

### **Land Use Committee Report**

# City of Newton In City Council

#### Tuesday, March 12, 2019

**Present:** Councilors Schwartz (Chair), Lipof, Greenberg, Auchincloss, Kelley, Markiewicz, Crossley, Laredo, Downs, Rice, Albright, Baker

**City Staff Present:** Associate City Solicitor Jonah Temple, Senior Planner Michael Gleba, Chief Planner Jennifer Caira

All Special Permit Plans, Plan Memoranda and Application Materials can be found at <a href="http://www.newtonma.gov/gov/aldermen/special permits/current special permits.asp">http://www.newtonma.gov/gov/aldermen/special permits/current special permits.asp</a>. Presentations for each project can be found at the end of this report.

#425-18 Request to Rezone three parcels for Northland Development

NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.

Action: <u>Land Use Held 8-0; Public Hearing Continued</u>

#### #426-18 Special Permit to allow mixed use development

NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2,

5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

Action: Land Use Held 8-0; Public Hearing Continued

**Note:** Attorney Alan Schlesinger, Schlesinger and Buchbinder, offices at 1200 Walnut Street, represented the petitioner and introduced members of the development team in attendance including; Northland CEO/Chairman Larry Gottesdiener, Skidmore, Owings & Merrill (SOM) LLP Keith O'Connor, Kessler, McGuinness & Associates Managing Principal Josh Safdie. The development team provided an overview of the changes relative to site design, fiscal impacts and housing as shown on the attached presentation.

#### Changes to the project include:

- Putting two surface parking garages underground
- Reduction in number of parking stalls from 1920 to 1550
- Forming "laneways" throughout the project to increase permeability
- Reducing retail space by 70,000 sq. ft. based on the City's peer reviewer's (RKG) recommendation
- Expansion of Village green and open space
- Relocating community building and playground to a more central location
- Improving permeability by breaking up buildings 5 and 6
- Adding a fenced-in public dog park to the site
- Moved the proposed mobility hub to building 7, ensuring connectivity to the site

Atty. Schlesinger noted that the petitioner has reduced the retail at the site from 185,000 sq. ft. to 115,000 sq. ft. He confirmed that the petitioner is committed to providing 10,000 sq. ft. of neighborhood rent at a 25% reduced rate for local businesses. The proposed project has reduced the number of units from 822 to 800, while retaining the proposed 123 affordable units. Based on comments from members of the public and the Committee, the petitioner has designed Building 8 to be an "all age friendly" building. Building 8 will contain amenities designed to accommodate older residents, but all ages will be allowed. Atty. Schlesinger emphasized that the inclusion of laneways through the project and breaking up buildings 5 and 6 contribute to improved circulation through the project.

Keith O'Connor provided an overview of the changes to the site design, indicating a new pedestrian oriented east-west corridor through the site, the breakup of buildings 5 and 6, and the open lanes (laneways) throughout the site. Mr. O'Connor noted that the laneways are designed for flexible use with high quality paving, plantings and lightings. It was noted that the laneways are primarily for pedestrian use, but vehicles can be permitted access, if necessary. Mr. O'Connor noted that the Oak Street Park has increased in size.

Josh Safdie provided details of the "age friendly" Building 8 design. He noted that Building 8 is located adjacent to the mobility hub, with ample space for senior specific amenities including an indoor lap and exercise pool, a common use kitchen, exercise room and concierge service. Features of the units will include designs for aging in place (i.e. variable and task specific lighting, variable counter heights, roll in showers and unit layouts with clear sight lines and finishes). The amenities will be available in all units,

but not necessarily installed upon construction. Atty. Schlesinger confirmed that Building 8 will contain approximately 5 affordable units, as is consistent with the City's IZO.

Atty. Schlesinger noted the revenue and expenditures were recalculated based on the retail and residential reductions, as detailed in the revised fiscal impact report. Using consistent methodology, the total municipal revenue is now projected to be \$4.4 million dollars as compared with \$4.9 in October 2018. Atty. Schlesinger noted that the total net new revenue from the development has been adjusted to \$1 million, \$70 thousand dollars, which is consistent with the estimate from the City's peer reviewer. Atty. Schlesinger confirmed that revised plans will be submitted to the City in April.

Senior Planner Michael Gleba presented updates to the petition as shown on the attached presentation. Committee members were appreciative of the quality presentation and responsiveness from the petitioner. Committee members were generally pleased with the changes to the site design, inclusion of senior friendly housing, inclusion of the dog park, break up of the massing in buildings 5 & 6, utilization of laneways through the site, a larger village green and relocation of the park/community space closer to the Upper Falls neighborhood. A Councilor noted that the proposed development is consistent with many aspects of the Washington Street vision plan.

Committee members expressed concerns relative to the heights and shadows of the eight story structures. Committee members questioned whether the petitioner will supply an updated 3-D model and Atty. Schlesinger confirmed that a new 3-D model will be provided.

Committee members requested that the petitioner consider the addition of additional age friendly buildings throughout the site, an increase in number of affordable units to 145, ways to make the outdoor amenities functional and appealing year-round and to consider the inclusion of coworking spaces to allow residents to work on site. Committee members noted that the reduction in retail has reduced the traffic impacts and questioned whether the petitioner is considering additional commercial space throughout the site as recommended by the Planning Department. One Committee member urged the petitioner to evaluate additional opportunities for commercial space. Atty. Schlesinger confirmed that the petitioner is considering coworking space. Committee members questioned how the reduction in 70,000 sq. ft. of retail space was achieved. It was noted that the reduction in retail square footage came from the elimination of space in the footprints of the buildings, as well as one 30,000 sq. ft. underground retail space. A Committee member questioned how the petitioner will make the development visually appealing for pedestrians on Needham Street, noting that the current proposal faces the interior of the site.

