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City of Newton, Massachusetts
 Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

Setti D. Warren
 Mayor

Candace Havens
 Director

Public Hearing Date: November 27, 2012
 Land Use Action Date: January 22, 2012
 Board of Aldermen Action Date: February 4, 2013
 90-Day Expiration Date: February 25, 2013

DATE: November 16, 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

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 Ordinance, 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.



At the Land Use Committee's Public Hearing on October 16, 2012 members of the Committee and other members of the Board of Aldermen, as well as the public asked the petitioner questions about several components of the proposed project. In addition, the Planning Department's public hearing memo dated October 12, 2012 requested additional information on certain aspects of the proposal. The Land Use Committee voted to continue the public hearing in order to allow the developer time to respond. In the intervening weeks, the development team has submitted written responses to many of the issues raised at the public hearing. This memo summarizes these responses; detailed responses from the team have been posted at www.newtonma.gov/gov/planning/current/devrev/hip/riverside/default.asp. Additional information about the project proposal and previous staff and advisory committee comments can be found in the Planning Department's public hearing memo dated October 12, 2012. These documents are also posted on the City's website under the Planning Department's High Interest Projects link at www.newtonma.gov/gov/planning/current/devrev/hip/riverside/default.asp.

A. TRAFFIC AND PARKING

1. **Is a roundabout feasible at intersection of the Collector/Distributor Road (CD Road) and the proposed new entrance to the site?** The developer responded that during initial discussions with the Massachusetts Department of Transportation (MassDOT), a roundabout was considered for this intersection. After subsequent review of this option, the developer concluded it would not be beneficial since roundabouts are most appropriate to control a three- or four-way intersection and the subject intersection would have only two controlled directions. However, the developer also recently stated that the most likely scenario for this intersection is Option A, the right-in, right-out only option. The Planning Department continues to encourage the developer to consider a roundabout at this location, as it would serve to calm traffic along this stretch where cars are likely to otherwise be picking up speed due to the downhill slope, and would enable left turns (southbound) out of the site towards Grove Street and Route 128 southbound. This movement is a version of Option B-2, which allows right- and left-out turns, without the issue of dangerous sight lines that were identified as a problem with this option by FST, the City's traffic peer reviewer.
2. **How will people be encouraged to use the CD Road to access the site?** The internal circulation of the site has been designed to allow for free flow access to all facilities via the Collector-Distributor Road (CD Road). In contrast, cars entering the site from Grove Street must stop at a stop sign before proceeding further, giving priority to cars entering from the CD Road. In addition, the petitioner is proposing several on-site and off-site wayfinding signs that will encourage drivers to use the CD Road whenever possible.
3. **Has the developer submitted a Transportation Demand Management Plan that encourages employees, residents and visitors to use alternative modes of transportation to access the site?** Although the developer's special permit application includes a section on transportation demand management, it does not indicate how these strategies would be implemented at the Riverside Station project. The Planning Department's October 12th memo requests submittal of a Transportation Demand Management (TDM) Plan prior to a scheduling a working session on this project. Subsequent to the public hearing, the developer submitted a more detailed TDM Plan.

In this Plan, the developer has committed to hiring an on-site TDM Coordinator who will provide technical assistance to tenants; disseminate information on alternative modes of transportation; develop related marketing materials; develop and implement appropriate TDM programs; and monitor the effectiveness of these measures. In addition, the TDM Plan also includes a commitment from the developer to:

- Join the Route 128 Business Council;
- Provide a direct connection to the MBTA platform from the office and residential buildings so pedestrians can easily and safely reach the train station;
- Provide comprehensive commuter information on site; and
- Facilitate bicycle and pedestrian travel throughout the internal pathway and sidewalk network.

Planning staff also believes that a TDM plan must be quantifiable, verifiable, and results oriented and requests that measures be put in place to assure its success.

- 4. Has the developer submitted a Parking Management Plan that outlines how parking will be managed in general and specifically on days when parking supply may exceed demand in the MBTA's parking structure (i.e., Red Sox game days)?** The developer has submitted a Parking Management Plan. Of particular interest, the Plan details where visitors to the retail uses and community space will be expected to park. In general, the Plan proposes that visitors to the residential building and the retail space nearby will share 12 surface parking spaces. Additional retail customers and users of the community space will park in the MBTA parking structure where there will be designated short-term parking spaces on the second and third floors. The details of this arrangement, including associated costs and the number of short-term spaces, have not yet been worked out between the developer and the MBTA. The Planning Department encourages the parties to continue to work together to develop the specifics of this plan before a working session is scheduled on this issue.

