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# BOSTON REDEVELOPMENT AUTHORITY DEVELOPMENT PLAN

FOR

HARRISON COMMONS

**AND** 

HARRISON COURT

SOUTH END DISTRCIT

WITHIN

PLANNED DEVELOPMENT AREA NO. 59

HARRISON COMMONS, LLC, Developer

May 22, 2003

Development Plan. In accordance with Article 3, Section 3-1A and Article 80, Section 80C of the Boston Zoning Code (the "Code"), this development plan sets forth information regarding the existing building components and the development of new project components on the parcel of land bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street, South End ("Site"), including the location and appearance of structures, uses of structures, dimensions of structures, density of structures, parking and loading facilities, access to public transportation and other major elements of the existing building components and the new project components (the "Development Plan"). Furthermore, in accordance with the applicable provisions of the Code, including Section 80C, the Development Plan herein addresses the Underlying Zoning requirements by setting forth the applicable standards and controls in lieu of

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the Underlying Zoning requirements for the Site and the project components. As further described herein and as set forth on the appendices included herewith, the four project components of the Development Plan are the New Project Component and the Rehabilitation Project Component, the Church Component and the 761 Harrison Avenue Component.

# Project Components

New Project Component. The New Project Component consists of the construction of a new multi-story residential building containing approximately 136 dwelling units and a three (3) level below grade garage for 200 vehicles, with a gross floor area of approximately 145,000 square feet, a landscaped courtyard area above the garage with access from Harrison Avenue and Father Gilday Street.

Rehabilitation Project Component. The Rehabilitation Project Component consists of the rehabilitation of the former Boston College High School Building fronting on Fr. Gilday Street, also known as Reserved Unit B of the Harrison Court Condominium. After rehabilitation, the building will contain approximately 54 dwelling units with a gross floor area of approximately 86,000 square feet.

Church Component. The Church Component consists of the Immaculate Conception Church, a significant church structure built in the nineteenth century and the first Jesuit church in the South End. In addition to the Immaculate Conception Church, the Church Component is also the location of the Jesuit Urban Center, a social, cultural and educational center staffed by the Jesuits, the Jesuit residential building, known as the "Link Building" and an adjacent interior courtyard bounded on all sides by buildings within the Harrison Court Condominium.

761 Harrison Avenue Component. 761 Harrison Avenue Component consists of a five story with ground floor (six occupied levels) mixed use building containing with approximately 61 dwelling units, leased by Boston University and used as a residential facility for Boston University Medical Center ("BUMC") students, interns and residents, four office suites, 11 residential suites, kitchen/cafeteria area and chapel.

<u>Project Owners/Proponents.</u> Harrison Commons, LLC, a Massachusetts limited liability company, the managers of which are Robert F. Walsh and Robert T. Kenney, having an address at R. F. Walsh Company, 307 West Second Street, South Boston, MA 02127 ("Developer") is the proponent for the New Project Component and the Rehabilitation Project Component.

The Society of Jesus of New England, a charitable corporation organized under the laws of Massachusetts and having an address at 761 Harrison Avenue, Boston, MA 02118 ("Jesuits") is the owner of the Church Component, portions of the 761 Harrison Avenue Component, the building and site of the Rehabilitation Project Component and the New Project Component, all of which with the exception of the Church Unit are to be conveyed to the Developer.

Commonwealth Medical Investment Limited Partnership, a Massachusetts limited partnership, the general partner of which is Commonwealth Development Group LLC, having a principal address at One Gateway Center, Newton, MA 02458 ("CMILP") is the owner of a portion of the 761 Harrison Avenue Component. CMILP has optioned such portion to its current lessee, Trustees of Boston University ("BU").

Planned Development Area Site. The Site consists of the city block bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street, South End, Suffolk County, Massachusetts, and containing approximately 112,894 SF (approximately 2.59 acres) as shown on that certain plan entitled "PDA Site Plan", Boston, MA" dated March 28, 2003 prepared by R.E. Cameron and Associates, Inc. ("PDA Site Plan") as more particularly bounded and described in Appendix A attached hereto and incorporated herein.

Proposed Location and Appearance of Structures. The Site presently includes the Immaculate Conception Church, the Jesuit Urban Center, the Jesuit residential building, known as the "Link Building", an adjacent interior courtyard bounded on all sides by buildings, the old Boston College High School building and a large surface parking lot with approximately 129 parking spaces. The old Boston College High School building currently contains two connected but functionally separate wings, the 761 Harrison Avenue Component, which serves as housing for BUMC and other uses described herein, and the Rehabilitation Project Component, which is currently vacant. Both wings were slated for renovation in 1991 but only the 761 Harrison Avenue Component was rehabilitated. The other wing of the school building, the Rehabilitation Project Component, has been vacant for over three decades and is in dire need of repair.

The Site and the surrounding area are characterized by large-scale religious and institutional buildings and multi-story residential buildings. The impressive Church of the Immaculate Conception and the old Boston College High School building are within the Site, while BUMC is located directly across Harrison Avenue from the Site. The former Joshua Bates School, currently used as the Bates Arts Resource Center, is located north of the Site across East

Newton Street. The area west and north of the Site includes a mixture of historic apartment blocks, brick row houses, and the South End Burial Ground. Northwest of the Site, across Father Francis J. Gilday Street, is the Franklin Square House, a large brick building originally constructed as a hotel and later renovated for senior housing. Franklin Square, a public open space, is diagonally adjacent to the Site across East Newton Street.

The Site is located at the eastern edge of the South End Landmark District ("SELD"), and the New Project Component is intended to reflect the Site's location between the SELD and the modern medical buildings of BUMC located east of Harrison Avenue. The design, massing, and proportions of the new construction are intended to create a visual transition from the larger scaled hospital complex to the more residential nature of the historic district. The new building with a height of less than 70 feet will mediate between the scale of the medical buildings of BUMC and the South End.

