

Warrant Article 30 – Resolution to eliminate the parking requirement at the Kent/Station Street Senior Affordable Housing Development

Petitioners: Jeff Wachter, Carol Caro, Jennifer Raitt, Mariah Nobrega, and Deborah Brown

Recommendation: Favorable Action on WA 30, as amended, by a vote of 3 in favor, 0 opposed and 1 member absent for the vote.

<p>Executive Summary:</p>	<p>The November 2016 Town Meeting passed a resolution to have the Town pursue the development of affordable mixed-income housing for seniors using the air rights over the Town-owned 39-space parking lot on Kent and Station Streets. A committee was formed, which determined that air rights development was not practicable, and so it issued an RFP for the development to incorporate the parking underground and within the structure. The selected developer presented a high-quality but costly proposal for 54 units and 9 parking spaces plus the 39 public parking spaces, with large subsidies required of the Town, both to construct the housing development and for covering the full construction cost of the public parking component. The negotiation committee determined that the cost made the project too expensive for the Town, given that less-expensive options for affordable senior housing might be available and so recommended rejecting the proposal.</p> <p>The petitioners’ version of WA 30 would eliminate the requirement to maintain parking, which would reduce the cost of construction, thereby making the housing development more affordable. The Kent/Station Street lot, however, is the only permitted all-day parking currently available in Brookline Village and is relied on heavily by employees of businesses in the neighborhood and by residents who need parking for support services. With continued construction of new homes and offices, parking needs will increase over the years. Moreover, businesses and residents supported the 2016 resolution because it committed to retaining parking.</p> <p>To balance the needs of the different constituencies and honor the commitment of the 2016 resolution to maintain parking, the amended resolution urges the Town to continue pursuing the development of senior housing at that site and eliminates the requirement to maintain parking onsite, but requires that alternative permitted all-day parking be located within Brookline Village without reducing short-term metered parking for customers and visitors.</p>
<p>Voting Yes will...</p>	<p>Voting Yes on the amended version of WA 30 will require the Transportation Department and the Department of Planning and Community Development to identify appropriate alternative parking options, and for the latter department to issue a revised RFP and review proposals for the possible selection of a developer for senior affordable housing. Depending on the</p>

	location of the alternative parking, staff time will also be needed to enforce compliance.
Voting No will...	Voting No will have no impact on Town operations.
Financial impact [if any]	Staff time required to work on developing both alternate parking options and a new RFP for the housing, selecting a developer and providing oversight over construction and maintenance of the development. If alternative permitted parking is to be located on residential streets, staff time will be required to enforce parking.
Legal implications [if any]	Review of proposals from a legal perspective and drafting of contractual obligations between the Town and the developer, as well as potential issues that may arise from the presence of a privately developed affordable senior housing development on Town property.

Introduction

The November 2016 Town Meeting passed WA 34, a resolution to have the Town “ pursue a suitable air rights development of age-restricted affordable mixed-income housing over the existing Town-owned parking lot...situated between Kent and Station Streets...” A committee was formed, which determined that air rights development was not practicable, and so issued an RFP for the structure to incorporate the public parking that would be lost upon the redevelopment of the site.

The selected developer presented a high-quality but costly proposal for 54 units, plus replacement of the 54 public parking spots and 9 additional parking spots for the sole use of the housing development. The developer would obtain a 99 year ground lease. The Town would be required to provide a \$6.3 million subsidy for the residential component (54 units and 9 parking spots) and \$5.8 million for the replacement of the 54 public parking spots that are currently provided by the parking lot, for a total subsidy of \$12.1 million.

The estimate of the Town subsidy increased from \$7.1 million in 2019 to the \$12.1 million currently as a result of both increased construction costs generally and following a determination that the project would be subject to public bidding and prevailing wage requirements because the Town would be facilitating a “public project.”

The Kent Street Negotiation Committee decided that the cost to the Town was too high to justify going forward with this project, stating that “it may be more prudent to invest resources in multiple projects that could potentially yield many more affordable units rather than investing in one very expensive project.”

The petitioners filed WA 30 to eliminate the requirement that public parking be maintained as part of the project. Without that requirement, the total subsidy that would be required would be reduced, thereby making the redevelopment of the site as senior housing more affordable.