Councilors remained concerned about the impact on traffic and possible overflow into the neighborhood. A Committee member urged the petitioner to consider further reduction to the proposed number of parking stalls at the site. Councilors expressed interest in details of the site maintenance and snow removal. A Committee member questioned how many ongoing jobs will be added on-site. It was confirmed that an IMPLAN analysis estimates that approximately 1300 ongoing on-site jobs will be located on site.

#### **Public Comment**

Maxine Bridger, 31 Champa Street, supportive of improvements that have been made. Ms. Bridger has concerns about the impact on schools. Ms. Bridger noted that the petitioner owns additional properties in the neighborhood and questioned whether there might be additional future development.

Geralyn Coticone, 56 Rockland Place, does not feel that Northland has listened to residents' concerns. She has concerns about the switch from owner-occupied to renter occupied will have an impact on the neighborhood. She has concerns about the proposed density being inadequately served with regard to transportation. She noted that the bike lanes throughout the site will not connect to Newton's bicycle network.

Judy Malone Neville, 68 High Street, stated that the community is reliant on Councilors to make decisions that are in the best interest of the neighborhood. Noted that when she met with the development team, she requested no access from Oak Street. She added noted that when she worked in the school system there was a plan to close schools not being utilized and now Countryside will need to be rebuilt.

Mark Bridger, 31 Champa Street, believes that the future will require great density and noted that the project is adjacent to Upper Falls, not in competition with the Upper Falls neighborhood. He is supportive of the proposed development.

Naomi Krasner, 72 Nonantum Street, serves on the Council on aging and is supportive of housing options for seniors. Ms. Krasner noted that there are limitations in the City for seniors with accessibility needs. She noted that the proposed development is senior friendly with impressive amenities for residents and questioned whether there can there be community gardens at the site?

Dave Conklin, 136 Charlemont Street, believes that the proposed development is thoughtfully designed and believes that multi-modal is instrumental to addressing traffic issues.

Marian Knapp, 250 Hammond Pond Parkway, serves on the Council on Aging Housing team. She noted that there is an increasing demand for senior housing with varied options. Ms. Knapp is supportive of the proposed senior housing within the development and noted that the development team has been receptive to feedback from the Council on Aging.

Steve Day, expressed support for the proposed development and believes that the increase in housing will be beneficial for the community. He believes that the development will improve quality of life in the Upper Falls neighborhood.

Alan Kovacs, 257 Dedham Street, noted that the applicant should fund the City's peer reviewers and noted that the proposed development is a new village.

Jack Neville, serves on the Upper Falls Area Council and noted that some areas of the greenway are not a pleasant walk and he has concerns that the height of the proposed structures will be detrimental to the greenway. He noted that the exit on Oak Street will be a burden on the neighborhood.

Jim Purdy, 943 Chestnut Street, believes the site of the proposed development is exactly right and suggested that dense development can be green and believes the proposed development is well thought out.

Julie Irish, Member of the Upper Falls Area Council and Council on Aging, questioned what the rational is in reducing the number of units from 822 units to 800 units. Atty. Schlesinger noted that the reduction was due to the loss in building footprint. Ms. Irish noted that the density remains a concern. She encouraged the developer to include senior friendly amenities in other buildings at the site.

Matt Lai, 46 Cottage Street, the number of units is never questioned and noted that 800 is still too large.

Terry Casper, 15 Cottage Street, believes that 800 units is too dense. She has concerns about the reduction in parking at the site and noted that individuals caring for children are reliant on cars.

Dinae Pruente, 305 Winchester Street, is concerned about the density and does not believe that the 22-unit reduction is sufficient. Ms. Pruente has concerns about the \$1 million dollars in revenue and hopes to see an increase in the commercial space at the site. Ms. Pruente questioned the types of jobs that will be created at the site.

Julia Malakie, 50 Murray Road, questioned whether the City might require the developer to conduct annual checkups with the RMV to eliminate multiple car ownership. She questioned what the Council intends to do to ensure that there is a high percentage of solar located at the site.

Amy Sangiolo, 389 Central Street, Northland has been responsive to the Council's concerns, but encouraged the developer to continue to work with the Council. Ms. Sangiolo is supportive of an increase in affordable units to 145 as well as additional accessible units. While she generally supports less parking, she acknowledges that there must be a balance. She noted that the proposed development remains too dense.

Tom Lyons, Owns New England Mobile Book Fair, noted that the existing site has no foot traffic, no benefit to the environment or City. He suggested that the economic impact of the proposed development could be beneficial for local businesses. He believes that the reduced rent for local businesses will be an asset.

Leon Schwartz, 39 Carl Street, noted that the images Northland portrays reflect four-story conditions. He noted that the actual development contains buildings up to eight-stories. He urged the petitioner and Councilors to respond to the issue of density and reduce the number of units.

Betsy Hewitt, 1 Winter Street, will the petitioner still require mixed use zoning? What waivers are still in effect? She noted that the heights have not been reduced. Ms. Hewitt questioned how the proposed development fits in with the Needham Street Vision Plan, not the Washington Street plan. She questioned what the affordable rents will be and whether those working at the site will be able to afford the units.

