



Town of Brookline

Massachusetts

PLANNING BOARD

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To: Brookline Board of Appeals
From: Brookline Planning Board
Date: August 30, 2018
Subject: Change use of first floor to office space
Location: **10 Brookline Place West**

Atlas Sheet: 29B
Block: 139
Lot: 27-44

Case #: 2018-0047
Zoning: G-2.0
Lot Area (s.f.): ±75,532

Board of Appeals Hearing: **September 6, 2018 at 7:00 pm**

BACKGROUND

November 2009 – Board of Appeals, Case #090080, granted zoning relief for the addition of approximately 18,860 square feet to the existing 142,716 square foot building by constructing seven small infill additions.

12/1/93 - Board of Appeals, Case #3192, granted approval of a major expansion of the building (114,224 s.f.) using the air-rights over the MBTA tracks and an additional 209 parking spaces. This project was never built.

1/16/87 - Board of Appeals, Case #2836, granted approval of renovations to create a covered arcade and pedestrian stair from Pearl Street to plaza eliminating office space, convert theatre to office and retail space, and eliminate drive-through bank, subject to 209 parking spaces being provided (198 in garage (4 tandem, 3 compact, 6 subcompact) and 11 exterior spaces (all compact)).

6/1/1975 - Board of Appeals, Case #1985, granted approval of a replacement free-standing sign.

4/2/74 - Board of Appeals, Case #1867, approved a new sign.

3/20/1971 - Board of Appeals, Case #1685, granted a special permit to allow a 200 seat restaurant without additional parking.

1/30/1969 - Board of Appeals, Case #1548, granted a special permit to allow 206 parking spaces with a full time parking attendant, rather than the required 236 spaces, a reduction in the aisle width from 20 ft. to 18 ft. in the garage, and a drive-through bank with restricted hours.

SITE AND NEIGHBORHOOD

10 Brookline Place West, the former Hearthstone Plaza building is a six story office/retail complex at the gateway to the Brookline Village commercial area. It is bordered by Washington Street to the west and south, Pearl Street to the east and the MBTA Riverside line to the north. 10 Brookline Place West is three interconnected structures situated above an open outdoor plaza that was constructed as an urban renewal project during the 1960s. The building was constructed in a brutalist style and prominently features utilitarian materials with few transitions. While the buildings are connected, the interior connections are only available primarily on the upper stories and connections on the first floor require reentry from exterior access points. The gateway of the building on the Route 9 façade consists of a concrete wall with stairs ascending from a bus turn-out that is utilized by MBTA buses #65 and #66. The buildings are cited around a system of interior courtyards, broad loggias and stairs that provide pedestrian access to the buildings as well as the Brookline Village MBTA station and Brookline Village. The building is bounded by Pearl Street, which is heavily utilized by a variety of shuttle buses, the MBTA #60 Bus and taxi cabs; and by Washington Street which largely provides vehicular access into Brookline Village. The building maintains a zero lot line along Washington Street and has a large unbroken concrete wall with mechanical vents that butt up to the sidewalk. The site neighbors a mixture of apartment buildings, retail uses and office buildings.

APPLICANT'S PROPOSAL

The applicant, CLPF 10 Brookline Place LLC, proposes to convert the first floor of this building from institutional use to office use. The office space will be for the use of the Dana Farber Cancer Institute. Portions of the first floor will be reconfigured to accommodate these new offices.

FINDINGS

MODIFICATION:

Modification of the following Board of Appeals decisions may be required:
Cases 1548, 1685, 1867, 1985, 2836, 090080 (*See background section of this report for description of cases.*)

STAFF ANALYSIS

The staff is supportive of this proposal to convert the first floor of 10 Brookline Place West to office use. The staff would like to see certain site concerns addressed that were a part of the 2009 ZBA decision and have drafted conditions that will require the applicant to follow up on these original elements before being granted a use permit for the new office space.

Additionally, the staff would like to ensure that access and traffic to and at the site remains manageable and would like to recommend the below conditions to monitor trips to this large site. Other recommendations encouraged by staff include turning some existing loading area space into valet parking because loading requirements are now lower than in 2009 and the installation of a public information kiosk on the public plaza.

PLANNING BOARD COMMENTS

The Planning Board was supportive of this proposal to change the use of the first floor to office use. The Board did feel that the proposed conditions #7 through #9 were overly onerous for the amount of relief being requested and agreed with the applicant's request to keep conditions #1 through #6 and modify #7 through #9 in consultation with staff. The revised conditions are noted below.

