

MEMORANDUM

**BOARD APPROVED**

NOVEMBER 15, 2018

**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  
TIM CZERWIENSKI, PROJECT MANAGER

**SUBJECT:** PUBLIC HEARING TO CONSIDER THE DEVELOPMENT PLAN FOR  
PLANNED DEVELOPMENT AREA NO. 121, KENMORE SQUARE  
REDEVELOPMENT PROJECT IN THE KENMORE NEIGHBORHOOD OF  
BOSTON, AND TO CONSIDER THE KENMORE SQUARE  
REDEVELOPMENT PROJECT AS A DEVELOPMENT IMPACT PROJECT

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**SUMMARY:** This Memorandum requests, in connection with the public hearing on the proposed Kenmore Square Redevelopment project, proposed by Related Beal (the "Proponent") and located at 650 Beacon Street, 652-654 Beacon Street, 656 Beacon Street, 660 Beacon Street, 533 Commonwealth Avenue, 535-539 Commonwealth Avenue, and 541 Commonwealth Avenue in the Kenmore neighborhood of Boston (as further described below, the "Proposed Project"), that the Boston Redevelopment Authority ("BRA") d/b/a Boston Planning & Development Agency ("BPDA"), acting by and through the vote of its Board of Directors (the "Board"), (1) approve the Development Plan for Planned Development Area No. 121, Kenmore Square Redevelopment Project (the "Development Plan") pursuant to Section 80C of the Boston Zoning Code (the "Code"); (2) authorize the Director of the BPDA (the "Director") to petition the Boston Zoning Commission ("BZC") for approval of the Development Plan pursuant to Sections 3-1A.a and 80C of the Code; (3) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Section 80B-5.3(d) of the Code for the Proposed Project; (4) authorize

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

the Director of the BPDA to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (5) authorize the Director of the BPDA to issue one or more Certifications of Consistency or Partial Certifications of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code, upon successful completion of the Article 80C Planned Development Area Review process; (6) approve the Proposed Project as a Development Impact Project (a "DIP") within the meaning of Section 80B-7 of the Code; and (7) take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering one or more Development Impact Project Agreement(s), Cooperation Agreement(s), and Boston Residents Construction Employment Plan Agreement(s), along with any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project and the Development Plan.

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## **PROJECT SITE**

The project site is an approximately 48,654 square-foot site currently containing seven buildings: 650 Beacon Street, 652-654 Beacon Street, 656 Beacon Street, 660 Beacon Street, 533 Commonwealth Avenue, 535-539 Commonwealth Avenue, and 541 Commonwealth Avenue. The project site is bounded by Beacon Street and Commonwealth Avenue to the south, Deerfield Street to the west, an existing building at 11-19 Deerfield Street and a parking lot to the north, and an existing building at 642-648 Beacon Street to the east (the "Project Site"). The Project Site is adjacent to the MBTA Green Line Kenmore station, as well as several key MBTA bus routes, and is near proximity to a commuter rail station. The Project Site is in close proximity to Fenway Park and other entertainment and cultural uses. The Project Site is easily accessible to open space resources, including the Charles River Esplanade, the Commonwealth Avenue Mall, and the Back Bay Fens.

## **DEVELOPMENT TEAM**

The Development Team for the Proposed Project consists of:

**Proponent:** RREF II Kenmore Lessor II LLC and RREF II Kenmore Lessor III LLC, c/o Related Beal, LLC  
Alex Provost  
Andrew Hayes

**Architect:** Roger Ferris + Partners  
Roger Ferris, AIA, RIBA  
Katherine Dinneen, AIA  
Jake Watkins, AIA

**Executive Architect:** Stantec  
Larry Grossman, AIA

**Landscape Architect:** Kyle Zick Landscape Architecture, Inc.  
Kyle Zick, ASLA

**Legal Counsel:** Nutter McClennen & Fish, LLP  
Mary Marshall

**Permitting Consultants:** Epsilon Associates, Inc.  
Geoff Starsiak

**Transportation Consultant:** VHB  
Sean Manning

**Civil Engineer:** VHB  
Mark Junghans

**DESCRIPTION AND PROGRAM**

The Proposed Project will be developed by RREF II Kenmore Lessor II LLC and RREF II Kenmore Lessor III LLC, each a Delaware limited liability company, and each of their successors and assigns (together the “Proponent”). The Proponent holds long term ground lease interests in the Project Site by virtue of long term leases (collectively or individually a “Lease”) from the Trustees of Boston University, the owner of the fee interest in the Project Site. The Proponent owns the existing improvements located on the Project Site and will own the future Commonwealth Building (as defined below) and Beacon Building (as defined below) in fee simple, subject to the terms of the Lease. The Proposed Project contemplates two distinct