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Seeing no other member of the public who wished to speak, the Chair announced that the Committee will discuss the Northland proposal again on April 9, 2019. With that Councilor Laredo motioned to hold items #425-18 and #426-18. Committee members voted unanimously to hold the items.

The Committee adjourned at 9:55 pm.

Respectfully Submitted,

**Greg Schwartz, Chair** 



## Alan J. Schlesinger

Partner Schlesinger and Buchbinder, LLP











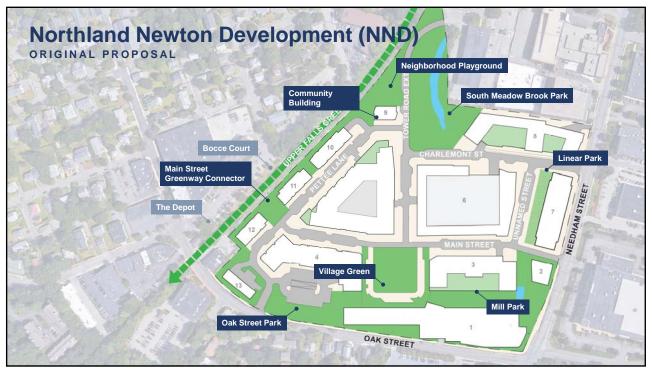


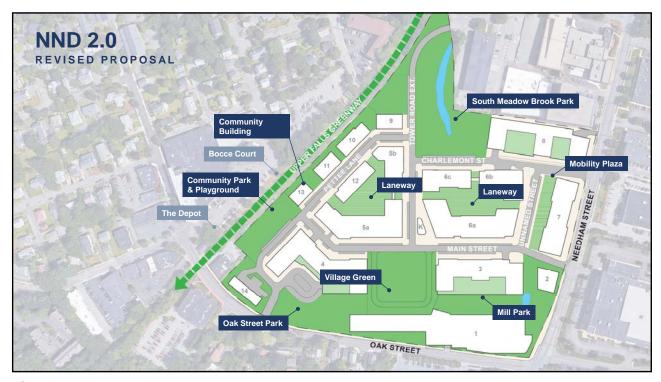


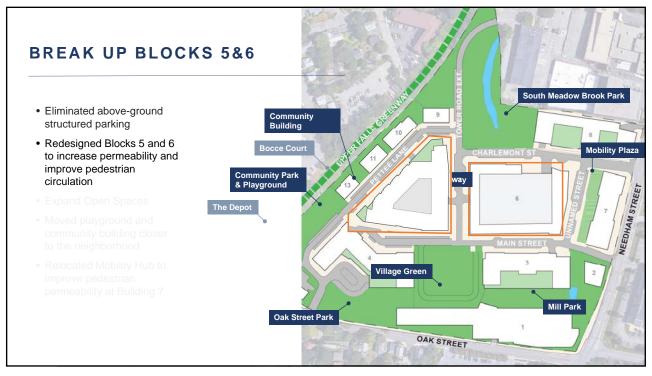
### Lawrence Gottesdiener

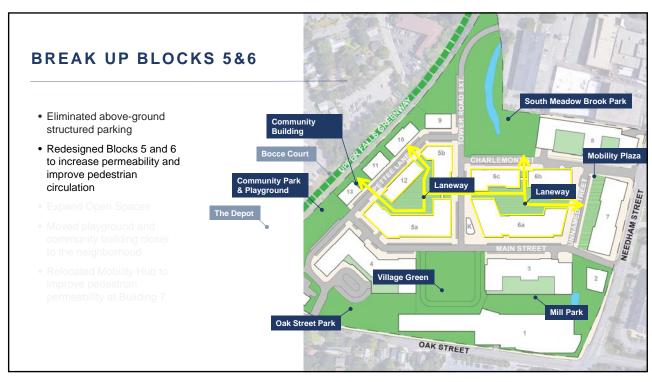
Chairman & CEO Northland Investment Corporation









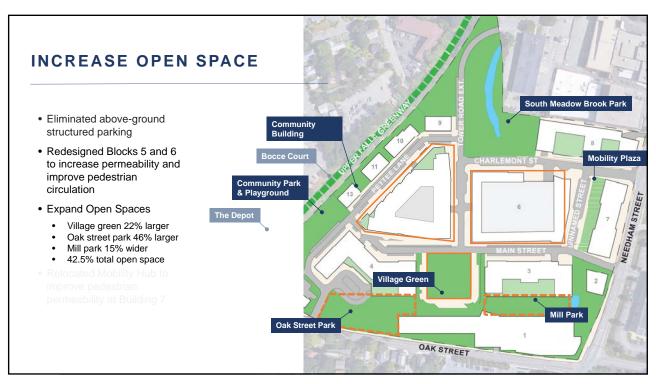






	REDUCTIO	n Deta			
	Reduction	NND	NND 2.0	% Change	
	Retail SF	185,000 SF	115,000 SF	-38%	
	Parking Spaces	1,953	1,550	-20%	
	Night / Weekend Trip Generation	1,048	464	-55%	

