

BCA APPROVAL: 4/11/13
CC APPROVAL: 5/8/13
EFFECTIVE: 5/9/13

BOSTON REDEVELOPMENT AUTHORITY

DEVELOPMENT PLAN

FOR

PLANNED DEVELOPMENT AREA NO. 90

BARRY'S CORNER RESIDENTIAL AND RETAIL COMMONS

North Harvard Street and Western Avenue, Allston-Brighton

Dated: March 14, 2013

1. **Development Plan:** Pursuant to Section 3-1A.a, Section 51-44 and Article 80C of the Boston Zoning Code (the "Code"), this plan constitutes the Planned Development Area Development Plan (the "Development Plan") for a Planned Development Area Overlay District (the "PDA Overlay District") containing approximately 2.03 acres of area located at the intersection of North Harvard Street and Western Avenue in the Allston-Brighton Neighborhood District as described in Exhibit A attached hereto and as shown on the plan attached hereto as Exhibit B (the "Site"). The Proponent (as defined below) proposes to demolish the existing building on the Site and construct a new mixed-use building with residential units and ground-floor retail space, all as more fully described below (the "Project").

This Development Plan sets 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 public transportation and other zoning requirements applicable to the Project. Capitalized terms used but not defined herein shall have the meanings assigned to such terms in the Code as in effect as of the date hereof, without giving effect to any subsequent amendments to the Code.

This Development Plan consists of seven pages of text plus attachments designated Exhibits A through G. All references to this Development Plan contained herein shall pertain only to such pages and exhibits. This Development Plan shall constitute permanent zoning for the Site in accordance with Section 3-1A and Article 80C of the Code.

2. **The Proponent:** The Proponent of the Project is, jointly, Barry's Corner Property LLC (a Samuels & Associates entity) and the President and Fellows of Harvard College. The Proponent has filed all of the requisite disclosures.

The business address, telephone number and designated contact for the Proponent is:

Barry's Corner Property LLC
c/o Samuels & Associates
333 Newbury Street
Boston, MA 02115
(617) 247-3434
Attn: Joel Sklar

and

President and Fellows of Harvard College
Holyoke Center
1350 Massachusetts Avenue
Cambridge, MA 02138
(617) 495-1512
Attn: Lisa Hogarty

3. **Planned Development Area Overlay District:** The Site is located within the Western Avenue/Soldiers Field Road Community Commercial Subdistrict of the Allston-Brighton Neighborhood District, carrying a designation of CC-2 on Map 7B/7D of that series of maps titled “Zoning Districts, City of Boston” (the “CC-2 Subdistrict”). Pursuant to Text Amendment No. 434 and Map Amendment No. 621, effective February 15, 2013, Planned Development Areas are permitted within the area that includes the Site. A companion map amendment to this Development Plan will establish the boundaries of the proposed PDA Overlay District in a manner consistent with this Development Plan.

4. **Project Site:** The Proponent proposes to build the Project on the Site, which is located in the area of Allston-Brighton known as Barry’s Corner, and is bordered on the south by Western Avenue, on the east by North Harvard Street and on the north and west by land of Harvard University. Smith Field, a City of Boston public park, is located nearby to the west of the Site.

5. **Project:** The Proponent proposes to (i) demolish the existing single story building located at 219 Western Avenue, which currently houses Harvard University mail room services, the information technology department, police department facilities, a ceramics studio and storage space, along with adjacent surface parking, and (ii) construct a new mixed-use building on the Site anticipated to comprise a total Gross Floor Area of up to 350,000 square feet. The Project consists of the construction of two residential building components, which share a single level podium with retail and residential amenity areas (such as resident lobbies, mail room and fitness center), anticipated to contain (a) approximately 325 units of rental housing, (b) up to 40,000 square feet of retail space on the ground floor, and (c) a single-level, below-grade parking garage containing up to 185 parking spaces.

The Project will comply with the requirements of Article 37, Green Buildings, of the Code. The Project team will use the U.S. Green Building Council’s Leadership in Energy and Environmental Design (“LEED”) BD&C– NC 2009 green building rating system to evaluate sustainable design measures, in accordance with Article 37 of the Code. The Proponent intends to incorporate sustainable features into the design of both the retail and residential components of the Project where feasible and will seek to achieve a minimum of Gold level certification under the LEED rating system for the Project.

6. **Proposed Location and Appearance of Structures:** The selected elevations attached hereto as Exhibit C illustrate the Project’s general appearance. The Project’s design, layout, and general appearance may evolve during ongoing design review with the Boston Redevelopment Authority (the “Authority”) and the Boston Civic Design Commission.

7. **Proposed Density and Dimensions of Structures:** The bulk and dimensional requirements applicable to the Project are described below:

a. **Building Height:** The Project will have a maximum Height of Building (as defined in Article 2A of the Code)¹ of up to 110 feet.

b. **Floor Area Ratio:** The Project will have a maximum Floor Area Ratio of 4.0.

c. **Gross Floor Area:** The Project will have a maximum Gross Floor Area of 350,000 square feet.

8. **PDA Plan Approval Standards:** The Project will satisfy the requirements of Section 80C-4 of the Code and all other applicable provisions of the Code.

9. **Proposed Open Space and Landscaping:** The Project will create new publicly accessible open spaces, which are generally shown on the Open Space Plan attached hereto as Exhibit D. Along North Harvard Street new open space will be formed by recessing a portion of the retail base, which expands the streetscape into the Site and will be lined with shops and restaurants, including planned outdoor dining and casual seating, as well as creating the potential for events such as a farmer's market. On the corner of Western Avenue and "Smith Field Drive", new open space will be created to overlook Smith Field. This open space is intended for uses that include outdoor dining and passive recreation and will be furnished with benches, tables, chairs and landscaped areas. New open space will also be created along "Smith Field Drive" by recessing the building base and establishing an opening between the two residential building components. This open space will serve as a junction of public and private space. It is envisioned that this space will be used by building residents as overflow space for the adjacent indoor building amenity spaces, but will also be opened to the public from time to time for certain outdoor programming.

10. **Proposed Uses:** The Project may be used for those commercial, residential, and off-street parking and accessory uses listed in Exhibit E attached hereto.

11. **Proposed Traffic Circulation:** The Site is located in the northwest corner of the Western Avenue at North Harvard Street signalized intersection known as Barry's Corner. A Traffic Circulation Plan for the Project is attached hereto as Exhibit F. The Proponent will construct two new publicly-accessible roadways: "Grove Street" to the north of the Site and "Smith Field Drive" to the west of the Site (each within Harvard University's property but outside of the PDA Overlay District, and as such, not a part of this Development Plan).² Each of these streets will accommodate motorized, bicycle and pedestrian traffic and, together, these new streets are anticipated to contain approximately 41 new on-street parking spaces. These

¹ Height of Building for the Project is based on the weighted average grade along all four sides of the Site. Minor changes to the proposed grade may occur during the Project's design review and approval process without requiring a PDA amendment.

² The street names used in this document for the newly created streets are for illustrative purposes only; it is anticipated that they may be re-named in the future.

proposed streets will provide vehicular access and egress to the Project from North Harvard Street and Western Avenue.

“Smith Field Drive” is proposed to operate as a one-way northbound roadway between Western Avenue and “Grove Street,” and will have a parking lane on its eastern side and a sidewalk on both its eastern and western sides. “Grove Street” will be a two-way street east and westbound with parking and sidewalks on each side of the street, but will operate on a right-turn in/right-turn out basis at its intersection with North Harvard Street. A second means of access to North Harvard Street will be provided through the adjacent 175 North Harvard Street property to the north controlled by Harvard University. “Smith Field Drive Extension” will continue from “Smith Field Drive” to the north outside of the Site in order to provide additional Site access and to safely allow unrestricted turns to and from North Harvard Street. In addition, the Proponent proposes to upgrade signal equipment at the Barry’s Corner intersection to mitigate the traffic impacts of the Project and improve pedestrian connectivity with the neighborhood. Site circulation and proposed infrastructure improvements for the Project have been coordinated with Harvard University’s Allston Campus Institutional Master Plan effort.

Traffic impacts of the proposed Project will be analyzed further in the course of Large Project Review for the Project. Mitigation measures to address any such traffic impacts will be the subject of a Transportation Access Plan Agreement between the Proponent and the Boston Transportation Department.

