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STAFF MEMORANDUM

Meeting Date: **Wednesday, January 20, 2019**
DATE: February 15, 2019
TO: Urban Design Commission
FROM: Rachel Blatt, Long Range Planner
Shubee Sikka, Urban Designer
SUBJECT: **Additional Review Information**

The purpose of this memorandum is to provide the members of the Urban Design Commission (UDC) and the public with technical information and planning analysis which may be useful in the review and decision making process of the UDC. The Department of Planning and Development's intention is to provide a balanced view of the issues with the information it has at the time of the application's review. Additional information may be presented at the meeting that the UDC can take into consideration when discussing Sign Permit or Fence Appeal applications.

Dear UDC Members,

The following is a brief discussion of the sign permit applications that you should have received in your meeting packet and staff's recommendations for these items.

I. Roll Call

II. Regular Agenda

Sign Permits

1. 250 Boylston Street – Berkshire Hathaway Home Services I Commonwealth Real Estate

PROJECT DESCRIPTION: The property located at 250 Boylston Street is within a Business 4 district. The applicant is proposing to replace and install the following sign:

1. One principal sign, non-illuminated, with approximately 49 sq. ft. of sign area on the northern façade facing Boylston Street.

TECHNICAL REVIEW:

- The proposed principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 22 ft., the maximum size of the sign allowed is 66 sq. ft., which the applicant is not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign as proposed.

2. 1650 Washington Street – Chetwynde Healthcare

PROJECT DESCRIPTION: The property located at 1650 Washington Street is within a Single Residence 2 zoning district. The applicant is proposing to replace and install the following signs:

1. One free-standing principal sign, externally illuminated, with approximately 19 sq. ft. of sign area perpendicular to Washington Street.

TECHNICAL REVIEW:

- The proposed free-standing principal sign does not appear to be consistent with the dimensional controls specified in §5.2.7. As per the Zoning Ordinance specified in §5.2.13, *“In particular instances, the City Council may grant a special permit to allow free-standing signs and exceptions to the limitations imposed by this Sec. 5.2 on the number, size, location and height of signs where it is determined that the nature of the use of the premises, the architecture of the building or its location with reference to the street is such that free-standing signs or exceptions should be permitted in the public interest. All free-standing signs shall not exceed 35 square feet in area, or 10 feet in any linear dimension, or 16 feet in height from the ground, except as further described in Sec. 5.2.7.”* As per Sec. 5.2.7, the maximum size of the sign allowed for a non-residential use, permitted or non-conforming is 15 sq. ft. which the applicant is exceeding.

STAFF RECOMMENDATION: Staff encourages the applicant to decrease the size of the sign to less than 15 square feet. Staff has left a voicemail for the applicant regarding the size and also that the existing free-standing sign does not have a Special Permit for the existing free-standing sign, hence the applicant will also need to apply for a Special Permit for the free-standing sign to the Land Use Committee of the City Council.

3. 391 Langley Road – Salon Artist

PROJECT DESCRIPTION: The property located at 391 Langley Road is within a Business1 zoning district. The applicant is proposing to install the following signs:

1. One wall-mounted principal sign, non-illuminated, with approximately 7 sq. ft. of sign area on the eastern building façade facing Langley Road.

TECHNICAL REVIEW:

- The proposed principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 17 ft., the maximum size of the sign allowed is 51 sq. ft., which the applicant is not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the principal sign as proposed.

Comprehensive Sign Package

1. 845 Washington Street & 245 Walnut Street – Washington Place

PROJECT DESCRIPTION: The applicant is proposing to create a comprehensive sign package at the proposed Washington Place project. The project at the intersection of Washington Street and Walnut Street has a Special Permit to waive the number, size, location, and height of signs pursuant to section 5.2.13. The Board Order has a condition that asks that the applicant submit a Comprehensive Sign Package including tenant signage to Urban Design Commission for review. (attachment B)

The applicant is proposing the following signage:

Building Identification Signs

1. One wall mounted principal identity sign, internally illuminated, with approximately 23 sq. ft. of sign area on the western building façade facing Washington Terrace.
2. One wall mounted principal identity sign, internally illuminated, with approximately 14 sq. ft. of sign area on the eastern building façade facing the internal plaza.
3. One wall mounted principal identity sign, internally illuminated, with approximately 14 sq. ft. of sign area on the western building façade facing the internal plaza.
4. One wall mounted principal identity sign, internally illuminated, with approximately 26 sq. ft. of sign area at the corner building façade facing Washington Street and Walnut Street.
5. One free-standing identity sign, internally illuminated, with approximately 35 sq. ft. of sign area at the corner of Walnut Street and the rear parking entrance driveway.
6. One principal identity sign, internally illuminated, with approximately 26 sq. ft. of sign area at the southern building façade facing Washington Street.