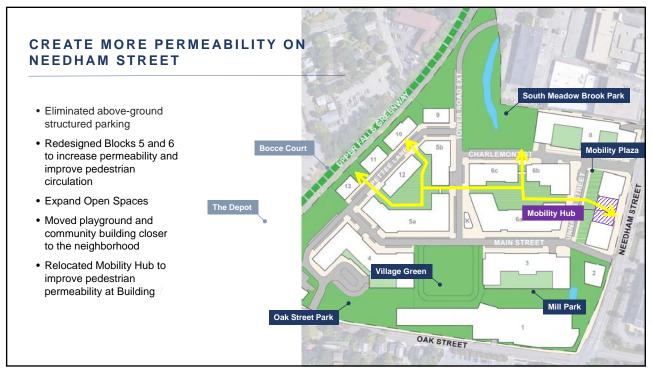
















### 2.0 COMMUNITY BENEFITS

- Adds 123 units of Affordable Housing
- Offers 10,000 SF of Discounted Retail Space for Local Businesses
- Cures environmental impacts from existing grayfields
- Creates 9.6 Acres of Open Space
- Builds a stand-alone Community Building
- Locates a Community Playground near Upper Falls Village Center
- Restores the Saco Pettee Mill to a Jewel Box that honors the rich history of the Upper Falls

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### Keith P. O'Connor, ASLA, APA