The New Project Component is located on the site of the present surface parking lot. The building will be a seven (7) story, 145,000 gsf residential structure including approximately 136 residential units (one and two bedroom units). Additionally, a three story underground parking garage with entrance and exit at Father Francis J. Gilday Street is included in the design providing 200 parking spaces for residential and church use. The height of the new residential building is 69.9 ft. in accordance with the Code. The new residential building is proposed to knit together the adjacent South End context by identifying and incorporating elements that distinguish the South End's rich architectural fabric. Street tree planting and South End style sidewalk lighting are also proposed for the sidewalks on Harrison, East Newton and Fr. Gilday Street. The building itself is composed in a tripartite façade arrangement. The use of a base,

middle and top is an architectural elevation composition that is commonly seen throughout the South End and in Boston. The proposed height of 69.9 ft. compares to the Site's immediate neighbors along Harrison Avenue and East Newton Street. The Franklin Square House is approximately 97 feet in height at the central mansard. Existing buildings along the Harrison Avenue corridor and immediately adjacent to the Site are taller than the new building. The new building is organized as an "L" shaped footprint with its interior facades forming a landscaped courtyard. The existing buildings on the Site further define this courtyard. The interior courtyard that is formed by the new and renovated existing buildings is a landscaped and paved space. Similar to the existing private interior cloister of the Church in concept, this courtyard differs in use in that it is accessible from both Harrison Avenue and Father Francis J. Gilday Street. The exterior facades form an urban street edge on Harrison Avenue and East Newton Street, rather than the existing paved surface parking lot. The materials being considered are brick, architectural precast, operable residentially scaled windows and metal comices. The location and appearance of structures for the New Project Component shall be consistent with the plans listed in Appendix F attached hereto and incorporated herein.

The Rehabilitation Project Component includes the rehabilitation and conversion of approximately 86,000 square feet of a vacant wing of the former Boston College High School building into approximately 54 residential units. The rehabilitation of this historic building will establish new housing opportunities in the South End. Fronting on Fr. Gilday Street, the wing extends for almost the full length of the block between East Concord Street and East Newton Street. The wing was constructed between 1874 and 1889 and is connected internally and externally to 761 Harrison Avenue. The existing building is a masonry and timber structure

containing approximately 74,500 square feet of usable space on five levels plus approximately 11,500 square feet within an unoccupied attic level. The five levels include a ground floor approximately six feet below grade and a two-story auditorium at the third floor and fourth floors in the middle of the building. The building plan is currently configured for classroom and office uses with several larger gathering spaces throughout the facility. The building has three main pedestrian entrances on Fr. Gilday Street, which will be restored and maintained as part of the proposed residential conversion. A new pedestrian entry to the building will be created to allow access to a proposed elevated courtyard and below-grade parking garage within the new construction component. The project also includes upgrading the Fr. Gilday Street streetscape including the addition of street trees and historic replica gaslight fixtures typical of the neighborhood.

Currently, the exterior of this structure reflects a lack of maintenance, general deterioration, and periodic renovations undertaken without consideration of historic materials and architectural style. The proposed exterior rehabilitation work will consist chiefly of masonry repair and cleaning, window sash repair/replacement, dormer additions, limited sill cuts, and provision of handicap access. The location and appearance of structures for the Rehabilitation Project Component shall be consistent with the plans listed in Appendix F attached hereto and incorporated herein.

Harrison Commons, LLC has proposed to undertake life-safety improvements to the Church Component, necessary for its separation from the Rehabilitation Project Component. Additionally, portions of the 761 Harrison Avenue Component which now contain four office suites, 11 residential suites, kitchen/cafeteria area and chapel used by the Jesuits may be

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converted to residential use. The Development Plan does not include any enlargement of the exterior dimensions of the Church Component or the 761 Harrison Avenue Component; and any enlargement of the exterior dimensions of the Church Component or the 761 Harrison Avenue Component and any change in use to uses not allowed by the Development Plan shall require an amendment to the Development Plan in accordance with Section 80C-7 of the Code.

Proposed PDA Uses. The proposed uses for the Site may include all uses allowed pursuant to Article 64 of the Code, South End Neighborhood Zoning district, including one or more of the following uses referenced in Table B, Neighborhood Development Area, of said Article 64 and classified by major use groups as follows:

# Church Component.

- Community Uses, including but not limited to: Library, Place of Worship, Monastery,
   Convent, Parish House, Religious Education, Community Center, Public lectures and
   educational programs, retail store for religious books and articles with accessory
   café/food service.
- Cultural Uses, including but not limited to: Art Gallery, Art Use, Auditorium, Concert Hall, and Theater.
- Office Uses, including but not limited to: Office for religious ministry and community programs.
- Residential Uses including but not limited to: Residences for clergy, ministers, retreat participants and guests.
- Accessory and Ancillary Uses to the foregoing.

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# 761 Harrison Avenue Component. .1

- Residential Uses, including but not limited to: Residential units for Boston University
  Medical Center ("BUMC") students, interns and residents pursuant to the Institutional
  Master Plan for BUMC approved by the Authority on May 18, 2000, Multi-Family
  Dwellings, and existing residential suites.
- Office Uses, including but not limited to: Office for religious ministry and community programs.
- Community Uses, including but not limited to: Chapel and kitchen/cafeteria area.
- Accessory and Ancillary Uses to the foregoing.

# New Project Component and Rehabilitation Project Component:

- Residential Uses including but not limited to: Multi-Family Dwellings.
- Parking.
- Open Space.
- Accessory and Ancillary Uses to the foregoing.

<u>Proposed Dimensions.</u> The project components consist of a mixed-use development in four main buildings comprising approximately 372,000 square feet of existing and new gross floor area with parking for 200 vehicles. In accordance with the applicable provisions of the Code, including Section 80C, the Development Plan herein addresses the Underlying Zoning requirements by setting forth below the applicable standards and controls in lieu of the Underlying Zoning requirements for the project components and the Site. The dimensional

Notwithstanding the provisions of Section 64-28 of the Code, the use of a portion of the 761 Harrison Avenue Component as residential units for BUMC students, interns and residents shall in all respects be subject to the provisions of the Institutional Master Plan for Boston University Medical Center approved by the Authority on

requirements for the Site and the project components within the Site shall be as set forth below, and the applicable FAR standard and the new building height standard shall not exceed the limits set forth below pursuant to and in accordance with Section 64-29 of the Code:

Dimensions	PDA Permitted	Site	Church Component	761 Harrison Avenue Compone	New Construction Component	Rehabilitation Component
Site Area	43,560 SF	112,894 SF	N/A	N/A	N/A	N/A
Parcel Area	10,000 SF	112,894 SF	40,460 SF	15,240 SF	39,175 SF	18,019 SF
GSF w/o garage		372,000 SF	58,553 SF	82,386 SF	145,000 SF	85,814 SF
FAR <sup>2</sup>	4.0	3.3	1.5	5.4	3.7	4.8
Max Height <sup>3</sup>	70 ft.	•	85 ft	64 ft.	69.9 ft	64 ft
Parking	200	200	N/A	N/A	200	N/A
Open Space	10,000 SF	12,000 SF	N/A	N/A	12,000 SF	N/A

The building or structures shall be consistent with the plans in Appendices C, D and E attached hereto and incorporated herein and the plans listed in Appendix F attached hereto and incorporated herein.

