

Stuart Street Planning Study
Proposed Development Review Guidelines to supplement
Back Bay Downtown IPOD (1987)

DRAFT November 23, 2010

Preface

Background

The Stuart Street Planning Study area, bound by St. James Avenue to the north, Dartmouth Street to the west, Columbus Avenue/ Cortes Streets to the south, and Arlington Street to the east, represents a 12+ block mixed-use area totaling more than forty acres. A number of significant Boston landmarks define the area: the 790 foot Hancock Building, 200 Berkeley Street (the old John Hancock Building), Copley Square, and Trinity Church. The area is also identified by the diagonal intersection of Columbus Avenue and sits adjacent to the historic neighborhoods of Bay Village and South End. Recent additions to the area include the 10 Saint James and 131 Dartmouth Street office buildings, the Bryant on Columbus, a 50 unit residential project with parking, and the 350-unit Clarendon project, at the intersection of Stuart and Clarendon Streets.

Purpose

The BRA, its consultants, and the Advisory group have spent the past 30 months examining potential development opportunities, identifying and defining height, density, and use recommendations, and developing scenarios for future development in the area. This work included an assessment of the impacts of density and height on the surrounding neighborhoods, including the impacts on the transportation infrastructure, transit system, parking supply, and the environmental impacts such as wind, shadow, and ground water. Provisions for and protection of open space, pedestrian access, historically significant buildings, and view corridors were also considered.

Goals

The guidelines have gone through a series of iterations over the past 18 months. During this time, the concepts/ideas have been refined, and are now organized into two categories (base and tower) with subcategories that have been informed by qualitative statements.

The underlying process goal of the study and resultant guidelines is to:

Create more certainty and transparency in the development, permitting, and approval process:

- *Establish a clearly defined set of regulations that reflect the agreed-upon urban design and planning goals.*

The underlying general goals are to:

Provide an area for economic growth and urban vitality:

- *Promote a thriving and vibrant day/night, live/work area by improving the district's public realm and pedestrian experience and by encouraging mixed uses.*
- *Allow additional height, density, and public benefits when appropriate.*

Improve the district's quality of character and environmental sustainability:

- *Minimize negative impacts any new development shall have on shadow, wind, traffic, groundwater and public infrastructure.*
- *Use existing transportation and urban infrastructure to reduce energy consumption and to improve air quality.*

Preserve and protect both the immediate area and adjacent neighborhoods:

Respect the historic context and the scale of abutting neighborhoods.

Approach

These guidelines have been designed for flexibility in approach but predictability in impacts. This back and forth between flexibility and predictability is a constant theme in the history of zoning and is particularly relevant to mature, nearly built-out area with a strong existing context like the Stuart Street Study area.

The approach describes criteria for responsible development while allowing for the marketplace and the community to engage in structured conversations about individual development expectations. It combines elements of performance and form-based zoning mechanisms, taking attributes from each method, while striking a balance between flexibility and prescribed outcomes. These proposed guidelines aim to foster collaborative citizen involvement, minimize conflict, and maximize cooperation. The strength of this approach is that certain objectives, deemed to benefit the community, are strongly encouraged by economic incentives and disincentives built into the system rather than by rigid codes, which typically restrict innovative solutions and creativity in the urban setting. Finally, these guidelines have the potential to rationalize the development application and approval process for everyone involved.

Proposed Categories

The proposed guidelines have been organized into two categories: **Base** and **Tower**. The Base category is informed by the original underlying zoning, the adjacent building context (cornices, historic fabric, etc.) as well as establishing an appropriate plinth for potential upper portions of a building to sit upon. The Tower category is defined by setbacks to the building form in response to environmental concerns (shadow and wind), and a height range of 280 feet to 400 feet (max), out of deference to existing historic buildings in the adjacent area, in particular, the old Hancock Building, a.k.a. 200 Berkeley Street.

