



Setti D. Warren
Mayor

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

131-14
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov


Candace Havens
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date:	May 13, 2014
Land Use Action Date:	May 27, 2014
Board of Aldermen Action Date:	July 14, 2014
90-Day Expiration Date:	August 11, 2014

DATE: May 9, 2014

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner 

SUBJECT: **Petition #131-14**, ARTISAN CHILDCARE CENTER, for a SPECIAL PERMIT/SITE PLAN APPROVAL for a freestanding sign at 2330 WASHINGTON STREET, Ward 4, Newton Lower Falls, on land known as SBL 42, 31, 18, containing approx. 28,277 sf of land in a district zoned BUSINESS 1. Ref: Sec 30-24, 30-23, 30-20(I) of the City of Newton Rev Zoning Ord, 2012.

The purpose of this memorandum is to provide the Board of Aldermen and the public with technical information and planning analysis which may be useful in the special permit decision making process of the Board of Aldermen. The Planning Department's intention is to provide a balanced view of the issues with the information it has at the time of the public hearing. There may be other information presented at or after the public hearing that the Land Use Committee of the Board of Aldermen will want to consider in its discussion at a subsequent Working Session.



2330 Washington Street

EXECUTIVE SUMMARY

The property at 2330 Washington Street consists of a 28,277 square foot lot in a Business 1 zoning district, improved with a two-story structure built in approximately 1840. The site was recently redeveloped into a childcare center, called Artisan Childcare Center. To gain more visibility for the establishment, the petitioner is proposing to install a single two-sided free-standing sign, which will be approximately 28.4 square feet of sign area, standing nearly five feet tall, and is to be erected perpendicular to the fence along Washington Street. In order to erect the proposed free-standing sign, the petitioner is seeking a special permit.

The petitioner presented a signage proposal to the Urban Design Commission (UDC), which contained two free-standing signs. The UDC recommended approval of a single free-standing sign, and that the petitioner consider installing the sign near the existing driveway and parallel to the fence, modify the primary lettering of the advertising message to make this information more prominent, and add the establishment's address to the bottom of the sign (**ATTACHMENT A**). The petitioner appears to have taken most of the UDC's suggestions into consideration with the present proposal.

The Department of Planning and Development has no particular concerns with the petition as proposed. The petitioner appears to have taken into consideration a number of the suggestions made by the UDC. The Planning Department believes the free-standing sign size, location, and orientation appears appropriate and will minimize visibility conflicts with vehicles using the entrance drive, and maximizes visibility of the establishment from Washington Street.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Board should consider whether:

- The erection of a single free-standing sign on a site with low visibility from Washington Street, which is a major commercial corridor, is in the public interest as it will improve way-finding for customers and will provide visibility to an otherwise isolated business along the Washington Street. (30-20(I))
- The location of the proposed free-standing sign will not create a nuisance or serious hazard to pedestrians or vehicles, as the sign is setback from any pedestrian or vehicular travel way and the site is located within an area of mostly commercial uses. (30-24(d)(3))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site on which the free-standing sign is proposed is located along Washington Street. The subject property is abutted by other commercial uses, and will be visible from some residential uses located on the north side of Washington Street (**ATTACHMENT B**). The site is zoned Business 1 and is surrounded by a mixture of

residentially and commercially zoned properties (**ATTACHMENT C**).

B. Site

The site consists of 28,277 square feet of land and is improved with a two-story structure built in approximately 1840. The building is set back from Washington Street by approximately 50 feet and is accessed by a wide entrance drive on the west side of the site. Visibility of the site from Washington Street is limited due to existing mature trees and landscape plantings on the north side of the site.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

There are no proposed changes to the use of the site.

B. Building and Site Design

The petitioner is proposing to place the free-standing sign between the entrance drive and the walkway in the front of the site, perpendicular to the fence. The commercial building is set back 50 feet from Washington Street and the site is heavily screened by existing vegetation, which reduces visibility of the establishment from Washington Street. For these reasons, the Planning Department believes that the location and orientation of the single free-standing sign is appropriate, as it will improve way-finding for customers of the center.

C. Signage

The proposed two-sided free-standing sign will have approximately 28.4 square feet of sign area, stand nearly five feet tall, is externally illuminated, and will have an orientation that is perpendicular to the existing fence along Washington Street. The Planning Department believes that the proposed sign will improve the establishment's visibility from Washington Street, and that the location will not create any nuisances to pedestrians or vehicles. The Planning Department does not have any concerns with the design of the free-standing sign, as it dimensionally complies with the requirements under §30-20(l) of Newton's Zoning Ordinance.

Based on the UDC's review of the petitioner's signage proposal, which initially consisted of two free-standing signs, the proposed signage was revised to include a single two-sided free-standing sign. The UDC also recommended that the petitioner consider locating the sign near the existing driveway and parallel to the fence, modify the primary lettering of the advertising message to make this information more prominent, and add the establishment's address to the bottom of the sign. According to the plans for the proposed sign, the petitioner appears to have taken the UDC's comments into consideration when finalizing the sign design.

