

## Minutes

Economic Development Advisory Board

May 8, 2023 7:00PM

Held remotely via Zoom

Committee members in attendance (noted by Y/N):

Anne Meyers, Co-Chair	Y	Derrick Choi	Y	Carol Levin	Y	Marilyn Newman	Y
Paul Saner, Co-Chair	Y	Alan Christ	Y	Ken Lewis	Y	Al Raine	Y
Cliff Brown*	Y	Sandi Silk	Y	Tom Nally	Y	Zeina Talje	Y

\*Arrived late or left early

Staff & consultants present: Victor Panak, William Dorfman, Maria Morelli

Attendees included: John Harris, Brian Ladd, Bitsy Perlman, Katha Seidman, Richard Benka, Steven Heikin, Wendy Machmuller, Blair Hines, Jill Feblowitz, Mike Toffel, Perry Grossman, Lisa Shatz, Christopher Mutty, Karen Voght, Carol Gladstone

Meeting Materials: <https://www.brooklinema.gov/DocumentCenter/Index/2936>

- Presentation from Maria Morelli and Sandi Silk
- Baseline Harvard Street proforma analysis
- Summary of Harvard Street Corridor Subdistricts
- Presentation from Victor Panak on Harvard Street Corridor FBZ Uses
- DRAFT EDAB Minutes 3/13/23
- DRAFT EDAB Minutes 4/3/23

Meeting Recording:

[https://brooklinema.zoomgov.com/rec/share/md9ly39sX9LgNEAmVdsu2pgfFYFKCZnKuEcMY2MQwOSupsz\\_GAOfJoFeOyk7-cQq.IW64BNAiyRNZFugf](https://brooklinema.zoomgov.com/rec/share/md9ly39sX9LgNEAmVdsu2pgfFYFKCZnKuEcMY2MQwOSupsz_GAOfJoFeOyk7-cQq.IW64BNAiyRNZFugf)

### **Opening Remarks**

Anne Meyers introduced the agenda, stating that they would begin with an update from Victor Panak and Ken Lewis on the Town's efforts to comply with the MBTA Communities Act.

### **Brief Update on the Town's Compliance with the MBTA Communities Act**

Ken Lewis provided an overview on his participation in the MBTA Communities Act Multi-Family Permitting Committee, which consists of eight members and is staffed by Kara Brewton.

Mr. Lewis explained that their focus is on compliance options outside the Harvard Street study area. He mentioned the charge given by the Select Board, including minimizing impacts on commercial districts and creating suitable housing units for all ages and income levels. He discussed the need to consider locations relative to open space, schools, and other infrastructure and mentioned the goal to incentivize 10% of the housing units required by the State, approximately 699 units. He noted their current focus on

the Two-family and Multi-family zones. He mentioned the need to consider impacts on existing businesses and housing stock.

Mr. Lewis mentioned their meeting schedule and target date for recommendations to the Select Board by July 14th. He noted that they had reviewed preliminary options during their first meeting. He discussed the details of some of those preliminary options.

Victor Panak and Maria Morelli provided an overview of the Planning Department's recent efforts on compliance with the MBTA Communities Act and its focus on a Harvard Street-based proposal.

Mr. Panak noted that a consultant had been hired by the Town to help with the drafting of a form-based zoning code.

Ms. Morelli discussed the phases of community workshops and the ongoing engagement with residents. She mentioned the hiring of preservation expert Chris Skelly for the Brooklyn Village area. She discussed a grant awarded to work with RKG Consultants on compliance analysis for ongoing versions of the form-based zoning by-law. She talked about her work on a Site Plan Review Bylaw and sidewalk meetings with Harvard Street property owners.

Anne Meyers noted that more updates would follow as the Department and Committee continued its work.

### **Presentation from Planning Department Staff on Select Elements of MBTA Communities Act Compliance Strategy: Board Discussion**

#### How to encourage/ensure new development along Harvard Street includes a ground-floor retail component

Maria Morelli and Sandi Silk provided the Board with a presentation discussing the financial viability of ground-floor retail along Harvard Street and what incentives the Town could provide to further encourage ground-floor retail in the corridor. The presentation involved (1) a financial modeling study showing the ground-floor commercial uses remains highly desirable along Harvard Street, (2) how design standards in the form-based zoning by-law can further encourage development of ground-floor commercial, and (3) a preliminary idea for a ground-floor commercial incentive.

Sandi Silk's analysis involved modeling the development of a ~40,000sf 4-story building with a 0.4 parking ratio on Harvard Street. Development costs, unit mixes, and unit sizes were all vetted with two developers who recently built housing along Harvard Street. The modeling concluded that Harvard Street remains very favorable for ground-floor commercial, usually commanding significantly higher rent than ground-floor residential uses. Residential rents were calculated at a net rate of ~\$42 per square foot and ground-floor residential rents would be even lower while ground-floor commercial rents ranged from \$45 to \$60. Ms. Silk reviewed the details of the assumptions that went into the modeling.

