

# Department of Planning and Development



## **PETITION #179-16 & #180-16, MARK NEWTONVILLE, LLC.**

SPECIAL PERMIT/SITE PLAN APPROVAL AND REQUEST TO REZONE THE SITE FROM BUSINESS TO MIXED USE 4 IN ORDER TO CONSTRUCT A MIXED USE DEVELOPMENT IN EXCESS OF 20,000 SF CONSISTING OF THREE INTERCONNECTED BUILDINGS WITH A MAX HEIGHT OF 60 FEET AND 5-STORIES AND A GFA OF 238,075 SF INCORPORATING 171 RESIDENTIAL UNITS, ~40,000 SF OF COMMERCIAL SPACE, ~2,000 SF OF COMMUNITY SPACE, AND 346 ON-SITE PARKING STALLS AND FOR VARIOUS WAIVERS TO THE ZONING ORDINANCE

**JUNE 7, 2016**

# Requested Relief



- To rezone the parcels to Mixed Use 4 (MU4)
- To allow a building in excess of 20,000 SF of GFA (238,075 SF) (§4.2.2.B.1).
- To allow for a max. building height of 60 feet and 5-storeys (§4.2.5.A.2).
- To reduce the required lot area per unit from 1,000 SF to 725 SF per unit (§4.2.2.A.2 and §4.2.5.A.3).
- To allow for an FAR of 1.92 (§4.2.3 and §4.2.5.A.2).
- To waive the setback requirement for buildings taller than 40 feet (§4.2.5.A.4.c and §4.2.5.A.4).

# Requested Relief cont.

- To waive the requirement for at least one entrance every 50 feet of frontage (§4.2.2.B.1).
- To waive the façade transparency requirements (§4.2.5.A.6.b, and §4.2.5.A.6).
- To allow retail sales uses over 5,00 SF, restaurants with more than 50 seats, personal service uses over 5,000 SF, stand-alone ATMs, health club on the ground floor, health club above or below the ground floor, animal services, and street-level office uses (§4.4.1).
- To allow for free-standing signs and for waivers to the number of signs allowed (§5.2.13).

# Requested Relief cont.



- To allow a reduction in the residential parking to 1.25 stalls per unit (§5.1.4.A).
- To allow up to a 1/3 reduction in parking for 3+ uses (§5.1.4.C).
- To allow a waiver of 97 parking stalls (§5.1.4).

# Requested Relief cont.



- To allow parking within 5 feet of a structure containing residential units, to waive the dimensional requirements for parking stalls, to waive end stall maneuvering space requirements, to waive the interior landscaping requirements, to waive the lighting requirements for parking lots, to waive the requirement for curbing, wheel stops, guard rails and bollards, and to allow for only one loading bay (§5.1.13).

# Criteria to Consider



When reviewing this request, the Council should consider:

- Special permit criteria (§7.3.3.C.1-5).
- MU4 criteria (§4.2.5.A and B).
- Criteria for waiver to the parking requirements (§5.1.13).
- Criteria for waivers to the sign ordinance (§5.2.13).

# Special Permit Criteria



- The specific site is an appropriate location for the proposed use and structure. (§7.3.3.C.1)
- The use as developed and operated will not adversely affect the neighborhood. (§7.3.3.C.2)
- There will be no nuisance or serious hazard to vehicles or pedestrians. (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- The site planning, building design, construction, maintenance or long-term operation of the premises will contribute significantly to the efficient use and conservation of natural resources and energy. (§7.3.3.C.5, for buildings > 20,000 square feet)

# Mixed Use 4 District Findings



- The proposed structures are compatible in visual scale to their surroundings, do not adversely affect its surroundings by creating shadows or blocking views, and advance the purposes of the MU4 District. (§4.2.5.A.2)
- The proposed density creates a beneficial living environment for the residents, does not adversely affect the traffic on roads in the vicinity, and better achieves the purposes of this district than strict compliance with these standards. (§4.2.5.A.3)



# Mixed Use 4 District Findings cont.



- The proposed plan can better protect the surrounding community from shadows and blocked views, support pedestrian vitality, and encourage the purposes of the MU4 district than strict compliance with the setback requirements. (§4.2.5.A.4)
- The design of the buildings and the site plan comply with the Americans with Disabilities Act (ADA) and the rules and regulations of the Massachusetts Architectural Access Board (MAAV). (§4.2.5.A.6)

# Mixed Use 4 District Findings cont.



- The proposed mix of uses will encourage an active, pedestrian-oriented streetscape throughout the day and week, that the proposed mix of uses fulfills a demonstrated need for the uses within the vicinity, and the proposed uses are not inconsistent with the purpose of the MU4 district and the City's *Comprehensive Plan*. (§4.2.5.B)

# Waivers to Parking Requirements



- Literal compliance with the parking requirements of the Newton Zoning Ordinance is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest or in the interest of safety or protection of environmental features. (§5.1.13)

# Waivers to Signage Requirements



- Literal compliance with 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. (§5.2.13)

# Consistency with *Comprehensive Plan* and Other Studies

Planning Department supports project:

- MU4 village zoning district appropriate for site
- Consistent with City's Comprehensive Plan
- Dukakis Center Reports
- The Planning Department's Newtonville Vision
- N<sup>2</sup> Innovation Corridor Economic Development and Marketing Strategy
- City's forthcoming Housing Strategy

# Consistency with *Comprehensive Plan* and Other Studies

Between 2000 - 2013,  
Newton experienced a  
net loss of 500 low-  
middle class households



+ 4200  
households  
making \$200K  
or more



- 4700  
households  
making \$125K  
or less

# Consistency with *Comprehensive Plan* and Other Studies





# Concerns that should be addressed