developments on two separate parcels. Each of these development parcels may in the future be owned and developed by individual developers.

The Proposed Project entails new buildings on two sites: 533-541 Commonwealth Avenue (the “Commonwealth Redevelopment Parcel”) and 650-660 Beacon Street (the “Beacon Redevelopment Parcel”). As currently designed, the redevelopment of the Commonwealth Redevelopment Parcel entails the demolition of the existing buildings and the construction of an eight (8)-story, approximately 112-foot tall commercial building, including approximately 8,000 square feet of ground floor retail space and approximately 119,000 square feet of office space above, provided however that not more than 139,700 square feet of floor area devoted to office and retail uses may be authorized under the Development Plan described below (the “Commonwealth Building”). Two floors of below-grade parking, including approximately 60 spaces, will be at the basement levels. The redevelopment of the Beacon Redevelopment Parcel will include the approximately 66,000 square foot renovation of 660 Beacon Street, which will be connected to an approximately 76,500 square foot new building in place of 650-656 Beacon Street (the “Beacon Building”). The new construction portion will be approximately seven (7) stories and approximately 100 feet tall. The Beacon Building will include approximately 125,000 square feet of office space above approximately 20,500 square feet of ground floor and below-grade retail space, provided however that not more than 160,050 gross floor area of office or retail space may be authorized under the Development Plan described below.

## **ARTICLE 80 REVIEW PROCESS**

On January 26, 2018, the Proponent filed a Letter of Intent for the Proposed Project in accordance with the Executive Order regarding Provision of Mitigation by Development Projects in Boston. The Proponent filed a Project Notification Form (“PNF”) for the Proposed Project on May 10, 2018. Notice of the receipt by the BPDA of the PNF was published in the *Boston Herald* on May 10, 2018, initiating a thirty (30) day public comment period. The notice and the PNF were sent to the City’s public agencies pursuant to Section 80A-2 of the Code.

Pursuant to Section 80B-5.3 of the Code, a Scoping Session was held on May 23, 2018 with the City’s public agencies during which the Proposed Project was reviewed and discussed.

On May 24, 2018, the BPDA held a Public Meeting to discuss the PNF in Boston University's Kenmore Classroom Building at 565 Commonwealth Avenue. The meeting was advertised in the *Boston Guardian* and the *Boston Sun*, listed on the BPDA website, and distributed to the Fenway email list.

An Impact Advisory Group ("IAG") meeting was held on June 6, 2018. The IAG meeting was listed on the BPDA website, and distributed to the Fenway email list.

On July 25, 2018, the BPDA issued a Request for Supplemental Information for the Proposed Project, which stated that the BPDA would not require the preparation of a Draft Project Impact Report for the Project. Instead, the BPDA requested the preparation of a Supplemental Information Document ("SID") in which the Proponent would provide more details on certain aspects of the Proposed Project and respond to comments received during the public review process on the PNF.

On September 26, 2018, the Proponent filed the associated Development Plan and SID, initiating a forty-five (45) day public comment period. On October 22, 2018, the BPDA held a Public Meeting to discuss the Development Plan in Boston University's Kenmore Classroom Building at 565 Commonwealth Avenue. The meeting was advertised in the *Boston Guardian* and the *Boston Sun*, listed on the BPDA website, and distributed to the Fenway email list. An IAG meeting was held on October 17, 2018. The IAG meeting was listed on the BPDA website, and distributed to the Fenway email list. The comment period for review of the Development Plan ended on November 12.

The Proposed Project received approval from the Boston Civic Design Commission ("BCDC"), pursuant to Article 28 of the Code, on November 6, 2018.