Maria Morelli discussed how design standards aimed at enforcing an active ground-floor design will inherently encourage commercial uses. Standards like 15-foot ground-floor heights, 80% window transparency requirements, and prominent 1-story cornices would all deter locating residential on the ground-floor. On the other hand, commercial spaces prefer ground-floor spaces with those characteristics because they engage pedestrians and encourage them to look into the building. Ms. Morelli indicated that such requirements would all appear in the proposed form-based zoning by-law for Harvard Street.

Ms. Silk also discussed a variety of other reasons why existing commercial spaces on Harvard Street have avoided conversion to residential uses and will likely continue to avoid such conversions.

Ms. Silk then discussed how the Town could incentivize new developments to include a ground-floor commercial component. The proposed incentive involved increasing the Area Median Income (AMI) level at which a developer must provide affordable housing units from 50% AMI to 70% AMI and a waiver of the Housing Trust supplemental fee in exchange for the inclusion of ground-floor commercial space and a substantial investment by the developer into a basic buildout of that space. Since first-generation commercial space tends to be the most costly to outfit and those costs often present an obstacle to smaller new businesses, the incentive would help attract non-franchise/non-national businesses. Ms. Silk and Ms. Morelli continued to explain details of the incentive, including noting that a higher AMI level remains desirable for the Town because it provides a greater range of housing options that accommodate different income levels.

Anne Meyers invited Board questions and comments.

Marilyn Newman commended the quality of the analysis. She asked whether the model factored in inclusionary zoning units. Ms. Silk answered that the model included 15% of the units at 50% AMI and then compared that scenario with an increase to 70% AMI for the analysis of the incentive. Ms. Newman also questioned whether the current 15-foot deep minimum for ground-floor commercial space in the Town's current zoning is sufficient. Ms. Silk and Ms. Morelli discussed the adequacy of this requirement and noted it is something that may change as things proceed.

Alan Christ noted current conditions where buildings contain several retail spaces. He asked how the model prepared by Ms. Silk would be affected if it modeled 3-4 smaller retail spaces as opposed to a single space. Ms. Silk said that because the ground floor is most valuable for commercial uses, adding additional ground-floor retail spaces would just improve the viability of the model.

Al Raine emphasized that the 15-foot deep minimum for ground-floor commercial space is merely a minimum and not something we can mandate anyway. He also praised the analysis presented by Ms. Silk and Ms. Morelli on the grounds that it should shift how policymakers think about the likely outcomes for development at the ground floor. That being said, Mr. Raine raised concerns with the uncertainty in future interest rates and uncertainty in the future of mortar retail businesses and suggested that the incentive's focus on providing a variety of AMI levels remains beneficial regardless and that as retail potentially loses its value, the incentive will extend the viability of the retail uses into the future.

Carol Levin asked if there are strategies the Town could employ to incentivize certain business types that have a stronger positive impact on streetscape vibrancy and if there are ways to permit upper-story businesses. Ms. Morelli indicated that such strategies will likely be a part of the new table of uses and use regulations and that upper-story businesses are not prohibited under the proposed zoning.

Ken Lewis emphasized his belief that the Town of Brookline does not need to eliminate the existing ground-floor commercial requirement along Harvard Street to comply with the MBTA Communities Act. He pointed to Lexington as an example, where Lexington adopted zoning that required ground-floor commercial in the town center but also adopted MBTA-CA-compliant zoning in surrounding areas to ensure that they would meet the requirements of the state. He suggested that Brookline could follow a similar strategy by complying through adoption of MBTA-CA-compliant zoning in other parts of the Town while rezoning Harvard Street in a way that maintains the ground-floor commercial mandate. Mr. Lewis also added that the Planning and Community Development Department's estimates on the new housing capacity created by the Harvard Street does not include

residential units on the ground floor. He also pointed out that the Town's current inclusionary zoning requirements will not be permissible in the MBTA-CA-compliant zoning district without an analysis approved by DHCD that demonstrates that a reasonable variety of multifamily housing types can be feasibly developed at the proposed affordability levels. Mr. Lewis asked for some clarifying details about the proforma analysis conducted by Ms. Silk.