12. **Proposed Parking and Loading Facilities:** The Project will include a single-level, below-grade parking garage anticipated to contain up to 185 parking spaces for building residents, and will be accessed from the new street to be created to the north of the Site. A Parking and Loading Plan for the Project is attached hereto as Exhibit G. The Proponent will coordinate the shared use of available spaces in the parking garage for use by retail tenants and their customers. The Project will also provide parking spaces for community car-sharing services (e.g., Zipcar). A loading dock for the Project will be located within the Site boundary off the new street to the north of the Site. In addition, portions of the roadway to the west of the Site will be used for loading during limited hours. It is anticipated that the Proponent will create approximately 41 new off-Site public parking spaces on the two new streets to the north and west of the Site. These 41 spaces are not part of the Project or the Development Plan.

13. **Access to Public Transportation:** The Project area is served by MBTA bus transit (Routes 66, 70A, 70, 86) and is within one-half mile of the existing Harvard University shuttle stop at Harvard Business School. Together, these transportation facilities provide convenient access to other areas of Allston, Brighton, Cambridge and most of greater Boston from the Site.

14. **Signage:** Signage for the Project shall consist of those signs approved by the Authority under its Development Review Procedures, provided that any Electronic Sign (as defined in Article 2A of the Code) shall be subject to the provisions of Article 11 of the Code.

15. **Development Review Procedures:** All aspects of the proposed Project design will be subject to ongoing development and design review and approval by the Authority. An

Expanded Project Notification Form initiating the Large Project Review process was filed by the Proponent with the Authority on December 14, 2012.

16. **Public Benefits:** The public benefits of the Project include housing creation, urban design improvements, job opportunities, expanded retail options and additional tax revenue, as further described below. Further, the Project will contribute substantially to the improvement of the pedestrian environment, the retail vitality of the neighborhood, and the urban design and architectural character of this area of Allston. The Proponent will obtain any and all additional approvals required for the construction of the public benefits.

a. **Jobs and Economic Health:** The Proponent will revitalize the existing Site and will enhance the economy within the Allston neighborhood by providing new job opportunities and a source of customers for local retail and service establishments, which are much needed in this portion of Allston. The Project is anticipated to create approximately 500 construction jobs in a variety of trades and approximately 250 new permanent jobs and full-time jobs, which will be transit-accessible. The Project will also bring increased tax revenue to the City by converting this now tax-exempt property to a taxable use. The Project will accordingly contribute extensively to the economic health of the City. The Proponent will enter into a Boston Residents Construction Employment Plan with the City of Boston.

b. **Provision of Affordable Housing:** The Project will include affordable units, which will be governed by an Affordable Housing Agreement with the Authority, and will comply with the applicable Executive Orders of the Mayor of the City of Boston relative to the City's Inclusionary Development Policies. The Proponent anticipates providing onsite affordable housing units and/or financial contributions pursuant to the Executive Orders equivalent to approximately 42 units.

c. **Improvements to the Aesthetic Character of the Site.** The Project will transform a light industrial site to a mixed-use residential and retail site, which will contribute substantially to the improvement of the pedestrian environment, the retail vitality of the neighborhood and the greater Barry's Corner area, and the urban design and architectural character of this area of Allston. Additionally, the Project will provide a main street-like environment and serve as a transition area from Harvard institutional architecture to the east and north into the surrounding residential neighborhood to the west and south.

d. **Public Realm:** In connection with the Project (but not as part of the Project or this Development Plan), subject to required City approvals, the Proponent will create two new streets to the north and west of the Site, which will provide new on-street parking spaces and improve vehicular circulation and pedestrian access to Smith Field. In addition, the Proponent will enhance pedestrian safety and circulation by proposing corridor upgrades, including improved sidewalk spaces, improved/upgraded sidewalks and street crossings, and improved illumination of pedestrian walkways. Further, the Proponent will provide or promote alternative modes of transportation, including bike-sharing programs, on-site bicycle parking along North Harvard Street and Western

Avenue, improved bicycle lanes on Western Avenue, parking for car-sharing programs and access to the Harvard University shuttle bus system for residents and employees.

e. Urban Design: The Project will improve the urban design characteristics and aesthetic character of the surrounding area with the introduction of high-quality architecture to the Site, which will serve as a transition from Harvard institutional architecture to the surrounding residential neighborhood, and the enhancement of the public areas with streetscape and pedestrian improvements such as signage, street furniture, lighting, landscaping, outdoor seating areas for potential restaurant occupancy, and an open space for building residents that will be opened to the public from time to time for certain outdoor programming. In addition, by providing ground-floor retail space, the Project will both create activity around the Site and provide amenities to residents and visitors, thereby acting as a catalyst for future development in the area.

f. Smart Growth/Transit-Oriented Development: The Project will concentrate its new retail and residential uses in close proximity to several major MBTA bus lines and existing Harvard University shuttle services, which provide easy access to the Site from the surrounding neighborhood and other areas of the City.

g. Sustainable Design: The Project will comply with the requirements of Article 37 of the Code. The Project team will use the LEED BD&C– NC 2009 green building rating system to evaluate sustainable design measures, in accordance with Article 37 of the Code. The Proponent intends to incorporate sustainable features into the design of both the retail and residential components of the Project where feasible and will seek to achieve a minimum of Gold level certification under the LEED rating system for the Project.

h. Creation of Housing Opportunities: The Project will provide approximately 325 new units of much-needed market-rate rental housing for the residents of Allston-Brighton, including a number of affordable housing units.

i. Improved Open Space: The Project will provide new public open space (i) within the southwest corner of the Site, which will overlook the adjacent Smith Field and is intended for uses such as outdoor dining and passive recreation, (ii) along “Smith Field Drive” between the two residential building components, which will overlook the adjacent Smith Field; it is envisioned that this space will be used by building residents as overflow space for the adjacent indoor building amenity spaces, but will also be opened to the public from time to time for certain outdoor programming, and (iii) along North Harvard Street, which will expand the streetscape into the Site and is anticipated to be lined with shops and restaurants, including planned outdoor dining and casual seating. In addition, the Project will help create a greater presence on Smith Field and establish connections to the surrounding area, while using a new roadway to create a buffer between the Project and the park.

j. Financial Benefits: The Project will result in significant financial benefits to the City, including providing additional property tax revenue by converting this tax-exempt property to a taxable use.

17. **Applicability:** In accordance with Section 80C-9 of the Code, consistency of the Project with this Development Plan constitutes compliance with the dimensional, use and all other requirements of the Code to the extent such requirements have been addressed in this Development Plan. To the extent that any aspect of proposed uses and proposed structures complying with this Development Plan are in conflict with any requirement of the Code not specifically addressed in this Development Plan, such requirements shall be deemed to be waived upon approval of this Development Plan. However, in no event shall the provisions of Section 51-45 of the Code (Planned Development Areas: Use and Dimensional Regulations), as in effect as of the date hereof, be deemed to be waived by this Development Plan.

18. **Minor Modifications to Plans:** This Development Plan sets forth the dimensional, use and other zoning requirements for the Project and the Site, to the extent such requirements have been addressed in this Development Plan. Once this Development Plan is approved, final plans and specifications for the Project will be submitted to the Authority pursuant to Section 3-1A and Article 80C of the Code for final design review approval and certification as to consistency with this Development Plan, and to other governmental agencies and authorities for final approval. Accordingly, subject to consistency with the dimensional regulations set forth in this Development Plan, minor changes may occur to the Project's design described in this Development Plan without requiring a PDA amendment.

19. **Development Schedule:** The Proponent estimates that construction of the Project will take approximately twenty-four (24) to twenty-eight (28) months. Demolition is anticipated to commence in the fall of 2013, with construction to follow thereafter.

20. **Proponent's Obligations to Proceed with Project:** Notwithstanding anything set forth herein to the contrary, under no circumstances shall the Proponent be obligated to proceed with all or any portion of the Project.

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List of Attachments

Exhibit A Site Perimeter Description

Exhibit B Site Plan

Exhibit C Elevations

Exhibit D Open Space Plan

Exhibit E Allowed Uses

Exhibit F Traffic Circulation Plan

Exhibit G Parking and Loading Plan

EXHIBIT A

Site Perimeter Description

A certain parcel of land situated in the City of Boston, Suffolk County, Commonwealth of Massachusetts, bounded and described as follows:

A certain parcel of land with the buildings thereon, situated on the northerly side of Western Avenue and westerly side of North Harvard Street, in the city of Boston, Suffolk County, Commonwealth of Massachusetts, assessor's number 2200534000, and being a portion of a parcel shown on plan entitled "Plan of Land in Brighton, Mass. Belonging to Lillian U. Wood" dated June 15, 1914, D. W. Hyde, surveyor, recorded with Suffolk Registry deeds at the end of book 3850.