Proposed Zoning District. The Site is within the South End Neighborhood district, Article 64 of the Code and the Restricted Parking District. Upon approval by the Mayor and the Zoning Commission, the Site is also to be located within the Washington Street Neighborhood

# (...continued)

May 18, 2000 until the cessation of such use, and thereafter all substitute uses shall be subject to the Plan.

The total FAR for the site shall not exceed 4.0, but the Plan expressly allows for existing non-conforming FAR in excess of 4.0. Any increase in existing or proposed FAR for the project components exceeding the 4.0 FAR is subject to approval in accordance with Section 80C-7 of the Code.

The height for the site shall not exceed 70 ft., but the Plan expressly allows for existing non-conforming heights in excess of 70 ft. Any increase in existing or proposed height for the project components exceeding 70 ft. is subject to approval in accordance with Section 80C-7 of the Code.

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Development Area ("NDA").

The Washington Street NDA was established to promote the siting and design of new development in a manner that is sensitive to the adjacent residential areas in the South End Neighborhood District and to enhance the Washington Street Corridor. The incorporation of the Site within the Washington Street NDA and the approval of this Development Plan are in keeping with the enhancement of the Washington Street area. In accordance with Section 64-28 of the Code, Planned Development Areas may be approved within a NDA in order to provide for a more flexible zoning law; to provide public benefits to the South End community, including the creation of new job opportunities and housing for individuals and families of all economic groups; to allow for the diversification and expansion of Boston's economy through manufacturing, commercial, and scientific research and development uses; to encourage economic development while ensuring quality urban design by providing planning and design controls; and to provide connections for the South End to the Downtown economy.

Projected Number of Employees. It is anticipated that the Project will generate approximately

Projected Number of Employees. It is anticipated that the Project will generate approximately 750 construction jobs.

<u>Parking, Loading and Access to Transportation</u>. The proposed parking supply of 200 spaces in an underground, three-level garage, is to be allocated as follows:

- 35 spaces for Jesuit users; and
- 165 spaces for residential users.

This will result in at least 165 spaces for approximately 190 new residential units or a parking ratio of at least 0.7. This is consistent with the City of Boston's parking guidelines for transit-oriented residential development in the South End Medical Area.<sup>4</sup> Parking spaces not purchased/leased by residents of Harrison Commons or not utilized by existing site users may be offered to South End residents for residential parking only. The spaces may not be used for commuter or commercial parking. The site circulation plan locates the below-grade garage entrance and exit and the service and loading entrance on Fr. Gilday Street.

Seven MBTA bus routes currently provide public transit service to the area and connect the area with Cambridge, Longwood Medical Area (LMA), South Boston, Back Bay/South End, Lower Roxbury, and Downtown, as well as with MBTA subway stations, including the Red Line (Broadway, Andrew, and JFK/UMass) and the Orange Line (Massachusetts Avenue and Ruggles). In July 2002, Boston's first Bus Rapid Transit service, the Silver Line, opened along Washington Street between Dudley Square and Downtown Crossing. The Silver Line stop closest to Harrison Commons is the East Newton Street stop, which is less than a block from the Site. The South End Medical Area's Transportation Management Association (TMA) has formed Transportation Solutions for Commuters, Inc. (TransComm). Its members include BUMC, BioSquare, and the Boston Public Health Commission. TransComm operates 15- to 30-passenger shuttles, which stop within a five-minute walk of Harrison Commons. TransComm allows South End residents to use its shuttle services at no cost.

<sup>&</sup>lt;sup>4</sup> Notwithstanding the requirement of 200 parking spaces, the New Project Component garage may include up to an additional 30-stacker spaces, subject to approval by the City of Boston Air Pollution Control Commission.

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<u>Public Benefits.</u> The Development Plan provides numerous public benefits to the City of Boston:

- Provide much needed housing in Boston;
- Provide affordable housing in the South End.
- Provide Jobs It is estimated that 750 construction jobs will be generated over the 24month-long construction period.
- Provide Property Tax Revenues;
- Rehabilitate and reuse a vacant historic (former site of Boston College and Boston
  College High School) building The plan will preserve and enhance the City's historic
  building stock through the sensitive rehabilitation and adaptive reuse of the old Boston
  College High School for housing.
- Improve the existing site and streetscape with lighting, trees and other architectural features.
- The plan will replace a surface parking lot with an attractive building which will
  complement the architecture of the South End as well as create a visual transition from
  the institutional uses at the Boston University Medical Center to the residential South End
  historic neighborhood.
- Provide below-grade parking to accommodate the new housing with any excess spaces

potentially available to surrounding area residents.

Phasing of New Project Component and Rehabilitation Project Component. Nothing in this Development Plan shall be construed as an undertaking by the Developer to construct or complete the New Project Component or the Rehabilitation Project Component. If and to the extent that New Project Component and/or the Rehabilitation Project Component are undertaken by Developer, the sole obligation of the Developer is to adhere to the provisions of the Development Plan and the Article 80B Documents applicable to such project(s), to the extent provided herein.

Affordable Housing. In accordance with the provisions of Article 80 of the Code, the Developer will enter into a Cooperation Agreement with the Authority, which agreement will include, inter alia, the implementation of the Mayor's Affordable Housing Goal within the South End neighborhood as outlined in the Executive Order entitled: "An Order Relative to Affordable Housing" issued by Mayor Thomas M. Menino on February 29, 2000 ("Executive Order") by means of a housing creation proposal, which will ensure that not less than ten per cent (10%) of the units within the New Project Component are dedicated as affordable units, and that additional efforts be agreed upon to increase such percentage of affordability up to the equivalency of fifteen percent (15%) through other housing assistance programs.