7. One principal identity sign, non-illuminated, with approximately 4 sq. ft. of sign area at the northern building façade facing the rear parking lot.
8. Two window principal identity signs, non-illuminated, with approximately 6 sq. ft. each of sign area at the western building façade facing the internal plaza.
9. One window principal identity sign, non-illuminated, with approximately 4 sq. ft. of sign area at the eastern building façade facing Walnut Street.
10. One free-standing directory sign, internally illuminated, with approximately 32 sq. ft. of sign area
11. One wall mounted principal tenant wayfinding sign, externally illuminated, with approximately 24 sq. ft. of sign area at the western building façade facing the internal plaza.
12. One directional sign, non-illuminated to indicate the entrance to the parking garage on the northern building façade facing the rear driveway.

Commercial Space # 1 (CVS)

13. One wall mounted principal sign, internally illuminated, with approximately 60 sq. ft. of sign area on the southern building façade facing Washington Street.
14. One perpendicular blade sign, internally illuminated, with approximately 8 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.
15. One window sign, non-illuminated, with approximately 8 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.
16. One wall mounted principal sign, internally illuminated, with approximately 60 sq. ft. of sign area on the western building façade facing Washington Terrace.
17. One perpendicular secondary sign, internally illuminated, with approximately 33 sq. ft. of sign area on the northern building façade facing the rear parking lot.

Commercial Space # 2

1. One wall mounted principal sign, internally illuminated, with approximately 60 sq. ft. of sign area on the southern building façade facing Washington Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.
3. One wall mounted principal sign, internally illuminated, with approximately 26 sq. ft. of sign area on the western building façade facing the rear parking lot.
4. One perpendicular secondary sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade facing the rear parking lot.

Commercial Space # 3

1. One wall mounted principal sign, internally illuminated, with approximately 34 sq. ft. of sign area on the southern building façade facing Washington Street.

2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.
3. One wall mounted secondary sign, internally illuminated, with approximately 26 sq. ft. of sign area on the western building façade facing the rear parking lot.
4. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade facing the rear parking lot.

Commercial Space # 3a

1. One wall mounted principal sign, internally illuminated, with approximately 39 sq. ft. of sign area on the southern building façade facing Washington Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.

Commercial Space # 4

1. One wall mounted principal sign, internally illuminated, with approximately 40 sq. ft. of sign area on the southern building façade facing Washington Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the southern building façade perpendicular to Washington Street.
3. One wall mounted principal sign, internally illuminated, with approximately 35 sq. ft. of sign area on the western building façade facing the internal plaza.
4. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to the internal plaza.
5. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to the rear parking lot.

Commercial Space # 5

1. One wall mounted principal sign, internally illuminated, with approximately 68 sq. ft. of sign area at the corner of the building façade facing Washington Street and Walnut Street.
2. Three awning signs, non-illuminated on the eastern building façade facing Walnut Street.

Commercial Space # 5a

1. One wall mounted principal sign, internally illuminated, with approximately 28 sq. ft. of sign area at the corner of the eastern building façade facing Walnut Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the eastern building façade perpendicular to the rear parking lot.

Commercial Space # 6

1. One wall mounted principal sign, internally illuminated, with approximately 27 sq. ft. of sign area on the eastern building façade facing Walnut Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the eastern building façade perpendicular to Walnut Street.
3. One wall mounted principal sign, internally illuminated, with approximately 27 sq. ft. of sign area on the western building façade facing the internal plaza.
4. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to the internal plaza.
5. Two awning signs, non-illuminated on the eastern building façade facing Walnut Street.