In addition, the Parking Management Plan outlines procedures that will be undertaken on Red Sox game days to ensure that potential overflow parking from the MBTA structure is contained on-site and does not adversely affect the surrounding residential neighborhoods. The developer intends to conduct active monitoring of the supply and demand for parking spaces within the MBTA facility game days. To accomplish this, parking attendants will be enlisted to keep close track of available spaces and direct drivers to these areas. In addition, if the MBTA structure reaches its capacity, the parking attendants will direct drivers to other areas of the site, specifically the parking structure under the office building that can accommodate this excess demand.

- 5. Why are we relying on the parking in the MBTA parking structure?** The developer's parking consultant conducted an assessment of existing conditions at the Riverside MBTA station and found that of the 960 surface parking spaces on site, on an average day (not including Red Sox game days), approximately 300 parking spaces are available at any given time. The new MBTA Intermodal Commuter Facility (ICF) will contain 1,005 parking spaces, 45 more than exist on-site today. The developer contends that these additional spaces will be reserved for short-term parkers visiting the retail establishments and/or the community center. Although the developer has spoken with

the MBTA about this possibility, there is no agreement yet as to how this will work effectively. Before a working session is scheduled on this issue, the developer should work out these details with the MBTA to present to the Land Use Committee.

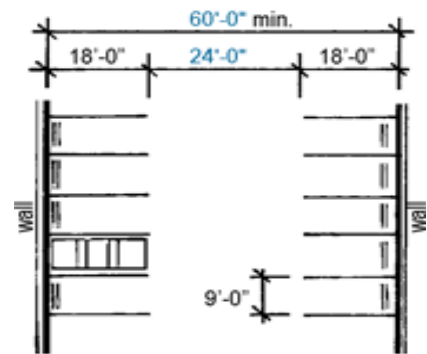
In addition, the developer has requested that the site be rezoned to the newly adopted Mixed Use 3/TOD zoning district (MU3/TOD). Mixed-use developments in this zoning district are not required to provide a set number of parking spaces based on pre-set ratios as is required in all other zoning districts in the City. Instead, the parking requirement in this zone is set based on a shared-parking study prepared by the proponent and reviewed by a peer reviewer and the Planning Department. The Riverside Station developer included a parking study in the initial special permit application. The developer aptly refers to this study as a “Parking Justification Assessment” as it lays out the proposed uses for the site and explains piecemeal how the parking will be adequate for each use on the site (i.e., the employees will have exclusive access to the parking under the office building, the residents will have exclusive rights to the parking under the residential building and if there is overflow in either of these structures, people will utilize the MBTA ICF).

The Planning Department is disappointed with this analysis. It falls short of its intended goal of analyzing shared-parking opportunities between all of the users on the site. Instead, the developer proposes all overflow parking, as well as retail and community center parking will be funneled to the MBTA facility. Only on a limited basis on Red Sox game days is there any discussion in the Parking Management Plan of using the other parking on site for shared parking. Planning staff is mindful that the site – at a Green Line transit station – should not be over-parked. Furthermore, we believe that the applicant should do more work in this area and revise the parking study prior to scheduling a working session to integrate shared-parking throughout the site, taking into consideration how special event parking at the Hotel Indigo might share use of spaces on the subject property to offer a more integrative setup.

A peer review by Fay Spofford and Thorndike (FST) has been completed (Attachment A) and will be discussed in greater detail in the working session. To summarize, the analysis aims to consider whether parking for the site is appropriate to the intensity of development, given the uses and hours of operations, as well as the availability of alternative modes of travel. FST’s initial response to the Parking Study in the Traffic Impact Analysis (TIAS) suggested that the parking strategy was not clearly defined and that a number of questions needed to be answered regarding where retail and community space users will park, and that information about parking charges was needed to determine their influence on parking behavior and how effectively parking will be shared among users. Their general conclusions are that *“from a traffic demand perspective, the shared parking management strategy will support the goal of minimizing the site-generated traffic demands”* and that typically the existing facilities will accommodate anticipated parking demand. The fact that patrons will be required to pay to enter the MBTA structure will be a deterrent to short-term stays and, as such, suggests that further consideration should be given to shared use in the garages on the subject property at different times of day, such as allowing parking in the office and

residential parking structures for the community use and retail uses. To reward those who use cars less, it suggests setting aside convenient spaces in the office building for carpoolers, designating spaces for ZipCars, providing MBTA passes for employees, negotiating for upgrades to the Riverside Station transit services, publicizing transit schedules prominently, and joining a TMA, which the developer has agreed to do. Again, staff encourages the developers to further detail and refine their parking management and transportation management plans to offer certainty and success of the parking arrangements.

