and McBride Streets; and
- Work with BTB to fund and conduct a traffic study examining traffic counts, cut-through traffic, and traffic calming measures in the neighborhood.

AFFORDABLE HOUSING

In accordance with the Inclusionary Development Policy, as amended through September 27, 2007, effective October 3, 2007 (as so amended, the “IDP”), the development of the Proposed Project requires the creation of an amount of affordable housing units equal to fifteen percent (15%) of the market-rate housing units included in the Proposed Project. In response to community feedback, the Proponent has promised to increase the Proposed Project’s affordable housing commitment in excess of the 15% required through the IDP from the originally proposed thirty-seven (37) on-site units of affordable housing at 70% area median income (“AMI”) to a total to forty (40) on-site affordable units with a deeper AMI and more family friendly spread of unit types (the “Affordable Units”). Five (5) of the affordable units will be made affordable to households earning up to 50% of AMI; thirty-two (32) of the units will be offered to households earning up to 70% AMI, and three units will be made available to households earning up to 100% AMI. Of these units, a minimum of five (5) of the affordable units will be reserved for “family sized” units which consist of either two-bedroom units with a den or three-bedroom units. One (1) two-bedroom with a den will be made affordable to households earning up to 50% of AMI and a second two-bedroom unit with a den will be made affordable to households earning up to 70% of AMI. The remaining three (3) “family sized” affordable units will be three-bedroom units with one unit each at 50% AMI, 70% AMI, and 100% AMI. This will result in approximately 23% of all “family sized” units as being affordable. The allocation of income levels for each unit type of the Affordable Units is as provided below. The final size, location, square footage, finishes and attributes of the Affordable Units will be approved by Authority staff.

| Type of Unit | Total # of Affordable Units | # of Units at 50% AMI | # of Units at 70% AMI | # of Units at 100% AMI | # of Market Rate Units |
|------------------------|-----------------------------|-----------------------|-----------------------|------------------------|------------------------|
| Studios | 6 | 0 | 6 | 0 | 40 |
| 1 Bedroom | 16 | 2 | 13 | 1 | 99 |
| 2 Bedroom | 13 | 1 | 11 | 1 | 78 |
| 2 Bedroom + Den | 2 | 1 | 1 | 0 | 13 |
| 3 Bedroom | 3 | 1 | 1 | 1 | 13 |
| Total | 40 | 5 | 32 | 3 | 243 |

The Proponent will enter into an Affordable Rental Housing Agreement(s) and Restriction(s) with the BRA for the Affordable Units. The Proponent has agreed to submit an Affirmative Marketing Plan to the Boston Fair Housing Commission and the Authority for the Affordable Units. Preference for the Affordable 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 Affordable Units will not be marketed prior to the submission and approval of the Affirmative Marketing Plan. The Affordable Rental Housing Agreement(s) and Restriction(s) will be recorded to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with an Authority option to extend for an additional period of twenty (20) years). The income household of any subsequent tenant of the Affordable Units during this fifty (50) year period must fall within the applicable income limit for each Affordable Unit.

RECOMMENDATION

Approvals have been requested of the BRA pursuant to Section 80B of the Code for the issuance of a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the issuance of a Certification 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 BRA may issue a Scoping Determination Waiving Further Review if the PNF, together with any additional material and comments received by the BRA prior to the issuance of the Scoping Determination, are found to adequately describe the impact of the Proposed Project and offer appropriate mitigation of such impacts.

BRA staff believes that the PNF meets 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) recommend approval to the ZBA on Petitions BZC-33122 and BZC-33123 for zoning relief necessary to construct the execute and deliver a Cooperation Agreement, an Affordable Rental Housing Agreement and Restriction and a Boston Residents Construction Employment Plan in connection with the Proposed Project.

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, which (i) finds that the Project Notification Form adequately describes the potential impacts arising from The Commons at Forest Hills Station Project, located in Jamaica Plain (the "Proposed Project"), and provides sufficient mitigation measures to minimize these impacts, and (ii) waives further review of the Proposed Project under subsections 4 and 5 of Section 80B-5 of the Boston Zoning Code, subject to continuing design review by the Boston Redevelopment Authority (the "Authority"); 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 Authority Board be, and hereby is, authorized to recommend approval to the City of Boston Zoning Board of Appeal on Petitions BZC-33122 and BZC-33123 for zoning relief necessary to construct the Proposed Project; and

FURTHER

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