Urban Design Practice Leader Skidmore, Owings & Merrill LLP

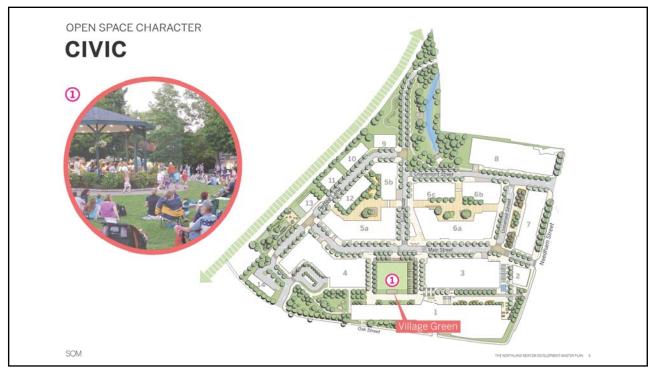


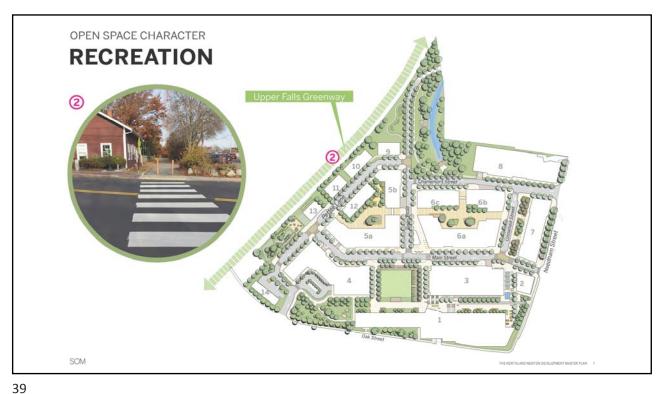


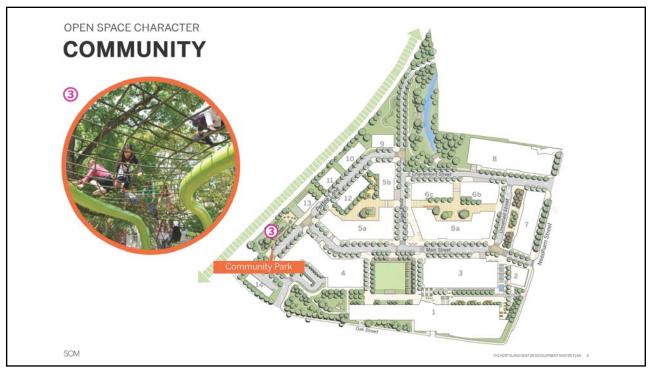


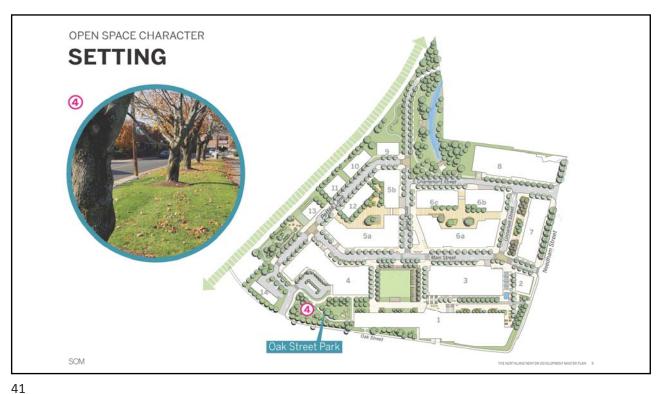


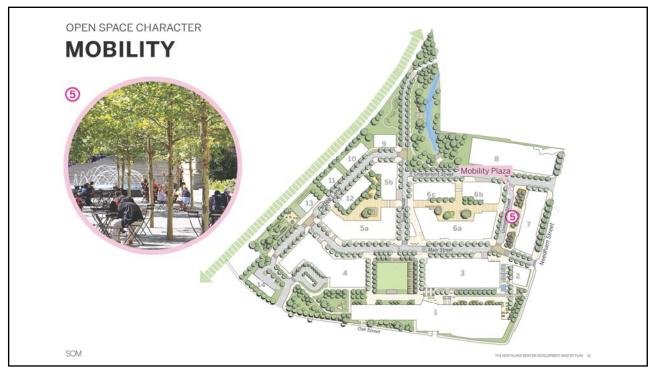


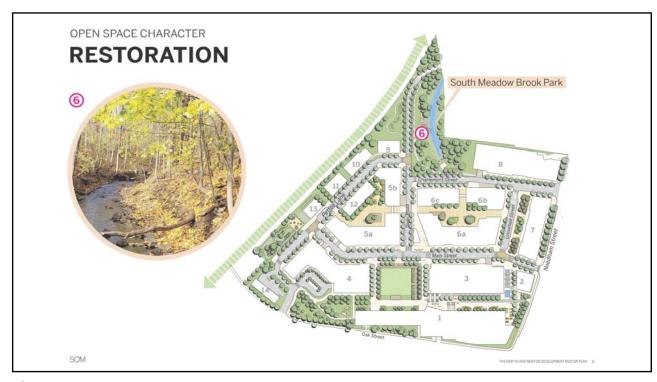


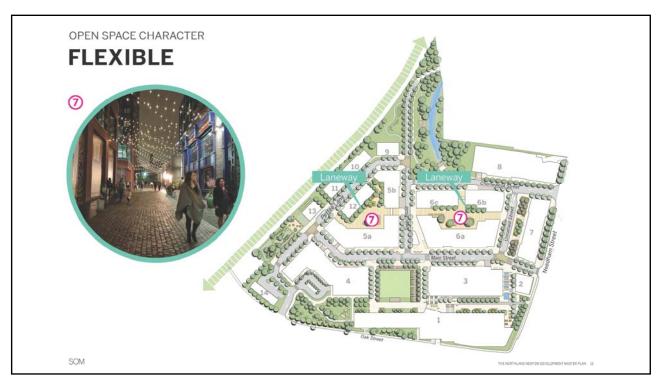




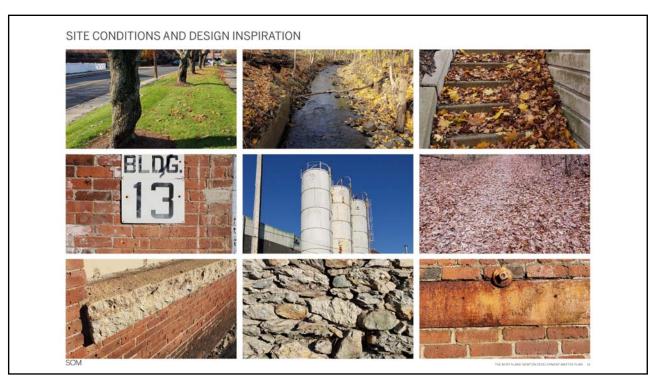


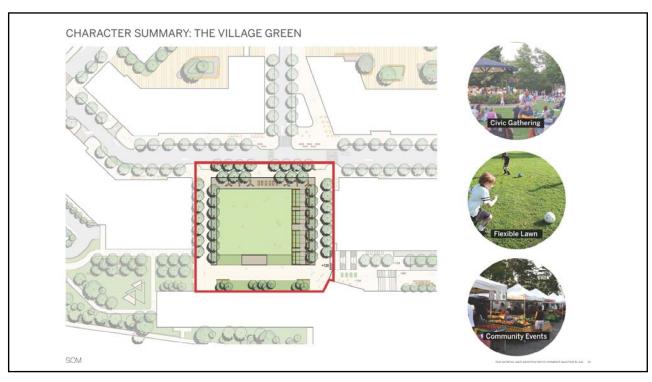


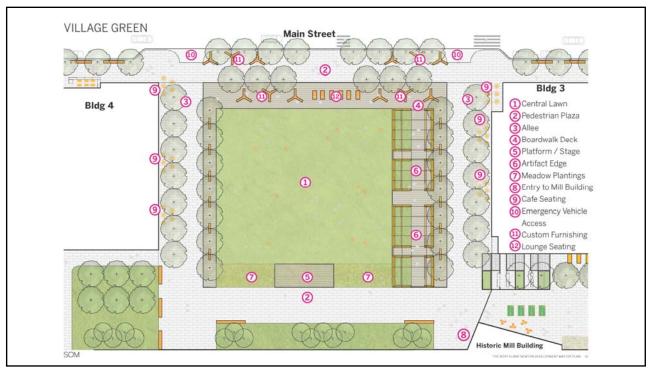


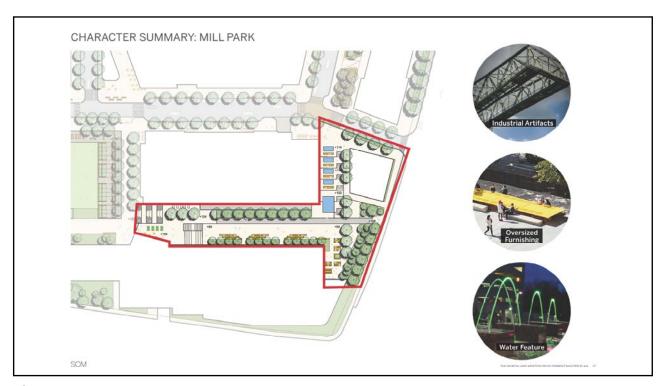


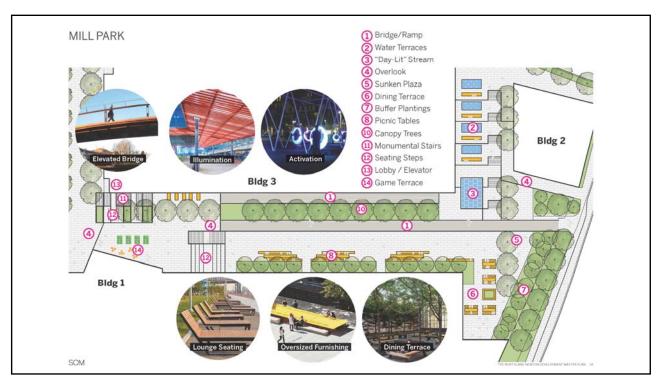


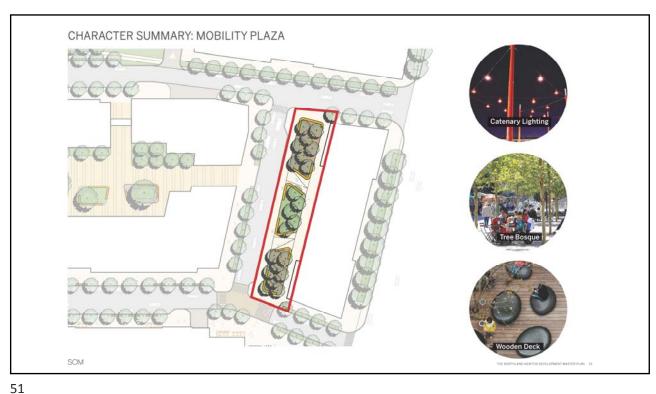


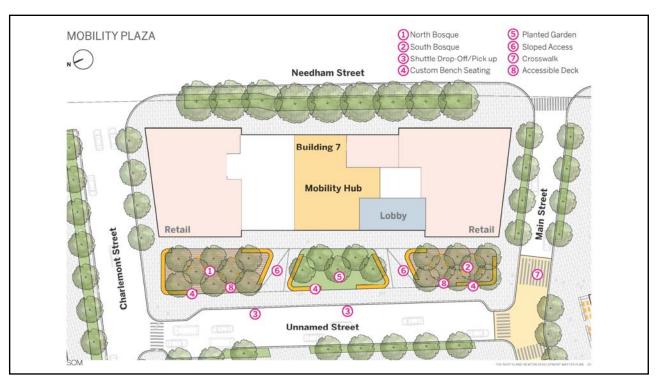


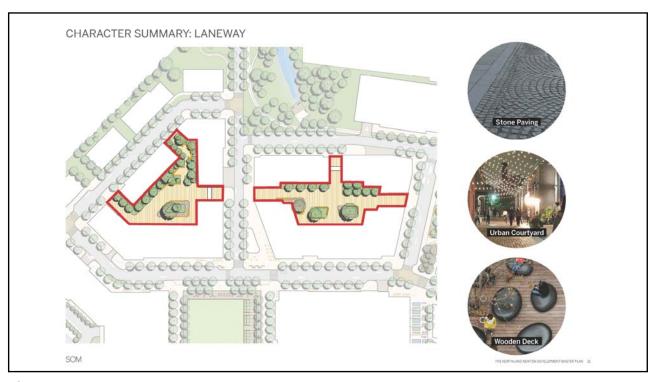


