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**Barney Heath**  
Director

**CONTINUED PUBLIC HEARING MEMORANDUM**

**DATE:** December 9, 2016  
**MEETING DATE:** December 15, 2016  
**TO:** Land Use Committee of the City Council  
**FROM:** Barney Heath, Director of Planning and Development  
James Freas, Deputy Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
**CC:** Petitioner  
Planning Board

**PETITION #179-16 & #180-16**

**NW corner of Washington and Walnut Streets**

Request for a change of zone to Mixed Use 4 and for special permits to construct a mixed-use development consisting of three buildings with heights up to 60 feet and 5-stories incorporating 171 residential units, approximately 40,000 square feet of commercial space and 346 parking spaces.

The Land Use Committee (the "Committee") opened the public hearing on June 7, 2016, and the hearing was held open. A site visit was held by the Committee on June 13, 2016, and the hearing was continued on July 12, 2016, September 13, 2016, October 4, 2016, and November 1, 2016, and November 29, 2016. In response to questions raised at the Land Use Committee public hearings or by written communication thereafter, and/or staff technical reviews, the Planning Department is providing the following information and analysis for the upcoming continued public hearing. This information is supplemental to staff analysis previously provided at public hearings.

The December 15th meeting will focus on wrapping up remaining issues of the project and will include representatives from the Department of Public Works. The next meetings scheduled for the project are expected to occur on January 12<sup>th</sup> and January 31<sup>st</sup>, 2017, and will focus on drafting the Council Orders. The hearing is expected to remain open and public comment will be taken at these meetings.

**FAR and Lot Area Per Unit Analysis**

The Floor Area Ratio (FAR) establishes the maximum amount of development program (square footage) that can be constructed on a property. It regulates the mass, bulk or the total development size regardless of use (commercial vs. residential). For example, if you have a 10,000 square foot lot and the FAR is .5 you can develop 5,000 square feet on the lot. If the FAR is 2.0 you can develop 20,000 square feet on the lot.

The Minimum Lot Area Per Unit requirement establishes the maximum number of residential units that can be built on the site based on the lot size, irrespective of the size of the units. In other words, it regulates the residential density. To use a simple example, take a 12,000 square foot lot. If the site were zoned Single Residence with a lot area per unit requirement of 10,000 square feet, one unit could be built on the site. If the same site were zoned Multi-Residence and the minimum lot area per unit requirement was 5,000 square feet, two units could be built on site.

If the site were zoned Business and the minimum lot area per unit requirement was 1,200 square feet then up to 10 units could be built on site. The City Council cannot grant exceptions to the lot area per unit requirement to allow for additional residential units in the residential or business zones. Thus, a variance would be required from the Zoning Board of Appeals in order to allow for exceptions to this requirement, which would almost certainly not be approved.

If the site were zoned MU4 and the minimum lot area per unit requirement was 1,000 square feet, up to 12 units could be built on site. In the MU4 zone, the City Council can waive the 1,000 square foot minimum lot area per unit requirement in order to expand the diversity of housing options available in the City, in effect offering a density bonus to encourage development that fosters compact pedestrian-oriented villages with sufficient density to promote a lively environment, public transit, and affordable housing.

The two dimensional standards of Floor Area Ratio and Minimum Lot Area Per Unit work together to cap the total development that can occur on a site.

For example, if you have a 100,000 square foot lot and the FAR is 1.5, you could have a total development envelope of 150,000 square feet. That mass could be divided many different ways between commercial and residential uses assuming both uses are allowed. With a minimum lot area per unit requirement of 1,200 you can have up to 125 residential units so long as the total project size including commercial area does not exceed 150,000 square feet. So if the units average 500 square feet each, that is 62,500 square feet of residential use and 87,500 square feet left for potential commercial uses. If the average unit size is 1,000 you would only have 25,000 square feet left for commercial space.

In the case of Washington Place, the proposed development program is approximately 250,000 square feet. This is less than that allowed by special permit in either the Business 2 zone (2.0 FAR, approximately 250,000 square feet) or the Mixed Use 4 zone (2.5 FAR, approximately 310,000 square feet). Thus, the petitioner is not maximizing the allowed square footage under either zone. On the commercial side, the petitioner believes that it is maximizing the ground floor square footage at approximately 45,000 square feet, and has determined that commercial use above the ground floor is not economically feasible at this location. On the residential side, the Mixed Use 4 zone allows the petitioner greater residential density, approximately 164 units, as contrasted with a Business 2 zone, where given the lot size of approximately 124,000 square feet and a lot area per unit requirement of 1,200 square feet, only 103 units can be constructed. At 103 units, the petitioner maintains it would

need predominantly larger units. With the increased number of units, the petitioner can offer a wider variety of smaller units in keeping with Newton's current housing needs, and adding sufficient density to help promote a lively village center.

