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**City of Newton, Massachusetts**  
 Department of Planning and Development

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 Mayor

**Candace Havens**  
 Director

Public Hearing Date: October 16, 2012  
 Land Use Action Date: December 18, 2012  
 Board of Aldermen Action Date: January 7, 2013  
 90-Day Expiration Date: January 14, 2013

DATE: October 12, 2012

TO: Board of Aldermen

FROM: Candace Havens, Director of Planning and Development  
 Eve Tapper, Chief Planner for Current Planning  
 Alexandra Ananth, Senior Land Use Planner  
 Derek Valentine, Senior Land Use Planner

SUBJECT: #258-12 BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a change of zone to Mixed Use 3/Transit Oriented District for a portion of land located at 327 Grove Street, also identified as Section 42, Block 11, Lot 3A, currently zoned Public Use.

#258-12(2) BH NORMANDY RIVERSIDE, LLC/MASSACHUSETTS BAY TRANSPORTATION AUTHORITY petition for a SPECIAL PERMIT/SITE PLAN APPROVAL to construct a mixed use, transit-oriented development including an office building of approximately 225,000 sq. ft., a residential building containing 290 apartments with 5,000 sq. ft. of retail space, a three story building containing approximately 15,000 sq. ft. of retail space and approximately 8,000 sq. ft. of community space, and related site improvements; to permit office use on the ground floor, medical office use, retail and personal establishments of more than 5,000 sq. ft., eating and drinking establishments of more than 5,000 sq. ft., retail banking and financial services, and health club establishments on the ground floor; and reduced minimum setbacks of side setback of office building, and front setback of retail/community building; parking facility design standards including stall width, stall depth, maneuvering space for end stalls, minimum width for entrance and exit driveways, tandem stalls, number of required off-street loading facilities and design standards of same, landscape screening requirements, surfacing and curbing requirements and one foot candle lighting at 327 GROVE STREET, Ward 4, on land known as SBL 42, 11, 3A containing approx. 9.4 acres of land in a proposed Mixed Use 3 Transit Oriented Zoned district. Ref: Sec 30-13(f), Table A Footnote ; 30-13(g); 30-15(v)(1); 30-15, Table 3; 30-19(d)(22); 30-19(h); 30-19(h)(2)a); 30-19(h)(2)b); 30-19(h)(2)e); 30-19(h)(4)a); 30-19(h)(5)a); 30-19(i); 30-19(i)(1)a); 30-19(j); 30-19(j)(1)a); 30-19(j)(2)d); 30-19(l); 30-19(l)(2); 30-19(l)(3); 30-19(m); 30-23; 30-24; 30-24(i)(7) of the City of Newton Revised 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.



**I. SIGNIFICANT ISSUES FOR CONSIDERATION**

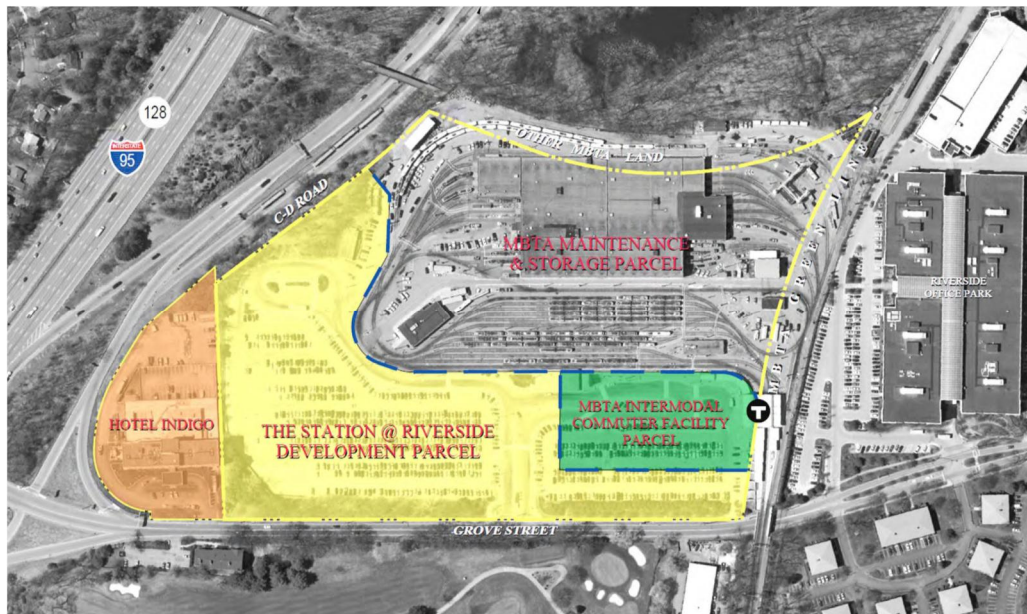
When considering the special permits requested in this application, the Board should decide whether the following findings apply:

- The site is an appropriate location for the proposed mixed-use development.
- The use as developed will not adversely affect the neighborhood.
- There will be no nuisance or serious hazard to vehicles or pedestrians.
- Access to the site is appropriate for the types and numbers of vehicles involved.
- The proposed uses including office on the ground floor, medical office, retail, personal service, and eating and drinking establishments of more than 5,000 square feet of floor area, retail banking and financial services, and health clubs on the ground floor, are appropriate for the site.
- The proposed exceptions to the dimensional standards including setback requirements to the Indigo Hotel and Grove Street will not have an adverse effect on the site or surrounding neighborhood.
- The proposed waivers to parking requirements including shared-parking are in the public interest.
- Proposed signage is in keeping with the scale and needs for wayfinding in and around the site and is complementary to the architectural quality of the mixed-use development and the character of the streetscape.
- 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.
- The mixed-use development offers long-term public benefits to the City and nearby areas including
  - Improved access and enhancements to public transportation
  - Improvements to parking, traffic, and roadways
  - On- and off-site improvements to pedestrian and bicycle facilities, particularly as they facilitate access to the site by foot or bicycle
  - Public safety improvements
  - On-site affordable housing opportunities
  - Water, sewer and storm water infrastructure improvements that increase capacity and lower impacts on the surroundings.
- The proposed mixed-use development has a positive fiscal impact on the City after accounting for all new tax revenue and expenses related to, but not limited to, school capacity, public safety services, and public infrastructure maintenance. The proposed rezoning of the development parcel to Mixed-Use 3/Transit-Oriented District will encourage the most appropriate use of the site and will not detract from the health, safety, convenience and welfare of the surrounding community.
- Pedestrian and vehicular access routes and driveway widths are appropriately designed between the proposed mixed-use development and abutting parcels and streets, with consideration given to streetscape continuity and an intent to avoid adverse impacts on nearby neighborhoods from such traffic and other activities generated by the mixed-use development, as well as to improve traffic and access in nearby neighborhoods.
- Appropriate setbacks, buffering, and screening are provided from nearby residential properties and the quality and access of beneficial open space and on-site recreation

opportunities is appropriate for the number of residents, employees, and customers of the proposed mixed-use development; and meaningful bicycle and pedestrian connections to open spaces, recreational areas, trails, and natural resources, including the banks of the Charles River and adjacent public property whether or not currently available for public use, are provided and take full advantage of the unique opportunities of the site and its nearby natural features for use and enjoyment by the community at large.

- The proposed mixed-use development provides high quality architectural design and site planning that enhances the visual and civic quality of the site and overall experience for residents of, and visitors to, both the mixed-use development and its surroundings.
- The proposed mixed-use development provides building footprints and articulations scaled to encourage outdoor pedestrian circulation; features buildings with appropriately-spaced street-level windows and entrances; includes appropriate crossings at all driveway entrances and internal roadways; and allows pedestrian access appropriately placed to encourage walking to and through the development parcel.
- The proposed mixed-use development creates public spaces as pedestrian-oriented destinations that accommodate a variety of uses, promote a vibrant street life, make connections to the surrounding neighborhood, as well as to the commercial and residential components of the mixed-use development, to other commercial activity and to each other.
- Parking for the site is appropriate to the intensity of development, types of uses, hours of operation, availability of alternative modes of travel and the encouragement of alternative transportation modes without over-supplying parking.
- Suitable mitigation measures have been included to eliminate negative impact on surrounding neighborhoods with the installation of a traffic signal, roundabouts, and other alternations to the roadway.
- Consideration has been given to accessibility, adaptability, visitability, and universal design in development of the site plan.
- The proposal is not inconsistent with the *Comprehensive Plan*.