D. Parking and Circulation

There are no changes to the parking configuration or circulation on the site, and the Planning Department does not believe that the proposed sign will create any hazards to vehicles or pedestrians.

E. Landscaping

During a site visit, City staff noted the significant existing vegetation near the location of the proposed free-standing sign. The Planning Department recommends that the petitioner selectively trim the vegetation in this area to improve visibility, which would also have an aesthetic benefit for the site and streetscape.

IV. TECHNICAL REVIEW

- A. Technical Considerations (Chapter 30, Newton Zoning Ordinance): The Zoning Review Memorandum (**ATTACHMENT D**), provides an analysis of the proposal with regard to zoning. The petitioner is requesting a special permit to erect a free-standing sign.
- B. Urban Design Commission: On April 9, 2014, the UDC reviewed the signage proposal and recommended approval of a single free-standing sign. According to UDC's recommendation (**ATTACHMENT A**), the UDC found that the free-standing sign was appropriate for the site and should provide better visibility for the center on Washington Street.
- C. Engineering Review: No engineering review is required for this petition.

V. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- §30-20(l) to erect a free-standing sign.

VI. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

ATTACHMENTS:

- Attachment A:** Urban Design Commission Recommendation
Attachment B: Land Use Map
Attachment C: Zoning Map
Attachment D: Zoning Review Memorandum

DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON
Massachusetts

INTER-OFFICE CORRESPONDENCE – SIGN APPLICATION REVIEW

DATE: April 10, 2014

TO: Land Use Committee, Chairman Marc Laredo
John Lojek, Commissioner of Inspectional Services

FROM: Candace Havens, Director of Planning and Development
Daniel Sexton, Senior Planner 

LOCATION: 2330 Washington Street **BUSINESS:** Artisan Childcare Center

CONTRACTOR: TBD

Sections 30-20(c)(1), as amended, allows the Director of Planning and Development, in consultation with the Urban Design Commission (Commission), to review sign permit applications. The Commission reviewed the proposed signs for compliance with Section 30-20(l) on **April 9, 2014** and has recommended to the Land Use Committee approval of the following sign on the site:

- One free-standing sign, externally illuminated, with approximately 28.4 square feet of sign area, at a height of approximately 5 feet in height, and not exceeding 10 linear feet in width, on the northeast side of the parcel facing Washington Street.

The Commission also recommended the petitioner consider the following stipulations when seeking special permit approval:

- The free-standing sign should be installed parallel to the existing fence, and placed near the entry drive (to the left).
- The petitioner should consider modifying the primary lettering of the advertising message to make this information more prominent.
- The petitioner should consider adding the address of the establishment to the bottom of the sign, which may require the removal of the phone number or website.

The Department of Planning and Development concurs with the Commission's recommendation and stipulations, and recommends approval of the sign as modified.

This application requires further review by the Land Use Committee and Planning Department through the special permit permitting process.

This memo does not constitute a permit. The applicant must receive a special permit from the Board of Alderman and a building permit from Inspectional Services prior to installing the signs. All decisions of the Urban Design Commission are appealable to the Commissioner of Inspectional Services

Cc:

Gus Miragias, 237 Winn Street, Woburn, MA 01801
Urban Design Commission file

131-14 Land Use Map 2330 Washington Street

*City of Newton,
Massachusetts*

ATTACHMENT B



Legend

Street Names

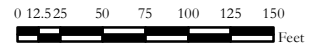
Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Open Space
- Nonprofit Organizations
- Tax Exempt
- Property Boundaries
- 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.