Evaluation Methodology/Research

November 2016 Town Meeting Warrant Article 34 and Explanation
 Amended Warrant Article 30 - Kent-Station Street Senior Affordable Housing Resolution

AC Questionnaire for WA30, including supplemental answers
Todd Kirrane Memo re WA 30 Analysis of Parking - Available and Needed in Brookline Village
Todd Kirrane May 4, 2022 Email in response to questions re WA30
Housing Advisory Board Statement
Brookline Village Businesses Association Letter
Kent Station Street Project Negotiating Team 4.12.22 Memo
Economic Development Advisory Board Article 30 Memo
Brookline Chamber of Commerce Letter on WAs 22, 25 and 30
Listing of businesses that oppose WA-30
Petition: PROTECT OUR COMMUNITY AND PREVENT SHORT SIGHTED
DEVELOPMENT
Public Comment Letters:
Callan
Jen
Allison
Wang
Lindsey
S Healy
J Healy
LeBlanc
Linder
Santana
Shannon
Skyler
Englander

Discussion

The Advisory Committee's Warrant Article 30 Ad Hoc Subcommittee held a public hearing on April 26, 2022 at 5 PM and a follow-up public meeting on May 5, 2022 at 4:30 PM. Attending the public hearing and/or the public meeting were the Subcommittee members Cliff Brown, Alisa Jonas, Chair, Linda Olson Pehlke, and David Pollak; Petitioners Jeff Wachter, Carol Caro, and Deborah Brown; John Buchheit, Associate Town Counsel; Joe Viola, Director of Community Planning; Meredith Mooney, Acting Economic Development Director; Todd Kirrane, Transportation Administrator; Roger Blood, Chair, Housing Advisory Board; Rita McNally (TMM17), member Housing Advisory Board; Anne Meyers and Paul Saner (TMM13), Co-Chairs, Economic Development Advisory Board; Melissa Tapper Goldman and Liz Lender (TMM4), Co-Organizers, Brookline Village Business Association; Cameron Merrill, Board of Directors, Brookline Chamber of Commerce; Fred Perry, Brookline Village Parking Benefit District Advisory Board; numerous additional members of the public.

To watch the Public Hearing of April 26 at 5 PM:

https://brooklinema.zoomgov.com/rec/share/Br7nickZ0eG_WnONIQX1rrgVLb7ESXPfXyrY8XyC8ISX8o2hCJvg-2-U4NL4Gj1.umyjHDTOK6afeTm

Passcode: \$hQ0x1Fx

To watch the Continuation Meeting of May 4, 2022 at 4:30 PM:

<https://brooklinema.zoomgov.com/rec/share/Nsvec4HP7AoBgQ4ITKscLomhlyhEnxbob9cEEHqLNsBQ9P2c1bDWWauAQYLFs8g9.00vf8cFaPW6Saotg>

Both the public hearing and public meeting were attended by many members of the public. During the public hearing, fourteen members of the public, both Brookline Village residents and business owners, made public comments, all of which were in opposition to WA 30. Additionally, the subcommittee received a petition signed by 73 Brookline Village merchants and residents, as well as twelve letters from individuals all in opposition. The subcommittee received one letter from a Brookline Village resident in support of WA 30.

Other comments in writing in opposition to WA 30 were received from the Economic Development Advisory Board and the Brookline Village Business Association. The Chamber of Commerce also wrote a letter expressing concerns. The Housing Advisory Board submitted a Statement in support of Warrant Article 30 with the caveat that the Town work to address the parking needs.

The petitioners stated that the majority of Brookline's senior renters (over 60%) pay more than 30% of their income for housing, qualifying them as housing-cost burdened. Adding 50-60 affordable senior rental units in Brookline Village would provide opportunities for more lower-income seniors to remain in Brookline, while also increasing the customer base for neighborhood businesses. They noted that without the requirement that the developer construct parking to maintain the 39 public parking spots, the Town will be able to afford subsidizing the housing development at the Kent/Station Street lot. They also noted that while the requirement to maintain the full 39 parking spots onsite would no longer be a requirement if WA 30 passes, the developer and the Town could nonetheless determine that at least a certain number of parking spots could be financially feasible. Further, according to the Petitioners, addressing the need for parking should not override providing new units of affordable housing and combatting climate change.

