



March 6, 2019

Jesse Geller  
Chairman– Brookline Zoning Board of Appeals  
333 Washington Street  
Winchester, MA 02445

Re: 1299 Beacon Street Parking Analysis – Intensity of Use

Dear Chairman Geller,

I am writing on behalf of Brighton Allston Properties, LLC, as the applicant for a comprehensive permit under Chapter 40B for property at 1299 Beacon Street in Brookline.

This letter is intended to summarize our position as it relates to proposed parking at the 1299 Beacon Street property. Our position is based on several factors and data points including: 1) parking ratios approved by the Brookline ZBA for other 40B projects; 2) parking ratios and approvals at other restaurants in Brookline and specifically Coolidge Corner; 3) Inherent geographic characteristics of the site; 4) Existing parking requirements under Brookline Zoning Bylaws.

We believe it is both timely and important to communicate our position on parking related considerations as we maintain the Brookline Planning Department and its parking peer review consultant are advocating for a parking supply that is grossly inconsistent with recently approved projects, 40B or otherwise.

**Important Considerations:**

*420 Harvard Street – Approved 40B*

The Brookline Zoning Board of Appeals recently approved a modification for the 420 Harvard Street 40B project. As part of that 40B approval, the ZBA approved 5,000SF of commercial space which is intended specifically for a food service use. There are 23 underground parking spaces for residential tenants as well as 4 tandem parking spaces (8 total parking spaces) dedicated to employees of the commercial space from which the employees need to back out onto the street. So effectively, there is zero dedicated parking for patrons of the commercial space.

The amount of approved commercial space at 420 Harvard Street is essentially the same amount of commercial space as is currently proposed at 1299 Beacon.

*455 Harvard Street Approved 40B*

The Brookline Zoning Board of Appeals recently approved a 40B project at 455 Harvard Street. As part of that 40B approval, the Comprehensive Permit allows for up to 1,800SF of commercial space with zero parking requirements and a residential parking ratio of 0.53 (9 spaces for 17 units).

*20 Center Street Approved 40B*

The Brookline Zoning Board of Appeals recently approved a 40B project at 20 Center Street. As part of that 40B approval, the Comprehensive Permit allows for a parking ratio of 0.63 (25 spaces for 40 units).

*Existing and Approved Coolidge Corner Restaurants*

Our development team recently communicated with the Brookline Transportation Department (Peter Ditto and Todd Kirrane), the Brookline Assessors Office (Robert O'Donnell) and also directly contacted all of the restaurants in the main part of Coolidge Corner that provide table service. The inventory of restaurants ranged in size from 1,000SF to 12,000SF, and from 20 seats to 257 fine dining seats.

The information contained in the table below was predictable; only two restaurants out of the entire Coolidge Corner restaurant inventory provide valet parking for customers and only one restaurant provides parking spots for employees. Every other restaurant has no requirement to provide any parking to its patrons or its employees. Several of these restaurants recently received permits to operate from the Town of Brookline with no parking requirements.

**Restaurants in Coolidge Corner**

<u>Restaurants Name</u>	<u>Square Footage</u>	<u>Address</u>	<u>Number of seats</u>	<u>Parking for customers</u>	<u>Parking for employees</u>
Prairie Fire	9907 sq.ft	242 Harvard Street	65	No	No
Shaking Crab	2463 sq.ft	250 Harvard Street	103	No	No
Pho Lemongrass	12612 sq.ft	239 Harvard Street	123	No	No
Fugakyu	6500 sq.ft	1280 Beacon Street	257	valet parking	No
Hops n Scotch		1306 Beacon Street	120	No	3-4 spots
Gen Sou En	11,452 sq.ft.	299 Harvard Street	125	No	No
Hamilton	5,538 sq.ft	1366 Beacon Street	130	No	No
Osaka	8438 sq.ft	14 Green Street	140	valet parking	No
Chef Chow's House		230 Harvard Street	72	No	No
Bottega Fiorentina		313 Harvard Street	12	No	No
Grainne O'Malley's Tavern		201 Harvard Street	100	No	No
The Daily Catch		441 Harvard Street	19	No	No
Zaftigs	5,686* sq.ft	335 Harvard Street	100	No	No
Otto Pizza	2788 sq.ft.	289 Harvard Street	60	No	No
Coolidge Corner Clubhouse		307 Harvard Street	90	No	No
Bab Korean Bistro	806 sq.ft	1374 Beacon Street	40	No	No
Rani	2,730 sq.ft	1353 Beacon Street	87	Recently closed	
Jin's Fine Asian Cuisine	4,740 sq.ft	329 Harvard Street	108	No	No
Ganko Ittetsu Ramen		318 Harvard Street	30	No	No