Overall, the proposed guidelines provide:

- Form-based code strategies that will ensure high-quality sustainable architecture;
- Performance standards to mitigate environmental impacts.
- Flexible strategies that enable economic viability and architectural creativity;

Base: 10 FAR & 155 feet height limit

The recommended base height for the Stuart Street Planning Study Area (with the exception of those parcels contained within the Bay Village and South End Neighborhood Zoning District) is a height limit of 155 feet, with a maximum of 10 Floor Area Ratio (FAR). Proposals must adhere to the following conditions:

Building Preservation

All new development over 50,000 gross square feet (GSF) is required to preserve any building on the development site that meets National Register criteria for individual listing at the time of PNF filing under Article 80, in a manner that respects the architectural character of the original building, pursuant to consultation with Boston Landmarks Commission staff.

Increasing the City's Affordable Housing Supply

All new development over 50,000 GSF is required to create residential units within the project's immediate impact area that exceed the minimum level of affordability required by the City's guidelines on affordable housing then in effect by 2.5%. Careful consideration should be given to the distribution of unit types and sizes. Specifics to be determined through the Article 80 review process.

Review process

By adhering to these guidelines, projects will be able to benefit from a clearer review process and be eligible for enhanced Article 80 review process, potentially resulting in a streamlined review schedule.

Article 80B

All projects over 50,000 GSF are subject to the provisions of Article 80B Large Project Review of the Boston Zoning Code. As is customary, an Advisory Group (AG) or Citizens Advisory Committee (CAC) will be set up as part of the development review process.

Public Realm/ Pedestrian Experience *(Applicable to all Article 80B Large Projects or rehabs of over 500 GSF of exterior façade modifications or 1,000 GSF of existing ground floor building.)*

GOAL: New development should animate the public realm and create a lively, vibrant and engaging street-level experience for the pedestrian.

Street Wall Frontage Achievement (Required)

New development should infill at least 75% of the street frontage, to achieve a continuous ground level experience for pedestrians. Street frontage should either meet the property line or be aligned to adjacent buildings. The height of the street frontage shall reflect that of adjacent buildings or those in close proximity. Active programmed open space that engages with the sidewalk may be included in the street frontage percentage.

Transparency Achievement (Required)

Maintain 50- 65% transparency of ground-floor street wall along Columbus Avenue, Dartmouth, Clarendon, Berkeley and Arlington Streets. Transparency calculations do not include garage entrances, loading docks, egress doors, utility vaults and service areas.

The following sub-categories allow for greater flexibility in interpreting how they are achieved, however the essence of the form concepts should be met. The underlying intent is to animate the public street experience and building edge. Additionally, each large project development will be allowed flexibility to develop creative and contemporary ways to animate the street edge if they elect to not provide street-level retail or meet the specific guidelines listed below.

Publicly Accessible Space (Required/ Alternate Options Allowed)

New development with a street frontage that is 200 feet or longer should include a publicly-accessible through-block connection if such a connection is possible. The connection may be indoors or outdoors. Through block corridors are encouraged to coordinate with existing corridors and open-space. If a through-block connection is not possible, a minimum 15,000 GSF publicly-accessible space is an acceptable alternative. The space may be indoors or outdoors.

Ground Floor Pedestrian Entrances (Required/ Alternate Options Allowed)

The desired distance between ground-level pedestrian entrances in new development projects is 75 feet.

Ground Floor Use (Required/ Alternate Options Allowed)

In order to help ensure active, diverse ground floor uses, for every 50,000 GSF of ground floor leasable retail space, a 2,000 GSF or smaller leasable retail space must be provided. Require between 50 to 70% street retail frontage along Columbus Avenue, Dartmouth, and Clarendon Streets.

Environment (Required)

GOAL: New development should achieve innovation in the area of energy conservation and management. The following are required of all new developments over 50,000 GSF

Sustainability

Incorporating advanced sustainability methods and/or accreditation that achieve certifiable status at LEED silver level or equivalent, whichever meet or exceed environmental standards in effect.

