



Setti D. Warren
Mayor

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Barney Heath
Director

MEMORANDUM

DATE: May 19, 2017

TO: Councilor Ted Hess-Mahan, Chairman
Members of the Zoning and Planning Committee

FROM: Barney Heath, Director, Department of Planning and Development
James Freas, Deputy Director

RE: #360-16(2) – DIRECTOR OF PLANNING AND DEVELOPMENT requesting to rezone land known as Section 43, Block 45, Lot 33 located at 160 R Stanton Avenue from PUBLIC USE to MULTI RESIDENCE 3 in order to prepare the site for multi-family affordable housing development.

MEETING DATE: May 22, 2017

CC: City Council
Planning and Development Board
Donnalyn Kahn, City Solicitor

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The Planning Department is proposing to rezone the Stanton Avenue water tower site from the Public Use District to the Multi-Residence 3 District, consistent with the recommendation of the Reuse order for this property and the zoning of the adjacent developed parcel. The water tower was identified by Newton DPW Utilities Division as no longer necessary for Newton's water system and found by the City Council to be eligible for sale. The Newton Housing Strategy includes this site as one of seven priority locations for housing development, recognizing the opportunity to build affordable housing for Newton's growing senior population.

A public hearing was held for this item on May 8, 2017. In that hearing, a question was raised as to whether there would be value in the City retaining public ownership of the parcel and utilizing a long term lease to allow development of the proposed affordable housing project. For a number of reasons, leasing the property would complicate the process while providing only modest benefit to the City.

The primary reason the property was recommended for sale rather than lease is the limited potential public reuse value based on its small size and inaccessibility. At 16,900 square feet the property amounts to less than half an acre (.4 acres). The only access to the property is via a narrow easement designated specifically for use only to maintain a water tower. Once the water tower is gone, the easement disappears as well. The notion that the City would someday wish to reclaim this parcel for public use, displacing potential future affordable housing tenants in order to somehow use a small parcel of land with no direct street access is hard to imagine.

If an adjacent property owner were to be the successful respondent, the City retaining ownership of the property would likely complicate the future development of the property as the size and location of the water tower property means that the future affordable housing project might straddle the border between these properties. Financing a development partially on land owned by the developer and partially on land leased from the City might be one of the challenges with this scenario.

The Planning Department recommends that the Zoning and Planning Committee forward a recommendation of approval to the City Council for the rezoning of the Stanton Avenue water tower site from the Public Use to the Multi-Residence 3 District. The Planning Board voted to recommend approval of this rezoning at the Public Hearing meeting on May 8th.

Attachments

A – Property Reuse Committee Council Order, approved April 3, 2017

B – Zoning Map

CITY OF NEWTON
IN CITY COUNCIL

April 3, 2017

That, pursuant to Section 2-7 of the Revised Ordinances of 2012, as amended, after a public hearing and upon recommendation of the Real Property Reuse Committee through its Chair Susan Albright, it is hereby

ORDERED:

That His Honor the Mayor be and is hereby authorized to sell the land commonly known as the Stanton Avenue Water Tower site, located behind 160 Stanton Avenue, containing approximately 16,900 square feet of land, identified as Section 43, Block 45, Lot 33, in Ward 4, in a Public Use zoned district, and,

The property shall be sold, subject to the minimum financial terms and conditions as voted by the Honorable City Council as set forth as follows:

TERMS OF SALE

That the minimum price for the sale of the property shall be set at \$500,000 less the costs to the purchaser of demolishing the existing water tower within 6 months of closing in accordance with the demolition specifications provided by the Department of Public Works, including any environmental remediation if needed. In addition the purchaser shall also provide the following benefits to the City as part of the purchase price: a) provide a temporary and permanent site(s) for the City's utility monitoring antenna(s) located on the existing water tower according to the needs and specifications of the Department of Public Works; b) create permanently deed restricted affordable housing units; and c) include, at a minimum, the additional public benefits set forth in the resolution section of this Council Order. The monetary purchase price shall also be reduced by any expenses the purchaser may incur in relocating the City's monitoring antenna(s).

FURTHER BE IT RESOLVED:


1. In recognition of the significant need for affordable housing options serving Newton's growing senior population that the property be sold for the purpose of creating permanently deed restricted affordable housing that will qualify for the SHI inventory and to the extent permitted by law and regulation include a local residence preference for Newton seniors.
2. That development of the site should incorporate design practices to minimize energy use and mitigate stormwater impacts.

3. That prior to the issuance of a Request for Proposals to dispose of the property, the property should be rezoned to an appropriate zone.
4. That the City should provide sufficient information to the purchaser regarding the existing site conditions including, but not limited to, land surveying, contamination, adequacy of water and sewer services, and traffic data that may help determine the need for additional infrastructure improvements and/or development costs provided that the gathering of such information can be performed in-house and within existing departmental budgets.
5. As part of the disposition agreement, require that the purchaser work with the surrounding neighborhood, abutting properties owners, the Ward 4 Councilors and the Director of Transportation and/or Planning Department staff as appropriate regarding the following issues: a) on-site and off-site traffic and parking issues; b) impact of any proposed structure(s) on the property including visual and/or shadows; and c) mitigation of construction related impacts.

