

MEMORANDUM

MAY 16, 2013

TO: BOSTON REDEVELOPMENT AUTHORITY AND
PETER MEADE, DIRECTOR

FROM: HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT
REVIEW
DANA WHITESIDE, DEPUTY DIRECTOR FOR COMMUNITY
ECONOMIC DEVELOPMENT
DAVID CARLSON, SENIOR ARCHITECT
LANCE CAMPBELL, SENIOR PROJECT MANAGER

SUBJECT: THE ICON AT 75 BRAINERD ROAD RESIDENTIAL PROJECT,
ALLSTON

SUMMARY: This Memorandum requests that the Boston Redevelopment Authority (“BRA”) authorize the Director to (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Large Project Review of the Boston Zoning Code (“Code”); (2) issue a Certification of Compliance under Section 80B-6 of the Code upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan, an Affordable Rental Housing Agreement and Restriction and any and all other agreements and documents that the Director deems appropriate and necessary for the ICON Residential project, proposed at 75 Brainerd Road and 10 Redford Street in Allston; and (4) recommend approval to the City of Boston Zoning Board of Appeal on Petition BZC-32670 for zoning relief necessary to construct the Proposed Project.

PROJECT SITE

The ICON residential project is located in the Allston-Brighton neighborhood of Boston at the intersection of 75 Brainerd Road and 10 Redford Street (the “Project Site”). The Project site is located on two adjacent parcels consisting of approximately 24,822 total square feet of land (0.57 acres). The two parcels are located along Redford Street (a private way) with the south side of the site abutting Brainerd Road. The site also abuts the existing Mount Vernon residential building at 65 Brainerd Road. There are two existing structures that would be redeveloped: the first structure is a preexisting non-

conforming light industrial use building that was most recently used in a sign manufacturing business and the second structure is used as an auto body shop.

PROPOSED PROJECT

The Mount Vernon company, as the manager of 75 Brainerd Road LLC (herein referred to as the “Proponent”), proposes to construct a 93,260 square foot residential development consisting of 104 rental apartment units with 108 off-street parking spaces (the “Proposed Project”).

The Proponent has permitted two quality apartment buildings within Allston-Brighton and near the Project Site. In 2012, the construction of the Element Building, located at 9-23 Griggs Street, was completed. Very strong demand to move into this new building quickly followed, and Mount Vernon quickly recognized the opportunity to rejuvenate this Allston neighborhood that has great redevelopment potential. In 2012 Mount Vernon permitted The Edge Project, a 79-unit residential project to be built at 60-66 Brainerd Road. Construction of the Proposed Project is expected to commence in the spring of 2013.

It is anticipated that the Proposed Project will commence construction by the second quarter of 2013. The entire construction schedule is anticipated to be approximately 16 months with a completion schedule by the fourth quarter of 2014. Total development cost for the Proposed Project is approximately \$17 million.

DEVELOPMENT TEAM

The development team consists of Bruce Percelay, President, and Jay Bisognano, Acquisitions, of 75 Brainerd Road, LLC C/O The Mount Vernon Company, Inc (the “Developer”); Dan Cence, Partner, of Issues Group, LLC as the project community advisors; James Mitrano, Principal and Bob Jacobson, of Waypoint Construction Consultants, Inc. as project owner representatives; David Chilinski, AIA, President and Dave Snell, LEED AP, of Prellwitz Chilinski Associates as project architects; John Schmid, P.E. of Nitsch Engineering, Inc. as civil engineering and environmental engineering, Ambrose Donovan and William Burns of McPhail Associates, Inc. as geotechnical and environmental engineering, Sean M. Manning, P.E., PTOE and Elizabeth Orlando, P.E. of Vanasse Hangen Brustlin, Inc., as Article 80 Permitting, Joseph SanClemente, P.E., AICP of Howard/Stein Hudson Associates, Inc., as traffic engineer, Paul Rufo, Partner of Smith, Duggan, Buell, & Rufo, LLP as legal counsel and Robert J. Lyons, CEO of Cranshaw Construction as construction management.