Commercial Space # 7

1. One wall mounted principal sign, internally illuminated, with approximately 33 sq. ft. of sign area on the eastern building façade facing Walnut Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the eastern building façade perpendicular to Walnut Street.
3. One wall mounted principal sign, internally illuminated, with approximately 33 sq. ft. of sign area on the western building façade facing the internal plaza.
4. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to the internal plaza.
5. Two awning signs, non-illuminated on the eastern building façade facing Walnut Street.

Commercial Space # 8

1. One wall mounted principal sign, internally illuminated, with approximately 34 sq. ft. of sign area on the eastern building façade facing Walnut Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the eastern building façade perpendicular to Walnut Street.
3. One wall mounted principal sign, internally illuminated, with approximately 34 sq. ft. of sign area on the southern building façade facing the internal plaza.
4. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to the internal plaza.
5. Two awning signs, non-illuminated on the eastern building façade facing Walnut Street.
6. One free-standing identity sign, internally illuminated, with approximately 35 sq. ft. of sign area at the corner of Walnut Street and the rear parking entrance driveway.

7. One free-standing sign, internally illuminated, with approximately 35 sq. ft. of sign area at the corner of Walnut Street and the rear parking entrance driveway.

Commercial Space # 9

1. One wall mounted principal sign, internally illuminated, with approximately 67 sq. ft. of sign area on the eastern building façade facing Walnut Street.
2. One perpendicular blade sign, internally illuminated, with approximately 9 sq. ft. of sign area on the eastern building façade perpendicular to Walnut Street.

The applicant will need to apply for a Special Permit to the City Council for the following signs:

1. One free-standing identity sign, internally illuminated, with approximately 35 sq. ft. of sign area at the corner of Walnut Street and the rear parking entrance driveway.
2. One free-standing identity sign, internally illuminated, with approximately 35 sq. ft. of sign area at the corner of Walnut Street and the rear parking entrance driveway.
3. One free-standing directory sign, internally illuminated, with approximately 32 sq. ft. of sign area

At the request of the Planning Department, the applicant has been asked to present the comprehensive sign package proposal to the UDC for consideration.

STAFF RECOMMENDATION: Staff encourages UDC to make recommendations on the sign bands, materials for the signs, etc.

Design Review

2. Gateway Center Façade Lighting Design Review

The applicant has requested for an approval for the lighting design for façade illumination of the Gateway Center (office building and hotel). The Planning Board will hear this application to determine if the applicant requires a waiver.

Executive Summary of the project from the applicant:

"The Newton Zoning Ordinance, Section 20-24, copy attached and highlighted, is intended to minimize light emitted towards the sky, and also to limit light trespass on adjacent properties. Section 20-25 allows the Planning Board to grant a waiver if requested and justified.

After two years of mockups and testing, Ripman Lighting Consultants and the property owner have concluded that an upright solution, properly shielded, actually puts less light

into the sky than a code-allowed downlighting solution. See photometric reports attached.

The extensive mockups and testing also led us to conclude that uplighting is a better way to light the structure as a welcoming "gateway" for the City of Newton.

We request your approval to proceed with construction, as the proposed design meets the intent of the ordinance regarding "dark sky" preservation and meets the criteria for limited light spill on adjacent property."

At the request of the Planning Department, the petitioner has been asked to present the project proposal to the UDC for consideration. The planning department encourages the UDC to review the project with regards to the proposed lighting design.

Other Items

1. *Non-compliant Fence Discussion with Chestnut Hill Historic District Commission Chair*

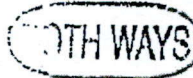
Over the past year, the Chestnut Hill Historic District Commission has discovered many fences within the Chestnut Hill Historic District that do not conform to the Newton Fence Ordinance. Most of the non-conforming fences are on Hammond Street, a designated Scenic Road. Section 5-30 of the Newton Fence Ordinance allows repair of up to 49% of a legal non-conforming fence but requires permits from both the Historic District Commission and the Urban Planning Commission to approve other fences. Explicitly no stockade fences or other fences with solid sections or panels, or fences exceeding four feet in height, are allowed.

The Commission has received pushback from long-time residents on Hammond Street, which is quite understandable given the increased vehicular and pedestrian traffic. Given the joint jurisdiction of the Historic District Commission and UDC, it seems appropriate for both Commissions to discuss how to appropriately handle the compliance issues that have arisen. Attached is a list of fences with indications as to whether the existing fences are compliant with the Historic District Commission and Fence Ordinances.

