

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
PETER MEADE, DIRECTOR

**FROM:** HEATHER CAMPISANO, DEPUTY DIRECTOR FOR DEVELOPMENT  
REVIEW  
LAUREN WILLIAMS, PROJECT MANAGER

**SUBJECT:** W BOSTON HOTEL AND RESIDENCES, 100 STUART STREET:  
AUTHORIZATION TO ENTER INTO LICENSE AGREEMENT  
PURSUANT TO SECTION 11-7.3 OF THE BOSTON ZONING CODE

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**SUMMARY:** This Memorandum requests authorization for the Director to: (i) enter into a License Agreement with Orange Barrel Media for an Electronic Sign to be located at 100 Stuart Street, and to take such further actions described therein, substantially in the form presented to the BRA Board on April 11, 2013, subject to obtaining a conditional use permit and an interpretation a variance is not required or, if necessary, a variance, from the Board of Appeal ; (ii) issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and (iv) execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions .

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### **ELECTRONIC SIGNAGE BACKGROUND**

Section 11-7 of the Boston Zoning Code (the “Code”) governs Electronic Signage within the City of Boston. Section 11-7 provides that Electronic Signs are only permitted within certain zoning districts and that zoning relief in the form of a conditional use permit must be obtained. The above referenced property is within one of the zoning districts within which electronic signs are allowed by conditional use permit. The Electronic Sign may also require a variance under the Code.

### **W BOSTON HOTEL AND RESIDENCES**

W Boston Hotel and Residences, located at 100 Stuart Street, is an approximately 235 room W hotel, approximately 122 residential units, an underground garage, and retail, restaurant and spa uses within an approximately 350,000 ± square foot, 26-story building. Orange Barrel Media proposes to install an electronic sign (the “Electronic Sign”) on a portion of the front façade of the building. The Electronic Sign has been designed to meet the requirements of Section 11-7 of the Code and will address the

guidelines of Section 11-7 of the Code through ongoing design review with the Authority.

### **LICENSE AGREEMENT WITH ORANGE BARREL MEDIA**

Section 11-7.3 of the Code requires an operator of an electronic sign obtain a license from the Authority in connection with operating such sign. Orange Barrel Media and the Authority have agreed upon a form of license agreement for the Electronic Sign, which form of license complies with the requirements of Section 11-7.3 of the Code.

### **RECOMMENDATION**

Based on the foregoing, BRA staff recommends that the Director be authorized (i) to enter into a License Agreement with Orange Barrel Media pursuant to Section 11-7.3 of the Code for an Electronic Sign to be located at 100 Stuart Street, and to take such further actions described therein, substantially in the form presented to the BRA Board on April 11, 2013, subject to obtaining a conditional use permit and an interpretation a variance is not required or, if necessary, a variance from the Board of Appeal; (ii) issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and (iv) execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions .

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to enter into a License Agreement with Orange Barrel Media pursuant to Section 11-7.3 of the Boston Zoning Code for an Electronic Sign to be located at 100 Stuart Street, and to take such further actions described therein, subject to obtaining a conditional use permit and an interpretation a variance is not required or, if necessary, a variance, from the Board of Appeal; and

#### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to issue the design review approval of the Electronic Sign required by Section 11-7.1(a) of the Code; and

#### **FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute any and all documents deemed necessary and appropriate by the Director in connection with the foregoing actions