## II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD



The property at 327 Grove Street consists of a 22.6-acre parcel owned by the Massachusetts Bay Transportation Authority (MBTA), which is currently occupied by a 960-stall surface parking lot with bus terminal and rail service yard. Though relatively flat, the site was once a sand quarry and visual remnants of the former use are visible, as embankments slope sharply towards Grove Street and the Woodland Country Club on the southeasterly side, and towards Route 95/128 on the west. The land levels off to the north towards the terminus of the MBTA Green Line (D) and tracks, and the Riverside Business Center that lies just beyond the station. The Charles River winds its way along the westerly side of the MBTA property, and the Indigo Hotel is located directly south of the property; the Indigo Hotel is owned by BH Normandy, the developers who have obtained an 87-year lease on the subject property. Except for a nine-unit condominium complex across Grove Street from the Hotel, the existence of Grove Street, the MBTA train tracks, the Charles River, and the interstate highway create edges the shape a somewhat discrete site; beyond which are the residential neighborhoods of Auburndale and Lower Falls. Approximately 9.4 acres of the MBTA-owned property are proposed for redevelopment, as shown on the preceding map.

## III. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use and Zoning

The entire 22.6-acre parcel is zoned for public use and the development parcel consists of 9.4 acres that are proposed for mixed-use development. The 9.4-acre development parcel must be rezoned to allow the proposed project and the newly-created Mixed Use 3 Transit-Oriented (MU3/TOD) zone is proposed for the site. This zoning district was developed to *“encourage comprehensive design within the site and its surroundings, integrate complementary uses, provide enhancements to public infrastructure, provide beneficial open*

*spaces, protect neighborhoods from impacts of development, allow sufficient density to make development economically feasible, foster use of alternative modes of transportation, and create a vibrant destination where people can live, work, and play.”*

The proposed development includes a mix of uses including:

- 290 residential uses totaling approximately 331,000 square feet in area in a five-story building facing Grove Street
- A single office building totaling 225,000 square feet in area and ten stories in height oriented towards Route 95/128
- 20,000 square feet of retail space
  - 5,000 square feet in the residential building
  - 15,000 in a two-story building next to the parking structure/multimodal center
- 8,000 square feet of community space

A multi-story Intermodal Community Facility (ICF) and parking structure will replace the parking currently located on the existing surface lot and is not included in the development parcel. As part of a state authority, it is exempt from local land use regulations.

By-right uses allowed in the MU3/TOD include general office uses above the first floor, retail sales, personal services, and eating and drinking establishments under 5,000 square feet in area. Multifamily dwellings along with public and community uses, such as community space, daycare, places of religious assembly, government offices or services, parks, gardens, schools, rail or bus terminal, public parking, and library or museums also are allowed by right. Car-sharing, bike-sharing, electric car-charging stations and other features that encourage alternative modes of transportation also are allowed by right.

At the discretion of the Board of Aldermen through approval of a special permit, medical offices and offices on the ground floor are allowed, as are ground floor health clubs, theaters, lodging, single-room occupancy units, assisted living facilities, and establishments over 5,000 square feet in area for retail sales, personal services, and eating/drinking establishments. Developments over 20,000 square feet also require special permit approval.

In order to ensure a vital mix of complementary uses, the MU3/TOD regulations require the development to have a community space and at least one use from each of three categories listed below with a maximum square footage in each category. These maximums may be adjusted by up to 10% provided that the total gross floor area in these three categories (excluding accessory parking), does not exceed 580,000 square feet: The square footage of buildings for the uses listed in Categories A, B, and C meet the maximums in each of these categories individually and in sum:

**Category A**, which includes office uses, shall not exceed 225,000 square feet (excluding offices incidental to residential, retail and/or community uses), the majority of which must be contained within one structure;

**Category B**, which includes services that support residential and office uses such as retail, personal services, restaurants, banking services, health clubs, places of assembly, and lodging cannot exceed 20,000 square feet, (excluding those uses that are accessory to a use listed in

Category A or C as determined by the Commissioner of Inspectional Services); and

**Category C**, which features a variety of residential uses, including multifamily, live/work space, home businesses, single-room occupancy dwellings, single-person occupancy dwellings, assisted living, and nursing homes may not exceed 335,000 square feet or 290 dwelling units.

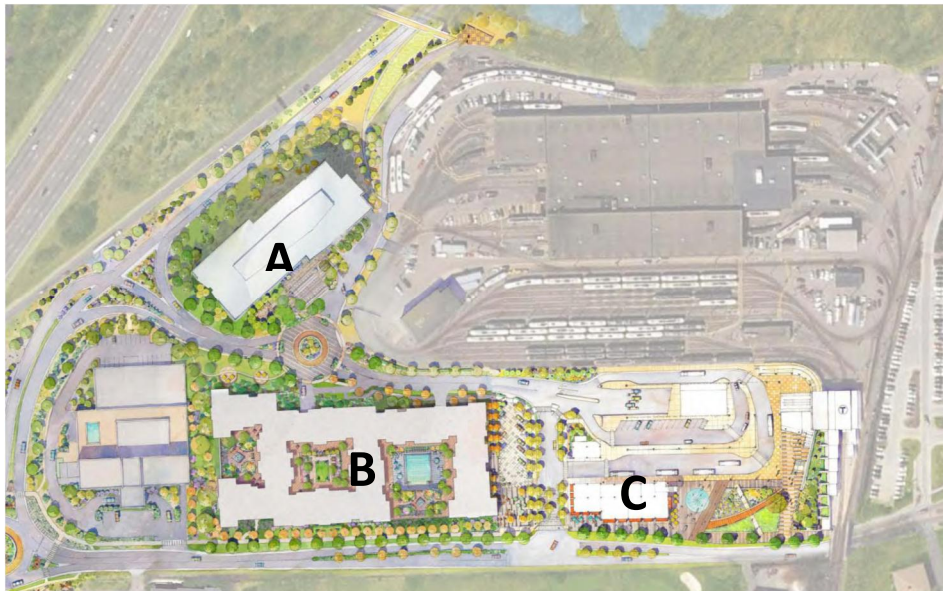
The Hotel Indigo on the adjacent land is zoned Business 5 (BU5) in keeping with its focus on the business interests along Route 95/128. The nearest Lower Falls neighborhood is zoned Single Residence 3 (SR3), the condominium across Grove Street to the south is zoning Multi-Residence 2 (MR2), the Golf Course is zoned Single Residence 2 (SR2), the Auburndale neighborhood on the easterly side is predominantly SR3, although some properties on the easterly side of Grove Street are zoned Single Residence 1 (SR1), along with some Lasell College properties (Attachments A & B). The proposed residential uses will expand the diversity of housing in the area by providing 290 rental-housing units.

The existing Public Use zone allows public streets and highways, commons, public gardens, conservation areas, playgrounds, public parking lots, railroads, waterworks, public cemeteries, and other similar uses. A mixed-use development would not be allowed under current zoning, so the property must be rezoned. The MU3/TOD is the most appropriate zone for realizing this type of development and a map change from Public Use to MU3/TOD is requested as part of this special permit. A request to change the zoning of a portion of the adjacent Hotel Indigo property from BU5 to MUC/TOD also is under consideration, as a portion of the access to the site is proposed to pass through the Indigo site, which also must be similarly zoned. The public hearing for that request was held on October 9, 2012 and was continued to a future date yet to be determined.

The office building is oriented towards Routes 95/128 in much the same manner as other office complexes that dot this transportation corridor. Its location is easily seen from the Interstate and will likely absorb vehicular traffic destined for the office building readily due to its orientation, access off the C-D Road, and location of parking directly beneath the building.

Specific retail/commercial business tenants have not been identified at this time; however the petitioner is requesting approvals for several uses that require special permits to provide them with flexibility in seeking tenants for the buildings (Attachment C), including office use on the ground floor; medical office use; retail and personal service establishments over 5,000 square feet; eating and drinking establishments over 5,000 square feet; retail banking and financial services; and health club on the ground floor. While staff appreciates the petitioner's desire to seek approval of a wide range of possible tenants at the outset, the combination of uses that occupy the available space will play a role in shaping the success of the development. Since there is a maximum of 20,000 square feet allowed for uses, establishment of just a few larger uses could quickly consume this allotment. For example, a 10,000 square foot restaurant and a 10,000 square foot health club could leave the site without basic amenities that would be desired by potential tenants, visitors, employees, and travelers to the site. To address this concern and ensure the viability of the site for mixed use, staff suggests that the special permit require (without being too specific) that the petitioner include some basic goods and services that will meet such needs. The Riverside Station Neighborhood Coalition (RSNC) conducted a local survey which identified preferences for smaller restaurants, cafés, food co-op, pharmacy, followed by bank, hardware store, and places for buying newspapers and sundries.