Condominium Status. The Site is also subject to a condominium established by the Jesuits in 1992. As referenced in the Master Deed for the Harrison Court Condominium, the condominium consists of Lot 1 and Lot 3, which are described in the Master Deed as Parcel One and Parcel Two respectively. The condominium consists of three Primary Units: the Church Unit, which is

the Immaculate Conception Church and the "Link Building" (which was added by the First Amendment dated July 31, 1992) (Church Component), Reserved Unit A, which is situated at 761 Harrison Avenue and leased to Boston University (761 Harrison Avenue Component), and Reserved Unit B, which is situated on Father Francis J. Gilday Street and is a vacant building (Rehabilitation Project Component). Nothing contained in this Development Plan shall be deemed to require the approval of the Authority for any change or modification in the condominium ownership structure, known as the Harrison Court Condominium. If and to the extent that the undertaking of components of the Development Plan require any change or modification to the Harrison Court Condominium ownership structure, such change or modification shall not require Authority review or approval. The terms and conditions set forth in the Development Plan shall affect planning and zoning controls only and not ownership interests or the extent thereof. This Development Plan and the establishment of a Planned Development Area within the Site has the support of the owners of the land within the Site, including the owners of the Harrison Court Condominium units, as evidenced by letters of authorization submitted to the Authority.

Consistency with the Code. The Development Plan complies with Section 64-1 of the Code, including the goals and objective therein. The Development Plan establishes a comprehensive plan for this portion of the South End neighborhood district, adheres to the goals and objectives of Article 64 of the Code and the South End/Lower Roxbury Development Policy Plan in the following manner:

• it preserves and enhances the South End neighborhood by the renovation of a vacant and underutilized building on Fr. Francis J. Gilday Street;

- both the New Project Component and the Rehabilitation Project Component will provide approximately 190 units of housing, including at least 10% affordable units with an effort to increase such percentage of affordability up to the equivalency of fifteen percent (15%) through other housing assistance programs, which will provide housing for individuals and families of all economic levels, age groups and household types;
- the redevelopment and new construction on the Site will also promote neighborhood cultural facilities such as the Jesuit Urban Center, which will be part of the PDA and benefit from the establishment of dimensional and use controls for the Church Component;
- the provision of new housing units will sustain the economic and job expansion opportunities in Boston and the South End;
- the establishment of an open park area within the New Project Component in lieu of an existing surface parking lot will create open space and enhance and preserve the surrounding open space such as Franklin Square;
- the review by the BRA under Article 80 of the Code will ensure the protection of the environment;
- and a redevelopment creating approximately 190 units of housing will improve the
  quality of life within the South End and will promote the most desirable use of this
  land for housing.

Additionally, the approval of the Development Plan fulfills the goals and planning objectives of the South End/Lower Roxbury Development Policy Plan, which encouraged the

development of housing in the South End, including the development of affordable and community housing.

The project components of the Development Plan, upon approval by the Zoning Commission and the Mayor of the inclusion of the Site within the Neighborhood Development Area, will be situated within a location for which Planned Development Areas are allowed pursuant to Article 64, Section 64-28 of the Code. Each project component complies with the provisions of Section 64-29 of the Code with respect to use and dimensional regulations as such uses and dimensions are specified in the Development Plan, including review under Article 80 of the Code. The Development Plan is in compliance with Section 64-31 of the Code with the listing of the public benefits. The Development Plan provides: (i) affordable housing available with a preference to South End and Boston residents, (ii) an improvement to the aesthetic character of the Site and its surroundings by the provision of open space connections from the Site to Franklin Square, (iii) street trees and other improvements that enhance open space, (iv) an improvement of urban design characteristics of the Site and its surroundings, and (v) the enhancement of existing open space and the creation of new open space by the elimination of a surface parking lot at the corner of Harrison Avenue and East Newton Street. The Development Plan does conform to the plan for the South End District, the Neighborhood Development Area and the SELD guidelines as well as the general plan for the City as a whole; and on balance, nothing in the Development Plan will be injurious to the neighborhood or otherwise detrimental to the public welfare after the weighing of all benefits and burdens.

<u>Development Review Procedures.</u> All design plans for the project components are subject to on-going development review and approval of the Authority. Such review is to be conducted in

accordance with Article 80 of the Code and the BRA Development Review Procedure, dated 1985, revised 1986.

# LIST OF APPENDICES

to

# DEVELOPMENT PLAN

for

# HARRISON COMMONS AND HARRISON COURT

APPENDIX	A	PDA Site Plan and Description
APPENDIX	В	PDA Parcel Plan
APPENDÍX	С	Church Unit Floor Plans and Areas
APPENDIX	D	761 Harrison Floor Plans and Areas
APPENDIX	E	Rehabilitation Project Component Plans and Areas
		Floor Plans, Elevations, Perspectives and Renderings
APPENDIX	F	List of Plans for Rehabilitation Project Component and New
		Project Component

Amendments to the above together with additional drawings, perspectives and plans of the Project Components described in the Development Plan will be provided to the Authority for review in compliance with the Design Review Process.

MAY 22, 2003

TO:

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BOSTON REDEVELOPMENT AUTHORITY AND

MARK MALONEY, DIRECTOR

FROM:

SUSAN HARTNETT, DIRECTOR OF ECONOMIC

DEVELOPMENT

JAY RUSSO, DEPUTY DIRECTOR

RANDI LATHROP, DEPUTY DIRECTOR

MARIA FARIA, ASSISTANT DIRECTOR FOR HOUSING

SUBJECT: HARRISON COMMONS AND HARRISON COURT PROJECTS.

BOUNDED BY HARRISON AVENUE, EAST NEWTON

STREET, FATHER FRANCIS J. GILDAY STREET AND EAST CONCORD STREET IN THE SOUTH END URBAN RENEWAL

AREA, PROJECT NO. MASS. R-56

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority ("BRA"), as part of the scheduled Public Hearing concerning the Harrison Commons and Harrison Court Projects (sometimes referred to as the "Proposed Project"), to be located in an area bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street in the South End Urban Renewal Area, Project No. Mass. R-56 ("Site") and consisting of the development of a mixed-use project containing four (4) components: Church Component, which is the existing Immaculate Conception Church and Jesuit Urban Center with social and religious uses; the 761 Harrison Avenue Component, which consists of existing residential and office uses for Boston University Medical Center and the Jesuit Urban Center; the Rehabilitation Project Component, which is the rehabilitation of a portion of the former Boston College High School building on Father Gilday Street into approximately 54 residential units; and, the New Project Component, which is the construction of a seven story residential building with approximately 136 units and three (3) levels of below grade parking for approximately 200 vehicles, the total building areas, both existing and new construction equaling approximately 372,000 square feet, that the BRA, authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article 80B, Section 80B-5.3(d) of the Boston Zoning Code ("Code"). subject to continuing design review by the BRA for the Harrison Common Project; (2) issue a Certification of