Wind

Buildings should be designed to avoid excessive and uncomfortable downdrafts on pedestrians. Each proposed project will be shaped via setbacks, plinths, and building orientation or other wind-baffling measures, so that the proposed project will not cause ground-level ambient wind speeds to exceed the standards of Article 80. Post occupancy evaluation of wind impact at key locations is required of all new development in the district; mitigation is

required if building is determined to have worsened pedestrian conditions at key locations. Key locations (i.e. building entries, exterior seating areas, and crosswalk intersections) will be determined through the Article 80B large project review process.

Shadow

Each proposed project shall be arranged and designed in a way to assure that it does not cast shadows for more than two hours from 8:00 a.m. through 2:30 p.m., on any day from March 21 through October 21, in a calendar year, on any portion of Copley Square Park (bounded by Boylston Street, Clarendon Street, St James Ave. and Dartmouth St, excluding land occupied by Trinity Church.)

Ground Water

All projects must conform to Article 32 of the Boston Zoning Code; Groundwater Conservation Overlay District.

Multi-modal Access

GOAL: New development should integrate state-of-the-art transportation policies and technologies and innovations in demand management. The list of performance criteria is a summary of the requirements expected from the Boston Transportation Department (BTD) which will be officially memorialized in the department's Transportation Access Plan Agreement (TAPA.)

Traffic Studies Project Area

Any new development over 50,000 GSF located in the study area must include the surrounding area bordered by Storrow Drive to the north, Harrison Ave to the South, Massachusetts Ave to the west and Albany Street to the East in their traffic impact analysis.

Off-Street Parking Ratios

Parking supply must adhere to the current BTD MAXIMUM parking ratios:

1.0 per dwelling unit

0.50 per 1,000 sq ft of commercial development

0.40 per hotel key

No parking minimum

Parking/Service Access

Curb cuts should be minimized in locating service and parking access points. A maximum entrance width of 30 feet and minimum distance between entrances of 60 feet are preferable. Careful consideration should be given to evening illumination levels of parking garage entries. Service doors, when not in use, should be closed to maintain the street wall.

Off-Street Parking/Service Location

Parking should not be visible from any location on the street. Except for access to the parking, service and parking areas must be set back a minimum of 20 feet from the building face. This "liner" space should contain active building uses.

Bicycle Accommodations

Provide bicycle racks in secure sheltered spaces as per BTD ratios, for example one space per dwelling unit (or 0.3 parking spaces per 1,000 SF). Additionally, no fewer than 5 outside bicycle spaces per building are required. A minimum number of shower stalls must be provided as per BTD building ratios based on the number of commercial building occupants or the equivalent of free access to on-site health club shower facilities. Bicycle parking locations should be as accessible as the closest automobile space, or within 50 feet of the primary entrance of a retail establishment.

Alternative Transportation Off-Street Parking

Include at least 1 car-share parking space per 50 parking spaces, at least 1 parking space for vanpool parking and at least one parking space per 50 parking spaces for clean-fuel vehicles (hybrids, electric vehicles etc.). In addition, provide parking for scooters and motorcycles.

Traffic Management

Through a required site plan and traffic management analysis for future development projects, BTM will determine appropriate traffic management projects such as new signage, signal improvements and traffic camera installation required by the proponent.

Loading

For projects over 50,000 GSF, the proponent will be required to provide off-street loading to minimize on-street commercial vehicle activity. Parking and loading access, where possible, will be provided off of alleys to enhance pedestrian safety, maximize commercial frontage, and accommodate queuing.

Transportation Demand Management

For projects over 50,000 GSF, the proponent is required to join the local Transportation Management Association (TMA) and participate in their programs such as “Guaranteed Ride Home” and car pools.

Streetscape Improvements

Through a required site plan BTM will determine appropriate public right-of-way streetscape improvements to be designed and built in the vicinity of the proposed building including at a minimum the sidewalks along each side.