Said parcel being further described as follows:

Beginning at a point in the northerly line of Western Avenue, 37.98 feet easterly from land of now or formerly of the City of Boston, thence:

N 23°09'15" E 404.11 feet to a point, thence;

S 54°27'28" E 356.29 feet to the westerly sideline of North Harvard Street, thence;

S 44°59'45" W 145.81 feet along said sideline of North Harvard Street to a point, thence;

Along the northerly line of Western Avenue, along a curve to the right having a radius of 100.00 feet and a length of 67.18 feet to a point, thence;

S 83°29'13" E 288.19 feet along the northerly sideline of Western Avenue to the point of beginning.

The above described land contains an area of 88,353 square feet or 2.03 acres, more or less.

EXHIBIT B

Site Plan

[see attached]

Barry's Corner, Allston, Massachusetts

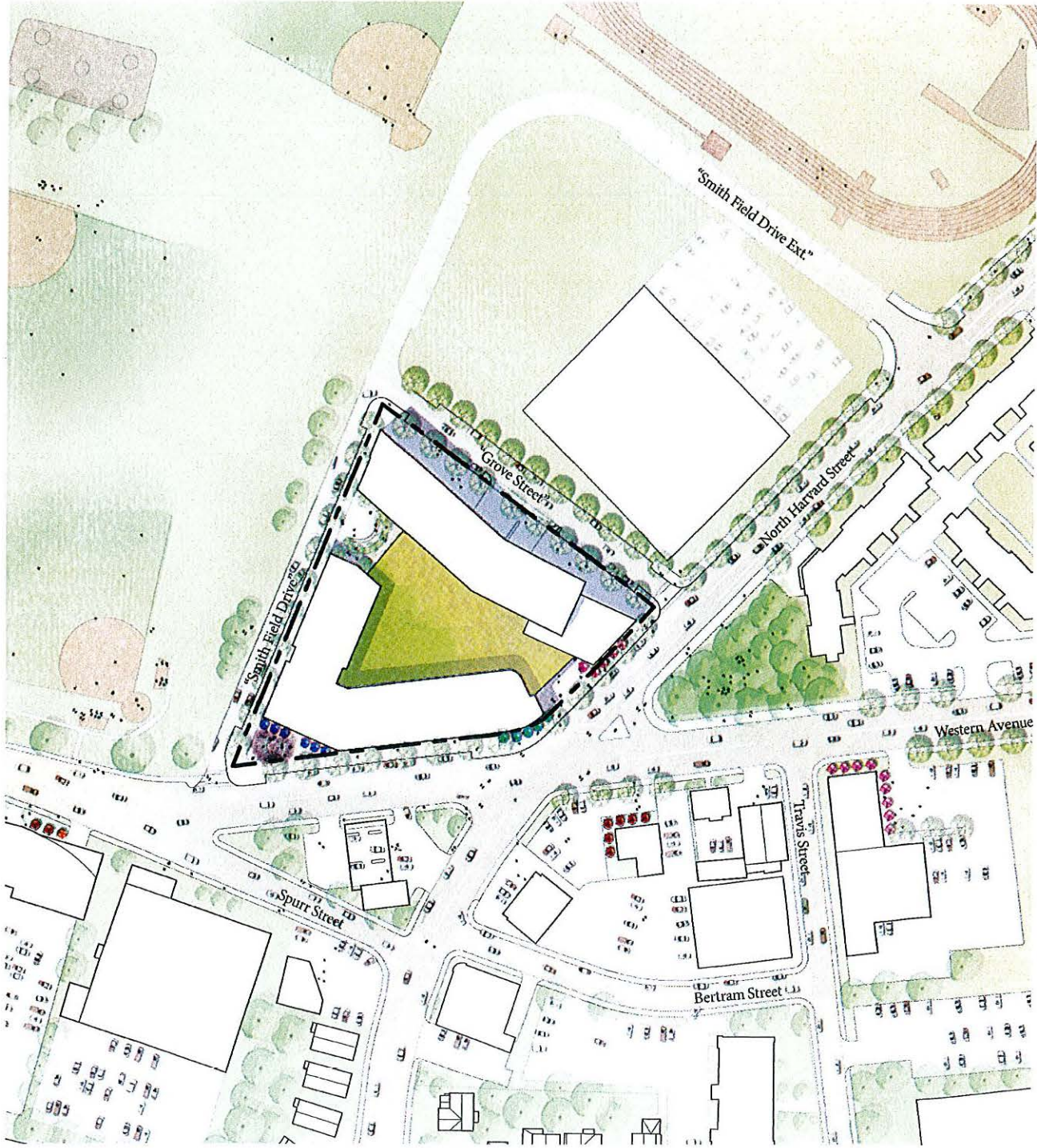


EXHIBIT B

Site Plan



EXHIBIT C

Elevations

[see attached]

Barry's Corner, Allston, Massachusetts



South Elevation (Western Avenue)



East Elevation (North Harvard Street)

EXHIBIT C

Building Elevations



Barry's Corner, Allston, Massachusetts



North Elevation ("Grove Street")



West Elevation ("Smith Field Drive")

EXHIBIT C

Building Elevations

0 32ft 64ft

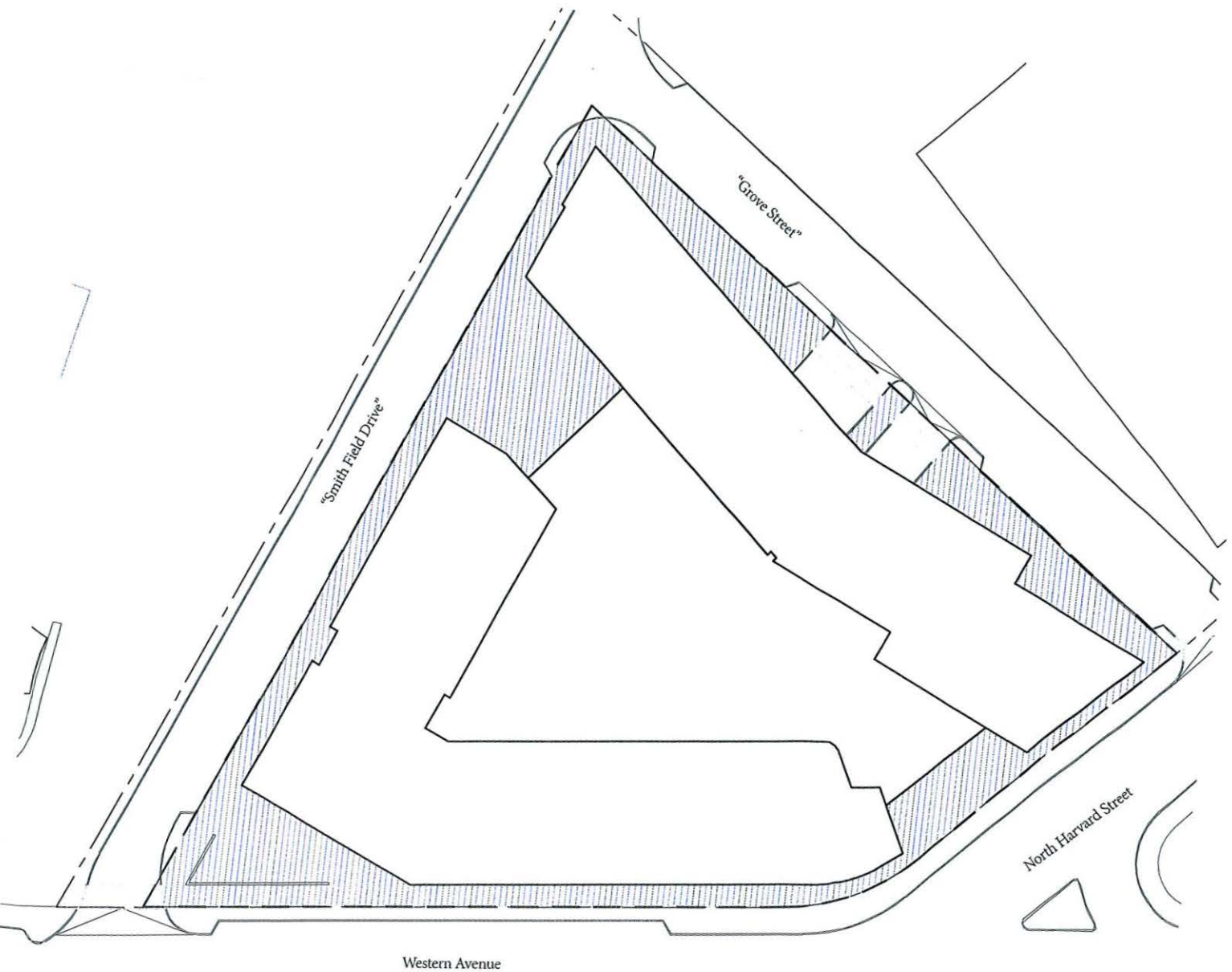


EXHIBIT D

Open Space Plan

[see attached]

Barry's Corner, Allston, Massachusetts



Western Avenue

North Harvard Street

EXHIBIT D
Open Space Plan



--- Site Boundary
▨ Ground Plane Open Space

EXHIBIT E

Allowed Uses

Uses allowed within the Planned Development Area Overlay District shall be the following uses:

Residential Uses

Multifamily residential uses, town houses and/or artist live-work use.