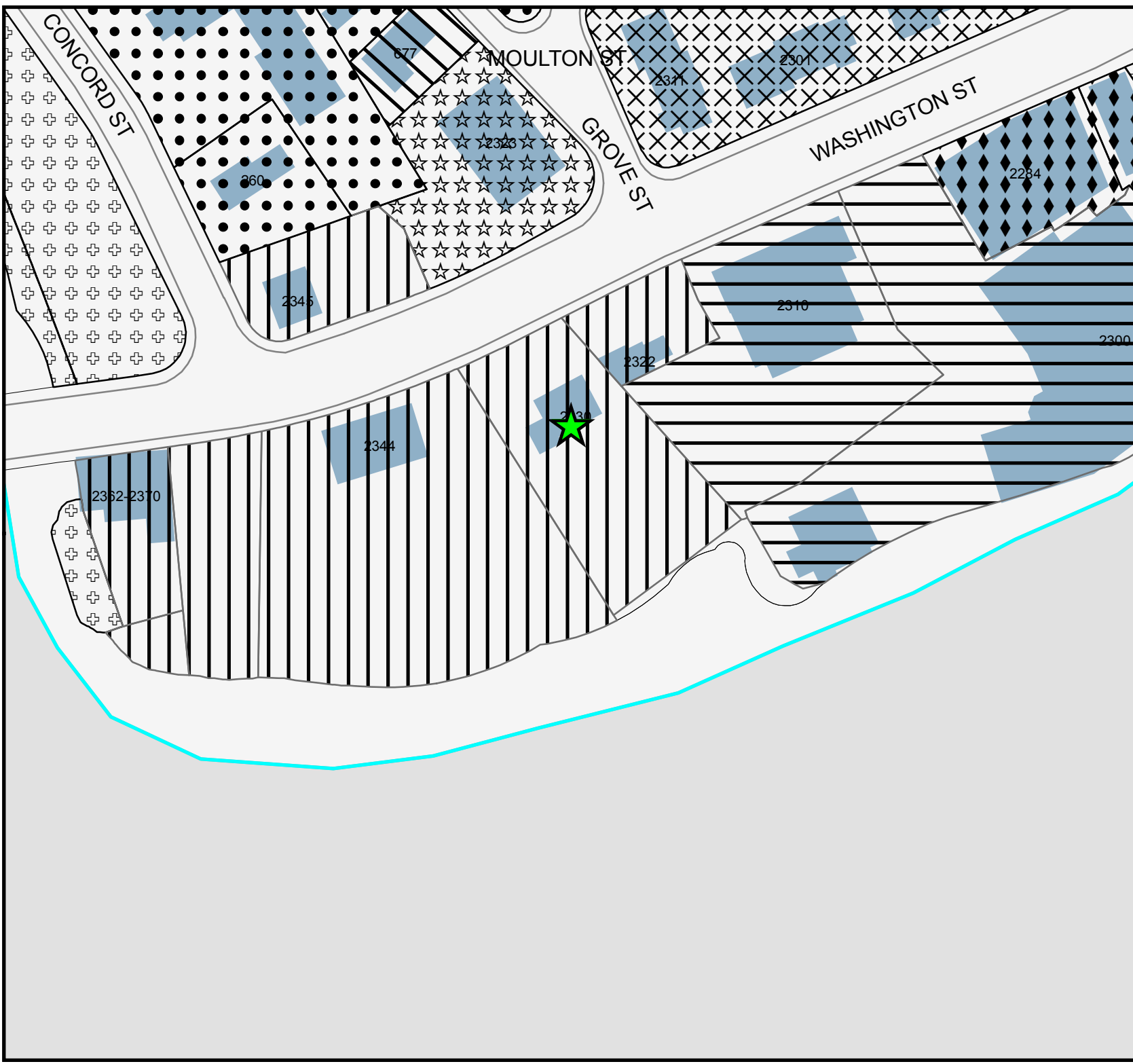
CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield



131-14 Zoning Map 2330 Washington Street

*City of Newton,
Massachusetts*

ATTACHMENT C

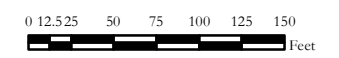


Legend	
	Single Residence 1
	Single Residence 3
	Multi-Residence 1
	Multi-Residence 2
	Business 1
	Business 2
	Manufacturing
	Public Use
	Property Boundaries
	Building Outlines



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.

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





Setti D. Warren
Mayor

Attachment D

City of Newton, Massachusetts
Department of Planning and Development
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone
131-14
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: April 15, 2014

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Gus Miragias, applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: **Request for a Special Permit for a free-standing sign**

Applicant: Gus Miragias, Artisan Child Care Center	
Site: 2330 Washington St	SBL: 42031 0018
Zoning: BU1	Lot Area: 28,277 square feet
Current use: Day care	Proposed use: No change

BACKGROUND:

The property at 2330 Washington Street consists of a 28,277 square foot lot improved with a two-story structure built in 1840. Previously used as office space, the Artisan Child Care Center recently occupied the site. The previous tenant had two free-standing signs on either side of the frontage, which had no building permits and are therefore non-compliant and not protected. The current occupant appeared before the Urban Design Commission with the same layout for two 28.4 square foot rectangular signs. The UDC recommended one externally illuminated sign measuring 28.4 square feet located parallel to the existing fence near the entry drive on the left side of the property. The applicant is proposing a single free-standing sign measuring 28.4 square feet (8 feet wide by 4 feet high) on pylons with a final height of 8 feet perpendicular to the street in the location recommended by the UDC.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Gus Miragias, dated 4/11/2014
- UDC memo, dated 4/10/14
- Site Plan, signed and stamped by Philip Hresko, architect, dated 3/28/2014
- Sign drawing, prepared by Danthonia Desgns, dated 2013
- Proposed sign detail, prepared by Philip Hresko, dated 3/28/2014

ADMINISTRATIVE DETERMINATIONS:

1. The proposed free-standing pylon sign is externally illuminated and measures 4' tall by 8 feet wide (with some curvature and sections cut out), for a total of 28.4 square feet. The top of the sign would be 8 feet from the ground so as to be visible from the street above the existing 4 foot fence. The proposed sign meets the dimensional requirements of Section 30-20(l). Section 30-20(l) requires a special permit from the Board of Aldermen for a free-standing sign.

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-20(l)	Free-standing sign	S.P. per §30-24