Transit

Proponents will be required to provide pre-payroll deduction and distribution for T passes.

Tower: 17.5 FAR & Above 155 feet up to 400 feet height limit

Proposed projects are eligible for additional build out (FAR of 17.5) as well as height beyond the 155 feet (up to a maximum of 400 feet; see attached graphic for specific demarcations), if such proposals (a) undergo review pursuant to Article 80B of the Boston Zoning Code, (b) achieve performance criteria identified below and (c) provide public benefits; those benefits at a minimum include the following:

BUILDING ACHIEVEMENT

Given the variety of constraints on development in the district, very few sites will be able to achieve the maximum height/FAR. The goal of the development guidelines is to make the level of achievement commensurate with the scope, scale and impact of the proposed project.

Sustainability (Required)

Incorporating advanced sustainability methods and/or accreditation that achieve certifiable status at LEED gold level or net zero energy consumption or meets or exceeds comparable environmental standards in effect.

Streetscape/Pedestrian and Bicycle Fund (Chose either one)

Contribute to a streetscape/pedestrian and bicycle fund for improved safety, connectivity, and beautification of the public realm at locations other than in the abutting streets of the building but within the area- thereby increasing vitality and encouraging pedestrian and bicycle travel in the immediate area. Specifics will be determined through the Article 80 review process and should be of a value equal or greater than one half of one percent (1/2%) of the cost of building construction.

Public Art (Chose either one)

New development should provide publicly accessible art or provide a donation to the Fund for Boston Neighborhoods (administered by the Boston Arts Commission, a 501C3) that has an invoiced or appraised value equal to or greater than one half of one percent (1/2 %) of the cost of building construction. Specifics to be determined through the Article 80 review process.

*** Mitigating Development Impacts**

Additionally, the assessment of the proposed project's impacts on the immediate area will be determined through the Article 80 review process. The Article 80 process will determine if additional mitigation (otherwise exceeding the City's requirements for community benefits) is needed to offset development impacts.

PERFORMANCE CRITERIA

The following performance criteria requirements must be met in order to reach the Tower status.

Building Form (Required)

GOAL: New development should help create a varied skyline for commercial Back Bay, allow individual buildings to be visually distinct while also creating a family of buildings around the new Hancock Tower, and create a clear animated pedestrian/public realm distinctly delineated from the tower.

Tower GSF

For portions of new development that extend above the base level street wall height, the maximum commercial floor plate is 30,000 GSF. For residential building, the average residential floor plate above 200 feet high is 12,000 GSF.

Tower Length

For portions of new development that extend above the base level street wall height, the maximum length is 200 feet.

Massing Setback

For portions of new development that extend above the base level street wall height along Berkeley and Clarendon Streets, massing must setback from the property line at least 15 feet. For portions of new development that extend

above the base level street wall height along Dartmouth Street, massing must setback from the property line at least 25 feet. The base should acknowledge adjoining cornice lines and context.

Environment (Required)

GOAL: New development should minimize shadow impacts and mitigate against wind impacts, one of the most significant environmental concerns in the district. New development should also contribute to establishing the Stuart Street district as a model for multi-modal transit options.