Service Uses (ground floor only)

All local service uses, including, but not limited to, barber shop, beauty shop, caterer's establishment, dressmaker shop, framer's studio, laundry or dry-cleaner (pick-up/delivery), photocopying establishment, photographer's studio, shoe repair shop, tailor (custom) shop, rental agency for cars, and video or motion picture store (sale or rental).

Retail Uses (ground floor only)

Any retail business, including, but not limited to, stores primarily serving the local retail business needs of the neighborhood, including, but not limited to, any store retailing food, baked goods, groceries, packaged alcoholic beverages, drugs, tobacco products, clothing, dry goods, books, flowers, paint, hardware, indoor sale of auto parts and/or minor household appliance, and any store serving the general retail business needs of a major part of the city, including, but not limited to, any department store, furniture store, general merchandise mart and accessory storage.

Restaurant and Food Service Uses (ground floor only)

Bakery, café, coffee shop, delicatessen, diner, restaurant (which may include take-out), cafeteria or other place for the service or sale of food or drinks for on- or off-premises consumption, with or without entertainment, including outdoor seating.

Cultural Uses (ground floor only)

Art gallery (commercial or nonprofit), art needle workshop, costume rental establishment, historical exhibit, musical instrument repair, public art display space, studios (music, dancing, visual arts or theatrical) and ticket sales.

Childcare Uses (ground floor only)

Childcare uses, including, but not limited to, day care center and nursery school.

Banking and Postal Uses (ground floor only)

Banking and postal uses, including, but not limited to, automatic teller machine, bank, or post office.

Office Uses (ground floor only)

Agency or professional office, including but not limited to any room, studio, clinic, office or suite wherein the primary use is the conduct of business by professional persons, whether or not requiring professional license, such as attorneys, physicians, architects, insurance agents, professional managers and agents, consultants, writers, and the like.

Entertainment and Recreational Uses (ground floor only)
Fitness center or gymnasium, theater, museum and cinema.

Accessory Uses

Subject to the limitations and restrictions of Article 10 of the Code: (i) accessory loading; (ii) a parking garage and surface parking, including parking spaces, for residents, occupants, employees and visitors of the Project; (iii) accessory services and amenities for apartment residents, including, but not limited to, resident lobbies and common areas, mail facilities, accessory health club/fitness center facilities, accessory amusement games and accessory ATM; (iv) accessory and/or ancillary food service/cafeteria use and/or accessory outdoor café use; (v) the storage of flammable liquids and gases incidental to a lawful use; and (vi) any use ordinarily incident to a lawful main use, provided that any such use shall be subject to the same restrictions, conditions, limitations, provisos and safeguards as the use to which it is accessory.

EXHIBIT F

Traffic Circulation Plan

[see attached]

Barry's Corner, Allston, Massachusetts

- A Smith field Driveway One-Way Northbound
- B Grove Street Right in/Right Out
- C Signal and Striping Improvements
- D Two hour On-street Parking
- E Relocated Bus Stop
- F Eliminated Bus Stop (After Charleview Relocation)
- # Parking Spaces

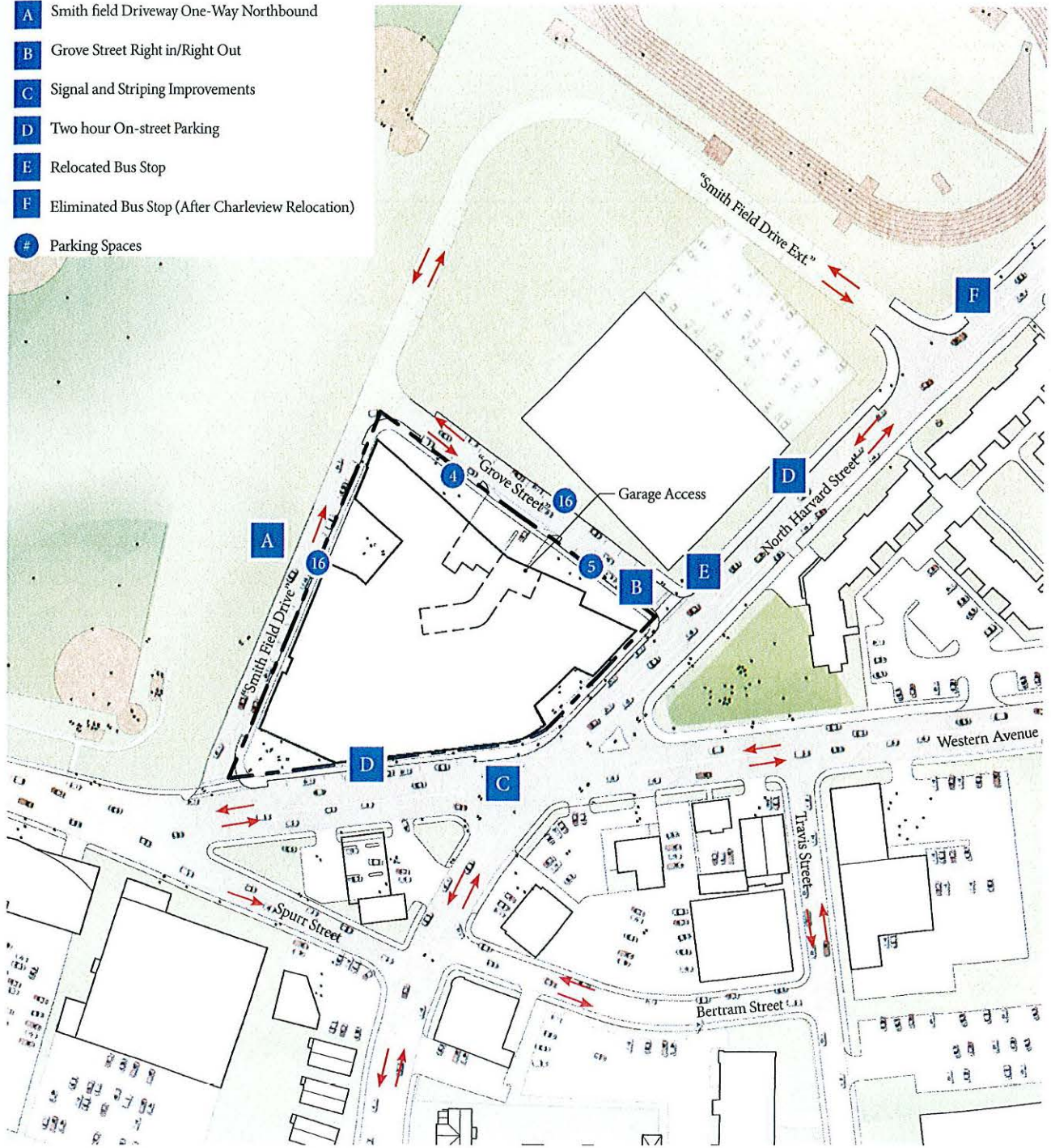


EXHIBIT F
Traffic Circulation Plan

0 75ft 150ft



EXHIBIT G

Parking and Loading Plan

[see attached]