## **ZONING**

The Project Site is located in a B-4 (General Business) Subdistrict of the Boston Proper Zoning District, subject to the base provisions of the Code and in a Restricted Parking Overlay District and a Groundwater Conservation Overlay District. Pursuant to Section 3-1A of the Code, Planned Development Areas ("PDAs") are permitted within this District.

The proposed zoning for the Project Site will be as set forth in the Development Plan as adopted in accordance with the provisions of Article 80C and Section 3-1A of the Code. The Development Plan will set forth the proposed location and

appearance of structures, open spaces and landscaping, uses, densities and dimensions of structures, traffic circulation, parking and loading facilities, access to transportation and other zoning requirements applicable to the Project Site, including without limitation compliance with any applicable overlay districts.

## **MITIGATION & COMMUNITY BENEFITS**

### MITIGATION

#### **Transportation Mitigation**

- The Proponent will extend the curb on Beacon Street and Commonwealth Avenue for the extent of the Project Site in order to accommodate a sidewalk-grade separate bike lane, a planting and furnishing zone, and an expanding sidewalk. The Proponent will also coordinate with BPDA and the Boston Transportation Department (BTD) to ensure a safe and efficient connection across Kenmore Square and to connect the Proponent's improvements to recent bicycle infrastructure investments on Beacon Street.
- The Proponent will coordinate with BTD on signal improvements in Kenmore Square

### COMMUNITY BENEFITS

#### **Increased Employment**

The Proposed Project is a transit-oriented commercial project that will create approximately 500 construction jobs and approximately 1,200 permanent jobs.

#### **Improved Public Realm**

The Proposed Project will provide enhanced and expanded sidewalks along Deerfield Street and Beacon Street. The Proposed Project will also provide new street trees, cycletracks, public seating, and greenscape and furnishing zones.

#### **Open Space and Landscape**

The Charlesgate Alliance, a group of Kenmore, Fenway, and Back Bay residents and business owners, are working with the Massachusetts Department of Conservation and Recreation, the Emerald Necklace Conservancy, and other groups to design and restore Charlesgate, an Olmsted-designed connection between the Charles

River and the Back Bay Fens. The Proponent will contribute \$75,000 toward the design of the Charlesgate.

1. Recipient: Emerald Necklace Conservancy
2. Use: Design of a new Charlesgate Park under the Bowker Overpass
3. Amount: \$75,000
4. Timeline: \$25,000 will be due at the issuance of a full Building Permit by the Boston Inspectional Services Department (ISD). The remaining \$50,000 will be due at the issuance of a Certificate of Occupancy by ISD.

### **Design and Views**

The massing of the Commonwealth Building and Beacon Building are designed to create a dynamic addition to Kenmore Square that does not overwhelm the existing view corridors from key street-level approaches. To achieve this, the upper two levels angle back toward the Charles River to minimize the perception of the height.

### **DEVELOPMENT IMPACT PROJECT EXACTION**

The Proposed Project constitutes a DIP under Article 80, Section 80B-7 of the Code. Based upon the current plans for the Proposed Project, which calls for the construction of a building containing approximately 272,500 square feet of DIP Uses, the Proponent will provide a Neighborhood Housing Trust payment contribution of approximately \$1,557,675 and a Neighborhood Jobs Trust payment contribution of approximately \$307,050, or equivalent job and/or housing creation programs.

These estimated linkage amounts are calculated as follows:

Housing Linkage:

DIP Uses	272,500	square feet
Exclusion	<u>-100,000</u>	
	172,500	
	<u>X \$9.03</u>	
	\$1,557,675	

Jobs Linkage:

DIP Uses	272,500	square feet
Exclusion	<u>-100,000</u>	
	172,500	
	<u>X \$1.78</u>	/square foot
	\$307,050	

The DIP gross floor area for the Proposed Project is subject to final calculation based upon the final design plans and applicable provisions of the Development Impact Project Agreement to be entered into by the Proponent and the BPDA.