Compliance under Large Project Review pursuant to Section 80B-6 of the Code upon completion of the Article 80 review process for the Harrison Commons Project; (3) execute and deliver a Cooperation Agreement, Affordable Housing Agreement and Boston Residents Construction Employment Plan and any and all documents deemed appropriate by the Director all in connection with Harrison Commons Project; (4) approve the petition to the Boston Zoning Commission for an amendment to Map 1P, South End Neighborhood District, of the series of maps entitled "Zoning Districts City of Boston," to rezone the Site from "MFR," indicating a Multi-Family Residential Subdistrict to the Washington Street Neighborhood Development Area ("NDA"), indicating a Neighborhood Development Area,; (5) approve of the Development Plan pursuant to Section 80C of the Code for the Proposed Project; (6) approve the petition to the Boston Zoning Commission for the adoption of a map amendment to "Map 1P, South End" of the series of maps entitled "Zoning Districts City of Boston," by adding the designation "D\*", indicating a Planned Development Area to four (4) parcels of land described and depicted on a survey dated March 31, 2003 entitled "PDA Site Plan"; (7) approve the petition to the Boston Zoning Commission for the approval of the Development Plan pursuant to Section 80C of the Code for Planned Development Area No. 59, Proposed Project, South End; and (8) issue the Certification of Consistency under Section 80C when appropriate for the Proposed Project.

# LOCATION AND DESCRIPTION:

The Harrison Commons and Harrison Court Projects are to be located within the block formed by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street in the South End neighborhood section of the City of Boston. This site is a proposed Planned Development Area, and is approximately 112,894 square feet of land or 2.59 acres and is shown on the PDA Site Plan (" PDA Site").

The Harrison Commons Project will be located on a portion of the PDA Site at 761 Harrison Avenue in an area generally bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street on 57,194 square feet of land ("Development Project Site").

The PDA Site presently includes the Immaculate Conception Church, the Jesuit Urban Center, the Jesuit residential building, known as the Link

Building, an adjacent interior courtyard bounded on all sides by buildings, the old Boston College High School building and a large surface parking lot with approximately 129 parking spaces. The parking lot is located on the corner of Harrison Avenue and East Newton Street and contains approximately 39,175 square feet of land.

The old Boston College High School building, located at 761 Harrison Avenue, currently contains two (2) connected but functionally separate wings. Fronting on Father Francis J. Gilday Street, the unoccupied wing extends for almost the full length of the block between East Concord Street and East Newton Street. The occupied wing, fronting on Harrison Avenue, serves as housing for Boston University Medical Center ("BUMC") and other users, and the vacant wing fronting on Father Francis J. Gilday Street is proposed for rehabilitation and reuse into residential units. Both wings were slated for renovation in 1991, but only the portion fronting on Harrison Avenue was rehabilitated. The other wing has been vacant for over three (3) decades and is in dire need of repair.

The PDA Site and the surrounding area are characterized by large-scale religious and institutional buildings and multi-story residential buildings. The BUMC is located directly across Harrison Avenue from the PDA Site. The former Joshua Bates School, currently used as the Bates Arts Resources Center, is located north of the PDA Site across East Newton Street. The area west and north of the PDA Site includes a mixture of historic apartment blocks, brick row houses, and the South End Burial Ground. The area northwest of the PDA Site, across Father Francis J. Gilday Street, is the Franklin Square House, a large residential brick building. Diagonally adjacent to the PDA Site is Franklin Square, a public open space park.

The PDA Site is within the South End Neighborhood district and is subject to Article 64 of the Code. The site is also located within a zoning subdistrict, as shown on Map 1P of the South End Neighborhood District, which is designated as "MFR" or a Multifamily Residential Subdistrict. The most appropriate zoning approach to achieve the significant public benefits that are available from the Proposed Project is the use of a Planned Development Area under the Section 3-1A.a of the Code ("PDA"), which is a special purpose overlay zoning area that allows for a fine-tuned approach to project review and approval consistent with the approved Development Plan. The overlay of the zoning controls can be most effectively integrated through a process that provides opportunity for public input.

Within the South End Neighborhood District PDAs are allowed within the Washington Street NDA which extend along Washington Street from Massachusetts Avenue to the cemetery north of the PDA Site. Since the

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boundary of the Washington Street NDA is directly adjacent to the boundary of the PDA Site on Father Francis J. Gilday Street, extending the Washington Street NDA and incorporating the Washington Street NDA in the PDA Site, is consistent with the logical planning parameters of the Proposed Project. Upon approval by the Mayor and the Zoning Commission, the rezoning of the Site and the approval of the Development Plan within the Washington Street NDA is in keeping with the enhancement of the Washington Street area. In accordance with Section 64-28 of the Code, Planned Development Area may be approved within a NDA in order to provide for a more flexible zoning law; to provide public benefits to the South End community, including the creation of job opportunities and housing for households of all economic groups; to allow for diversification and extension of Boston's economy; to encourage economic development while ensuring quality urban design; and to provide connections for the South End to the Downtown economy.

#### OWNERSHIP STRUCTURE AND REDEVELOPER:

The redeveloper for the Harrison Commons Project is Harrison Commons LLC, a Massachusetts limited liability company, the managers of which are Robert F. Walsh and Robert T. Kenney ("Redeveloper"). A disclosure statement has been filed with the BRA pursuant to Section 80B-8 of the Code. The Redeveloper intends to acquire the existing parking lot and the vacant, former Boston College High School wing from the Society of Jesus of New England ("Jesuits"). The Jesuits, a charitable corporation, is the owner of the Church Component, the portion of the 761 Harrison Avenue wing which is vacant, and the existing parking lot site, all of which with the exception of the Church Component are to be conveyed to the Redeveloper for the development of the Harrison Commons Project. The Commonwealth Medical Investment Limited Partnership, is a Massachusetts limited partnership and the general partner of which is Commonwealth Development Group LLC. The Commonwealth Development Group LLC is the owner of a portion of the 761 Harrison Avenue Component, which is currently occupied by BUMC. Commonwealth Development Group LLC has optioned such portion to its current lessee, Trustees of Boston University ("BU").