The zoning text also requires that prior to exercise of the special permit, creation of an organization of all owners of the land within the development parcel to function as a liaison group between the City and property owner(s) regarding compliance with zoning regulations. An advisory group to communicate with the neighbors, the organization of owners, and City during and after construction also is required, and membership of this advisory group must be provided for in the special permit and structured to ensure all neighborhood interests are represented.



**B. Building and Site Design**

The petitioner's site plan shows three buildings to be constructed within the development parcel labeled Buildings A, B & C that reflect the use Categories A, B, and C required by the MU3/TOD zoning text.

**Building A** is a ten-story, 120-foot-high building with 225,000 square feet of space intended for office use. The building is most directly accessed by car off of the C-D Road and 571 parking spaces are located in the first six levels of the building (one level is underground), and there are two loading bays to serve the building. Like many other similar office buildings and hotels along Route 95/128, the structure is oriented to the Interstate for visibility and ease of access. The Hotel Indigo is situated at the top of grade overlooking the site and because of the subject property is at a lower elevation, the new building will be largely shielded from view from Grove Street, but will be more easily seen from the homes in Lower Falls on the west side of the Interstate, though the nearest residence is approximately 500 feet away. While many homes on the opposite side of the Interstate have plantings that screen the highway side of their properties, additional plantings on



either side of the highway could be added further buffer the structure from their views, if desired.

**Building B** is a five-story residential structure of approximately 335,000 square feet and with 290 apartments and 429 parking spaces that parallels Grove Street east of the Hotel Indigo. On the ground floor and adjacent to the Grove Street entrance to the site, is total of 5,000 square feet of commercial space, which are served by 12 short-term parking spaces. The grade changes dramatically along Grove Street towards the Hotel Indigo at the southwesterly corner of the site, so the building will be nestled into the site and at that point about three stories will be visible above grade across from an existing condominium complex. The design of the building is articulated in such a way as to present a face to both the Grove Street frontage, but also with a primary entrance facing other retail uses and community center on the interior drive into the site from Grove Street. The design also provides areas for a variety of private outdoor spaces including landscape courtyards and a swimming pool. The building setbacks appear to be adequate to separate residential use from noise or light from other activities on the site; however, special attention should be paid to venting and hours of operation of the retail uses closest to the residential units so as not to expose residents to undesirable noise or odors.



**Building C** is across the Grove Street entrance from the residential building. The building incorporates 15,000 square feet of commercial spaces and an 8,000 square foot community use facility and is juxtaposed between the intermodal center facility that houses 1,005 parking spaces, Grove Street, and a large outdoor pedestrian environment. This two-story building will partially shield from view the five-level intermodal center, which will provide access to bus operations, passenger pick-up and drop-off, bike storage and taxi stands. Parking for these uses is proposed to be accommodated in the adjacent MBTA parking structure.

The petitioner has offered to build the community use facility for the benefit of the community, but has no long-term interest in overseeing its administration and maintenance. Whether run by a nonprofit or as a City facility, staff will be needed to calendar its usage. In order to cover staffing, utilities and other maintenance-related costs, fees should be established. Thus, additional thought needs to go into the details of its administration.

The colors of the buildings are proposed to be of warm wood and soft gray tones accented with white window bays. The bases of the retail buildings are in dark gray stone color that



will give the buildings a grounded appearance. Colorful canopies over the retail areas will add interest and distinguish these destinations. All of the buildings will be landscaped with trees, grass, and flowering shrubs. The exterior treatment is proposed to be of cementitious panels or planks (Hardi or similar) that are environmental-friendly with metal or similar accent trim. Details of colors and materials should be provided along with elevations of the buildings for review by the Urban Design Committee in advance of working session.

### C. Traffic Impacts and Access

Peer Review. Traffic engineers from Vanasse Hangen Brustlin prepared a Traffic Impact and Access Study (TIAS) on behalf of the petitioner (Attachment F), which has since been reviewed by a traffic engineering team from Fay, Spofford, and Thorndike (Attachment G), as well as the City's Transportation Director (Attachment H). Stantec, an engineering firm representing owners of adjacent property has submitted a review of the proposed impacts from the perspective of the owners of the Riverside Business Center (Attachment I). The TIAS looks at existing conditions, including traffic volumes, roadways and their geometry, crash history, and public transportation. It also projects future conditions based on historic traffic growth, site specific conditions and compares planned change against "no-build" conditions and considers mitigations, as needed. This report briefly summarizes some of the key features of the access plan and traffic impacts, particularly those items that the Peer Reviewer and Transportation Director found noteworthy. They will be discussed in greater detail in working session. (See Attachment F for contents and City website for full text: <http://newtonma.gov/gov/planning/current/devrev/hip/riverside/impact.asp>.)

The peer review concludes that the redevelopment of the site is well positioned to create a transportation-oriented development that takes advantage of the location near the Green Line, and interstate highway, with bus services. It concludes that the TIAS was generally well prepared and provides the necessary traffic data needed to evaluate the potential future traffic impacts and resulting multi-modal environment, and that the TIAS trip generation estimates are reasonable for the proposed land uses. The peer review, the Central Transportation Planning Staff, as well as staff from the Metropolitan Area Planning Council confirmed that the regional traffic projections anticipate a .4% annual growth rate. In response to queries about the accuracy of the distribution of traffic and counts, FST also conducted am and pm peak hour traffic counts on Grove, as well as at the driveways to the Riverside Business Center and found a slightly higher distribution of traffic to Grove Street. These findings have been reanalyzed per the peer review assumptions and the petitioner has agreed to look at updating mitigations, if needed. But, overall, the peer reviewer concludes that data collection and analysis procedures were conducted in accordance with the Guidelines for the Commonwealth. The key findings are as follows:

- Traffic mitigation strategies proposed are generally well-conceived and address key impacts.
- Traffic distribution pattern between the site and MassPike Exit 16 needs to be re-evaluated to reflect the likely route choices of users at peak times. Additional mitigation measures may be needed to keep demands on Grove Street north of the site at or below TIAS projections.
- Pedestrian crossing features of Option A are preferred over Option B-2, as they require crossing only one lane of traffic, rather than two on the north side of the

proposed Exit 22 east roundabout.

- Traffic operation features of B-2 are preferred over Option A, provided sight lines are protected for cars turning left onto the C-D Road.

Access. Vehicular access to The Station at Riverside focuses on two options referred to as Options A and B-2. Both Options include access to the site from a Collector-Distributor Road (C-D Road) that runs parallel to the Interstate. In either scenario, cars exiting the highway would be routed through a roundabout at the intersection at Grove Street to the C-D Road and directed with appropriate signage to a western entrance to the site, thus diverting traffic from Grove Street. The main difference between the two options is that B-2 allows right turns into and right/left turns out of the site, whereas Option A allows only right turns in and right turns out. The traffic engineers agree that people will arrive at their intended destination more quickly and directly in Option B-2, but consider both options acceptable, as Option A redirects cars heading west and south a short distance on Grove Street towards Lower Falls and the southbound onramp without entering residential neighborhoods.



### Option B-2

The peer reviewer and City Transportation Director share some concerns about the potential for conflicts at B-2 exit onto the C-D Road (circled above). Since cars driving north on the C-D Road will be approaching the intersection on a downhill decline of about 7%, they will be picking up speed. The curve in the road and the grade change may make it difficult for cars turning left out of the site to see cars approaching. They note it will be important to ensure visibility for a distance 270-300 feet from the driver's perspective while seated in a car (about 3½ feet high), given these conditions. A plan must be put in place to assure a clear view from accumulation of snow or vegetation that could impair visibility. Alternatively, staff suggests the petitioner explore the use of another roundabout here, as it may eliminate such issues.

Drivers that opt to enter the site from Grove Street can easily do so, whether arriving from either direction by using new designated turning lanes at a new signal located at the Grove Street entrance to The Station. The reconfiguration of lanes and installation of the signal at

the Grove Street entrance will greatly improve the level of service there. Designated turning lanes allow through traffic in either direction to continue to pass through the intersection without delay. In addition, there are two lanes that exit the site from Grove Street, which will minimize backup into the site and also reduce signal time delays for cars traveling on Grove Street, which is favored by the owners of the Riverside Business Center. The road will be widened slightly to accommodate these changes and to create a planted median similar to those found by the Riverside Business Center, thus improving its appearance overall while avoiding removal of mature trees on the easterly side of Grove Street. Yet, entering the site via the C-D Road results in fewer delays because there are no stoplights and drivers can keep moving, even if more slowly due to the traffic-calming effect of the roundabout.