Barry's Corner, Allston, Massachusetts

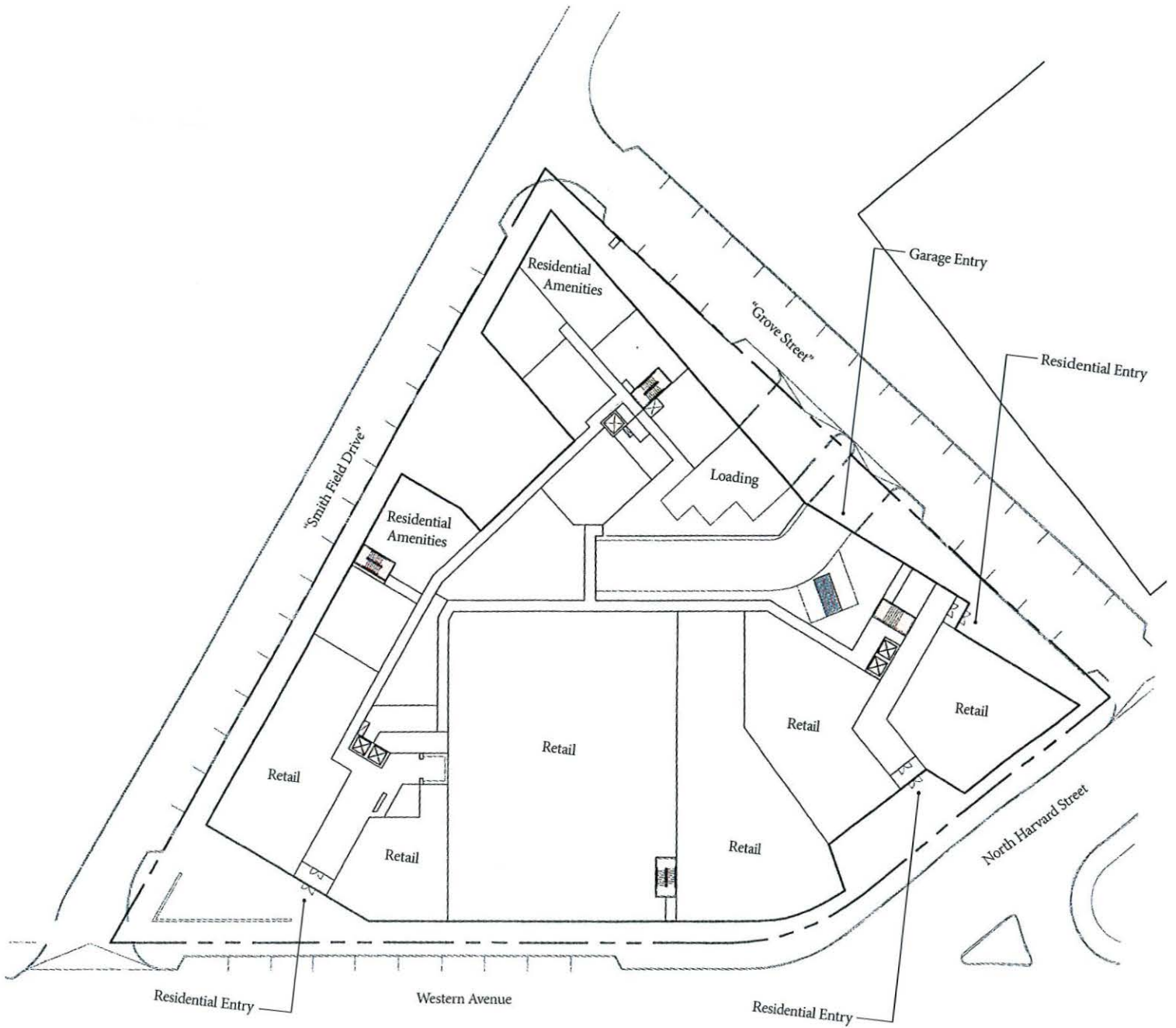


EXHIBIT G

Parking and Loading Plan - Ground Level



--- Development Site

Barry's Corner, Allston, Massachusetts

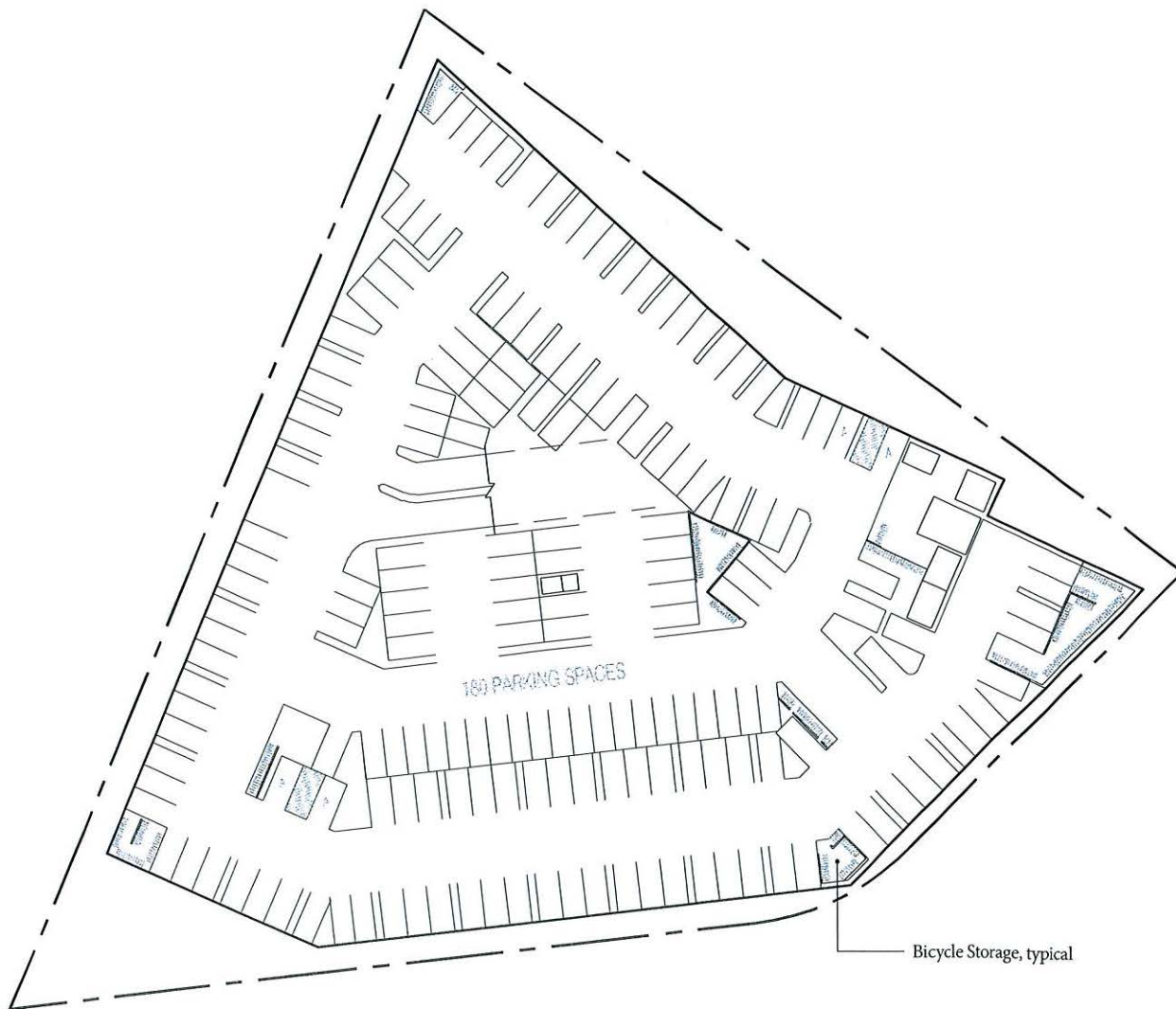


EXHIBIT G

Parking and Loading Plan - Garage Level

0 32ft 64ft



--- Development Site



MEMORANDUM

APRIL 11, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: LINDA KOWALCKY, DEPUTY DIRECTOR OF INSTITUTIONAL SECTOR
MANAGEMENT
GERALD AUTLER, SENIOR PROJECT MANAGER/PLANNER

SUBJECT: PUBLIC HEARING TO CONSIDER THE DEVELOPMENT PLAN FOR
PLANNED DEVELOPMENT AREA NO. 90 REGARDING THE BARRY'S
CORNER RESIDENTIAL AND RETAIL COMMONS PROJECT
LOCATED IN ALLSTON-BRIGHTON

SUMMARY: This Memorandum requests authorization for Boston Redevelopment Authority ("BRA" or "Authority") to: (1) approve pursuant to Section 80C-5.4 of the Boston Zoning Code (the "Code") the Development Plan for Planned Development Area No. 90 for the Barry's Corner Residential and Retail Commons Project (the "Development Plan"); (2) petition the Boston Zoning Commission for approval of the Development Plan and associated map amendment, deleting the designation "IMP," indicating an Institutional Master Plan Area overlay district and adding the designation "D," indicating a Planned Development Area overlay district; (3) issue a Scoping Determination waiving further review pursuant to Article 80B-5.3(d) of the Code for the Barry's Corner Residential and Retail Commons ("Proposed Project"); (4) issue a Certification of Compliance for Article 80 Large Project Review for the Proposed Project pursuant to Section 80B-6 of the Code; (5) issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (6) execute any and all documents deemed necessary and appropriate relative to the Development Plan and the Proposed Project, including, but not limited to, execution of a Boston Residents Construction Employment Plan and a Cooperation Agreement.