Therefore, the Planning Board recommends approval of plans entitled Dana Farber Cancer Institute 1st & 2nd Floor Renovations, prepared by Miller Dyer Spears Inc., dated 5/25/2018, subject to the following conditions:

- 1) Prior to the issuance of an occupancy permit, final floor plans indicating the space to be converted to office space shall be submitted, subject to the review and approval of the Assistant Director of Regulatory Planning.
- 2) Prior to the issuance of an occupancy permit, the applicant shall provide a landscaping plan indicating the removal of dead tree on MBTA side of public plaza and its replacement and other landscaping improvements as needed.
- 3) Prior to the issuance of an occupancy permit, the applicant shall ensure that all lighting, particularly along the corner of Washington Street under the building's overhang is in working order.
- 4) Dana Farber Cancer Institute shall utilize the new employee shuttle location on Pearl Street upon completion of the Gateway East project.
- 5) A minimum of twenty-five percent of constructed parking spaces shall be offered to residents for overnight parking at market-competitive rates. These spaces shall be available at a minimum from 8 pm. to 8:30 a.m. week days and all day Saturdays and Sundays. If the applicant chooses to provide more parking spaces for overnight use, these minimum hours of availability shall not apply. Additionally, if the applicant wishes to provide parking after 6 p.m. and before 1 a.m. for users of area businesses, such as restaurants, this shall be allowed subject

to the review and approval of the Director of Transportation/Engineering.

6) No satellite parking shall be allowed. Satellite parking is defined as parking used by persons working a majority of their time at another location, who are not visiting the building.

7) Prior to the issuance of the Certificate of Occupancy, a Traffic Access Plan shall be reviewed and approved by the Director of Transportation/Engineering and the Planning & Community Development Director (or his designee). ~~In connection with this TAP plan, the applicant shall provide information describing its existing policies relating to employee transportation then in effect, and the mode use resulting from such existing policies. Any tenant in the development that has executed a lease for occupancy at 10 Brookline Place West shall be requested to provide such information as to its existing policies relating to employee transportation and the mode use resulting from such existing policies in such other locations. The TAP shall include the following reference material:~~

- ~~a. Include a parking garage lay-out plan showing parking spaces and companion table showing locations, numbers, and users of different types of parking spaces, including, but not limited to: compact, full car, handicap, drop-off, van, zip car and employee, visitor, resident overnight, loading and ambulance spaces.~~
- ~~b. Include a requirement for employee vehicle identification parking stickers or tags~~
- ~~c. Outline parking rates for employees, visitors, and residential overnight parkers~~

~~8) No less than thirty (30) days prior to the anticipated date of issuance of a Certificate of Occupancy for the new office use at 10 Brookline Place West, the Applicant shall designate a traffic and parking coordinator to work with the Director of Engineering/Transportation and the Director of Planning and Community development (or designee) to ensure ongoing implementation of all TAP related efforts. The coordinator shall allow access to the garage by the Town for review of the TAP plan implementation, coordinate and publicize all TAP related efforts to building tenants.~~

~~9) To ensure compliance with the TDM plan, the following provisions shall apply, which provisions shall also constitute the Transportation Access Plan Agreement required under Section 5.09.3.c.6.c of the Zoning By Law:~~

- ~~a. An Annual Report shall be provided by the Applicant's traffic and parking coordinator, subject to the review and approval of the Director of Engineering/Transportation and the Director of Planning and Community Development (or his/her designee) relative to the implementation and effectiveness of the TDM plan. The Annual Report shall be submitted prior to issuance of an annual permit for the Transportation Access Plan Agreement from the Building Department under Section 5.09.3.c.6.d of the Zoning By-law. The Annual Report, which shall be submitted together with the applicant's request for~~

the annual permit for the Transportation Access Plan Agreement, shall include the following features: (i) The monitoring program will be based on traffic counts and employee surveys as to vehicle, transit, pedestrian, and bicycle usage to 2 Brookline Place and 1 Brookline Place, including the addition. The monitoring program will provide detailed information on the travel modes to work and overall transportation characteristics by type of traveler (employee, visitor, etc.). The survey instrument to be used for mode share monitoring will be provided to the Director of Engineering/Transportation and the Director of Planning and Community Development for approval prior to conducting the survey. The employee survey (which may be conducted through electronic means) will be sent out to all employees, with a goal of securing a sixty percent (60%) minimum response rate. A visitor survey shall be conducted during normal business hours, with a goal of securing at least 200 visitor surveys. The requirement for the Annual Report shall be in effect for five years, and thereafter at the discretion of the Director of Transportation/Engineering and the Director of Planning and Community Development (or his/her designee).

b. The Director of Engineering/Transportation, in consultation with the Director of Planning and Community Development, shall determine whether the employee vehicular mode share is greater than 35 percent. In the event the employee vehicular mode share is greater than 35 percent, the TDM plan shall be modified to incorporate any reasonable requests of the Director of Engineering/Transportation within sixty (60) days after he/she issues his/her determination. Failure to issue such a determination within sixty (60) days of receiving the Annual Report shall be deemed acceptance of the Annual Report and the existing provisions of the TDM plan. If any owner objects to any new request as being unreasonable or not required, such matter may be presented to the Transportation Board for recommendation to the Board of Appeals for determination, and during such process the applicant will not be considered out of compliance with Section 5.09.3.c.6.d of the Zoning By law. Following the issuance (or deemed issuance) of the foregoing determination, the Building Department shall use its best efforts to issue the annual permit for the Transportation Access Plan Agreement under Section 5.09.3.c.6.d of the Zoning By law with appropriate due diligence.