**RECOMMENDATION**

Based on the foregoing, BPDA staff recommends that the Board, after due consideration of the filings, written and oral comments received and meetings held regarding the Proposed Project: (1) approve the Development Plan pursuant to Section 80C of the Code; (2) authorize the Director to petition the BZC for approval of the Development Plan pursuant to Sections 3-1A.a and 80C of the Code; (3) authorize the Director to issue a Scoping Determination waiving the requirement of further review pursuant to Section 80B-5.3(d) of the Code for the Proposed Project; (4) authorize the Director of the BPDA to issue one or more Certifications of Compliance or Partial Certifications of Compliance for the Proposed Project pursuant to Section 80B-6 of the Code, upon successful completion of the Article 80 Large Project Review process; (5) authorize the Director of the BPDA to issue one or more Certifications of Consistency or Partial Certifications of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code, upon successful completion of the Article 80C Planned Development Area Review process; (6) approve the Proposed Project as a DIP within the meaning of Section 80B-7 of the Code; and (7) take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering one or more Development Impact Project Agreement(s), Cooperation Agreement(s), and Boston Residents Construction Employment Plan Agreement(s), along with any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project and the Development Plan.



Appropriate votes follow:

**VOTED:** That, in connection with the Development Plan for Planned Development Area No. 121, Kenmore Square Redevelopment Project (the "Development Plan") and the Kenmore Square Redevelopment project, located at 650 Beacon Street, 652-654 Beacon Street, 656 Beacon Street, 660 Beacon Street, 533 Commonwealth Avenue, 535-539 Commonwealth Avenue, and 541 Commonwealth Avenue in the Kenmore neighborhood of Boston (the "Proposed Project"), presented at a public hearing, duly held at the offices of the Boston Redevelopment Authority (the "BRA") on November 15, 2018, and after consideration of evidence presented at, and in connection with, the hearing on the Development Plan and the Proposed Project, the BRA finds, in accordance with Section 80C of the Boston Zoning Code (the "Code"), that: (a) such Development Plan is not for a location or Proposed Project for which Planned Development Areas are forbidden by the underlying zoning; (b) the Proposed Project in such Development Plan complies with the provisions of the underlying zoning that establish use, dimensional, design and other requirements for Proposed Projects in Planned Development Areas; (c) such Development Plan complies with any provisions of underlying zoning that establish planning and development criteria, including public benefits, for Planned Development Areas; (d) such Development Plan conforms to the plan for the district, subdistrict or similar geographic area in which the Planned Development Area is located, and to the general plan for the City of Boston as a whole; and (e) on balance, nothing in such Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

**FURTHER**

**VOTED:** That the BRA hereby approves, pursuant to Section 3-1.A.a and Section 80C of the Code, the Development Plan in substantial accord with the Development Plan presented to the BRA at its public hearing Board on November 15, 2018; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to petition the Boston Zoning Commission for approval of the Development Plan pursuant to Section 3-1A.a and Section 80C of the Code, in substantial accord with the same as presented to the BRA at its public hearing on November 15, 2018; and

**FURTHER**

**VOTED:** That the BRA hereby finds and determines that the Proposed Project as described in the Project Notification Form (the “PNF”) and Supplemental Information Document (the “SID”), conforms to the general plan for the City of Boston as a whole, and that nothing in such Proposed Project will be injurious to the neighborhood or otherwise detrimental to the public welfare, weighing all the benefits and burdens; and

**FURTHER**

**VOTED:** That the BRA approve the proposed Project as a Development Impact project within the meaning of Section 80B-7 of the Code: and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Code, which: (i) finds that the PNF and SID adequately describe the potential impacts arising from the Proposed Project, and provides sufficient mitigation measures to minimize these impacts; and (ii) waives further review of the Proposed Project, subject to continuing design review by the BRA; and

**FURTHER**

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

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue one or more Certifications of Consistency or Partial Certifications of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code, when appropriate; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to take any and all actions and execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing, including, without limitation, executing and delivering one or more Development Impact Project Agreement(s), Cooperation Agreement(s), Boston Residents Construction Employment Plan Agreement(s), and any and all other agreements and documents that the Director deems appropriate and necessary in connection with the Proposed Project and the Development Plan, all upon terms and conditions determined to be in the best interests of the BRA.