- 6. Has the developer considered renting the residences and the associated parking spaces separately to reduce parking demand and provide residents with a financial incentive to find ways to access the site other than by single-occupancy vehicle?** The “Parking Justification Assessment” includes a parking ratio for the residences of 1.48 parking spaces per unit. The Assessment notes that each residential unit will be rented with one parking space. Other parking spaces will be available for an additional cost. More recently, the developer also submitted a memo from Criterion Development Partners, the company that will build and operate the residential building, which describes in detail the company’s target market for the apartments at Riverside Station. Criterion believes that the people most likely to rent in this location are single professionals in their late 20’s and early 30’s. Criterion also believes that its target market is interested in global sustainability and may decide to locate at Riverside Station due to its proximity to several public transit options. Given this analysis, the Planning Department continues to encourage the developer to decouple all parking spaces from the base rent for an apartment. This could provide a price break for those who do not own cars and allow for unused spaces to be shared among the others uses on the site by permitting some retail customers or community center users to park in the garage under the residences.
- 7. Why are the parking stalls in the office garage smaller than required by the Newton Zoning Ordinance?** The parking garage stall dimensions follow established norms and are related to the office building column grid above. In nearly every office building the developer’s architect has designed, office building and structured parking column grids are 60’ across, with 18’ long stalls, 24’ wide drive aisles, and 9’ wide typical spaces (see diagram). According to the architect, in every case, these dimensions have served the projects adequately. Completed projects with 18’ long stalls include Cambridge Discovery Park and the CDM headquarters, both located in Cambridge.



- 8. If traffic increases by 10% above current projections for the project, how would that affect the surrounding neighborhoods and intersections?** The developer’s traffic consultant, VHB, preformed a supplemental assessment of several intersections close to

the site to determine the level of service at these intersections if traffic were to increase by 10%. The consultant found that the level of operation at these intersections remained unchanged even with this increase in site-generated traffic.

9. The City's traffic peer reviewer, FST, recommended revising site traffic distribution and reanalyzing 13 intersections. Were there any significant changes to the levels of service with this revised traffic distribution? The developer's traffic consultant, VHB, reanalyzed the 13 intersections. As a result, VHB recommends that the developer add signal timing/phasing optimization mitigation at the following intersections:

- Washington Street and Perkins Street
- Auburn Street and Commonwealth Avenue

10. Will the roundabouts been screened from residential properties? The developer contends that the proposed roundabout and revised roadway on the west side of the Grove Street bridge will not be any closer to residential properties than it is today. In fact, the goal of the design of the road was to move it farther from the residential properties wherever possible. In addition, the developer has agreed to add landscape screening between Grove Street and residences where feasible.

B. BICYCLE AND PEDESTRIAN SAFETY

1. Will a sidewalk be provided on the south side of Grove Street? The developer has repeatedly contended that a sidewalk on the south side of Grove Street is infeasible and undesirable. In order to provide a sidewalk of adequate width, Grove Street would have to be widened even more than is currently proposed. Instead of adding a sidewalk, the proponents have proposed a crosswalk at the roundabout at Grove Street and the CD Road. FST, the City's traffic peer reviewer, recommended that the developer reexamine this proposed crosswalk and also suggested as an alternative that eastbound pedestrians who want to cross to the north side of Grove Street could walk along the bike lane to the traffic signal at the Grove Street entrance to Riverside Station. The Planning and Traffic Engineering staff agree that a sidewalk on the south side of the street would be difficult to construct, and also that the creation of bike lanes is likely to encourage cycling along this roadway and are best reserved for cyclists. We agree a reexamination of the roundabout design is important to make sure this is a safe place for crossing and to best serve pedestrians in that area, particularly the residents of the Grove Street Condominiums. Further deflection of the roundabout and other means of slowing exiting traffic, and a splitter island between lanes as a refuge for pedestrians should be considered to assure traffic is sufficiently slowed in order to create a safe condition for pedestrians there.