#### DEVELOPMENT TEAM THE HARRISON COMMONS PROJECT:

The development team consists of Harrison Commons LLC as the Redeveloper; CBT/Childs Bertman Tseckares Inc. and The Architectural Team as the project architects; Rubin and Rudman as the legal counsel; and Epsilon Associates Inc. as the environmental permitting/Article 80 consultant; Howard/Stein-Hudson Associates, Inc. as the traffic consultant; and Kenney Development and RF Walsh Company, Inc. as the general managers.

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#### **DEVELOPMENT PLAN:**

The Development Plan includes four (4) components consisting of the following: the Rehabilitation Project Component, the New Project Component, the Church Component and the 761 Harrison Avenue Component.

The Development Plan provides for the continuation of the existing uses and structures for the Church Component, which consist of the Immaculate Conception Church and the Jesuit Urban Center with social and religious uses, and the 761 Harrison Avenue Component. The Development Plan also provides for the development of a three (3)- level below ground parking garage for approximately 200 vehicles, approximately 190 mixed-income dwelling units within the Rehabilitation Project and the New Construction Project Components, open space improvements and capital improvements ("Harrison Commons Project").

The Harrison Commons Project is described in the Project Notification Form ("PNF") filing under Article 80 of the Code. The New Construction Project Component consists of the construction on the existing parking lot of a new multi-story residential building containing approximately 136 dwelling units, a three-level below-grade parking garage for approximately 200 vehicles for residential and church use, and a landscaped courtyard area above the garage. The Rehabilitation Project Component includes the rehabilitation of the former Boston College High School Building fronting on Father Francis J. Gilday Street for approximately 54 dwelling units with a gross floor area of approximately 86,000 square feet.

#### **NEW PROJECT COMPONENT:**

The design, massing, and proportions of the new construction are intended to create a visual transition from the larger-scaled BUMC hospital complex to the more residential nature of the historic district. The new building with a height of less than 70 feet will mediate between the scale of the medical buildings of BUMC and the South End. The new residential building is proposed to knit together the adjacent South End context by identifying and incorporating elements that distinguish the South End's rich architectural fabric. Tree planting and South End-style lighting are also proposed for the sidewalks on Harrison, East Newton and Father Francis J. Gilday Street. The building itself is composed in a tripartite façade arrangement. The use of a base, middle and top is an architectural elevation composition that is commonly seen throughout the South End and other areas of Boston. The proposed height of just short of 70 feet is consistent with the Site's immediate neighbors along

Harrison Avenue and East Newton Street. The Franklin Square House is approximately 97 feet in height at the central mansard. Existing buildings along the Harrison Avenue corridor and immediately adjacent to the Site are taller than the new building.

The new building is organized as an "L" shaped footprint with its interior facades forming a landscaped courtyard. The existing buildings on the Site further define this courtyard. The interior courtyard that is formed by the new and renovated existing buildings is a landscaped and paved space. Similar to the existing private interior cloister of the Church in concept, this courtyard use differs in that it is accessible from both Harrison Avenue and Father Francis J. Gilday Street. The exterior facades form an urban street edge on Harrison Avenue and East Newton Street, rather than the existing paved surface parking lot. The materials being considered are brick, architectural precast, operable residentially scaled windows and metal cornices.

The new project will be built on the present surface parking space. The structure will be seven- (7) stories and 145,000 gross square feet of residential use including 136 residential rental units which have a mixture of one and two bedroom units. Additionally, a three-story underground parking garage with entrance and exit at Father Francis J. Gilday Street is included in the design providing approximately 200 parking spaces for residential and church use. The Jesuits will use 35 spaces and the residents of the residential space will use 165 spaces. The project will generate an estimated 750 construction jobs over the 24-month-long construction period. Street tree planting and South End style sidewalk are also proposed for the sidewalks on Harrison Avenue, East Newton Street and Father Gilday Street.

#### REHABILITATION PROJECT COMPONENT:

The rehabilitation and conversion of the vacant wing of the former Boston College High School building consisting of approximately 86,931 square feet into approximately 54 residential units will establish new housing opportunities in the South End. Fronting on Father Francis J. Gilday Street, the wing extends for almost the full length of the block between East Concord Street and East Newton Street, and was constructed between 1874 and 1889, and is connected internally and externally to 761 Harrison Avenue. The existing building is a masonry and timber structure containing approximately 74,500 square feet of usable space on five (5) levels plus approximately 11,500 square feet within an unoccupied attic level. The five- (5) levels include a ground floor approximately six (6) feet below grade and a two-story auditorium at the third floor and fourth floors in the middle of the building. The building plan is currently configured for classroom and office uses with

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several larger gathering spaces throughout the facility. The building has three main pedestrian entrances on Father Francis J. Gilday Street, which will be restored and maintained as part of the proposed residential conversion. A new pedestrian entry to the building will be created to allow access to a proposed elevated courtyard and below-grade parking garage within the new construction component.

Currently, the exterior of this structure reflects a lack of maintenance, general deterioration, and periodic renovations undertaken without consideration of historic materials and architectural style. The proposed exterior rehabilitation work will consist chiefly of masonry repair and cleaning, window sash repair/replacement, dormer additions, limited sill cuts, and provision of handicap access.

The Boston Civic Design Commission, at its regularly monthly meeting on April 1, 2003, voted to recommend approval of the schematic design plans of the Proposed Project. The BRA design staff has reviewed and approved the schematic design plans for the Proposed Project. The South End Landmark Commission approved the design on April 1, 2003, and will issue a Certificate of Design Approval.

#### PUBLIC BENEFITS:

The Development Plan provides numerous public benefits of the City of Boston: much needed housing in Boston; affordable housing in the South End; at least 750 construction jobs and over 24-month-long construction period; the rehabilitation and of reuse a vacant historic building; improvement to the existing site and streetscape with lighting, trees, and other architectural features; and below-grade parking to accommodate the new housing and to accommodate spaces potentially available to surrounding area residents; provide an improved traffic control system at East Newton Street and Harrison Avenue in coordination with BTD Additionally, the Redeveloper will provide substantial community benefits to the following South End organizations over a five year period: \$50,000 to the Franklin Square park fund, \$25,000 to the South Community Health Center, and \$25,000 to the Washington Gateway Main Street.

# AFFORDABLE HOUSING REQUIREMENTS:

The Project will provide affordable housing benefits equivalent to 15% of the new units through two (2) affordable housing programs: (1) the Redeveloper has committed to provide ten percent (10%) of the units in the Harrison Commons Project as affordable for households at or below 120% of the area median income, and (2) the Redeveloper has committed approximately \$500,000 in affordable housing subsidy to the BRA for the

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future residential development proposed for the Bates School site located at 731 Harrison Avenue.