ARTICLE 80 REVIEW

On October 18, 2012, in accordance with the Large Project Review requirements of Article 80 of the Boston Zoning Code (the “Code”) and the BRA’s policy on mitigation as outlined in Mayor Thomas M. Menino’s Executive Order Relative to the Provision of Mitigation by Development Projects in Boston, the Proponent submitted a Letter of Intent to the BRA.

In advance of their filing, the Proponent held several meetings with the local community groups. On November 28, 2012, the proponent was given approval of the Proposed Project at a meeting with the Allston Civic Association (ACA). On December 6, 2012 the Brighton-Allston Improvement Association (BAIA) provided input into the Proposed Project which has been taken into consideration in the design of the building.

On January 2, 2013, the Proponent filed a Project Notification Form (“PNF”) regarding the Proposed Project. Notice of the receipt by the BRA of the PNF was published in the Boston Herald on January 2, 2013, which initiated the public comment period with a closing date of February 11, 2013.

Pursuant to Section 80B-5.3 of the Code, a scoping session was held on February 13, 2013 with the City’s public agencies at which the Proposed Project and the PNF was reviewed and discussed. The PNF Notice and the PNF were sent to the City’s public Agencies pursuant to Section 80A-2 of the Code. The Proponent conducted a public meeting for the community’s review and comment on January 30, 2013 at the Jackson Mann Community Center, in the community room, located at 500 Cambridge Street in Allston and the meeting was advertised in the Allston Brighton TAB and Boston Bulletin.

On February 5, 2013 the Proponent appeared before the Boston Civic Design Commission (“BCDC”) for a presentation and review of the Proposed Project. On February 26, 2013 the Proposed Project was further reviewed at a BCDC Design Committee meeting, and on March 5, 2013 the Proposed Project went before BCDC for a final vote for approval.

On March 7, 2013 the Proponent appeared before the Brighton Allston Improvement Association (the “BAIA”) to update and present their Proposed Project. The Proposed Project was well received and was voted for approval by the BAIA.

ZONING

The Project Site is located within a Neighborhood Shopping Subdistrict (“NS-1”) and in a Greenbelt Protection Overlay District in the Allston-Brighton (“GPOD”) Neighborhood District. The Proposed Project will require zoning variances for the

following: (1) Use: Multi-Family Dwelling (Conditional); (2) Floor Area Ratio Excessive; (3) Building Height Excessive; (4) Usable Open Space: Insufficient; (5) Front Yard Insufficient; (6) Rear Yard Insufficient; (7) Traffic Visibility Across Corner Insufficient; (9) Greenbelt Protection Overlay District, Enforcement; (10) Off-Street Parking Insufficient; (11) Off-Street Parking Design; and (12) Off-Street Loading Insufficient. Enforcement as evidenced by the rejection letter issued by ISD attached as Exhibit A.

AFFORDABLE HOUSING

Fourteen (14) of the one-hundred-four (104) residential rental units within the Proposed Project will be created as affordable housing (the “Affordable Units”). All fourteen (14) Affordable Rental Units, will be affordable to households earning seventy percent (70%) and below of the area median income (“AMI”).

The locations, sizes, and sales prices of the Affordable Units are as follows:

Unit Number	Bedrooms	Square Footage	Location of Affordable Unit	Percent of Median Income	Rental Price
104	Studio	500	1 st Floor	70% AMI	\$1,024
201	One	660	2 nd Floor	70% AMI	\$1,194
208	Studio	520	2 nd Floor	70% AMI	\$1,024
217	Studio	540	2 nd Floor	70% AMI	\$1,024
221	One+	830	2 nd Floor	70% AMI	\$1,194
302	One	680	3 rd Floor	70% AMI	\$1,194
309	Studio	520	3 rd Floor	70% AMI	\$1,024
320	One	740	3 rd Floor	70% AMI	\$1,194
405	One+	850	4 th Floor	70% AMI	\$1,194
414	Two	1110	4 th Floor	70% AMI	\$1,365
425	Studio	520	4 th Floor	70% AMI	\$1,024
510	Studio	520	5 th Floor	70% AMI	\$1,024
515	One	710	5 th Floor	70% AMI	\$1,194
527	Studio	527	5 th Floor	70% AMI	\$1,024

*To be adjusted in accordance with increases in HUD area median incomes.