Two questions have been frequently asked regarding the potential for direct access, both from the Interstate and/or from the adjacent Riverside Business Center. In response to these questions, State officials have said and City transportation engineering staff have concurred that direct access off of Route 95/128 is not allowed by FHWA standards. Access from the Riverside Business Center to The Station is only possible with the consent of the MBTA, which has not agreed to pursue this connection to date, citing security concerns as well as the need to retain maintenance and operations at this site. (Attachment J)

Roundabouts. The traffic engineers agree that roundabouts are a good choice for managing traffic at the intersections where proposed. The City's Transportation Director and peer reviewer recommend increasing the deflection at the right lane of the northbound exit from Route 95/128 to ensure reduced speeds there, particularly if a crosswalk is located in the vicinity. Street lighting at each of the pedestrian crossings and permanent crosswalk treatments, such as resin, stamped concrete or reflectors in addition to pavement markings could create a more visible crossing and add public safety protections, particularly for residents of the condominiums on the south side of Grove Street.

Many neighbors have expressed concerns about a roundabout west of the overpass closer to the Lower Falls neighborhood. Fears about new roundabouts are common, especially for those familiar with rotaries, which allow cars to move at higher speeds through intersections. Roundabouts are smaller and specifically designed as traffic-calming features that allow cars to travel through at about 15 miles per hour. Due to slower speeds and the fact that traffic is always moving in one direction, accidents decline dramatically and head-on collisions are virtually eliminated. With islands between lanes, pedestrians have a safe place to land halfway and only have to watch for traffic coming from one direction at a time. At the location near the entrance/exit ramps near Asheville Road, the roadway is proposed to be farther away from the residences than the existing roadway to create some deflection to slow traffic and to provide an additional buffer between the roadway and the homes. The petitioner also has offered to landscape this area to screen the roadway from the neighbors' views, if allowed by MassDOT and desired by residents. Overall, this should be an improved intersection and have less negative effects on neighbors.

Weave movements. Neighbors also have expressed concerns about the weave movements that occur along the C-D Road today. The proposed changes to the configuration of the northbound exit ramp and the revised merger from westbound entrance of the site are expected to improve this situation by reducing weaving movements significantly. The petitioner also explored ways to address a concern raised by residents regarding a weave

that occurs farther up the road near Exit 25 where it has been suggested that a new ramp be added to alleviate congestion there. Engineers for the project have discussed this with MassDOT, which has been actively looking into ways to relieve traffic in this area, as it has residual impacts throughout the interchange, particularly at rush hour. Unfortunately, because of the short distances in between decision points along this stretch, adding another exit is not a feasible option for addressing this problem.

Based on these analyses, as well as input from various City departments, residents, and the MBTA, the Transportation Director generally concurs with the technical memorandum prepared by FST and VHB with regard to the underlying assumptions including study area, existing traffic analysis, traffic growth adjusts, trip generation, trip distribution patterns, future no-building analysis, future access options and mitigation adequacy. He also noted the value of exploring a roundabout at the west exit onto the C-D Road not only to minimize the potential for collisions at this intersection, but also to reduce queuing on-site; if there are few gaps in the traffic on the CD Collector, exiting drivers may having a hard time making left turns and traffic will back up on-site.

Bicycle improvements. Amenities for bicyclists are provided on the site and include bike racks at each of the buildings, although the location for bike storage in the office building is somewhat obscure (located at the back of the ground floor of the parking structure) and consideration should be given to other more visible and convenient spots. Covered bike parking in the residential building is more conveniently located on the west side of the site. There will be 138 bike racks provided in a sheltered area near the retail/community use/ICF area for ease of use by train and bus travelers. Though Hubway bike rental stations have not yet extended as far west as Riverside, staff recommends the petitioner designate a location for a possible future placement of rental bikes, as it would be an appropriate enhancement to the multimodal center. A four-foot shoulder striped for bikers will be provided on both sides of Grove Street, and staff recommends the petitioner explore the possibility of reducing vehicle lane widths and adding a foot to each shoulder to create true bike lanes on each side. In addition, improvements could also be made on the bridge over the Interstate, as it is wide enough for two lanes of traffic, as well as sidewalks and bike lanes. The Transportation Advisory Group recommends cycle tracks there to provide added protection between users of all modes and to foster a Complete Streets approach (Attachment K); cycle tracks are marked lanes for bicycles that are separated from cars by striping and/or a physical barrier.



***Cycle track with raised divider***

Pedestrian improvements. Pedestrian routes are provided in and around the site. A sidewalk on the northerly side is proposed to connect with sidewalks on either side of the site, leading to Auburndale to the northeast and Lower Falls to the southwest. From the sidewalk at the main gateway on Grove Street the sidewalks circle around Hotel Indigo and back to the Riverside site. Pathways also lead to the overlook at the Charles River, swing by the offices, residential area, and commercial areas and community center before returning to Grove Street. Thus, it is possible to reach all the destinations within the development

parcel on foot.

No sidewalk is proposed on the south side of Grove Street, however. All the traffic engineers that have looked at this condition agree it is best to maintain pedestrian traffic on the north side only, as the south side crosses the slip ramp exiting northbound off the Interstate and travelers in a hurry could collide with pedestrians there. It appears that adding a sidewalk also would require significant tree removals, which the petitioner has sought to minimize on this scenic road. Shifting the roadway to accommodate a sidewalk on the south side would also impact the north side where the grade drops off dramatically, and retaining walls would be needed in some areas to incorporate the other desired sidewalks, lanes and landscaping.

The path that leads along the back side of the hotel towards the Charles River terminates at a platform that overlooks the river. The addition of the viewing platform allows for potential future connections to walkways along the river or abandoned rail bed if developed



in the future. The pathway to the overlook passes by the MBTA rail yard and some vegetation to screen the view of the tracks and storage of rail cars would be a welcome addition to foster a more natural outdoor experience and transition on the way to the river. Details of the overlook and proposed landscaping should be provided for Board review at working session.

At this point in time, conceptual plans have been considered but no permissions granted from the MBTA or DCR (who each own portions of these lands), or funding sources identified to develop such pathways and make connections that would allow for pedestrian and/or bicycle travel to other points of interest in the vicinity. During consideration of the zoning text for this site, several members of the Board of Aldermen expressed interest in pursuing these connections and, while off-site development of such trails and paths cannot be required of the developer, staff recognizes these are promising opportunities that could be pursued in parallel or in conjunction with development of this site. At a minimum, improvements to the site should not preclude the ability to make connections to either the rail bed that goes through Lower Falls to Wellesley, or to informal trails along the Charles River. Staff and several aldermen met recently to walk some of the aqueducts with similar interests in mind and are collaborating with regional planning staff to further these efforts and seize opportunities to expand the ways in which pedestrians and bikers can travel to destinations in natural settings and off the City streets.

#### D. Parking and Site Circulation

The site can be entered from two locations: 1) at the existing Grove Street entrance which becomes a northbound roadway, and 2) off of the C-D Road. The roads from these two entries meet near the parking structure. Thus, those entering the site from either direction can easily reach the MBTA structure as well as parking for Buildings A and B. There is a roundabout in the interior of the site between the office and residential buildings, which will

be an attractive gateway feature, and will also assure that only slow moving traffic will proceed through the site.

Parking requirements of the MU3/TOD are to be established through a shared-parking analysis that demonstrates that the number of stalls provided is sufficient for the uses proposed; with a combination of complementary uses, parking needs generally are less because people can park once and visit more than one place of business, thus eliminating the need for each business to provide its own parking spaces. Vanasse Hangen and Brustlin submitted a shared-parking study, which is being peer-reviewed by analysts from Fay, Spofford & Thorndike. The parking study provides information about probable utilization, and how overflow from one use can be absorbed by available space in another location.

To summarize, the Project includes a total of 2003 parking spaces throughout the site to serve the different uses. VHB used an Urban Land Institute model, which is a respected metric in the industry for the evaluation of the shared parking potential. The analysis discusses event parking, noting that game day traffic (46 days per year) all the MBTA parking spaces are needed to serve those riders and that during the rest of the year, there is excess of about 300 parking spaces available for use by the general public. It also notes that there are times when the Hotel Indigo has events which might warrant additional parking that could be accommodated in the office building (A) in the evenings when the structure is likely to be underutilized. The mechanics of this arrangement are needed, such as how a shuttle or valet system might work to accommodate overflow parking. Providing pedestrian access between Hotel Indigo and the subject property would make it easier for valet service to be provided by given valet staff direct access to vehicles on both properties. The parking management plan should include contingency plans for special events and game days and elaborate on how valet service would work at those times, such as was developed for the Marriott.