All of the Brookline Village business owners who made public comments, however, expressed concern that their ability to survive as businesses requires parking options for their employees. Hiring sufficient numbers of employees has been challenging and without the availability of all-day parking, employees from further away will not be able to work in Brookline Village businesses. Many employees live in communities that have lower housing costs than Brookline, but that translates into long commutes. One business owner has employees traveling from Providence, Worcester, Harvard and Milton, among other communities, and public transportation options are simply not adequate to enable them to use it on a daily basis to get to work. The Kent/Station Street lot is the only all-day parking available for these employees. Contractors and other persons who support the functioning of businesses must also have places to park for more than 2-3 hours. The business owners note that each business may receive a maximum of only 2 parking permits, which in itself is often not adequate for the number of employees traveling far distances to work at their businesses. And with the increasing density of Brookline Village, finding any kind of parking has become more and more difficult. One business owner noted that because the 1 Brookline Place garage is expensive, many customers park elsewhere, further restricting any available public parking. They note that Brookline Village is known for its

vibrant commercial area, and the Town as a whole benefits from the higher tax rates charged to businesses. But without parking for customers, they will go elsewhere.

Residents also made comments about their difficulties finding parking, and that, as the number of residential units and offices continue to grow in Brookline Village, the challenges have become increasingly difficult. One commenter noted that as an elderly resident who wants to age in place, the increasingly challenging parking situation might force her to move from Brookline, since she often has no place to park to unload her groceries, that her own car must be parked further and further from her home, and that persons providing support services have no place to park.

The need for parking for service providers to the elderly is confirmed by the housing development being proposed for the Kent/Station Street site, which itself includes 9 parking spots for their staff and support service providers. Another resident noted that ever since COVID, she has been working from home. She has accepted paying parking tickets on a regular basis as a means to deal with parking constraints.

Most of the persons commenting at the public hearing stated that they would support the affordable housing development, but only if it were not at the expense of losing the all-day parking currently being provided by the Kent/Station Street lot. Several residents said that they had supported the 2016 warrant article because it did not replace parking but rather envisioned using the parking lot's air rights for the development. They also noted that giving the power to determine the number of public parking spaces to replace those lost upon construction of housing should not be left to the developer negotiating with the Town. The Town should find a workable solution prior to the loss of the lot.

Some residents spoke in opposition to the development, whether or not alternative parking were to be provided. They noted that the parking lot provides some open space in an increasingly crowded area, that it is used to provide access to the MBTA from Kent Street, that it is used to play by neighboring children during snow periods, that residents living adjacent to the parking lot would lose sunlight if the new structure were to be built on that small lot, and that the structure itself would have limited sunlight due to its configuration.

The subcommittee acknowledged the important concerns of the residents and businesses, and sought to find a way to balance these with the Town's commitment to adding units of affordable senior housing to the overall housing stock. The Town has to date not yet researched alternative parking options. For example, nobody has contacted the Hilton Garden Inn to see whether the Town could lease space there, nor has there been any discussion regarding parking at the possible redevelopment of 10 Brookline Place, which, if it occurs, is still many years away in any case. Todd Kirrane was asked about options. He suggested the possibility of increasing the percent of full-day permit parking on residential streets, which the Town currently provides for teachers in the Brookline schools, from 40% to 45-50% to offer commercial all-day parking. This would require a more careful analysis of capacity, however.

The subcommittee amended the warrant article to reflect the balancing of these needs and also honoring the original 2016 warrant article that never intended to eliminate public parking, but to

build above it. Given that this is apparently not feasible, the Kent/Station Street site may not even be the best for locating the structure. The Kent/Webster Street lot, for example, is large enough to use air rights over the parking lot. In fact, some subcommittee members were not fully convinced that we should recommend an amended article, but to instead recommend No Action, as EDAB has done, in light of the lack of an overall town planning process that would include analyses of parking needs and the most appropriate locations for additional housing developments. Nonetheless the subcommittee voted unanimously to recommend the amended warrant article that supports the continued pursuit of building an affordable senior housing development on the site, but not before first identifying an alternative solution to replace the all-day public parking currently available at the site. In light of the need for customer and visitor parking, the amended warrant article also stipulates that the alternative all-day parking not replace other metered parking used for those purposes.

The subcommittee added several Whereas clauses to make note of the parking needs of residents and businesses that are not addressed in the original warrant article. It also removes 2 Whereas clauses that the subcommittee believes are either incorrect or misleading. The fourth Whereas clause states that “a new parking garage [at 1 Brookline Place] has been constructed,” suggesting that it might be available for replacement parking. But the Town has enquired whether that garage could be used to provide public parking, and was told that once 1 Brookline Place becomes fully tenanted, there will not be capacity to provide for public parking. That same Whereas clause notes that “many construction projects that were impacting parking options in Brookline Village have ended...”. This implies that parking constraints have eased. In fact, the presence of more residences and offices has increased parking pressure. Moreover, construction is continuing and when the Pierce School construction begins, more temporary parking places will need to be located.