The Planning Department notes that the City will be evaluating the lot area per unit requirement in all districts as part of Zoning Redesign as there is some consensus that the City's requirements might be outdated, particularly in the Business and Mixed Use zones.

### **Inclusionary Housing Plan**

The petitioner is expected to submit a revised Inclusionary Housing Plan in time for the public hearing on the 15<sup>th</sup>, which will include the commitment for 10% moderate income units in perpetuity.

### **Transportation Demand Management Plan**

The petitioner submitted a Draft Transportation Demand Management Plan (TDM) dated December 12, 2016. Overall the Draft TDM is very strong but the Planning Department has a number of suggestions and has redlined the Draft Plan. We note that there should also be a plan for the commercial tenants and measures should be added to all commercial leases to incentivize sustainable modes of transportation to the site by employees. The Planning Department will continue to work with the Director of Transportation and the petitioner to strengthen the proposed TDM.

### **Rear Façade**

The petitioner is expected to submit more detailed elevations of the rear façade prior to the hearing on the 15<sup>th</sup>.

### **Mitigation**

As part of the special permit process developers are expected to mitigate impacts of their project. However, it is important to note that mitigations must be proportionate to the expected impacts (i.e. not exceed expected impacts) and there must also be a clear nexus between the impact and the mitigation. The most significant impacts of the Washington Place project include traffic, increased pressure on utilities, and the fiscal impacts of the project. In order to help mitigate these impacts the developer is proposing to redesign the intersection of Washington and Walnut Street with a new signal and improved pedestrian and bike facilities. Other mitigation includes a robust Transportation Demand Management Plan with a significant subsidy that will be available to residents to incentivize the use of public transportation. The petitioner will also be contributing to the City's Inflow and Infiltration Fund to offset sewer costs, at the City's policy ratio of 8:1 for major projects. Finally, the petitioner submitted a Fiscal Impacts Analysis Report that shows that the net fiscal impact of this project is expected to be positive for the City.



**Washington Place**  
**Draft Transportation Demand Management Plan**  
December 12, 2016

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Mark Development will implement a Transportation Demand Management Plan ("TDM") at Washington Place in order to minimize traffic, reduce dependency on cars and promote a healthier environment. To achieve these goals, Washington Place will include various incentives and programs aimed at encouraging walking, bicycling, public transit and other sustainable modes of transportation to the site. The Transportation Demand Management Plan will contain the following elements:

I. Informational Services:

- A specific person on the Washington Place staff will be designated as the traffic demand management coordinator (the "TDM Coordinator"). Perhaps estimate % of time?
- The TDM Coordinator will be responsible for coordinating efforts between the City of Newton and Washington Place to reduce single occupancy vehicles ("SOV").
- The TDM Coordinator will meet on an annual basis with the City of Newton Traffic Engineer to provide an update on the status of the continuing efforts of the TDM, as well as to notify the City of Newton of any new or proposed changes to the program.
- Every two years, the TDM Coordinator will conduct a survey of the residential and commercial tenants and provide those detailed findings to the City of Newton's Director of Transportation and the Director of the Planning Department Traffic Engineer. Perhaps setting a mode share goal with input from City
- The TDM Coordinator will be available at any time to discuss with the City's Director of Transportation ~~Traffic Engineer~~ any traffic issues which may arise from the project.

II. Nearby Transit Services

- Commuter Rail (Framingham/Worcester Line): Newtonville Stop (<.25 miles)
- Bus lines (.004 miles):
  - 553 (Downtown Boston via Newton Corner & Central Square)
  - 554 (Waverley Square – Downtown Boston)
  - 556 Express (Waltham Highlands – Downtown Boston via Newton Corner)

- 59 (Watertown Square – Needham via Newtonville)

### III. Bicycle Accommodations

- Washington Place will include dedicated street level bike parking and repair space for the general public and users of the ground floor commercial space.  
Specify # of spots
- Washington Place will include dedicated bike parking and storage in the below grade parking facility at a 1:1 ratio for each residential household.  
Mention secure/locked, indoor, convenient
- Mark Development will provide the funding for ~~1~~ 2 bike peds-share stations to be installed at the site, and/or at location(s) to be agreed on with the City of Newton Planning Department and the Director of Transportation at a cost not to exceed \$200,000.
- Mark Development will be installing dedicated bike lanes on either both sides of Walnut Street extending south from Foster Street across the bridge.