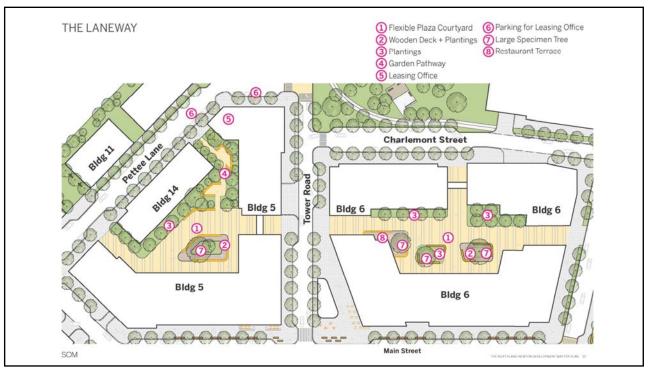




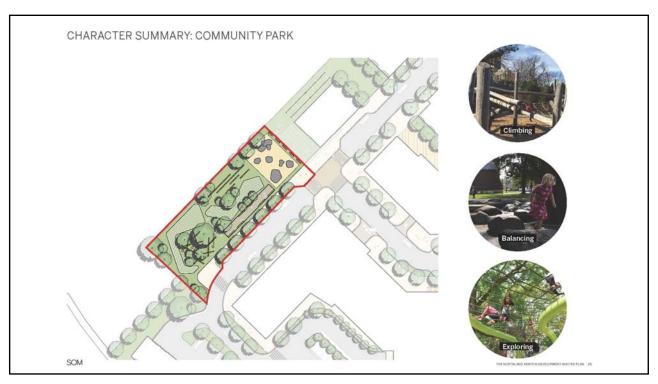


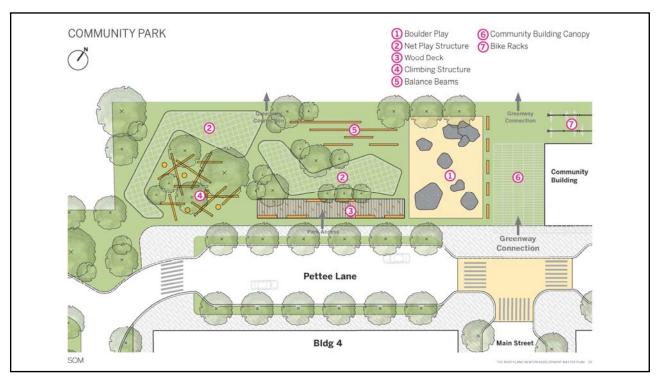






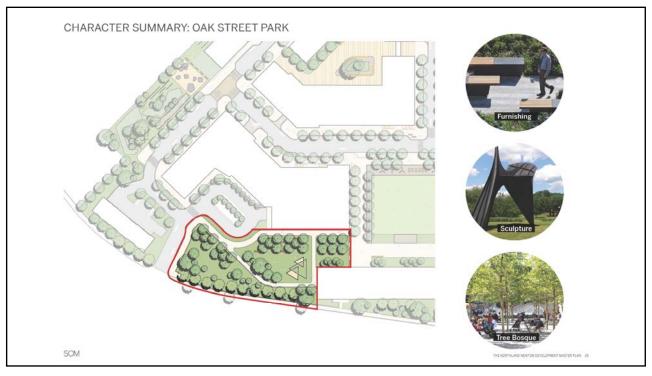




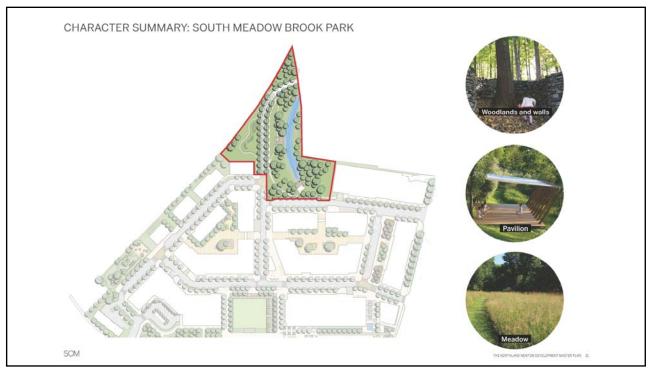


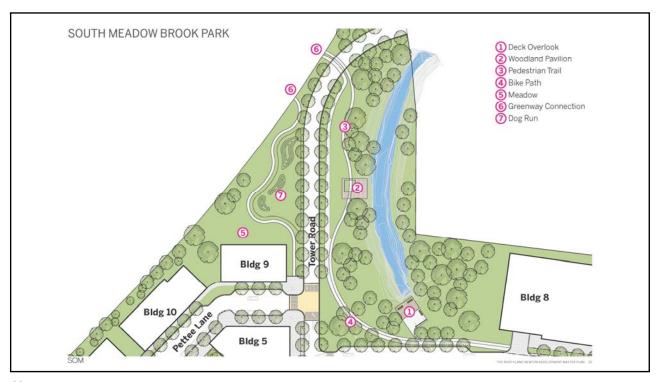














Josh Safdie, AIA, NCARB

Managing Principal

KMA

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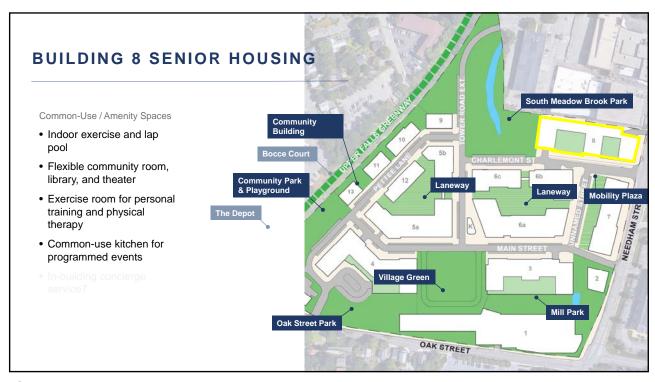














### **BUILDING 8 SENIOR HOUSING**

#### Universal Design Units

- Variable-height counters
- Task-specific lighting sources
- Ample bathrooms with rollin showers
- Unit layouts providing navigable circulation routes
- Appropriate floor, wall, and cabinet & counter finishes