2. Could the travel lanes on Grove Street be narrowed to allow for wider bike lanes? This question was asked both at the public hearing and by FST, the City's peer reviewer. The developer responded, "Consistent with the directives by the City throughout the development of this project, the width of improvement along Grove Street has been minimized to remain consistent with the current character. Also as requested, bicycle accommodation has been maintained as part of this plan within the currently proposed

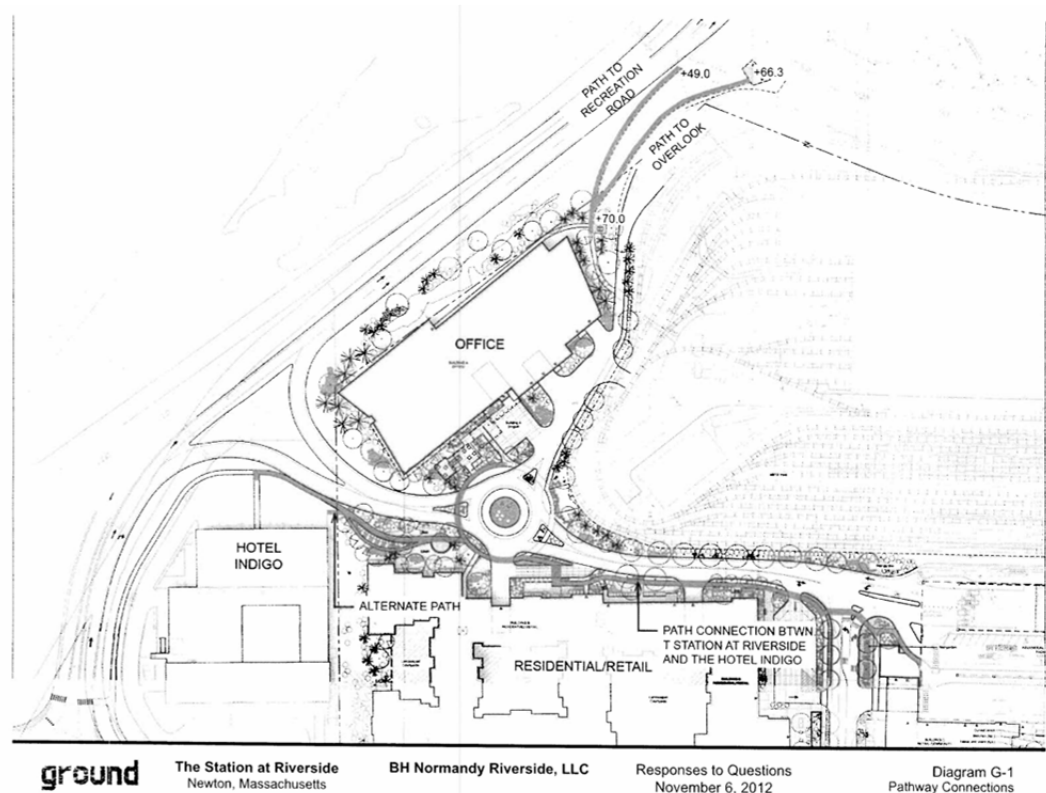
roadway configuration. Expanding the roadway by two feet to increase the bike accommodation by one foot in each direction does not appear necessary.” (VHB memo dated October 15, 2012, p. 12). The Planning Department continues to encourage the developer to design the bicycle lanes along Grove Street to as close to five feet as possible. The developer’s response does not seem to address the question of whether the vehicular travel lanes could be narrowed in order to accommodate wider bike lanes. Neighbors at the Riverside Business Center prefer *not* to see lane widths reduced out of concern that it will slow traffic to their location. Thus, the interests of users of all modes of transportation need to be balanced to accomplish several objectives. As a multimodal center on a scenic road, it is important to enhance alternatives to the automobile, and some modest trade-offs between vehicular lane width, bike lane width, and median width while maintaining the trees on the south side of the road deserve a closer look.