# ARTICLE 80 PROCESS OF THE CODE:

On December 20, 2002, the Redeveloper filed a Project Notification Form ("PNF") with the BRA for the Harrison Commons Project consistent with Article 80 of the Code. On December 24, 2002, and on December 26, 2002, the public notice of the submission of the PNF was advertised in the Boston Herald and initiated a thirty-day public comment period pursuant to Section 80B-5.3 of the Code. An Impact Advisory Group ("IAG"), consisting of eleven (11) members of the public, was appointed. An IAG introduction meeting was held on January 13, 2003, to examine the impacts of the Proposed Project and to suggest options for mitigation. Pursuant to Section 80B-5.3 of the Code, also on January 13, 2003, the BRA staff held a Scoping Session and invited the City's public agencies and IAG to review the PNF and to make suggestions. The deadline for the written public comment period was January 20, 2003. A public meeting was held January 23, 2003. At the request of the Redeveloper, the public comment period was extended until February 6, 2003. Written comments on the PNF have been received from the BRA and City's public agencies.

The agency commentors felt that information provided in the PNF was responsive enough not to warrant the requirement for a Draft Project Impact Report ("DPIR"). There were, however, a few remaining questions from public agencies contained within the attached correspondence. The commentors offered several remarks regarding the proposed design and height of the new building and also the exterior design of the existing building. One of the main issues is the proposed height of the new building.

The original project involved the development of a total of 183 new condominium and rental residential units in the two (2) Harrison Commons buildings. The new building was planned as a 10 story, 173,000 gross square foot residential structure to include approximately 117 residential units. In addition, a three-story underground parking garage was to include 269 parking spaces. The vacant old Boston College High School wing of 67,500 square feet of usable space with three (3) main pedestrian entrances on Father Francis J. Gilday Street was to be rehabilitated to contain 66 residential units.

In response to comments and concerns raised by the BRA staff, public agencies and community members, several changes have been made. On March 31, 2003, the Redeveloper filed a Supplemental Information

Report to the PNF that responds to questions raised in the public agencies and the community. The most substantial change has been made to the height of the new building. The height has been reduced from a 92 foot structure to a low-rise building at approximately 69.9 feet. Also, the proposed new building's footprint and massing have been redesigned. The new building will be a seven story "L" shaped multifamily residential building.

#### PLANNED DEVELOPMENT AREA PROCESS:

Pursuant to Section 3-1A and Article 80C of the Code, the Redeveloper filed with the BRA a Development Plan for the development of the PDA Site on March 31, 2003, which initiated a 45-day comment period with a closing date of May 15, 2003. A notice was published in the <u>Boston Herald</u> pursuant to Article 80A-2 of the Code on March 31, 2003.

In accordance with Sections 3-1A and 80C of the Code, the Development Plan sets forth information of proposed projects and the site including the location and appearance of the structures, the proposed uses, the proposed dimensions of the structures, the proposed parking and loading facilities, access to public transportation, the proposed public benefits and other major elements of the proposal.

The Development Plan complies with Section 64-1 of the Code, including the goals and objectives. The Development Plan establishes a comprehensive plan for this portion of the South End neighborhood district, and adheres to the goals and objectives of Article 64 of the Code. Additionally the Development Plan fulfills goals and objectives of the South End/Lower Roxbury Development Policy Plan, which encourages the development of housing in the South End, including the development of affordable housing units.

The project components of the Development Plan will be situated within a location for which Planned Development Areas are allowed pursuant to Article 64, Section 64-28 of the Code. Each project component complies with the provisions of Section 64-29 of the Code with respect to use and dimensional regulations as such uses and dimensions are specified in the Development Plan, including review under Article 80 of the Code. The Development Plan is in compliance with Section 64-31 of the Code with listing of public benefits.

# RECOMMENDATION:

It is recommended that the BRA find and authorize the Director to: (1) issue a Scoping Determination waiving further review pursuant to Article

80B, Section 80B-5.3(d) of the Boston Zoning Code ("Code"), subject to continuing design review by the BRA for the Harrison Commons Project; (2) issue a Certification of Compliance under Large Project Review pursuant to Section 80B-6 of the Code upon completion of the Article 80 review process for the Harrison Commons Project; (3) execute and deliver a Cooperation Agreement, Affordable Housing Agreement and Boston Residents Construction Employment Plan and any and all documents deemed appropriate by the Director all in connection with Harrison Commons Project; (4) petition the Boston Zoning Commission for an amendment to Map 1P, South End Neighborhood District, of the series of maps entitled "Zoning Districts City of Boston," to rezone the Site from "MFR," indicating a Multi-Family Residential Subdistrict to the Washington Street Neighborhood Development Area, indicating a Neighborhood Development Area; (5) acknowledge the Authority's approval of the Development Plan for Harrison Commons and Harrison Court pursuant to Section 80C of the Code for Planned Development Area No. 59, South End District, and (6) petition the Boston Zoning Commission for the adoption of a map amendment to "Map 1P, South End" of the series of maps entitled "Zoning Districts City of Boston," by adding the designation "D", indicating a Planned Development Area to four (4) parcels of land described and depicted on a survey dated March 31, 2003 entitled "PDA Site Plan"; (7) petition the Boston Zoning Commission for the approval of the Development Plan for Harrison Commons and Harrison Court pursuant to Section 80C of the Code for Planned Development Area No. 59, South End District and (8) issue a Certificate of Consistency under Section 80C when appropriate for the Proposed Project.

