

**MEMORANDUM**

**APRIL 16, 2015**

**TO:** BOSTON REDEVELOPMENT AUTHORITY AND  
BRIAN P. GOLDEN, DIRECTOR

**FROM:** ERICO LOPEZ, DIRECTOR OF DEVELOPMENT REVIEW AND POLICY  
DANA WHITESIDE, DEPUTY DIRECTOR FOR COMMUNITY  
ECONOMIC DEVELOPMENT  
DAVID CARLSON, SENIOR ARCHITECT  
LANCE CAMPBELL, SENIOR PROJECT MANAGER

**SUBJECT:** 386-388 MARKET STREET RESIDENTIAL DEVELOPMENT, BRIGHTON

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**SUMMARY:** This Memorandum requests that the Boston Redevelopment Authority (“BRA”): (1) issue a Certification of Approval for the development of the 386-388 Market Street Residential Development in Brighton, which includes seventeen (17) residential rental units, seventeen (17) parking spaces with approximately 612 square feet of retail space at grade and related site improvements (the “Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code (the “Code”); (2) execute and deliver an Affordable Rental Housing Agreement and Restriction and any and all documents that the Director deems appropriate and necessary; and (3) recommend approval to the Zoning Board of Appeal on Petition BOA-438438 for zoning relief necessary to construct the Proposed Project.

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**PROJECT SITE**

The proposed project is located at 386-388 Market Street on the corner of Market and Henshaw Streets on an approximately 6,116 square foot parcel. The Project Site is bounded by Market Street Burial Grounds to the North, where the existing building setback is zero, and a three story office building to the East. The existing building on the site is a single story, commercial use building, the current location of the Brighton Beer Garden, fronting on Market Street (the “Proposed Project”).

**DEVELOPMENT TEAM**

The development team consists of Jon Cronin, Managing Partner, of 386 Market Street Realty Trust as the developer (the “Developer”), Linda C. Neshamkin, Principal of Neshamkin French Architects, Inc., as project architect, William F. Coyne, Jr. Esq., and

Kevin P. Kerr, Esq., as the projects lawyers, George Collins of Boston Survey, Inc., as project surveyors, Paul Sbacchi, Vice President/Chief Structural Engineer of TF Moran, Inc., as projects structural engineers and Guy Busa, Principal of Howard/Stein-Hudson Associates, Inc. as project traffic engineers.

### **PROPOSED PROJECT**

The Developer proposes to demolish the existing building and provide an increased side yard setback of 10 feet even adjacent to the Market Street Burial Grounds. The project consists of a newly constructed four-story building with approximately 612 square feet of retail space at grade, and seventeen (17) residential rental units above (the "Proposed Project").

Parking for the proposed seventeen (17) units at 386-388 Market Street is provided on site, accessed off Henshaw Street by a new curb cut. A total of (17) parking spaces will be provided, at grade. The main residential lobby is located at the corner of Market and Henshaw Street, while the retail space is accessed off Market Street.

The Developer plans to begin the construction of the Proposed Project in July 2015 with an estimated September 2016 completion date, with a total development cost of approximately \$4,900,000. The Proposed Project is expected to create approximately 50 construction jobs and two permanent jobs.

### **ZONING**

The Project Site is located within a Neighborhood Shopping Subdistrict ("NS-.5") in the Allston Brighton Neighborhood District in Brighton. The Proposed Project will require zoning variances for the following: (1) Use Regulations: Multifamily Dwelling; (2) Floor Area Ratio Excessive; (3) Building Height Excessive; (4) Rear Yard Insufficient; (5) Off-Street Loading Insufficient; (6) Off-Street Parking Design/Maneuverability; (7) Off-Street Parking Insufficient; and (8) Screening & Buffering Insufficient. Enforcement is evidenced by the rejection letter issued by the City of Boston Inspectional Services Department ("ISD") attached as Exhibit A.

### **PUBLIC PROCESS**

On January 12 2015, the Developer filed a Small Project Review application with the BRA for the Proposed Project, pursuant to Article 80E of the Code. On February 25, 2015, the BRA hosted a community meeting at the Brighton Marine Health Center, R.E. Hawes Medical Building, 3rd Floor, Conference Room 1 located at 77 Warren Street in Brighton. The meeting was advertised in both the Allston Brighton TAB and the Bulletin newspapers.

## **AFFORDABLE HOUSING**

Two (2) of the seventeen (17) residential rental units within the Proposed Project will be created as affordable housing (the “Affordable Units”). All of the Affordable Units will be affordable to households earning less than or equal to seventy percent (70%) 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
304	One	686	3 <sup>rd</sup> Floor	70% AMI	\$1,190
205	Studio	583	2 <sup>nd</sup> Floor	70% AMI	\$1,020

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

In addition to the Affordable Units, the Developer will make an affordable housing contribution of \$44,000 (the “Affordable Housing Payment”). The Affordable Housing Payment shall be made upon issuance of the building permit.

The Developer will enter into an Affordable Rental Housing Agreement and Restriction with the BRA for the Affordable Units and the Affordable Housing Payment. The Affordable Rental Housing Agreement and Restriction must be executed along with, or prior to, issuance of a Certification of Approval. 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 Affordable Rental Housing Agreement and Restriction. 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).

## **RECOMMENDATION**

The Proposed Project complies with the requirements set forth in Section 80E of the Code for Small Project Review. Therefore, staff recommends that the Director be authorized to: (1) issue a Certification of Approval for the 386-388 Market Street Residential Development in Brighton (the “Proposed Project”) in accordance with Article 80E, Small Project Review, of the Code; (2) execute and deliver an Affordable Rental Housing Agreement and Restriction and any and all documents that the Director deems appropriate and necessary; and (3) recommend approval to the Zoning Board of

Appeal on Petition BOA-438438 for zoning relief necessary to construct the Proposed Project.

Appropriate votes follow:

**VOTED:** That the Director be, and hereby is, authorized to issue a Certification of Approval for the 386-388 Market Street Residential Development, proposed by 386 Market Street Realty Trust (“Developer”), for the provision of seventeen (17) residential rental units, seventeen (17) parking spaces with approximately 612 square feet of retail space at grade and related site improvements (“Proposed Project”), in accordance with Article 80E, Small Project Review of the Boston Zoning Code; and

**FURTHER**

**VOTED:** That the Director be, and hereby is, authorized to execute an Affordable Rental Housing Agreement and Restriction for the creation of two (2) on-site affordable rental units and execute any and all 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 BOA-438438, the Proposed Project in the Allston Brighton Neighborhood District in Brighton, for zoning relief necessary in a Neighborhood Shopping Subdistrict (“NS-.5”) the Boston Redevelopment Authority (“BRA”) recommends APPROVAL WITH PROVISIO: submit project plans to the BRA for design review approval.