The fifth Whereas Clause identifying the Brookline Village Parking Benefit District Advisory Board as a possible organization to resolve parking issues is not realistic. The Board has no authority and is intended to deal with smaller-scale matters, and furthermore is inactive, with numerous vacancies.

To watch the Public Hearing of April 26 at 5 PM:

https://brooklinema.zoomgov.com/rec/share/Br7nickZ0eG_WnONIQX1rrgVLb7ESXPfXyrY8XyC8ISX8o2hCJvg-2-U4NL4Gj1.umyjhHDTOK6afeTm

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To watch the Continuation Meeting of May 4, 2022 at 4:30 PM:

<https://brooklinema.zoomgov.com/rec/share/Nsvec4HP7AoBgQ4ITKscLomhlyhEnxbob9cEEHqLNsBQ9P2c1bDWWauAQYLFs8g9.00vf8cFaPW6Saotg>

Passcode: \$9@p@v2j

Recommendation

The Subcommittee voted 3-0, with one subcommittee member absent for the vote, to recommend favorable action on Warrant Article 30, as amended:

(Petitioners' amendments are shown in red and the subcommittee's amendments are shown in blue)

Resolution Regarding the Kent/Station Street Senior Affordable Housing Development

TO SEE IF THE TOWN WILL ADOPT THE FOLLOWING RESOLUTION:

WHEREAS Town Meeting passed a resolution in 2016 to study the feasibility of building age-restricted affordable housing on the Kent/Station Street Town-owned lot (Parcel No. 140-05-00);

WHEREAS the Committee was formed, **including a stipulation in their mission to retain all of the public parking on site**, and, following a request for proposals issued by the Town, a developer was selected;

WHEREAS the cost to **provide the 39 permitted parking spaces onsite under the latest proposal considered by the Town** is estimated to cost millions more than initially proposed and will require the Town of Brookline to subsidize that amount in full;

~~WHEREAS many construction projects that were impacting parking options in Brookline Village have ended and a new parking garage has been constructed;~~

~~WHEREAS there is now the Brookline Village Parking Benefits District to assist with maintaining and regulating parking, improving the public realm, and recommending transportation improvements which may address parking issues;~~

WHEREAS Brookline is a member of the World Health Organization's international network of Age-Friendly Cities and has committed to taking meaningful actions toward becoming a more age-friendly community;

WHEREAS Brookline has an aging population in need of a substantial expansion of Brookline's supply of housing suitable for seniors;

WHEREAS Brookline's need for more housing that is affordable to seniors who make a low-to-moderate income is as acute as it was in 2016;

WHEREAS the merchants in Brookline Village are heavily reliant on the 39 permitted public parking spaces for full-day employee parking and that no alternative to the 39 permitted public parking spaces currently exists in the Brookline Village area;

WHEREAS residents of Brookline Village, many of whom now work remotely from their homes, have difficulty finding legal daytime parking near their homes;

WHEREAS the Town already issues more permits than there are parking spaces at the Kent/Station Street lot;

WHEREAS, although many construction projects that were impacting parking options in Brookline Village have ended, the newly constructed office buildings and residential units as

well as future construction, including that of the Pierce School, will add more pressure on the already limited parking options;

THEREFORE, be it resolved, that this Town Meeting urges ~~the Kent/Station Street Senior Affordable Housing project on (Parcel No. 140-05-00) no longer maintain the requirement to keep the existing 39 parking spaces in order to bring the cost of the project to a reasonable level and to allow the Town to subsidize affordable housing, not public parking.~~ the Town to pursue affordable senior rental housing on the Kent/Station Street site (Parcel No. 140-05-00) in a manner that is cost-efficient for the Town, but only after the Town's Department of Planning and Community Development and the Transportation Board have secured adequate sites for the 39 permitted merchant full-day public parking spaces currently located on the Kent/Station Street lot, whether or not located on the site, and without decreasing the total number of metered public parking spaces currently available in Brookline Village. Adequacy shall be determined by the Transportation Board and EDAB after holding public hearings.

Or act on anything relative thereto.