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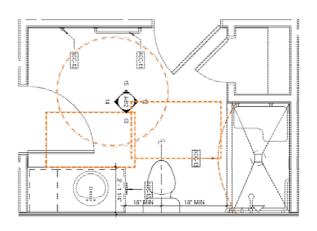


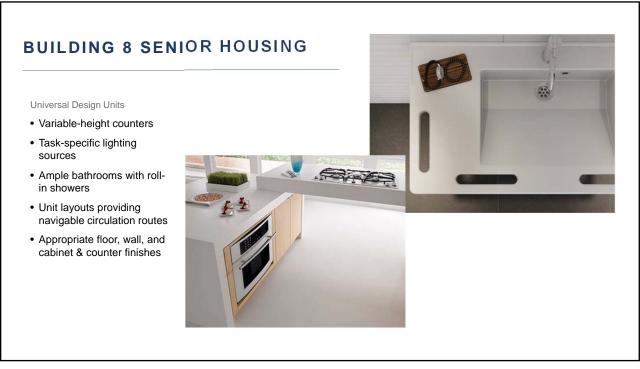
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Alan J. Schlesinger Partner Schlesinger and Buchbinder, LLP

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# **Department of Planning and Development**



# 156 OAK STREET, 275-281 NEEDHAM STREET AND 55 TOWER ROAD

PETITION #425-18

FOR A CHANGE OF ZONE TO BUSINESS USE 4 FOR LAND CURRENTLY ZONED MIXED USE 1.

PETITION #426-18

FOR SPECIAL PERMIT/SITE PLAN APPROVAL TO ALLOW A MIXED-USE DEVELOPMENT WITH 13 BUILDINGS, 822 UNITS, 193,000 SQUARE FEET OF OFFICE SPACE, AND 237,000 SQUARE FEET OF RETAIL SPACE ON A 22.6 ACRE SITE.