INTRODUCTION

Barry's Corner, at the intersection of North Harvard Street and Western Avenue in Allston, is located in the heart of the North Allston/North Brighton neighborhood and at the western edge of Harvard University's developing Allston campus. It is also on the cusp of major change, as residents of the nearby Charlesview housing complex prepare to relocate to their new location further west on Western Avenue and as

Harvard plans its campus expansion in the area, including resuming construction on a major academic building.

During planning and discussion with the BRA about the future of the residential neighborhood, two priorities were among those most often voiced by Allston residents: additional housing and new services and amenities. To address these needs, Harvard University agreed to make a parcel of university land at Barry's Corner available for development of a housing and retail complex. The parcel, at the northwestern corner of the intersection of North Harvard Street and Western Avenue, is shown in Appendix A.

Harvard University ("Harvard" or the "University") issued a Request for Proposals ("RFP") to identify a developer for the project on March 20, 2012. The developer, Barry's Corner Property LLC, a Samuels & Associates entity ("Samuels" or the "Developer") was selected by a review team that included two members of the Harvard Allston Task Force.

DESCRIPTION OF PROPOSED DEVELOPMENT PLAN AND PROJECT

On January 22, 2013, Samuels and the President and Fellows of Harvard College (collectively, the "Proponent") submitted a Development Plan for a Planned Development Area Overlay District ("PDA Overlay District") containing approximately 2.03 acres of area located at the northwest corner of the intersection of North Harvard Street and Western Avenue in the Allston-Brighton Neighborhood District, currently with an address of 219 Western Avenue (the "Project Site"). Pursuant to Text Amendment No. 434 and Map Amendment No. 621, effective February 15, 2013, Planned Development Areas are permitted within the area that includes the Project Site.

The Developer filed a Project Notification Form ("PNF") on December 14, 2012 for the Barry's Corner Residential and Retail Commons Project ("Proposed Project"), an up to 350,000 square foot building consisting of approximately 325 residential rental units, up to 40,000 square feet of ground floor retail space and approximately 185 below-grade parking spaces and approximately 41 new on-street parking spaces within the PDA Overlay District.

The Proposed Project will involve (i) the demolition of the existing single story building located at the Project Site, and (ii) the construction of a new mixed-use building anticipated to comprise a total Gross Floor Area of up to 350,000 square feet, consisting of two residential building components, which share a single level podium with retail and residential amenity areas, and anticipated to contain (a) approximately 325 units of rental housing, (b) up to 40,000 square feet of retail space on the ground floor, and (c) a below-grade parking garage anticipated to contain approximately 180 parking spaces. In response to questions from community residents about the adequacy of the parking supply, the Developer has committed to implement a managed parking system if

demand from residents of the Proposed Project exceeds supply. This system would mean more efficient utilization of the proposed garage floor area (through valet parking rather than self-parking) and would allow an additional 45 cars to park at peak times, increasing the total number of potential parking spaces in the garage to 225.

The Proposed Project will have a maximum height of 110 feet, a maximum Floor Area Ratio of 4.0, and a maximum Gross Floor Area of 350,000 square feet.

PROJECT REVIEW

The Proposed Project and the Development Plan are subject to, respectively, Large Project Review pursuant to Section 80B of the Code and Planned Development Area Review subject to Section 80C of the Code. The Proposed Project is also subject to Article 37, Green Buildings, of the Code.

Moreover, the review of the Proposed Project is occurring in the context of ongoing discussion and review of a new Institutional Master Plan ("IMP") for Harvard University. The evolving IMP will govern the development of key adjacent sites owned by Harvard University, as well as additional improvements to the public realm, pedestrian circulation, and transportation infrastructure.

The project has been discussed at Task Force meetings on:

- June 27, 2012
- July 11, 2012
- July 23, 2012
- August 22, 2012
- October 1, 2012
- November 7, 2012
- January 23, 2013
- February 6, 2013
- March 12, 2013
- April 1, 2013

PUBLIC BENEFITS

The Proposed Project is anticipated to create approximately 500 construction jobs in a variety of trades and approximately 250 permanent jobs. The Proposed Project will also bring increased tax revenue to the City by converting this now tax-exempt property to a taxable use.

The Proposed Project will include new retail space desired by local residents, extensive public realm improvements, and new open space, as well as transportation improvements that will mitigate the project's impacts while also providing mobility options for neighborhood residents and visitors. The 41 surface parking spaces will provide additional parking opportunities for visitors to Smith Field, the project will provide parking for car sharing services, and it will help locate car sharing, bicycle sharing, and other mobility options within close proximity to one another.

The Proposed Project will include onsite affordable housing units and/or financial contributions equivalent to approximately 42 affordable units, which will be governed by an Affordable Housing Agreement with the BRA, and will comply with the applicable Executive Orders of the Mayor of the City of Boston relative to the City's Inclusionary Development Policies.

The Proposed Project includes numerous public benefits that will help begin the transformation of Barry's Corner into a neighborhood center and will improve access to Smith Playground. Most notable are:

- Up to 40,000 square feet of new retail space.
- Market Square, an open space located on North Harvard Street, which will provide an outdoor community gathering place.
- Portal to the Park, an open space located on Western Ave and the new "Smith Field Drive" which will provide an outdoor community gathering place with views of Smith Field.
- "Smith Field Drive" open space located near the intersection of "Smith Field Drive" and "Grove Street" will be the location for a community summer movie and music series, sponsored by Samuels & Associates.
- North Harvard Street streetscape improvements.
- Western Avenue streetscape improvements.
- The creation of "Grove Street," a new road that will include 25 short term public parking spaces and site access for underground parking and retail tenants.
- The creation of "Smith Field Drive," a new pedestrian-friendly road which will enhance access to Smith Field and will include 16 short term public parking spaces and a bicycle lane.
- "Smith Field Drive" sidewalk on park side and re-grading of the park edge.
- Planting of trees along "Smith Field Drive" edge.

In addition to these project-based public benefits, the Harvard-Allston Task Force has expressed a desire for additional community benefits that can be implemented in parallel with the Barry's Corner Residential and Retail Commons. In previous conversations, the BRA committed to the Task Force that the community benefits associated with all projects on Harvard-owned land, including those carried out with a

development partner, should be determined as part of a comprehensive approach to community benefits associated with the University's new Institutional Master Plan. Public discussions leading to this comprehensive approach are scheduled to begin in April, 2013.

However, in recognition of the Task Force's current position, Harvard University, the Boston Redevelopment Authority, and Samuels and Associates have identified the following additional community benefits, all of which, subject to review and approval by the Boston Parks and Recreation Department, are anticipated to be delivered by the completion of the Proposed Project, anticipated to occur in the fall of 2015:

1. New entrances and seating areas designed to open the park visually and physically to the neighborhood. Based on conceptual designs presented by Samuels and Associates, these would include an entrance and a gathering space at the intersection of Western Avenue and Smith Field Drive, as well as another entrance at the intersection of Grove Street and Smith Field Drive. These would provide entrances where there is currently no access, as well as seating and gathering spaces. In conjunction with other improvements to the eastern edge of Smith Playground, these will dramatically transform the community's ability to access the park and the relationship between the park and Barry's Corner. Design and budget to be developed through consultation with the Parks and Recreation Department.
2. Funding of up to \$50,000 for a master plan for Smith Playground in order to determine necessary capital investments to upgrade and/or reconfigure the park's component features. The master plan will be conducted by the Boston Parks and Recreation Department.
3. Funding of up to \$50,000 for redesign of the tot lot, which is approaching the end of its life cycle. Funding from the project proponents will allow redesign to take place sooner than if it were funded through the city's Capital Plan. Redesign will be conducted by the Boston Parks and Recreation Department.
4. Any remaining funds after the completion of items #1-3 above will be contributed towards the cost of reconstructing the tot lot in Smith Playground, to be designed and constructed by the Boston Parks and Recreation Department.

The Proposed Project is making a commitment to fund a total budget of \$500,000 toward these additional community benefits.

Throughout the community process associated with the Barry's Corner Residential and Retail Commons project, other potential community benefits have been discussed, including ideas for fitness and wellness programs with Harvard and Harvard Athletics. These, and other, potential future benefits will be included in the broader discussion regarding community benefits associated with the approval of Harvard's Institutional Master Plan.