Under Suspension of Rules
Readings Waived and Adopted
24 yeas 0 nays

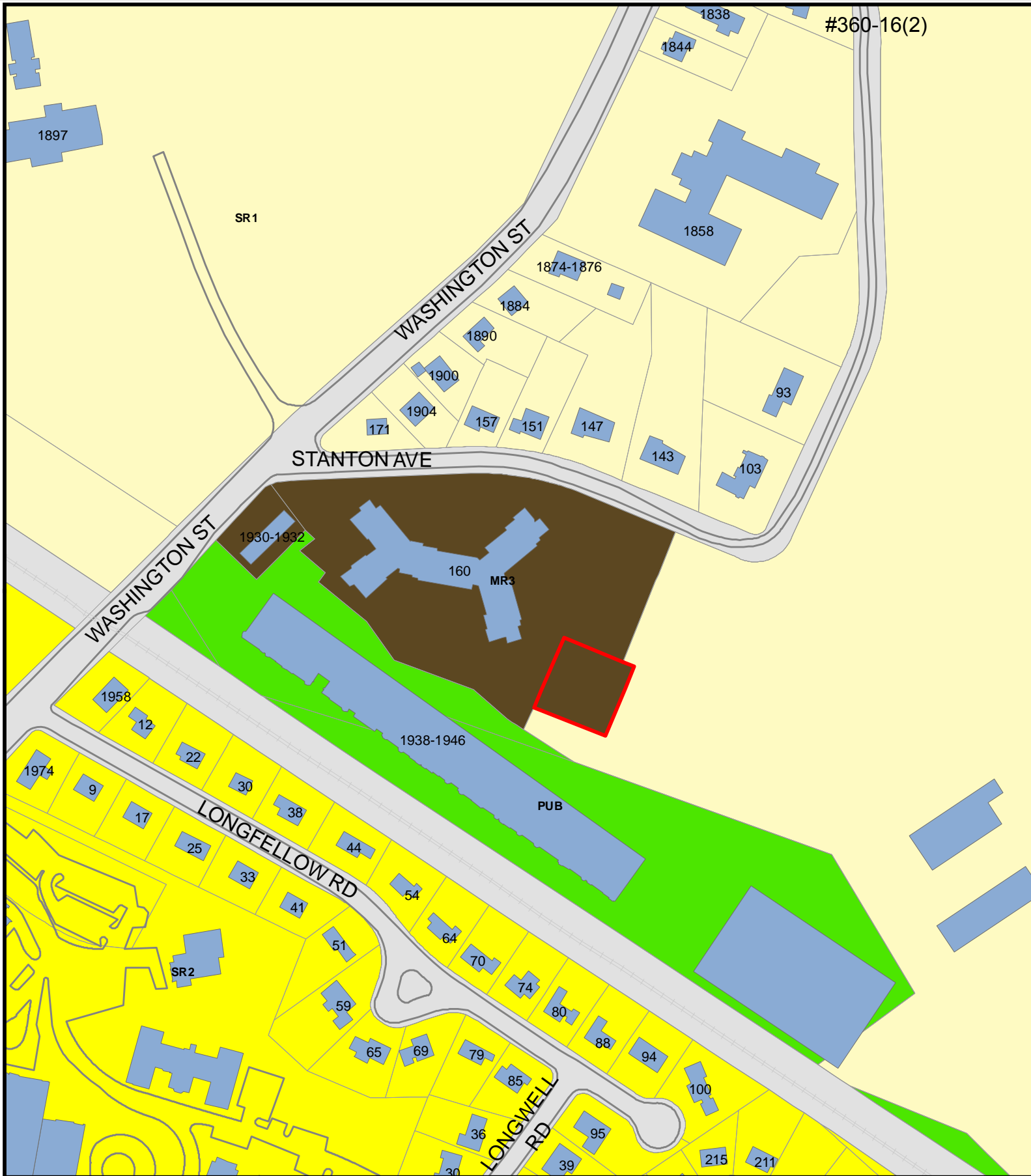


(SGD) DAVID A. OLSON
City Clerk



(SGD) SETTI D. WARREN
Mayor

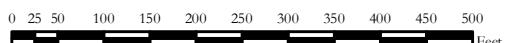
Date: 4.10.17



Stanton Avenue Water Tower

City of Newton, Massachusetts

CITY OF NEWTON, MASSACHUSETTS
 Mayor - Setti D. Warren
 GIS Administrator - Douglas Greenfield



Map Date: May 04, 2017

Legend

- Single Residence 1
- Single Residence 2
- Multi-Residence 3
- Public Use
- Building Outlines



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.