The parking for Building A is probably greater than needed for general office use in a transit-oriented site where all modes of transit are available; if 18% of residents use public transit, there will be sufficient parking for all who drive (where 20-25% typically take transit to such a location). But if fewer than 18% take public transit, the worst case scenario would cause an overflow of 55 cars that could be accommodated in the MBTA structure, assuming it does not occur on a game day.

Similarly for the residential Building B, about 1.5 spaces per unit are provided which, again, is high for a residential use by transit. The study notes that if the spaces are “unbundled” from the rental of the units, there will likely be enough spaces to manage any overflow from the office building or the retail uses.

There are a total of 12 spaces available for the retail uses, which total 20,000 square feet and where as many as 60 parking spaces might be needed to serve the retail uses and community center. Certainly, this number could be less if the community room is made available at hours when the retail uses are less likely to draw business, although there would be benefits to them being active at the same time. In any event, the petitioner proposes that the overflow parking be absorbed in the MBTA structure, where public parking is allowed. Again, this could work if there are no Red Sox games taking place.

Thus, the study points to the opportunities to share parking, but doesn't specifically identify

an implementation strategy for assuring maximum use. The study also doesn't account for pricing of parking, which influences driver behavior. Will there be charges for use in any of the structures on the development parcel? How will MBTA parking rates affect its utilization and other parking in the vicinity? Is an agreement with the MBTA needed to assure coordination of parking? A parking management plan should be submitted that ensures that at different times of day, week and year the use of spaces is coordinated so it is well-used by all who need to park there. Should such arrangements not be possible, the developer should consider whether limiting the hours of use of the community space to off-peak times to make sure there is no overflow of parking into residential areas.

The petitioner is requesting some exceptions to City standards for stall width, length, driveway widths for each of the parking structures. In Building A, the request is for 30 spaces that are 9'x18' feet where 9x19' is required and without the required maneuvering space, as well as entry and exit drives of 11 feet where 12 feet is required. Neither circumstance is of particular concern where parkers do not enter and exit frequently. For example, undersized parking in a shopping center would not be desirable there is a high turnover of spaces and drivers are generally parking in a different space each visit; the potential for conflicts increases in such situations. In an office or residential building where residents or employees arrive and leave once a day or so, and generally park in the same place, the incidence of conflicts is less. In Building B, there are 27 tandem spaces and end stalls without the required maneuvering space. Tandem spaces can be a challenge for the users and are not desirable from a consumer standpoint, as users need to coordinate schedules or shuffle cars to make them work. However, they can function satisfactorily in buildings where the users are assigned spaces and able to make such adjustments.

The petitioner has also expressed a willingness to implement Transportation Demand Management (TDM) in order to reduce the demand for parking and transportation impacts by providing incentives to change driver behavior. The success of such programs relies heavily on providing desirable incentives that are measurable and enforceable. The petitioner proposes to designate a TDM Coordinator within the site to employ all possible and practical measures; staff applauds this commitment, as it is one of the keys to success. Tools suggested include:

- Flexible hours to allow employees to commuter outside of peak traffic periods
- Provide transportation allowances to cover parking, transit or vanpool expenses
- Telecommuting option
- Promotional for bikers and walkers
- Incentives for bike and HOV commuting
- Give priority to local hiring
- Offer direct deposit to employees
- Provide guaranteed rides home
- Sponsor vanpools and subsidize expenses
- Preferential carpool and vanpool parking
- Subsidies to employees who purchase monthly or multiple trip transit passes

The use of Zipcars also can encourage people to downsize from two cars to one or to eliminate car-ownership entirely, as they provide the option for auto use without the ongoing maintenance and cost of storage. Staff recommends the petitioner consider

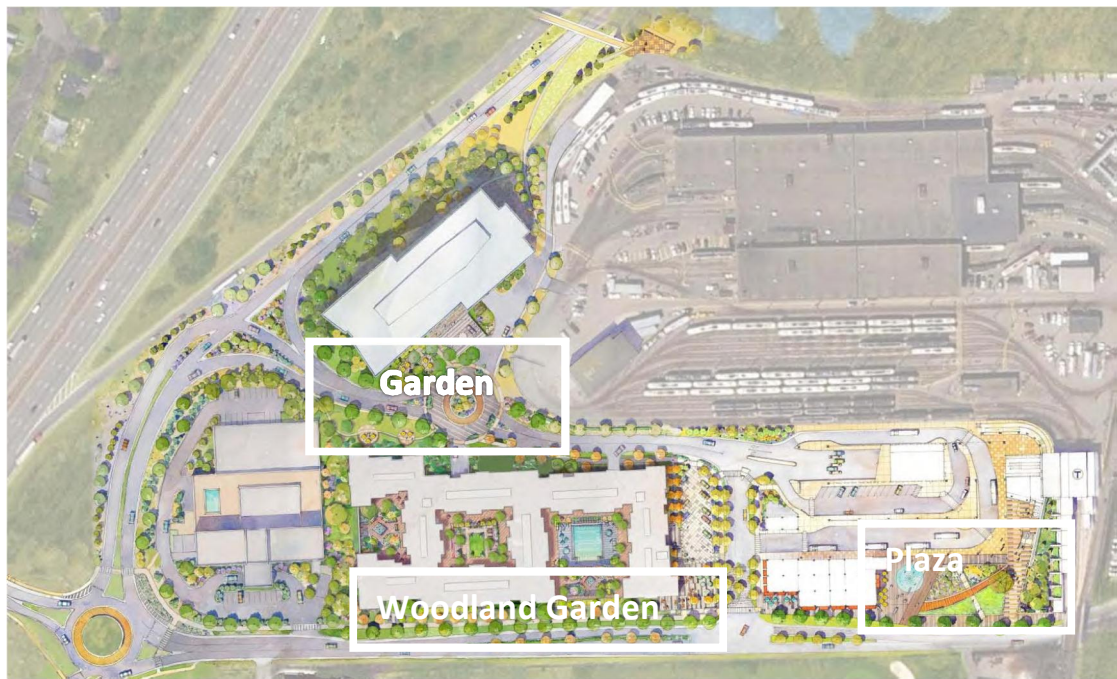
locating one or more on this site.

E. Loading

Per the zoning text, three are required for Building A (Office) and two are provided; however, they do not meet all the requirements for surfacing, grading, and lighting appear to extend perpendicular into the roadway. One loading bay each is required for Buildings B and C and none are shown. Staff has concerns about how deliveries for these buildings will be made, particularly when beds and furniture are delivered. Depending on the nature of the uses that comprise 5,000 square feet of commercial space in Building B, there may be a need for deliveries there, as well. The developers should address identify where deliveries will take place in a manner that ensures the internal circulation is not obstructed by such activities and so the tenants of the buildings are well-served.

F. Snow removal. Plans should identify areas where snow can be stored in the winter and/or what plans the petitioner has to provide for removal from the site.

G. Beneficial Open Space



The MU3/TOD requires 15% beneficial open space and the petitioner proposes 17.9% or a total of 73,073 square feet in area. Beneficial Open Spaces includes “areas not covered by buildings or structures that are available for active or passive recreation, which shall include, but are not limited to: landscaped areas, including space located on top of a structure, gardens, playgrounds, walkways, plazas, patios, terraces and other hardscaped areas, and recreation areas, and shall not include: (i) portions of walkways intended primarily for circulation, i.e. that do not incorporate landscape features, sculpture or artwork, public benches, bicycle racks, kiosks or other public amenities, (ii) surface parking facilities or associated pedestrian circulation, (iii) areas that are accessory to a single housing unit, or (iv) areas that are accessory to a single commercial unit, and controlled by the tenant thereof,



*and not made available to the general public*

Three distinct areas are proposed for outdoor public use.



**1 The Plaza.** Between Grove Street, the ICF, and the community use building is the “plaza,” with rain garden and flowering plants, including native and drought-tolerant plantings, particularly those that attract birds and butterflies. A splash pad/ fountain also are featured in the outdoor plaza, which includes a walkway that connects to the MBTA station. This area could be

activated when functions are held in the community space nearby, as well as to serve travelers and visitors to the adjacent retail space. Some sheltered space will further enhance the use of this space.

**2 The Woodland Garden.** On the west side of Grove Street near the residential building is the “woodland garden.” This space is for more passive enjoyment of the outdoors, with five seating areas in the shade of a row of large canopy trees with flowering understory trees beneath them, creating another layer of interest and shade.



