

December 8, 2014

Newton Board of Alderman
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

RE: The Mall at Chestnut Hill, LLC
199 Boylston Street
Amendment to Special Permit #307-12 (2)

RECEIVED
Newton City Clerk
2014 DEC -8 PM 1:20
David A. Olson, CMC
Newton, MA 02459

Dear Board of Aldermen:

I am pleased to submit a request to amend Board Order #307-12 (2) for The Mall at Chestnut Hill. This application to amend covers the mall building entrance, façade and 6 additional proposed secondary signs.

Brief History & Background

Please note that the existing special permit was approved for several types of zoning relief by Board Order #307-12 and 307-12(2) dated December 20, 2012 and June 17, 2013 respectively. The Board approved the following zoning relief for the site: 1). Three restaurants with more than 50 seats; 2). Waiver of 111 parking spaces; 3). Three (3) additional signs, all in excess of 50 sq. ft. for the three restaurants facing Boylston Street and a fourth sign over the entrance of the mall; The Cheesecake Factory restaurant space was later granted two additional secondary signs on the building [4.25sf and 97sf]; 4). Addition of 1,731 sq. ft. of outside restaurant patio seating; 5). Physical improvements to the Boylston Street façade and the Boylston Street parking lot; and 6). A 131 sq. ft. enclosed vestibule as part of the previously permitted outside patio seating at The Cheesecake Factory.

Proposed Alterations

The Mall at Chestnut Hill proposes to renovate the mall exterior façade as per the attached conceptual renderings. The façade incorporates a newly expanded vestibule at both the north and south entrance to enhance ADA accessibility as well as a more contemporary design. We also request 6 additional secondary building signs not to exceed 250 sq.ft. each, mounted to new architectural panels, for the benefit of existing and future tenants. These signs would be located on the building in the green shaded area as shown on drawing A.1. Each green shaded bay will hold up to two signs. Included in this package are examples of what the signs may look like. This design and concept has been reviewed by the Urban Design Commission.

Relief Requests

Per the attached zoning review, dated 11/12/14, we seek the following relief:

1. Permit the extension of a non-conforming structure or use [30-11(k); 30-21(b)]
2. Approve the proposed sign package for 6 additional secondary building signs greater than 50sf [30-20(f)(2); 30-20(l)]

I respectfully request the board to approve the above requests for relief based upon the following:

Proposed Enlarged vestibules: (Permit the extension of a non-conforming use)

To provide entry from the Mall's exterior, Mall at Chestnut Hill seeks the expansion of the North and South entry vestibules from 225sf to 335sf and 143sf to 640sf respectfully and add a table top pedestrian walk-way in the south parking lot.

Enlarging the existing vestibules will:

1. Increase the Mall's entrance visibility which enhances customer safety
2. Enhance ADA accessibility with hands-free doors
3. Calm traffic in front of the entrance using raised tabletop
4. Create a climate controlled vestibule to buffer air flow, thus conserving energy and increasing customer comfort
5. Be more sanitary than conventional doors which are touched frequently
6. Complement recent upgrades to Boylston Street corridor

Enlarging the existing vestibules will not:

1. Intensify any existing non-conformity
2. Impact neighbors or community in a negative way
3. Trigger any modifications to the parking analysis as it relates to the parking waiver previously approved under the existing special permit

Proposed six additional secondary building signs: (Secondary signs greater than 50sf)

Mall at Chestnut Hill has proposed six additional secondary building signs to be located in the green shaded area on drawing A.1. Each sign will be no larger than 250sf and signs shall be sufficiently spaced out so that one or two signs shall exist in each bay. These secondary building signs will be used for the benefit of existing and future tenants. As evidenced by The Street and Chestnut Hill Square, building signage of appropriate scale is absolutely necessary for large developments to showcase what is in a particular shopping center. This is even more apparent where all of a developer's tenants are inside an enclosed building. Approval of this requested relief will allow Mall at Chestnut Hill to continue to compete for high quality retailers and remain relevant as a shopping destination in Newton.

Granting approval for six additional secondary signs greater than 50sf will:

1. Be appropriate for the size and scale of the building
2. Increase the vitality of the Boylston Street corridor
3. Allow for healthy competition amongst neighboring developers
4. Ensure public convenience and welfare will be served by helping alleviate shopping center confusion amongst visitors who will see prominent tenant names and stay off an already busy Boylston Street

Granting approval for six additional secondary signs greater than 50sf will not:


1. Intensify any existing non-conformity
2. Impact neighbors or community in a negative way
3. Trigger any modifications to the parking analysis as it relates to the parking waiver previously approved under the existing special permit

Materials Included

1. Special Permit Application
2. Zoning Review Memorandum dated November 12, 2014
3. Board Order for Special Permit #307-12 and 307-12(2)
4. Proposed Alterations for Façade, entrance vestibules and additional Sign locations
5. Original Plans, referenced in Board Order for Special Permit #307-12 and 307-12 (2)

If you need additional information or have any questions regarding our application, please feel free to call me at 617-965-3038 or email jfeldhouse@simon.com. I look forward to discussing this proposal in more detail.

Regards,



Justin Feldhouse
Mall Manager
The Mall at Chestnut Hill