



Town of Brookline

Massachusetts

10/25/19

PLANNING BOARD

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To: Zoning Board of Appeals
From: Planning Board
Date: October 24, 2019
Subject: Construct apartment building (Gerry Building) and community center for the residents of Hancock Village
Location: 118 Gerry Road / 121 Independence Drive

Atlas Sheet:	109	Case #:	2019-0061
Block:	388B	Zoning:	M-0.5
Lot:	01	Lot Area:	998,188 SF (22.92 acres)

Board of Appeals Hearing: November 14, 2019 at 7:00 pm or later

DEMOLITION/PRESERVATION

On July 11, 2017, the Preservation Commission voted to uphold the Preservation staff's initial determination that the two parking garages proposed for demolition are significant. An 18-month stay of demolition was imposed, due to the property's listing on the National or State Registers of Historic Places. The applicant has waited out the delay period, which expired on January 11, 2019. The applicant has 2 years from that date to demolish the buildings.

MAJOR IMPACT PROPOSAL and DESIGN ADVISORY TEAM (DAT)

The DAT and Development Team met six times on this Major Impact Proposal to construct an apartment building and Community Center at Hancock Village. A significant number of minor and not-so-minor changes were made to the apartment building, the community center, the recycling center, and the site plan over the course of those 6 meetings to address issues of design, massing, scale, parking, and landscaping. At their meeting on April 23, 2019, the DAT agreed that the design had progressed sufficiently and allowed the applicant to present to the Planning Board at their May 16, 2019 meeting. At that Planning Board meeting, the Board offered a few additional suggestions on design but otherwise agreed that the project was ready for submission to the Building Department for zoning relief.

SITE AND NEIGHBORHOOD

Located off of Independence Drive in Brookline and West Roxbury (Boston), Hancock Village is a multifamily complex constructed in the 1940s, based on the Garden Village planning model. Hancock Village consists of 789 two-story townhouse apartments, the majority of which are located in Brookline. The site includes approximately 1,073 on-site parking spaces, which, with

few exceptions, are surface parking. The Brookline Zoning Board of Appeals issued a Comprehensive Permit to an affiliate of Chestnut Hill Realty to construct “The Residences of South Brookline,” a 161-unit apartment development on 8.72 acres within an area of Hancock Village that abuts the single-family neighborhood on Beverly and Russett Roads. The Brookline Zoning Board of Appeals also issued a Comprehensive Permit to an affiliate of Chestnut Hill Realty to construct “Puddingstone at Chestnut Hill”, a 226-unit apartment building located on the southern portion of the subject property. The plans submitted with the current proposal show the footprint of the Puddingstone development. The area surrounding Hancock Village is predominantly single-family, and also includes the Baker School, Bournemouth Hospital, conservation lands, and minor commercial nodes.

APPLICANT’S PROPOSAL

The owner, Chestnut Hill Realty, is proposing a project that includes a 36-unit apartment building, Community Center, and a Recycling Center. Both the Community Center and Recycling Center would be available for use to all of the residents of Hancock Village. The “Gerry Building” consists of a three-story, 42,262 sf apartment building over a garage and would consist of 16 1-bedroom units and 20 2-bedroom units. The Community Center is a three-story, 21,914 sf facility with an outdoor pool, pool house, Wi-Fi center, community kitchen, exercise facilities, theatre, and leasing office. The Gerry Building and the Community Center would both replace existing parking garages (to be demolished). 182 spaces will be lost by the demolition of the parking garages, but the applicant proposes to replace the lost spaces by creating 218 new spaces, 36 of which would be located in the underground parking garage under the Gerry Building. Including these 36 spaces, 67 of the total spaces proposed are dedicated to the Gerry Building for a parking ratio of just over 2.0.

FINDINGS

ZONING: M-0.5	Required/ Allowed	Existing	Proposed	Relief
Use		Multifamily	Multifamily	None
Lot Size	649,000sf, based on units proposed	998,188sf	998,188sf	None
Floor Area Ratio	0.50 / 100%	0.36/ 72%	0.42 / 84%	None
Lot Width	None	n/a	n/a	None
Height	35’	25’	35’	None
Setbacks: F/S/R Gerry Building	15/10’+L÷10/30	42/190/426	29/376/201	None
Setbacks: F/S/R Community Center	15/10’+L÷10/30	21/297/434	21/276/389	None
OS: Landscaped/Usable	10%/30%	168%/150%	158%/125%	None

Parking Spaces	648	433	500	None
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Other Zoning Requirements

Section 5.02 and 5.03 – Spacing of Residential/ Non-Residential Buildings on the Same Lot

This section requires that, where multiple residential buildings are proposed on a lot under the same ownership, setbacks are provided between buildings as required under the dimensional requirements (see above). The Gerry Building lacks the required rear yard setback from a residential building to its rear. The Board of Appeals may waive this requirement by Special Permit if *“it is demonstrated that there will result light, air, sunlight, and amenity of a standard no lower than would result from such requirements.”*

Section 6.02.1 - Table of Off-Street Parking Space Requirements

This section states that two or more uses may provide for required parking in a common parking lot if the total spaces are not less than the sum of the spaces required for each use individually. This number of spaces may be reduced by Special Permit if it can be demonstrated to the Board of Appeals that the hours or days of peak parking need for the uses are so different that a lower total will provide adequately for all uses served by the facility.