**3 The Garden.** The landscaped areas between the office and residential buildings also provide seating and a community garden plot (see landscape details for garden plot on page L-1.2 of plans). Tables and seating are located in front of each of the buildings and a plot of land will be set aside for residents to cultivate. Pathways lead to



all these open space areas.

The arrangement of plantings shown on the landscape plans creates an array of interesting foliage and color, with shade trees where functional as well complementary to the architecture and use of outdoor spaces. The use of native plants with a variety of characteristics in the rain gardens and other places where they can be enjoyed at close range is an attractive feature of the plan. The plan provides variety yet continuity around the site that is thoughtfully conceived. A plan that indicates the size and types of trees proposed for removal also should be submitted for review by the City's Tree Warden.

H. Shadow Studies

The developer has included a shadow analysis that includes projections for 9 a.m., noon, and 3 p.m. during the summer solstice, autumnal equinox and the winter solstice. Studies were also conducted at 6 p.m. during the summer and fall. The Planning Department reviews the shadow analysis based on two main criteria: the impact of shadows on publically-accessible beneficial open space and the impact of shadows on adjacent properties. The subject site is relatively isolated from other neighborhood uses by I-95 and associated ramps, the Charles River, the MBTA facility, and Grove Street. Therefore, the shadow impact on adjacent properties will be negligible. The shadow impact on beneficial open space is minimal in the month of March until about 4 p.m. In June, September, and December the shadow impact on open space is minimal until 3 p.m. and becomes quite substantial between 3 p.m. and 6 p.m. The three areas designated as beneficial open space are in direct sun for a majority of the day, particularly the afternoon hours. In planning the landscaping, the petitioner should use plant material as a way of providing some afternoon shade so as to create a variety of sunny and shady areas within the beneficial open spaces.

I. Signage

The MU3/TOD zone allows for a comprehensive sign package. Signage for this site is predominantly focused on the office and retail uses. There are three 50-square foot signs on the office building to identify future tenants, with characters not to exceed 24". A monument sign and tenant directory will be located near the roundabout near the office. Two monument signs are proposed at the Grove Street entrance, one for the residences and one for the retail uses. Tenant identification signs for retailers will be oriented towards Grove Street with secondary signage to a maximum of 15 square feet in area proposed on the interior-side facing the Intermodal Facility. These signs will be scaled to the size of the businesses. Wayfinding signs that direct cars around the roundabout to the preferred entry points to the site will be key components of the sign package and should be provided for review by the Urban Design Commission, along with the elevations of the building and tenant identification signs.

J. Lighting

The petitioner has not provided a comprehensive lighting package. The subject property has a variety of characteristics. While there should be some continuity in the lighting around the site, the lighting for the residential component should be more in keeping with the use, emphasizing safety but minimizing glare and negative impacts on residents. Likewise, for adjacent uses, commercial style lighting fixtures may be more fitting but, again, with sensitivity to the effects on neighboring residences and the time of day during which the

lights are on outside. Specifications for all of the light fixtures should be provided for review by the Land Use Committee and the Urban Design Commission prior to the working session. In addition to the cut sheets for the lighting, the petitioner should provide a photometric plan showing that a minimum light intensity of one foot-candle is achieved over the surface of the parking facilities in accordance with City requirements or should request a waiver for those requirements if it appears such lighting will be problematic. In choosing and locating lighting fixtures, care should also be taken to choose fixtures that avoid spillage of light beyond the boundaries of the subject property. Light pollution should be minimized by utilizing lighting sources that are suitably shielded so as not to reflect light back toward the sky.

- K. Affordable Housing. A total of 290 rental housing units are proposed in the residential building along with approximately 5,000 square feet of retail use(s) to provide on-site amenities to support residential life and make it easy for residents to reside at The Station without having to drive for basic goods and services. The petitioner is committed to meeting the City's requirement for no less than 15% affordable housing units to be including among the market-rate housing at this site and a total of 44 units will be made affordable to households that make earn no more than 65% of the mean income and the rents will be in the range of \$1000 to \$1300 per month. The breakdown of units proposed is as follows:

<b>Unit Type</b>	<b>Affordable Units</b>	<b>Average square footage of Affordable</b>	<b>Market Rate</b>	<b>Average sq. ft. of Market Rate</b>	<b>Total Units</b>
<b>Studios</b>	3	622	15	630	18
<b>One Bed</b>	24	741	133	795	157
<b>Two Beds</b>	15	1171	88	1148	103
<b>Three Beds</b>	2	1350	10	1350	12
<b>Totals</b>	<b>44</b>		<b>246</b>		<b>290</b>
<b>Habitable Space</b>	39,905 sq. ft.		229,757		269,662

The developer of the housing units has indicated that the affordable units will be distributed throughout the structure and that the interior finishes and amenities for all units will be similar. There will be at-grade handicap accessible entries on each frontage and a number of the units will also be handicap accessible; there will be an overlap so that some accessible units are also affordable. The Newton Housing Partnership asked that the petitioner also

look at ways to make more direct connection at-grade to the MBTA station for persons with a disability. All tenants will be eligible to use the on-site facilities, which include use of the pool, landscaped courtyards, fitness room, teaching kitchen, surround sound theater, resident lounges, and clubhouse.

A single parking space will be provided for each of the units; additional parking for an estimated fee of about \$125 a month will also be available. As noted in the parking section of this report, “unbundling” the cost of parking from the cost of housing provides a price break to those who don’t own a car or have no need for a parking space; it also may be an incentive for some to downsize from two cars to one, especially if Zipcars are available for use and transit is readily available. Staff suggests the housing developer consider the possibility of separating the cost of the housing entirely from the rental of parking spaces so as to reward those who don’t own a car and use other means of travel. Given the shared parking strategies under consideration, this may also make more spaces available in the residential facility for rental to others who may need them on a regular or occasional basis. The developer pointed out that all parking is underground, and the land above will be landscaped.

When the Newton Housing Partnership reviewed this proposal, they offered their support for adding to the diversity of the City’s housing stock. They expressed a desire for the units to be eligible for the City’s Subsidized Housing Inventory and staff is seeking answers to the questions raised about eligibility. Meanwhile, the housing developer expressed a commitment to providing a quality project that will satisfy the legal requirements, including performing outreach for affirmative marketing as required by DHCD, providing information packets by mail and online among other means. The project also is proposed to meet the City’s sustainability goals and will be LEED-certified Silver, and use Energy Star appliances to reduce energy bills.

L. Accessibility.

The Mixed Use 3 zone requires that consideration be given to issues of accessibility, adaptability, visitability and universal design in development of the site plan. Such features of the residential housing are discussed above. The outdoor pathways are expected to be designed with suitable slopes and adequate widths to accommodate wheel chair access, as well as tactile warnings at intersections. Seating with arm and backrests and places for wheel chairs, as well as strollers will be provided. Buildings will meet ADA requirements for accessibility with larger stalls nearest building entrances, elevators and ramps. The Commission on Disability will provide further input on accessibility features of the design when it meets to discuss this project in November.

M. Project Phasing and Construction Management.

In order to develop the parcel where parking is currently located, the parking structure and ICF and the access drive leading to it will be built first. This work is expected to begin in the spring of 2012 and conclude by summer 2014. The offsite road improvement must be completed prior to occupancy of any buildings and is expected to begin in spring of 2013, ending by December of 2015. Meanwhile, the building construction will take place between June 2014 and October 2016. A detailed construction management plan will be required to ensure that construction activities do not create a disturbance for the surroundings.

N. Sustainability and Conservation of Natural Resources.

The petitioner is proposing a LEED-certified (Silver) transit-oriented development with accommodations for pedestrians and cyclists. It is expected that the proximity to light rail and bus service, as well as a mix of residential and commercial uses will minimize the number of single-occupant vehicle trips required. The petitioner should take care in attracting a diverse grouping of smaller retailers/service establishments in order to provide on-site amenities for workers in the office building and for the residents so they don't need to travel by car for basic needs.

In constructing the building, a majority of the existing materials will be reused. Although there will not be a large-scale demolition necessary, most of the asphalt, brick, and concrete will be incorporated back into the site to minimize waste and the need to truck materials off site. The disruption of natural resources will be minimal since the construction is proposed on what is almost entirely surface parking lot. The major natural resource affected is the Charles River, just north of the site. The petitioner has incorporated Low Impact Development techniques to maximize groundwater recharge and water quality by utilizing Best Management Practices to remove contaminants from surface water and provide infiltration on site.