The IMPNF submitted by Harvard in October of 2012 states that:

"As the approval process for the University's Institutional Master Plan unfolds, Harvard will develop a coherent approach to community benefits associated with each project as it moves forward. Harvard's hope is that a predetermined approach to community benefits will be established so that the City, Allston community and Harvard will clearly understand the contribution each project may make towards community benefits and, armed with the knowledge, foster a more comprehensive approach to community benefits than engaging in one-off discussions related to individual projects as they arise."

RECOMMENDATIONS

Based on the foregoing, BRA staff recommends that the BRA: (1) approve pursuant to Section 80C-5.4 of the Code the Development Plan; (2) authorize the Director to: (a) petition the Boston Zoning Commission for approval of the Development Plan and associated map amendment, deleting the designation "IMP," indicating an Institutional Master Plan Area overlay district and adding the designation "D," indicating a Planned Development Area overlay district; (b) issue a Scoping Determination waiving further review pursuant to Article 80B-5.3(d) of the Code for the Barry's Corner Residential and Retail Commons ("Proposed Project"); (c) issue a Certification of Compliance for Article 80 Large Project Review for the Proposed Project pursuant to Section 80B-6 of the Code; (d) issue a Certification of Consistency pursuant to Section 80C-8 of the Code; and (e) execute any and all documents deemed necessary and appropriate relative to the Proposed Project, including, but not limited to, execution of a Boston Residents Construction Employment Plan and a Cooperation Agreement.

Appropriate votes follow:

VOTED: That in connection with the Development Plan for Planned Development Area No. 90, Allston-Brighton (the "Development Plan"), presented at a public hearing held at the offices of the Boston Redevelopment Authority ("BRA") on April 11, 2013, and after consideration of evidence presented at, and in connection with the Development Plan regarding Barry's Corner Residential and Retail Commons project, the BRA hereby finds that (i) the Development Plan is not for a location or Proposed Project for which Planned Development Areas ("PDAs") are forbidden by the underlying zoning; (ii) the Proposed Project in the Development Plan complies with any provisions of the underlying zoning that establish use, dimensional, design, or other requirements for Proposed Projects in PDAs; (iii) the Development Plan complies with any provisions of the underlying zoning that establish planning and development criteria for PDAs; (iv) the

Development Plan conforms to the plan for the district, subdistrict, or similar geographic area in which the PDA is located, and to the general plan for the City as a whole; and (v) on balance, nothing in the 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, pursuant to Article 80D of the Boston Zoning Code ("Code"), the BRA hereby authorizes the Director to petition the Boston Zoning Commission for approval of the Development Plan and to amend "Map 7A/7B/7C/7D, Allston-Brighton Neighborhood District," and "Map 7B/7D, Allston-Brighton Neighborhood District," of the series of maps entitled "Zoning Districts City of Boston", dated August 15, 1962, as amended, by deleting the designation "IMP," indicating an Institutional Master Plan Area overlay district and adding the designation "D," indicating a Planned Development Area to the property to be known as "Planned Development Area No. 90, Barry's Corner Residential and Retail Commons", all in substantial accord with that presented at the BRA public hearing on April 11, 2013; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination waiving the requirement to file and review a Draft Project Impact Report and Final Project Impact Report for the Proposed Project pursuant to Section 80B-5.3(d) of the Code, which Scoping Determination shall provide that the Project Notification Form (i) adequately describes the impacts of the Proposed Project, subject to further BRA design review, and (ii) include any conditions that the Director deems appropriate and necessary for the mitigation of such impacts; and

FURTHER

VOTED: That the Director be, and hereby is, authorized pursuant to the provisions of Section 80B-6 of the Code, to issue a Certification of Compliance for the Proposed Project upon completion of the Article 80B Large Project Review; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Consistency for the Proposed Project pursuant to Section 80C-8 of the Code, when appropriate; and

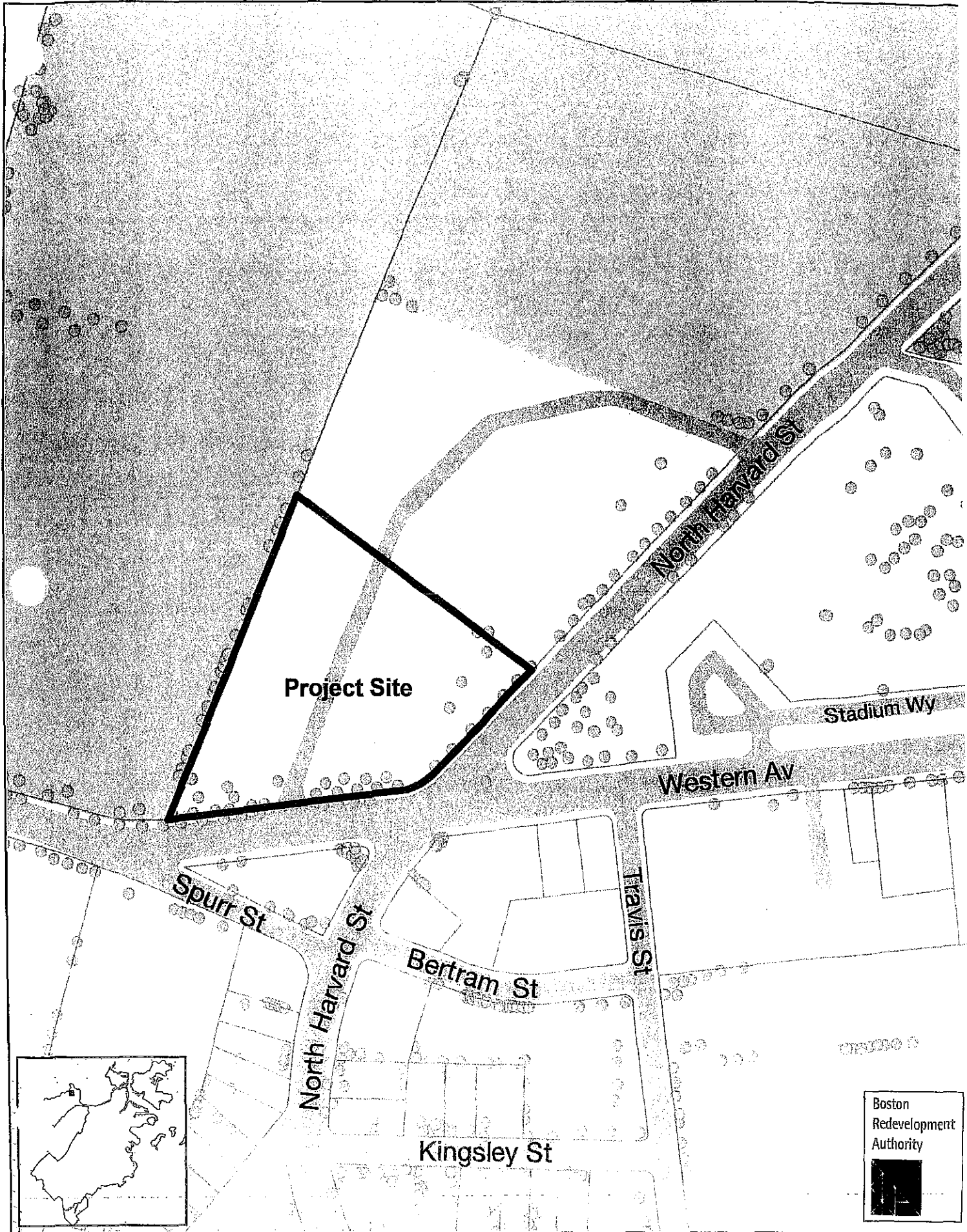
FURTHER

VOTED:

That the Director be, and hereby is, authorized to execute any and all documents deemed necessary and appropriate by the Director in connection with the Development Plan and the Proposed Project, including, without limitation, a Boston Residents Construction Employment Plan, and a Cooperation Agreement, and an Affordable Rental Housing Agreement.

Appendix A
Map of PDA and Project Site

Appendix B
Petition to Boston Zoning Commission



Map Amendment Application No. 627
Boston Redevelopment Authority
Planned Development Area No. 90
Map 7A/7B/7C/7D and 7B/7D,
Allston-Brighton Neighborhood District

MAP AMENDMENT NO. 561

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. 90, Barry's Corner Residential and Retail Commons, dated March 14, 2013, and amends "Map 7A/7B/7C/7D, Allston-Brighton Neighborhood District," and "Map 7B/7D, Allston-Brighton Neighborhood District," of the series of maps entitled "Zoning Districts City of Boston", dated August 15, 1962, as amended, as follows:

1. By deleting the designation "IMP," indicating an Institutional Master Plan Area overlay district, from the existing property as described on Appendix A and shown on Appendix B.
2. By adding the designation "D," indicating a Planned Development Area overlay district, to the existing property as described on Appendix A and shown on Appendix B.