Section 6.02.2.F – Off-Street Parking Space Regulations

This section requires that ten percent of all required parking spaces be designed and marked for use by visitors and tradespeople. For mixed use developments, the number of visitor spaces shall be based on the residential use alone. The plans have not yet explicitly designated spaces for such uses.

Section 6.04.7 – Design of All Off-Street Parking Facilities

This section states that no parking stall shall be located within 10 feet of that part of a building having windows of habitable rooms at the basement or first-floor level

Section 8.02: Alteration or Extension

A Special Permit is required to alter and/or extend this non-conforming structure.

Section 5.09.3b – Design Review

The project is subject to the requirements and procedures for a Major Impact Project, as detailed in this section. See also the applicant’s statement addressing this section’s Community and Environmental Impact and Design Standards.

PLANNING DEPARTMENT COMMENTS

The Planning Department is supportive of this proposal. The project complies with most of the dimensional requirements of the Bylaw and will produce a substantial amount of additional housing units. The project has already gone through a design review process with a Design Advisory Team, where the design saw a number of positive improvements. The proposal replaces two existing parking garages with a more efficient use of the space without sacrificing parking provided on the property. The proposed Community Center will also provide the residents of Hancock Village with positive amenities such as an outdoor pool, exercising facility, and leasing office.

A Traffic Study (8/14/19) was submitted by MDM Transportation Consultants. It concludes that there will be no negative traffic impacts from this project, which has access to and from Independence Drive. Hancock Village already provides Transportation Demand Management programs including shuttles to public transportation, zip cars, and on-site bicycle storage. As part of the approvals for the two 40B projects, a Transportation Access Plan includes significant improvements to Independence Drive.

PLANNING BOARD RECOMMENDATION

The Planning Board would have preferred to see a more sustainable approach to the site planning and the building construction, but is otherwise supportive of the proposal. The Board recognized that the building design had gone through several previous meetings with both the Planning Board and a Design Advisory Team as part of the Major Impacts Project process and that all issues related to architecture and site planning had essentially been resolved as part of that process. The Board felt that the community center would prove to be very successful and a very welcome amenity for the neighborhood.

The Planning Board recommends approval of the site plans by Stantec, dated 9/18/19, and architectural plans by Lowe Associates Architects, Inc., dated 9/16/19, subject to the following conditions:

- 1. Prior to the issuance of a building permit, the applicant shall submit a final site plan, parking plan, floor plans, elevations and landscaping plan subject to the review and approval of the Assistant Director of Regulatory Planning.**
- 2. Pursuant to the provisions of Section 4.08 Affordable Housing Requirements of the Zoning By-law, the petitioner shall:**
 - a. Provide five permanently affordable units, which would be monitored for compliance on an annual basis by the Town:**
 - (i) three(3) two-bedroom units and two (2) one-bedroom units shall be designated as affordable in accordance with the affordable housing plan approved by the Housing Advisory Board at its meeting of 5/28/2019;**
 - (ii) no less than four units shall qualify as low and moderate income housing under the Comprehensive Permit Law (Chapter 40B), including that they shall be rented to households with incomes less than or equal to 80 percent of area median income, and one unit may be rented to a household with an income less than or equal to 100 percent of area median income;**
 - b. Rents shall be established in accordance with the Zoning By-Law and Guidelines;**
 - c. floor plans, finishes and appliances shall be the same as market rate units, except where the Director of Planning and Community Development specifically approves, in advance, a request for specific floor plans, finishes or appliances which differ;**
 - e. no building permit shall be issued until the applicant has submitted, and the Director of Planning and Community Development has approved, a final**

Affordable Housing Plan which shall include a final schedule of units, including locations, and references to specific floor plans for the affordable units, which Plan shall be legally binding as part of this special permit;

- f. no certificate of occupancy shall be issued for any market rate unit until**
 - (i)) the developer has provided proof that all affordable units serving households up to 80% of area median income are subject to a DHCD Local Initiative Program Regulatory Agreement and Declaration of Restrictive Covenants for Rental Projects as well as other DHCD requirements to ensure that those units are included in the Town's Subsidized Inventory (SHI), and**
 - (ii) the Town has approved initial rents for the affordable units and a marketing and selection plan for the affordable units which provides for a local preference, as permitted by law or regulation (including Chapter 40B guidelines), for up to 70% of the affordable units be given to Brookline residents, employees of the Town, Families with Children in the Brookline Public Schools, and employees of the Brookline Housing Authority, and**
 - (iii) all of the affordable units have obtained a certificate of occupancy, unless otherwise approved by the Director of Planning and Community Development.**
- 3. Prior to the issuance of a building permit, the applicant shall submit to the Building Commissioner for review and approval for conformance to the Board of Appeals decision: 1) a final site plan stamped and signed by a registered engineer or land surveyor, and 2) final floor plans and elevations stamped and signed by a registered architect and 3) evidence that the Board of Appeals decision has been recorded at the Registry of Deeds.**

Aerial Photograph - Neighborhood Context