### IV. Pedestrian Links

- Washington Place will provide significant improvements to the streetscape, which are intended to promote walkability along Washington Street and Walnut Street. Examples include:
  - Increasing the width of sidewalks by 7' – 10' along Walnut Street and along Washington Street respectively, allowing for an additional 5,000 SF of walking space.
  - Closing the five existing curb cuts.
  - A 35' opening along Washington Street, which will serve as the entry point to a 9,000 SF plaza creating a pedestrian connection between the north and south sides of the project.
  - Creating a pedestrian connection to the plaza from Walnut Street.

### V. Sustainable Transport Initiatives:

- Mark Development will commit to decouple the cost of parking from the rent of the residential units to further discourage car usage.
- Consider charging a higher amount for any second stall rented by market rate units
- Car sharing: Washington Place will include no less than 2 dedicated parking spaces for Zip Car. Mark Development will also explore ride sharing partnerships with service providers including, but not limited to, BRIDJ and Lyft.
- Preferential parking spaces for car pools and van pools will be included.

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- Electric Charging Stations: Washington Place will include two charging stations for electric vehicles, one at the street level and one below grade in the parking garage.

VI. Transportation Subsidy Program:

- Mark Development will create a Transportation Program for Washington Place, and commit to funding \$300,000 (lets discuss further, perhaps increase to \$500,000, OR, consider reducing the amount but funding the program for a fixed number of years, for example, \$100,000 each year for six years, so that the City is able to collect and analyze data over the course of time) towards reducing dependency on cars, particularly SOVs. The plan will work as follows:

- Each household will have the ability to receive up to ~~\$200~~180 per month for the use of alternative modes of transportation. Alternative modes that would qualify include, but are not limited to, are as follows (combinations are acceptable?):
  - Commuter Rail Passes (Monthly)
  - Subway/ T-passes (Monthly)
  - Bus Passes (Monthly)
  - Bike Share Passes (TBD)
  - Ride Sharing (TBD)
  - Personal bike costs if regularly commuting by bike

**Comment [AA1]:** Perhaps residents should pay at least some portion of the cost so that there is no incentive to participate in the program if it will not be utilized. Lets discuss further.

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- The Transportation Program is designed to disincentive car usage, so the less cars per household, the larger the subsidy. In addition, reimbursement incentives will vary between affordable rate households and market rate households.

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Transit Subsidy Program	Affordable Units	Market Units
<b>Monthly Stipend (Based on Usage)</b>	<b>Up to <del>\$200</del><u>180</u></b>	<b>Up to <del>\$200</del><u>180</u></b>
0 Cars per Household	100% Stipend	100% Stipend
1 Car per Household	<del>50</del> <u>75</u> % Stipend	<del>25</del> <u>50</u> % Stipend
2+ Car per Household	<del>0</del> <u>50</u> % Stipend	<del>00</del> <u>25</u> % Stipend

VII. Marketing Programs:

- Included with each rental package will be a one-page marketing summary which defines the Washington Place Pilot Transportation subsidy.
- Washington Place will maintain a commuter information center with a posted transit service schedule and corresponding costs as well as any ride sharing services being offered.

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- All households will be sent a reminder of the program at move-in and at least once per year thereafter, and information of the program shall be posted on the site's website
- Zero car households shall be prioritized with the next priority being single car households. Affordable households shall be prioritized over market rate households.

VIII. Monitoring and Reporting Plan

- In order to determine future requirements for traffic demand management measures, Mark Development will produce a survey for both residential and commercial tenants every two years and provide a summary of the results to the City's Director of Transportation and the Director of Planning~~City of Newton Traffic Engineer.~~
- Mark Development will also track the usage of the Transportation Pilot Program and provide the results to the City of Newton Director of Transportation and Director of the Planning~~Traffic Engineer.~~
- This tracking will be in effect up until the point that the \$300,000~~entire TDM Fund funding~~ has been spent.
- Mark Development will encourage commercial tenants to promote ride-sharing and use of public transportation with their tenants. The commercial tenants will further be encouraged to create incentives among employees to rideshare or take public transportation. This section should be beefed up a bit. Perhaps encourage shared parking in the garage if there are available spaces so that surface parking is free for patrons. Also, language promoting public transportation for employees should be incorporated into any commercial leases for the project.

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