The petitioner will integrate a number of water conservation measures to minimize the project's impact on the municipal water service. Among these measures, the petitioner will provide sub-metering for the utilities for each of the rental units. Sub-metering has been shown to encourage conservation of resources.

O. Environmental Review

The Massachusetts Environmental Policy Act Office is part of the Executive Office of Energy and Environmental Affairs (EOEEA) and reviews the environmental impacts of development projects and other activities that require State agency actions and that exceed MEPA review thresholds. State agency actions include the granting of State permits or licenses, providing financial assistance, or transferring State-owned land. The proposed project requires such filings because it requires a state permit and will generate 3,000 or more new average daily vehicle trips on roadways providing access to a single location and will include construction of 1,000 or more new parking spaces at a single location. The project requires an Access Permit from the MassDOT, a Sewer connection/Extension Permit from the MassDEP and an 8(m) Permit from the MWRA. The project is also expected to require legislative approval for a change in location of a portion of the 48-inch MWRA water transmission main and perhaps other land transfers. In addition, for MEPA jurisdictional purposes, the project involves a land transfer from the MBTA in the form of a long-term lease and the proponent may seek federal, state or local financial assistance. As a result of the project modifications since the filing of the ENF, no work is proposed within the DCR property. The project also requires review by the FHWA and a NPDES General Permit for Stormwater Discharge from Construction Activities and Stormwater Notice of Intent from the EPA.

The petitioners submitted an Environmental Notification Form (ENF) to the Secretary of Environmental Affairs in connection with a proposal to redevelop the site in June 2012 (EOEEA#14590), which required an EIR be prepared. The petitioner submitted a Draft Environmental Impact Report (DEIR) to the EOEEA in June 2011 (EOEEA#14590). A Final

Environmental Impact Report (FEIR) must be submitted prior to issuance of permits for construction of the project. The City provided comments to the EOOEA on both reports.

On behalf of the petitioner, Rizzo Associates has prepared a report summarizing investigations and response actions after identification of a release of oil and/or hazardous material at the MBTA facility. The firm evaluated disposal site boundaries, history, physical characteristics, the nature and extent of contamination through a subsurface investigation, migration pathways, and exposure potential. Contaminants on the site were confirmed, but their analysis found concentrations in the soil and groundwater were below MCP Method 1 cleanup standards and pose no significant risk. At the subject property, there were no reportable concentrations of contaminants in soil or groundwater and the assessment concluded that any localized petroleum impacted soil could be managed during site development activities.

P. Fiscal Impacts

The petitioners' Fiscal Impact Report prepared by RKG Associates, Inc. examines the economic and fiscal impact analysis of the proposed project including anticipated municipal service costs and revenues. Upon completion, it estimates the taxable real property assessment value of the project will be \$108,400,000 and is expected to generate \$1,900,000 in annual revenues to the City of Newton. The estimated cost to provide municipal services to the project is \$816,500 and the estimated education costs are \$624,800 based on an estimate of 44 school age children living on-site. After factoring in the total annual revenues and estimated service costs, there is projected to be a net annual revenue to the City of \$482,700 in real property tax, plus personal property tax of \$94,800 and other revenues of \$200,800. Thus, new annual revenues to the City are projected to be approximately \$778,300, or \$797,560 if you include the estimated \$19,200 Community Preservation act surcharge, which does not go to the City's general fund.

The petitioners indicate that based on data and information provided by representatives of the Newton Public Schools, the three schools likely to be impacted have excess capacity for FY2016, which is the estimated completion of the residential component of the project.

The Fiscal Impact Report indicates that the project will provide an estimated 1,297 direct and 1,225 indirect short-term jobs as a result of the construction, which is a benefit to the State. However, this estimate appears high in comparison with Chestnut Hill Square's estimate of 500 short-term construction jobs. In addition, the petitioners estimate there will be a one-time building permit fee to the City of \$3.5 million. It is anticipated that this one-time fee would offset any costs incurred by the City during the construction period, though the Planning and Inspectional Services Departments advocate for the funding of a "Clerk of the Works" position to oversee construction on behalf of the City.

Ongoing long-term employment is projected to include 935 direct jobs and 1,158 indirect jobs. Direct impacts include office and retail employment at the project. Finally, it is noted that the nearby Indigo Hotel could realize increased occupancy which could result in additional hotel sales and occupancy tax to the City, though this was not measured in the petitioners' analysis and projections.

Lastly, it is noted that approximately \$12 million in construction costs (labor and materials) is dedicated to Grove Street improvements, and approximately \$2.5 million has been allocated for relocation of a water line.

The fiscal impact report is subject to peer review which will be completed prior to working session. School Committee comments will also be sought and included at that time.

IV. COMPREHENSIVE PLAN:

The 2007 *Comprehensive Plan* seeks to provide additional housing units on underutilized land in close proximity to public transportation options, while providing a diversity of housing sizes and types that contribute to the stock of affordable units and enable a diversity of lifestyles. The Mixed-Use Element of the *Plan* elaborates on what the City desires in the way of larger mixed-use projects, which is to create a vibrancy and sustainability made possible by a more compact development, diverse array of uses and activities that both support local businesses and provide the amenities that allow residents to be able to live in an area without having to travel far for the goods and services. They should exemplify smart growth principles.. This proposal will help to accomplish all of these objectives. The *Plan* further states, "*Riverside represents a significant development opportunity which the City can ill afford to ignore. Riverside has the capacity, access to highways, public transportation and location to attract several million square feet of high quality mixed-use development. In fact, it is important to develop a dense enough project on this site to help pay to solve the access issues. The notion that a major parcel of land at the intersection of the Massachusetts Turnpike and Route 95 should remain undeveloped (and untaxed) is fiscally irresponsible and physically illogical.*"

V. TECHNICAL REVIEWS:

A. Zoning Memorandum

The Zoning Review Memorandum (Attachment C) provides a detailed analysis of the project with respect to zoning for 580,000 square feet of space for retail, residential, and office uses, along with a community use space. As noted, the multi-story intermodal community facility (ICF) and parking structure are not included in the development parcel and, as part of a state authority, are exempt from local land use regulations. Building heights allowed in this zone vary from 36 feet by right to 135 feet by special permit; the building heights proposed all are consistent with those allowed in the MU3/TOD by special permit. The regulations also require that any structure or building be set back a distance equal to at least half the height of a structure, so taller buildings must be farther from property lines (with the exception of state-owned properties where the setback can be zero feet); the setback for Building A is closer on the south side (towards Hotel Indigo) than allowed by right (2.6 feet where 60 feet are required), and the setback on the Grove Street frontage for Building C is closer than allowed by right (13.7 feet where 24.75 feet are required), so special permit approval is requested for both. A Floor Area Ratio (FAR) of 1.0 is allowed by right and up to 2.4 is allowed by special permit, and the FAR proposed for this project is 2.18. Beneficial open space totaling a minimum of 15% of the development parcel is required of which half must be open to the public; 17.9% beneficial open space is proposed (and described in further detail under the Landscaping section of this report). As noted under the Parking section of this report, the petitioner requests approvals for a number of parking-related exceptions to the standards for Buildings A, B & C, which are discussed in detail in the Parking Section of this report.

**B. Engineering Review**

The Engineering Division of the Department of Public Works has reviewed the Stormwater Management Report and site plans prepared by Vanasse Hangen Brustlin for the petitioner and concluded that a 60" diameter pipe beneath the proposed intermodal building will need to be relocated and made accessible for future maintenance. The Assistant City Engineer also notes a 48" water line owned by the MWRA must also be relocated, which will require extensive blasting and a blasting permit. He has requested additional information about sewage inflow to assess the need for upgrading the sewer system within this sewer basin/network. He also recommends undergrounding of overhead wires, as the area will be under construction with the alteration of sidewalks and curb lines and this would not only be a good time to do so, but would contribute to the City's overall efforts to seek undergrounding whenever possible for aesthetic as well as safety reasons. A management plan will be needed for the project to address all aspects of construction and must include phasing of the project, safety precautions, emergency contact, and ways to minimize impact to abutters. The report concludes that proposed drainage plans will improve both water quality and quantity exiting the site, an Operations and Maintenance Plan for Stormwater Management facilities, a 21E investigation, a NPDES Permit, and Stormwater Pollution Prevention Plan. He requested additional information regarding sewer system capacity to demonstrate a reduction in infiltration and inflow to the sanitary sewer system of at least eight gallons for every gallon of sanitary sewage contributed by the development, as well as testing after installation to verify acceptable functioning. This requirement is expected to substantially improve existing conditions after considering the impacts of the new development. Likewise, an analysis of water demands should demonstrate the water supply of existing infrastructure is adequate to serve the development, for fire suppressions as well as domestic demands. (See Attachment D for further details).