Shadow Performance

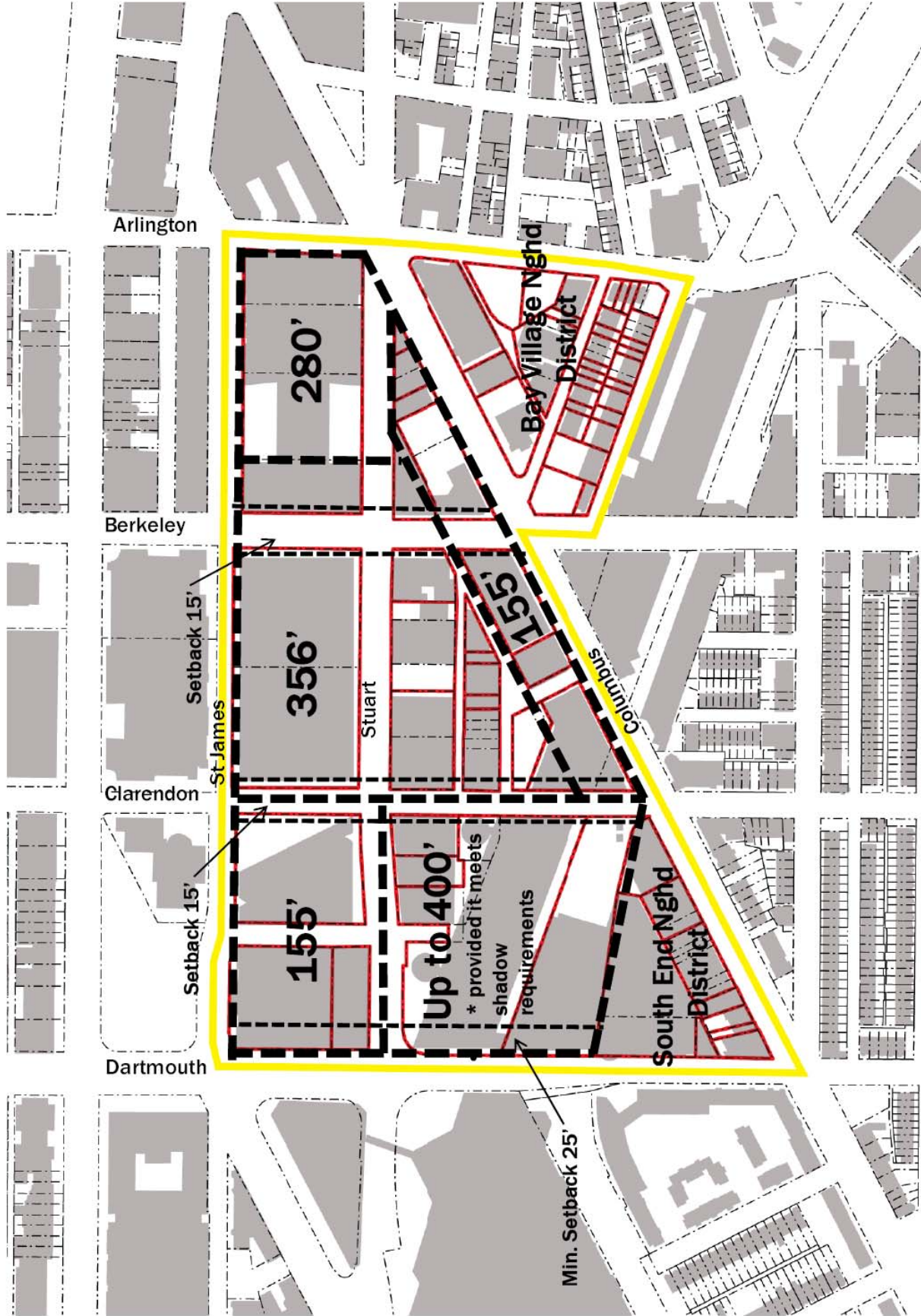
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Wind Performance

Wind studies will be conducted which demonstrate that there will be, on average, a net overall positive impact on existing conditions or conditions which would result from the construction of structures built to the base zoning limits. Post occupancy evaluation of wind impact at key locations is required of all new development in the district; mitigation is required if building is determined to have worsened pedestrian conditions at key locations. Key locations (i.e. building entries, exterior seating areas, and crosswalk intersections) will be determined through the Article 80B large project review process

Multi-modal Access

GOAL: The proponent, in consultation with BTB, is expected to determine the appropriate combination of achievement based upon the scope scale and impact of the development project. The final selection of items will be officially memorialized in the Transportation Access Plan Agreement (TAPA.) issued by BTB.



Max. Heights and Setbacks