**DECEMBER 11, 2018** 



# **AERIAL/GIS MAP**

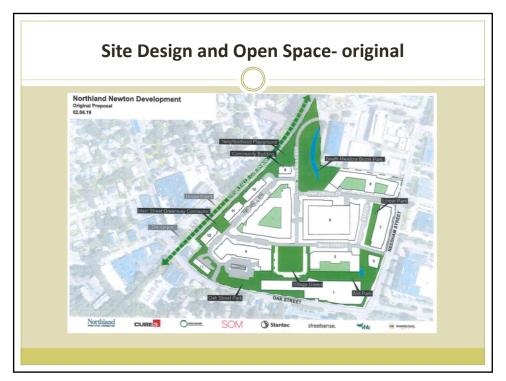


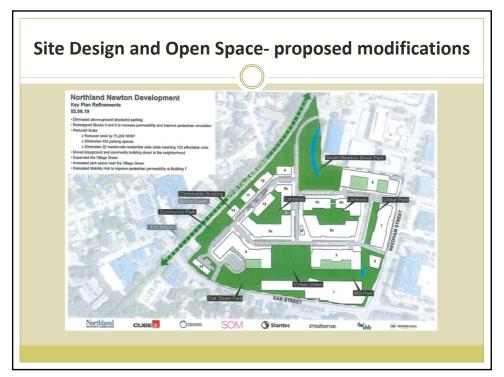
### SITE DESIGN and OPEN SPACE

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# **Site Design and Open Space modifications**

- Parking for Buildings 5 and 6 below grade
  - o allows massing to be broken down into smaller, individual buildings
  - o separated at grade by "residential scaled laneways,"
  - $\circ$  creates additional open space within these blocks and opportunities for circulation.
- The size of Building 4 and the surface parking lot behind Building 4 have been reduced;
- The total number of parking spaces reduced from 1,953 to 1,595;
- The "Mobility Hub" has been relocated to the center of Building 7;
- Village Green has increased in size
  - o previously proposed parking and general vehicle access along its perimeter eliminated;
- Community building and playground area (expanded and identified as a "neighborhood park") now adjacent to the Greenway near the intersection of Pettee Lane and Main Street;
- Dog park location at the north end of the site (west of Tower Road Extension)





#### Site Design and Open Space modifications

- Petitioner has also provided written responses to previous comments by the Planning Department and its consultant peer reviewer, the Horsley Witten Group (Attachment C)
- The proposed revisions have been initially reviewed by the Planning Department and Horsley Witten
  - understanding that at this time the Petitioner's proposed revisions are a partial response and that the petitioner shall submit more detailed plans at a later date.
- Preliminary Horsley Witten comments
  - o "changes appear to be significant improvements to the design"

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## **Site Design and Open Space modifications**

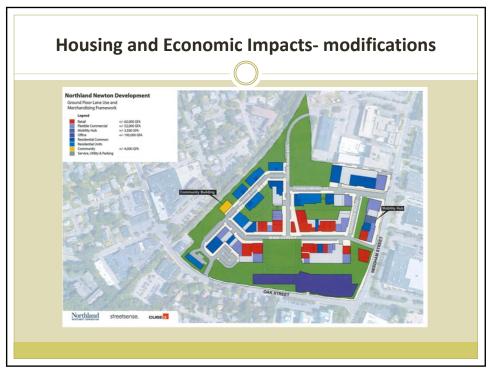
- Initial Planning Department comments:
  - o Additional details are necessary to fully assess the revisions
  - Proposal to locate the parking in Buildings 5 and 6 entirely underground results in a dramatic improvement to the massing and permeability of these buildings and presents exciting opportunities for additional open spaces. This change also improves circulation and helps solve the problem of locating typical back of house uses (trash, loading, garage entrances, etc.) in buildings that previously had no back side;
  - Revised location of the Mobility Hub helps mitigate concerns that Building
     7 would be oriented more towards the interior of the site and ignore
     Needham Street;
  - The increase in open space and relocation of the community building and playground also appear to be positive changes.
  - Petitioner should provide details of how the shared parking will operate and be managed

## **HOUSING & ECONOMIC IMPACTS**

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# **Housing and Economic Impacts- modifications**

- Office space- unchanged
  - 180,000 square feet in the existing mill building
- Dwelling units- reduced from 822 to 800
  - 22 units
  - 2.7% decrease
- Retail space- reduced from 185,200 to 115,000
  - 70,200 square feet,
  - 40% decrease



# **Fiscal Impacts- modifications**

- The economic and fiscal impacts of the proposed changes to the project are analyzed by RKG (Attachment F).
- Changes could be expected to result project having a positive fiscal impact of \$1.07 million annually
- Lower than the \$1.21 million shown in the petitioner's February 13, 2019 revised report (Attachment G)
  - o difference likely attributable to mathematical discrepancies and/or differences in projected per unit residential valuations

## **Planning Department comments**

- Petitioner should explore options to replace the eliminated retail space with other commercial uses such as small and medium office spaces, lab space, coworking space, arts/theater/entertainment uses, and boutique hotel uses, with every reasonable effort being made to provide active uses at the ground floor of buildings.
- Petitioner should provide information regarding any changes to the residential unit mix or affordability levels.

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# **Planning**

- recommends the petitioner
- explore options to replace the eliminated retail space with other commercial uses such as small and
- medium office spaces, lab space, coworking space, arts/theater/entertainment uses, and boutique
- hotel uses, with every reasonable effort being made to provide active uses at the ground floor of
- buildings.
- Additionally, the petitioner should provide information regarding any changes to the residential unit
- mix or affordability levels.