\* = 1,643(basement) + 2678 (1st floor) + 1365(2nd floor)

### *Brookline Zoning Bylaws vs. Urban Land Institute (ULI) standards*

As the “Simon Design Engineering Memo Revised February 26<sup>th</sup>” indicates, the Brookline Zoning Bylaws require 40 spaces for 5,000SF of restaurant use (1 space per 5 seats). The Zoning Bylaw would require 14 total spaces for 5,000SF of retail use (1 space per 350SF).

So even applying the strictest and most conservative interpretation of the Brookline bylaw, the Applicant in this case would be required to provide 40 parking spaces for 5,000SF of restaurant use.

Chapter 40B regulations and relevant 40B case law is very clear in that a municipality may not impose a more stringent requirement, parking or otherwise, than what is required under its existing zoning bylaws.

As part of the iterative peer review process over the last several months, The Brookline Planning Department and the Town’s parking peer review consultant have been asking our traffic and parking consultants to apply the ULI parking standard in the preparation of their various analyses and reports. We want to emphasize that our position is that the ULI standard should be considering for informational purposes only. We will not adhere to this standard; nor can the Town apply a parking standard more rigorous than what is required under zoning bylaws. Moreover, no other 40B project or restaurant in Coolidge Corner has been required to provide a parking supply consistent with the ULI standards and to expect this proposal/application to do as much is not only inconsistent with all previous precedent, but not allowed under Chapter 40B.

### *Retail/Restaurant Landscape*

The economic landscape and demand for traditional retail stores/space in Coolidge Corner, Massachusetts and the entire country is significantly declining. Industry analysts would call this the “Amazon effect”. There are quite a few storefronts in Coolidge Corner advertising space for lease. Desirable locations and storefronts have been sitting vacant for months, even years. Co-Star, a commercial real estate website published a report recently which is included in the following line regarding retail vacancies. The future of brick and mortar retail is not strong.

[https://product.costar.com/home/news/shared/525434774?utm\\_source=costar&utm\\_medium=email&utm\\_campaign=costar-market-newsletter&utm\\_content=p1](https://product.costar.com/home/news/shared/525434774?utm_source=costar&utm_medium=email&utm_campaign=costar-market-newsletter&utm_content=p1)

My client has owned and operated retail space in Coolidge Corner and other urban markets for more than 30 years; they have experienced the declining retail market first-hand.

Conversely, the demand for quality restaurant and food service space is strong. Given current and anticipated market conditions, my client requests the flexibility to use the commercial space for a restaurant. Moreover, most people in Brookline and Coolidge Corner want additional restaurant options, certainly in comparison to additional retail offerings. As such, my client will not accept conditions limiting the type of tenants/use that would be allowed at 1299 Beacon Streets. In light of all the leniency and considerations that have been granted to existing restaurants, we do not believe this to be an unreasonable request; and we believe it to be in the best interest of the Coolidge Corner.

Conclusion

The Applicant's current proposal features 87 parking spaces. Were the ZBA to impose the most strict standard for commercial parking (40 spaces), that would leave 47 spaces to be dedicated to 74 residential units. Forty-seven parking spaces for 74 units would yield a parking ratio of .63 spaces per unit. This ratio would be greater than what the ZBA allowed at 455 Harvard Street and 20 Center Street, and proximate to what was allowed at 420 Harvard Street (remembering that the ZBA required zero parking spaces for future patrons of the 5,000SF of commercial space at that project).

We also firmly believe that 1299 Beacon, when compared to other 40B projects, is the closest to Mass Transit, the most walkable, and thus should require the lowest parking ratio based on its inherent geographic and locational characteristics.

In conclusion, the 87 parking spaces greatly exceeds what has been required of other 40B projects and the proposed parking supply will greatly exceed that being provided by every and any restaurant in all of Coolidge Corner.

We look forward to discuss parking related considerations with you in the future. I can be reached at 617-782-2300 x202 or at [gengler@s-e-b.com](mailto:gengler@s-e-b.com).

Sincerely,



Geoffrey Engler  
SEB, LLC

Consultant to Brighton Allston Properties, LLC