#	Street Name	Fence Description
9	Old Orchard Road	Multiple 6-foot stockade panels on Beacon and Hammond
14	Old Orchard R	6-foot tall brick wall
258	Hammond Str	Low stone wall
?	Hammond Street	Low stone wall; continuation from 258 Hammond Street
263	Hammond Str	6-foot tall brick wall
9	Woodman Road	6-foot stockade fence
292	Hammond Street	Low stone wall; continuation from 258 Hammond Street
10	Woodman Ro	6 to 8 foot tall fieldstone wall
300	Hammond Street	Low stone wall; continuation from 258 Hammond Street
9	Lawrence Road (307 Hammond ?)	6 to 8 foot tall fieldstone wall
314	Hammond Street	Low stone wall; continuation from 258 Hammond Street
321	Hammond Str	6-foot stockade fence
326	Hammond Str	Low brick wall
329	Hammond Street	6-foot tall board fence with square posts replaced closed panel scalloped fence
334	Hammond Str	No wall or fence; open space
339	Hammond Str	Low stone wall
340	Hammond Street	Open wrought iron fence; over 4 feet
352	Hammond Street	Open wrought iron fence; over 4 feet
355	Hammond Str	6-foot closed board
360	Hammond Street	No front wall or fence BUT 6-foot tall wood fence on Reservoir
365	Hammond Str	No fence or wall
374	Hammond Str	No fence or wall
381	Hammond Str	6-foot stockade fence
382	Hammond Str	No wall or fence; open space
393	Hammond Str	6-foot stockade fence
394	Hammond Street	Low stone wall and open wrought iron fence taller than 4 feet
399	Hammond Str	4-foot stone wall
408	Hammond Street	See file for what was approved; this is OK
413	Hammond Str	No wall or fence; open space
135	Essex Road	Low stone wall; 6-foot stockade fence
27	Suffolk Road	Solid panel fence with stone piers
17	Suffolk Road	6-foot tall stockade fence; entire section along Hammond replaced 2016
142	Essex Road	4-foot stone wall
481	Hammond Str	No fences; low stone wall
		MBTA Property Misc fencing
14	Middlesex Ro	Post office; open low metal fence
509	Hammond Str	Barn; chain link
525	Hammond Street	6-foot stockade fence
533	Hammond Street	6-foot stockade fence
10	Old England Road	Open metal fence



CITY OF NEWTON ✓



IN CITY COUNCIL

June 19, 2017

#96-17

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ORDERED:

That the Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the Site, as defined below, will be in harmony with the conditions, safeguards, and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL for a mixed use development consisting of three interconnected buildings with total gross floor area up to 236,000 square feet which shall incorporate no more than 160 residential units (approximately 180,000 square feet), not exceeding 47,165 square feet of retail sales, service establishment, restaurant, health club, and/or medical office space, no less than 2,000 square feet of office/community space, all in accordance with the recommendation of the Land Use Committee (the "LUC") and the reasons given by the Committee therefore, through its Chairman, Councilor Marc C. Laredo.

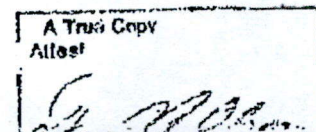
Procedural Background

The proposed development (the "Project") for Washington Place (the "Site") was submitted by Mark Newtonville, LLC (the "Petitioner") and reflects efforts to diversify Newton's housing stock, provide affordable housing choices, encourage pedestrian-oriented development with a mix of residential and business uses, and enhance the quality of life in Newtonville and Newton's village commercial centers, all in accordance with Newton's *Comprehensive Plan*.