EXHIBIT A

Site Perimeter Description

A certain parcel of land situated in the City of Boston, Suffolk County, Commonwealth of Massachusetts, bounded and described as follows:

A certain parcel of land with the buildings thereon, situated on the northerly side of Western Avenue and westerly side of North Harvard Street, in the city of Boston, Suffolk County, Commonwealth of Massachusetts, assessor's number 2200534000, and being a portion of a parcel shown on plan entitled "Plan of Land in Brighton, Mass. Belonging to Lillian U. Wood" dated June 15, 1914, D. W. Hyde, surveyor, recorded with Suffolk Registry deeds at the end of book 3850.

Said parcel being further described as follows:

Beginning at a point in the northerly line of Western Avenue, 37.98 feet easterly from land now or formerly of the City of Boston, thence:

N 23°09'15" E 379.24 feet to a point, thence;

Along a curve to the right having a radius of 20.00 feet and a length of 35.74 feet to a point, thence;

S 54°27'28" E 331.42 feet to the westerly sideline of North Harvard Street, thence;

S 44°59'45" W 145.81 feet along said sideline of North Harvard Street to a point, thence;

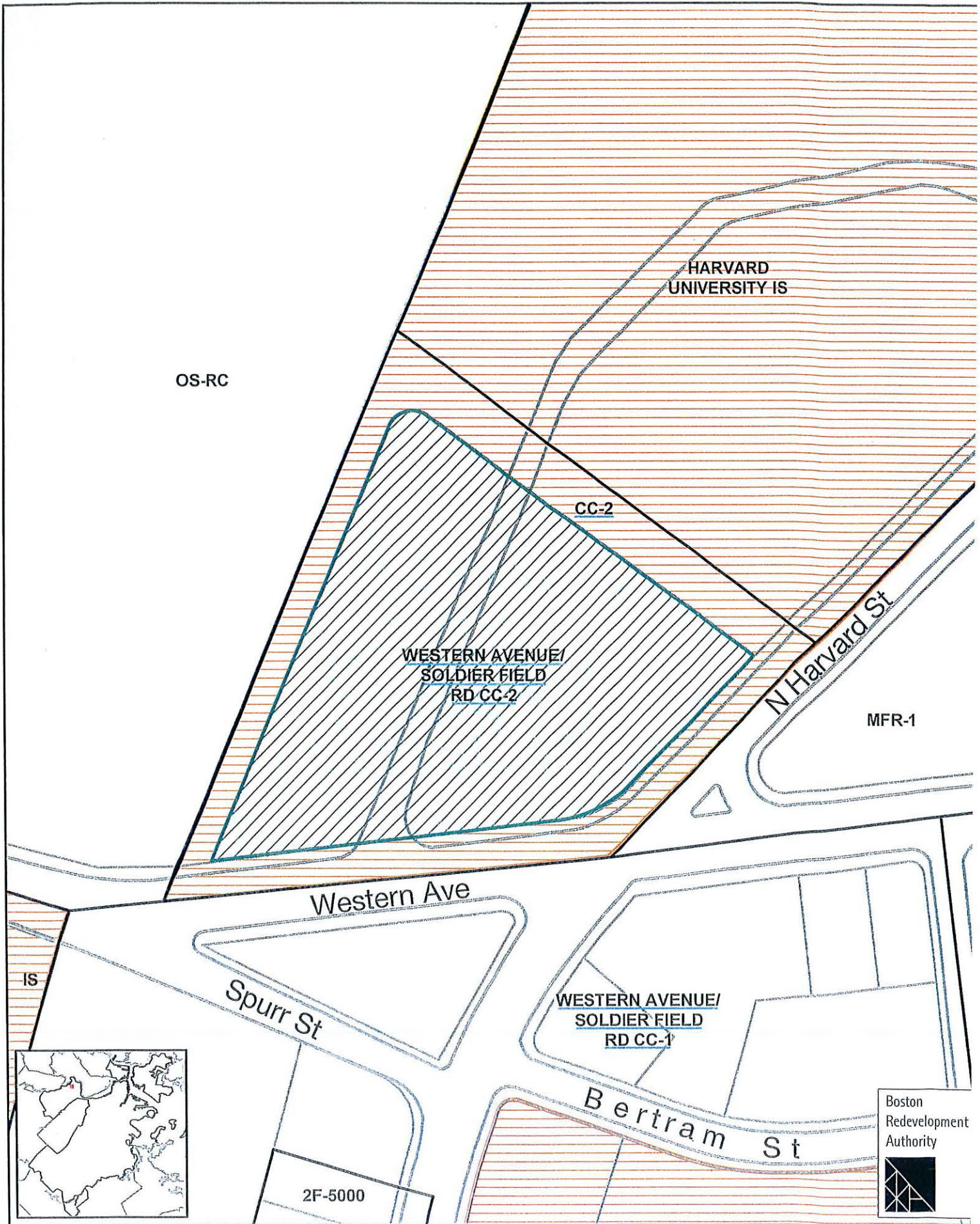
Along the northerly line of Western Avenue, along a curve to the right having a radius of 100.00 feet and a length of 67.18 feet to a point, thence;

S 83°29'13" W 288.19 feet along the northerly sideline of Western Avenue to the point of beginning.

The above described land contains an area of 88,213.4 square feet or 2.02 acres, more or less.

Proposed Map Amendment 627, Map 7 & 7B/7D

1:1,200



Robert F. ...

Chairman

Vice Chairman

John J. McDonnell

James J. Bray

Paul Hurley

M. Statten

Kevin A. Wawchik

Debb ...

Charles Wolfson

In Zoning Commission

Adopted: May 8, 2013

Attest:


[Signature]
Executive Secretary


Development Plan for Planned Development Area No. 90, Barry's Corner Residential and Retail Commons

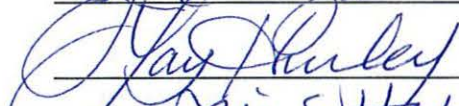


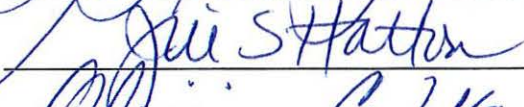
Chairman

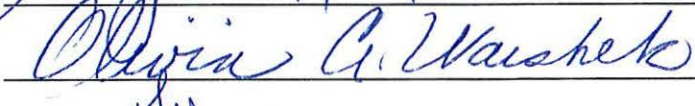
Vice Chairman

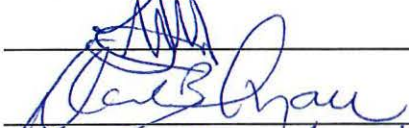


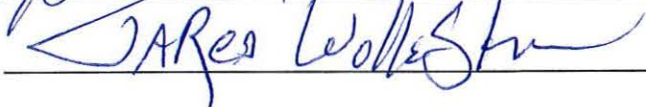












In Zoning Commission

Adopted: May 8, 2013

Attest: 

Executive Secretary



Mayor, City of Boston

Date: 5-9-13

The foregoing amendment was presented to the Mayor on May 8, 2013, and was signed by him on May 9, 2013, whereupon it became effective on May 9, 2013, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Executive Secretary, Boston Zoning Commission

Development Plan for Planned Development Area No. 90, Barry's Corner Residential and Retail Commons

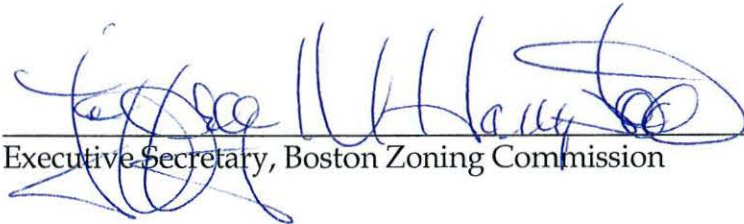


Mayor, City of Boston

Date: 5-9-13

The foregoing Development Plan, was presented to the Mayor on May 8, 2013, and was signed by him on May 9, 2013, whereupon it became effective on May 9, 2013, in accordance with Section 3 of Chapter 665 of the Acts of 1956, as amended.

Attest:



Executive Secretary, Boston Zoning Commission