A peer review, prepared by Weston and Sampson on Drainage (Attachment E) evaluated the grading plan, utility plan, sizing of drainpipes and infiltration systems, compliance with Massachusetts and City of Newton Stormwater standards, compliance with Charles River Watershed TMDLs for pathogens and nutrients, and models used for Massachusetts Stormwater Compliance. Their report finds that the proposed project appears to be in compliance with evaluation criteria and, in general, the project will improve water quality and reduce peak runoff rates and volume through a reduction in impervious area by about a half-acre and the implementation of best practices and low-impact development. The report also cites the need for clarifying information, although noting it is unlikely to change their conclusions. The report concurs on the need to relocate an existing 60" drainage culvert where and to provide future access to it and recommends all existing drainage infrastructure be cleaned and inspected to ensure it meets the carrying capacities assumed in the calculations.

**C. Fire Department**

The Fire Department has requested a site plan that shows hydrant locations and Fire Department connections in addition to a plan that shows all possible turns and turnarounds with a bus 45 template (Attachment L).



- D. Newton Historical Commission  
The site is not located in the Auburndale Historic District, nor is it subject to review by the local historic commission. (For summary of site history, see Attachment M)
- E. Urban Design Commission  
The developer is expected to make a full presentation to the Urban Design Commission (UDC) prior to the working session on October 17<sup>th</sup>. Comments from the UDC will be incorporated into the working session memo. The UDC will provide feedback with respect to site design, signage, landscaping, lighting, building materials, and pedestrian/bicycle amenities. A plan detailing all building materials should be submitted for their review.
- F. Planning and Development Board  
The Planning and Development Board reviewed the petitioner's proposal to remove three trees on the northerly side of Grove Street, as removal of trees from a scenic road is under the Board's purview. The Board voted to hold this item in order to hear the petitioner's presentation on landscaping at the public hearing and better understand the context of the tree removals. The Board will be holding a public hearing on the proposal to rezone the site from Public Use to Mixed Use 3 and will forward its recommendations to the Board of Alderman after the close of its public hearing and prior to aldermanic action.
- G. Newton Housing Partnership  
The project review subcommittee of the Newton Housing Partnership met with the petitioner's representative on October 3<sup>rd</sup> and again with the full Partnership on October 10<sup>th</sup>. The group is generally supportive of the proposed housing, noting that it is consistent with their criteria of affordability, feasibility, suitability, livability, and sustainability. They wanted assurances that the affordable units would be eligible for the City's Subsidized Housing Inventory (SHI) and staff will seek clarification regarding regulatory standards to this end. They submitted a letter of support and other comments (Attachment N).
- H. Fair Housing Committee  
The members of the Fair Housing Committee met on October 3<sup>rd</sup> to review the proposal and concluded that the proposed unit type distribution at the residential portion of the development is not likely to have a negative effect on families with children, although noting the features of the development, in their view, are not likely to attract many families with children. They also raised some questions for which staff will seek additional information in an effort to ensure that housing is inclusionary in all respects. Like the Housing Partnership, they stressed the desire for accessible units for persons with a disability (Attachment O).
- I. Commission on Disability  
The Commission on Disability will meet in November to review accessibility issues on behalf of the City and their comments will be provided prior to working session.
- J. Conservation Commission  
The proposed project at Riverside Station will need approval from the Newton

Conservation Commission for a wetland delineation of all jurisdictional areas on the property, for any work in those wetland jurisdictional areas or the buffer zone, and will need to meet the Massachusetts Department of Environmental Protection (MA DEP) storm water regulations for a redevelopment project. Prior to permitting for that work, the proponents will need to clear an old expired Order of Conditions for prior work on the property under the Wetlands Protection Act. Any work proposed on land owned by the Massachusetts Department of Conservation and Recreation (DCR) in any wetland jurisdictional area or buffer zone also needs approval from the Conservation Commission. The developer has not yet submitted plans for review by the Commission and must do so prior to a working session on related issues.

#### VI. ZONING RELIEFS SOUGHT

Based on the completed Zoning Review Memorandum, the petitioners are seeking approval through or relief from:

- Section 30-13(g) for mixed use development in excess of 20,000 square feet
- Section 30-15(v)(1) for side setbacks for proposed office building (Building A) and front setback of retail/community building (Building C)
- Section 30-13, Table A, Footnote 1 for approval of office use on the ground floor, medical office use, retail and personal service establishments over 5,000 square feet, eating and drinking establishment over 5,000 square feet, retail banking and financial services, and health club on the ground floor
- Section 30-19(m) for consideration of parking-related requests for Building A:
  - Section 30-19(h)(2)a) for exceptions to parking stall width
  - Section 30-19(h)(2)b) for exceptions to parking stall depth
  - Section 30-19(h)(2)e) for exceptions to maneuvering space for end stalls
  - Section 30-19(h)(4)a) for minimum width for entrance and exit driveways
  - Sections 30-19(1)(2) and 30-19(1)(3) for number of required off-street loading facilities and/or design standards for same
- Section 30-19(m) for consideration of parking-related requests for Building B:
  - Section 30-19(h)(2)e) for exceptions to maneuvering space for end stalls
  - Section 30-19(h)(5)a) for tandem spaces
  - Section 30-19(i)(1)a) for landscape screening requirements
  - Section 30-19(j)(1)a) for one foot-candle lighting requirement
  - Section 30-19(j)(2)d) for surfacing and curbing requirements
  - Sections 30-19(1)(2) and 30-19(1)(3) for number of required off-street loading facilities and/or design standards
- Section 30-19(m) for consideration of parking-related requests for Building C:
  - Section 30-19 (1)(2) and Section 30-19(1)(3) for number of required off-street loading facilities and/or design standards of same
  - Section 30-19(d)(22) for shared parking
  - Section 30-19(i)(7) for approval of comprehensive sign package

#### VII. PETITIONERS' RESPONSIBILITIES

Prior to work session, the petitioner is expected to respond to provide information about

the following:

- Signs. Elevations and details, for both commercial and off-site wayfinding signs, including information about colors and materials of the buildings for review by the Urban Design Commission.
- Details of landscaping along pathway to the Charles River overlook.
- Deliveries. Information about how deliveries will be made to Buildings A and B so that site circulation is not obstructed by large vehicles and the buildings can be properly served.
- Trash pick-up. Additional information about the logistics of trash pick, particularly from Building C.
- Snow removal. A strategy for storing and/or removing snow from the site should be indicated.
- Parking Management Plan
- Transportation Demand Management Plan
- Potential for creating bike lanes on Grove Street
- Tree removal plan
- Construction Management Plan prior to Board approval.

ATTACHMENT A: VICINITY ZONING MAP

ATTACHMENT B: VICINITY LAND USE MAP

ATTACHMENT C: ZONING REVIEW MEMO

ATTACHMENT D: MEMO FROM JOHN DAGHLIAN, ASSOC. CITY ENGINEER, DATED OCTOBER 3, 2012

ATTACHMENT E: STORM WATER PEER REVIEW, WESTON AND SAMPSON, DATED OCTOBER 5, 2012

ATTACHMENT F: TRAFFIC IMPACTS AND ACCESS STUDY, VHB, DATED FEBRUARY 2012

ATTACHMENT G: TRAFFIC PEER REVIEW, FAY, SPOFFORD & THORNDIKE, DATED AUGUST 13, 2012

ATTACHMENT H: MEMO FROM BILL PAILLE, TRANSPORTATION DIRECTOR, DATED OCTOBER 9, 2012

ATTACHMENT I: MEMO FROM STANTEC, DATED SEPTEMBER 21, 2012

ATTACHMENT J: LETTER FROM MBTA, DATED OCTOBER 10, 2010

ATTACHMENT K: MEMO FROM TRANSPORTATION ADVISORY GROUP, DATED OCTOBER 5, 2012

ATTACHMENT L: MEMO FROM FIRE DEPARTMENT, DATED OCTOBER 9, 2012

ATTACHMENT M: LETTER FROM BRIAN LEVER, PRESERVATION PLANNER, DATED OCTOBER 11, 2012

ATTACHMENT N: LETTER FROM NEWTON HOUSING PARTNERSHIP, DATED OCTOBER 11, 2012

ATTACHMENT O: LETTER FROM FAIR HOUSING COMMITTEE, DATED OCTOBER 10, 2012