The Petitioner filed a request to re-zone the Site from BU1/BU2/Public Use to MU4 and simultaneously filed special permit/site plan application for the Project with the City Clerk on May 9, 2016, i.e., Docket ## 179-16 and 180-16. Notice of the public hearing was published on May 24, 2016 and May 31, 2016 in *The Boston Globe*, on June 1, 2016 in the *Newton Tab*, and re-noticed and re-published on November 18, 2016, November 25, 2016, December 28, 2016, and January 4, 2017 in *The Boston Globe* and on November 23, 2016 and December 28, 2016 in the *Newton Tab*, and mailed to all parties in interest in compliance with the Newton Zoning Ordinance and M.G.L. c. 40A §11. The Land Use Committee ("LUC") of the City Council opened the public hearing on June 7, 2016 and continued the public hearing on July 12, 2016, September 13, 2016, October 6, 2016, November 1, 2016, November 29, 2016, December 15, 2016, January 12, 2017, January 31, 2017, February 7, 2017, and February 28, 2017. The LUC also held a special meeting on March 20, 2017, at which meeting public testimony was not taken, to allow the City Council to identify concerns regarding the Petition prior to the close of the public hearing.

ref: 71163-565

Registered



number of parking stalls that will be available to the public, and a sufficient number of trees will be added to the Site so as to improve the streetscape, perimeter screening for the abutting residential uses, and public plaza area.

- i) The provisions for on-street and off-street loading facilities are sufficient to service the buildings and related uses on the site.
- j) The waiver to allow for reduced parking lot lighting is in the public interest and in the interest of abutting residential properties.
- k) The waiver for curbing, wheel stops, guard rails and bollards is appropriate given the proposed layout of the parking lot.

With regard to the special permit to waive the number, size, location, and height of signs pursuant to § 5.2.13

- 21. The Council finds that the nature of the use of the premises, the architecture of the buildings, and the Project's location at the intersection of Washington Street and Walnut Street, justifies exceptions to the limitations imposed by §5.2 on the number, size, location, and height of signs. The Petitioner will submit a Comprehensive Sign Package for all signage to the Urban Design Commission for review.

With regard to the site plan approval criteria under §7.4.5.B.1.-7.:

- 22. The Council finds that the Project has been designed to ensure the safety of vehicular and pedestrian movement within the Site and in relation to adjacent streets, properties, and improvements, including regulation of the number, design and location of access driveways and the location and design of handicap parking. The two access driveways include stop signs, open viewing, low planters, and wide sidewalks, and have been located as far away from the intersection as is practical. (§7.4.5.B.1)
- 23. The Council finds that the methods for disposal of sewage, refuse and other wastes, and that the methods of regulating surface water drainage are adequate for the following reasons:
 - a) The City Engineering Division has reviewed submitted plans and raised no concerns with respect to this Project. The Engineering Division will review all plans submitted for building permits for compliance with City of Newton Engineering Division design standards prior to the issuance of any building permits.
 - b) The Petitioner will be making a \$782,880 contribution to the City of Newton for municipal sewer Inflow and Infiltration improvements representing an 8:1 ratio, as more particularly set forth in General Condition 7. (§7.4.5.B.2)
- 24. The Council finds that provisions for on-street and off-street loading facilities are sufficient to service the buildings and related uses on the site. (§7.4.5.B.3)
- 25. The Council finds that screening of parking areas and structures on the site from adjoining premises is sufficient based on the landscape plans referenced in General Condition #1. (§7.4.5.B.4)

A True Copy
of the
City of Newton
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#96-17

Petition #96-17

16. reduction of the overall parking requirement by 1/3 pursuant to Section 5.1.4.C
17. waiver of 97 parking stalls pursuant to Section 5.1.13
18. waiver of the parking stall dimensions required by Sections 5.1.8.B.1 and 2
19. waiver of parking stall setback requirements pursuant to Section 5.1.8.A
20. waiver of dimensional requirements for entrance and exit driveways pursuant to Section 5.1.8.D
21. waiver of end stall maneuvering space requirements of Section 5.1.8.B.6
22. waiver of the 5% interior landscaping requirement of Section 5.1.9.B.1
23. waiver of the interior planting area requirements of Section 5.1.9.B.2
24. waiver of the tree requirements of Section 5.1.9.B.3
25. waiver of the bumper overhang requirements of Section 5.1.9.B.4
26. waiver of the 1-foot candle lighting requirements of Section 5.1.10.A.1
27. waiver of the curbing, wheel stop, guard rail or bollard requirements of Section 5.1.10.B.5
28. waiver of the number of off-street loading facilities required pursuant to Section 5.1.12
29. waiver of the number, size, location and height of signs pursuant to Section 5.2.13

A True Copy
Attest