# Appropriate votes follow:

#### VOTED:

That the Director be, and hereby is, authorized to issue a Scoping Determination which finds that the Project Notification Form ("PNF") and the Supplemental Information Report responding to comments on the PNF adequately describe the impacts of the Harrison Commons Project to be built in an area generally bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street, and waives further review of the Harrison Commons Project in accordance with the provisions of Article 80B, Section 80B-5.3(d) of the Boston Zoning Code ("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 a Certification of Compliance for the Harrison Commons

Project upon the successful completion of the Code Article 80 process for the Harrison Commons Project, subject to continuing design review by the BRA; and

#### FURTHER

# VOTED:

That the Director be, and hereby is, authorized to execute an a Cooperation Agreement, an Affordable Housing Agreement, a Boston Residents Construction Employment Plan, and any and all other agreements and documents which the Director in his sole discretion deems appropriate and necessary, and upon terms and conditions determined to be in the best interest of the BRA in connection with the Harrison Commons Project; and

# FURTHER

# VOTED:

That the Director be, and hereby is, authorized to petition the Boston Zoning Commission for an amendment to Map 1P, South End Neighborhood District, of the series of maps entitled "Zoning Districts City of Boston," to rezone the Site from "MFR," indicating a Multi-Family Residential Subdistrict to the Washington Street Neighborhood Development Area, indicating a Neighborhood Development Area; and

# FURTHER VOTED:

That the Boston Redevelopment Authority hereby finds and determines that the proposed Development Plan for Harrison Commons and Harrison Court, located within the block formed by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street in the South End, and as described in the Development Plan for Harrison Commons and Harrison Court, dated May 22, 2003 submitted by Harrison Commons LLC, conforms to the general plan for the City of Boston as a whole, and that nothing proposed in the proposed Development Plan for Harrison Court and the Harrison Commons will be injurious to the neighborhood or otherwise detrimental to the public welfare, and further finds that after the proposed amendment to Map 1P is approved, the proposed Development Plan for Harrison Commons and Harrison Court complies with Section 80C-4 Standards for Planned Development Area Review Approval of the Boston Zoning Code; and

# FURTHER

VOTED:

That the Boston Redevelopment Authority approve the Development Plan for the Harrison Commons and Harrison Court, dated May 22, 2003; and

# FURTHER

VOTED:

That the Director be, and hereby is, authorized to petition the Boston Zoning Commission to adopt a map amendment to "Map 1P, South End" of the series of maps entitled "Zoning Districts City of Boston," by adding the designation "D", indicating a Planned Development Area to four (4) parcels of land described and depicted on a survey dated March 31, 2003 entitled "PDA Site Plan"; and

# **FURTHER**

VOTED:

That the Director be, and hereby is, authorized to petition the Boston Zoning Commission for the approval of the Development Plan for Harrison Court and Harrison Commons pursuant to Section 80C of the Code for Planned Development Area No. 59, South End District; and

#### FURTHER

VOTED:

That the Director be, and hereby is, authorized to issue a Certification of Consistency for the Harrison Commons and Harrison Court Projects under Section 80C when appropriate.

Map Amendment Application No. 484
Planned Development Area No. 59
Harrison Commons and Harrison Court
Boston Redevelopment Authority on
behalf of Harrison Commons, LLC
Map 1P, South End
Neighborhood District

# MAP AMENDMENT NO. 423

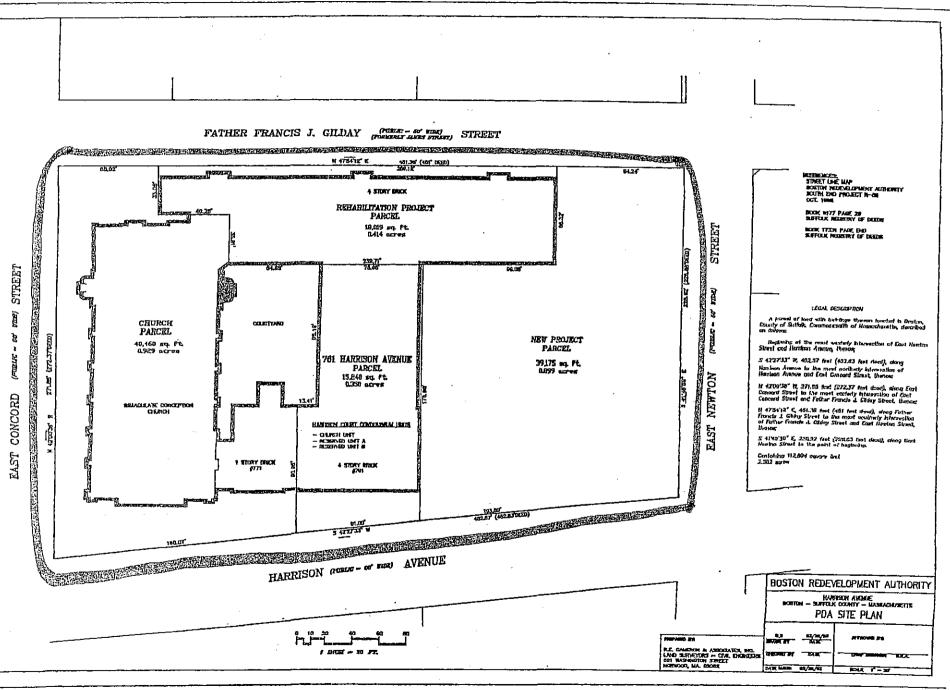
# THE COMMONWEALTH OF MASSACHUSETTS

# CITY OF BOSTON

# IN ZONING COMMISSION

The Zoning Commission of the City of Boston, acting under Chapter 665 of the Acts of 1956, as amended, after due report, notice and hearing, does hereby approve the Development Plan for Planned Development Area No. 59, and amends "Map 1P, South End Neighborhood District," of the series of maps entitled "Zoning Districts City of Boston," dated August 15, 1962, as amended, as follows:

- By changing the existing zoning designation of the parcels of land bounded by Harrison Avenue, East Newton Street, Father Francis J. Gilday Street and East Concord Street, from "MFR," indicating a Multi-Family Residential subdistrict, to "NDA," indicating a Neighborhood Development Area subdistrict, as shown on Appendix A.
- 2. By adding the designation "D", indicating a Planned Development Area overlay district, to the area of land described above, comprising approximately 112,894 square feet (approximately 2.59.acres) of land, in the South End Neighborhood District, as shown on Appendix A.



R. F. Mac	
Chairman Deith Le	
Vice Chairman	
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In Zoning Commission

Adopted:

June 25, 2003

# Planned Development Area No. 59, Harrison Commons and Harrison Court

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In Zoning Commission

Adopted: June 25, 2003

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Secretary

Mayor, City of Boston

Date: 6 25 707

Attest:

secretary to the Zoning Commission

Development Plan for Planned Development Area No. 59, Harrison Commons and Harrison Court

Mayor, City of Boston

Date: 6 25 03

The foregoing Development Plan was presented to the Mayor on <u>love soos</u>, and was signed by him on <u>love soos</u>, whereupon it became effective on <u>love soos</u>, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:

cretary to the Zoning Commission