Paul Saner made the point that, although Mr. Lewis is correct that DHCD will need to approve the inclusionary zoning rates, his conversations with the chair of the Housing Advisory Board and with the Planning Director indicate that DHCD will almost certainly approve the Town's current rates. Mr. Saner also pointed out that developers will often choose to include ground-floor commercial uses simply because its inclusion replaces ground-floor residential that would come with an affordable housing requirement. By opting for a commercial component, developers can reduce the financial burden that comes with more affordable housing units. Mr. Saner briefly summarized some of the work that is to be expected over the next month on the topics of ground-floor commercial incentives, minimum ground-floor commercial spaces, and the table of uses.

Zeina Talje thanked Ms. Silk for the proforma analysis and said that she thinks the analysis is appropriately conservative compared to the reality.

#### Progress on development of a new table of uses for the Harvard Street corridor

Victor Panak provided the Board with a presentation on the ongoing work of the Planning Department in drafting a new table of uses for the Harvard Street corridor. Mr. Panak reviewed how the corridor is proposed to be divided into four subdistricts based loosely on the intensity of commercial activity. Mr. Panak provided an overview of the corridor, comparing proposed allowed uses with existing uses in each subdistrict.

Anne Meyers raised a concern with the characterization of Coolidge Corner as lacking in parking and featuring primarily local small businesses. Mr. Panak pointed out that the parking that exists in Coolidge Corner is located on public property and conceded that many of the businesses in Coolidge Corner are not small but would be permitted by Special Permit or that the distinction between small and medium businesses can be adjusted to better accommodate the Coolidge Corner conditions.

Tom Nally also objected to the characterization of Coolidge Corner businesses as "local". Mr. Panak recognized that the name of the subdistrict, "Local Business", may be misleading and that it will be revisited.

Al Raine agreed with the comments of Ms. Meyers and Mr. Nally but also encouraged the Planning Department to massage any stark differences between the subdistricts so that transitions between the subdistricts are as smooth and seamless as possible. Mr. Panak strongly agreed with this approach and said the Department would continue to move in that direction.

Marilyn Newman asked a clarifying question about the objective of the work, namely that a clear identity for the subdistricts is being sought and limits on the mixing of commercial uses. Mr. Panak discussed how certain uses are being prohibited in some subdistricts and how the subdistricts are being defined to differentiate themselves. Ms. Newman clarified that small businesses would be allowed everywhere; Mr. Panak confirmed this.

Derrick Choi asked about how a coworking space would be permitted in the different subdistricts. Mr. Panak indicated that a coworking space would be permitted in most or all of the subdistricts.

Paul Saner asked that hotels be more widely permitted in the Harvard Street corridor. Mr. Panak indicated that staff would implement that, likely with a limit on the number of rooms.

Alan Christ echoed several of the concerns raised about overly strong differences in the subdistricts and requested that geographically restricting groups of businesses be avoided. Mr. Panak agreed and noted that some of the concern may be mostly attributed to the naming of the subdistricts.

Sandi Silk recommended that the subdistricts and the table of uses be drafted in a way that strongly considers what might happen if the large religious and civic institutions along Harvard Street are transformed in the future into something else.

Al Raine objected to permitting drive-through uses anywhere on Harvard Street. He also asked that the Local Office subdistrict be reconsidered as to whether it should be distinct from the other subdistricts.

Marilyn Newman also asked that some of the larger service businesses currently located in Local Business subdistricts be considered as positive impacts on pedestrian vibrancy. She asked that the table of uses be drafted in a way that primarily considers pedestrian activity as the main factor.

### **Staff and Board Updates**

#### Linkage fee program

Victor Panak provided an update on the linkage fee program. He noted that an RFP for the Nexus Study was released and the Town received one response. He briefly reviewed the upcoming Nexus Study process and timeline.

#### Coolidge Corner Business Improvement District

Will Dorfman summarized current progress on the Coolidge Corner Business Improvement District. He discussed ongoing discussions about the fee structure and the Town's contributions to the BID. He noted that a signature campaign will hopefully get going over the summer.

#### ARPA Projects

##### *Public Parklets*

Victor Panak noted that three public parklets would be installed soon, one in Brookline Village, one in Coolidge Corner, and one in the St. Mary's area.

##### *Commercial Areas Public Art and Placemaking*

Victor Panak briefly updated the Board on this project, highlighting the four categories of art that are being proposed.

### **Review and Approve Draft 3/13/2023 and 4/3/2023 Meeting Minutes**

Ms. Newman moved to approve the EDAB minutes for 3/13/23 with edits as requested by EDAB members. Mr. Saner seconded the motion. The Board voted unanimously to approve the motion. Carol Levin abstained.

Mr. Nally moved to approve the EDAB minutes for 4/3/23 with edits as requested by EDAB members. Ms. Meyers seconded the motion. The Board voted unanimously to approve the motion. Carol Levin and Cliff Brown abstained.

### **The meeting was adjourned.**