The Developer will enter into an Affordable Rental Housing Agreement and Restriction (“ARHA”) with the BRA for the Affordable Units. The ARHA must be executed along with, or prior to, issuance of a Certification of Compliance. The Developer will submit an Affirmative Marketing Plan (the “Plan”) to the Boston Fair Housing Commission and the BRA, which shall be approved along with the execution of the ARHA.

Preference for the Affordable units will be given to applicants who meet the following criteria, weighted in the order below:

- (1) Boston resident; and
- (2) Household size (a minimum of one (1) person per bedroom).

The Affordable Units will not be marketed prior to the submission and approval of the Plan. A deed restriction will be placed on the Affordable Units to maintain affordability for a total period of fifty (50) years (this includes thirty (30) years with a BRA option to extend for an additional period of twenty (20) years).

MITIGATION AND PUBLIC BENEFITS

The Proponent has proposed a series of significant Community Benefits focused on improving the general area, within the development site itself.

These include the following:

- The Mount Vernon Company, Inc. has volunteered an additional community benefit package of \$100,000 to be delivered to the BRA at the issuance of Building Permit;
- New street lights in and around the proposed develop site;
- Provide approximately 260 new construction jobs in the city of Boston;
- Improve drainage by adding landscaped and permeable surfaces where appropriate;
- Enhance the public realm with a new attractive façade along Brainerd Road and Redford Street including new sidewalks, with landscaped areas, new trees, improved fencing for screening and buffering; which all improves the pedestrian connections between Brainerd Road and Commonwealth Avenue;
- Increase residential population to support local neighborhood businesses and shops.

RECOMMENDATIONS

Approvals are requested of the Authority pursuant to Article 80, Section 80B of the Code for the issuance of a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code, and for the issuance of a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process. In accordance with Section 80B-5.3(d) of the Code, the Authority may issue a Scoping Determination Waiving Further Review if the PNF, together with any additional materials and comments received by the BRA prior to the

issuance of the Scoping Determination, are found to adequately describe the impact of the Proposed Project and offer appropriate mitigation of such impacts. It is therefore recommended that the Authority approve the Proposed Project and authorize the Director to: (1) issue a Scoping Determination waiving the requirement of further review pursuant to Article 80, Section 80B-5.3(d) of the Code; (2) issue a Certification of Compliance under Section 80B-6 upon successful completion of the Article 80 review process; (3) execute and deliver a Cooperation Agreement, a Boston Residents Construction Employment Plan and an Affordable Rental Housing Agreement and Restriction, and any and all other documents deemed appropriate and necessary; and (4) recommend approval on Petition BZC-32670 for variances necessary to construct the project.

Appropriate votes follow:

VOTED: That the Director be, and hereby is, authorized to issue a Scoping Determination under Section 80B-5.3(d) of the Boston Zoning Code, which finds that the Project Notification Form Submitted on January 2, 2013 ("PNF"): (i) adequately describes the potential impacts arising from the 75 Brainerd Road residential project, (ii) provides sufficient mitigation measures to minimize these impacts; and (iii) waives further review of the Proposed Project, subject to continuing design review by the Boston Redevelopment Authority; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to issue a Certification of Compliance for the Proposed Project upon the successful completion of all Article 80 processes; and

FURTHER

VOTED: That the Director be, and hereby is, authorized to execute a Cooperation Agreement, a Boston Residents Construction Employment Plan and an Affordable Rental Housing Agreement and Restriction, and any and all other agreements and documents which the Director deems appropriate and necessary in connection with the Proposed Project, all upon terms and conditions determined to be in the best interests of the Boston Redevelopment Authority; and

FURTHER

VOTED: In reference to Petition BZC-32670, for variances in the Neighborhood Shopping Subdistrict in the Allston-Brighton Neighborhood District, the Boston Redevelopment Authority recommends APPROVAL WITH PROVISIO: that plans be submitted to the Authority for design review approval.