3. **Is there covered bicycle storage in the office building?** There is covered bicycle storage in both the residential garage and the office building parking structure.
4. **Does the site plan include an area for bicycle rental stations?** The current plans do not show an area for bicycle rental stations. However, the developer contends that will be adequate bicycle storage for commuters and other visitors to the site within the MBTA’s Intermodal Commuter Facility.
5. **How will children safely get to the Williams School?** The developer has committed to providing a crossing guard at the intersection of Grove Street and the Route 128 northbound ramp to facilitate safe pedestrian crossing at this location. Additional information is needed regarding about how the crossing guard will be hired and how this position will be funded. Will the guard be a City employee paid for by an annual contribution by the developer or will the guard work directly for the developer? These details should be considered to assure consistent safety surveillance at key times of travel by children.
6. **Will there be a connection between the Hotel Indigo and the Riverside Station?** There are direct pedestrian path connections between the Riverside Development and the Indigo Hotel on both the south side of the internal roadway and from the office building. The plan has c hanged slightly from the one shown at the public hearing to avoid interfering with a required parking stall on the hotel property.

Although the special permit being requested for the Hotel Indigo site is a separate matter, the Planning Department sees an opportunity to improve access for deliveries to the hotel site via the Riverside access road proposed to traverse the rear of the hotel property. Vehicular access in this location would also allow hotel traffic more direct access to Route 128.

C. OPEN SPACE

1. **Could the developer provide more details about the proposed Charles River overlook and the path system within the development site leading to the river itself and/or to off-site amenities?** Subsequent to the public hearing, the design team further refined its on-site pedestrian circulation strategy. Crosswalks have been relocated slight farther from the center of the roundabout to facilitate good, safe connections for pedestrians where pedestrians can more easily see traffic and be seen.

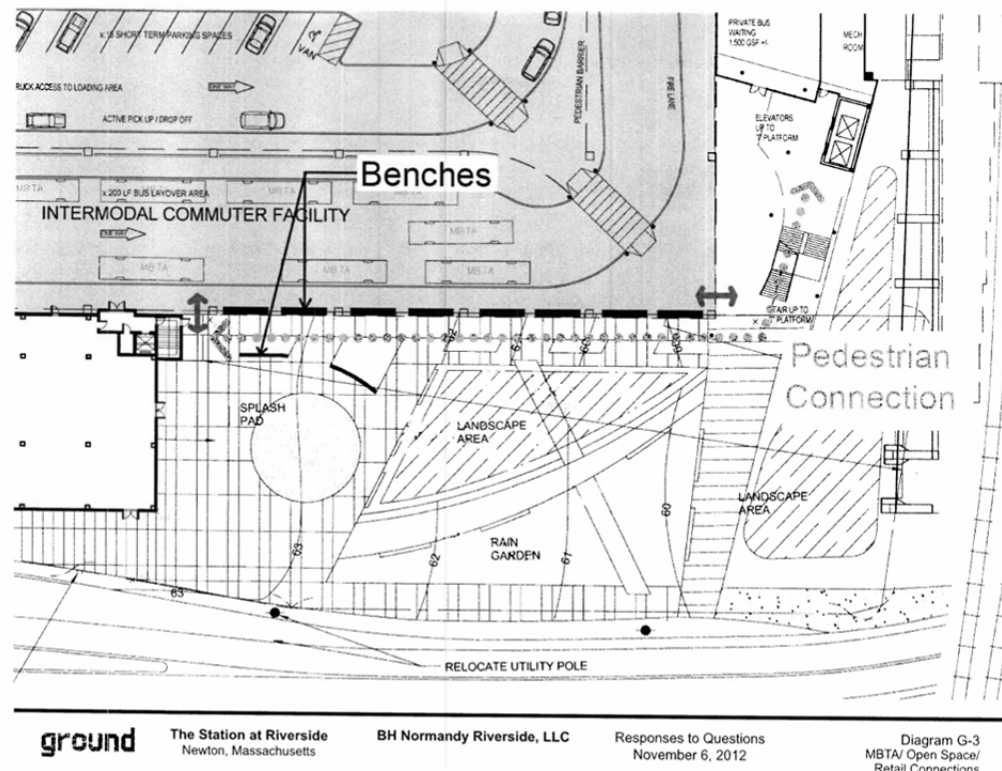


In addition, it is the development team's intention to provide a path down to Recreation Road and also another path out to the seating/picnic area overlooking the Charles River Basin. The path to Recreation Road would descend approximately 21 feet while the overlook would remain at the upper level. The two paths sit on MassDOT and Massachusetts Department of Conservation and Recreation property and, as such, their execution would be subject to obtaining approvals from the two governmental agencies.

Approval for any pathways within riverfront or other jurisdictional wetland would also needed from the City's Conservation Commission. The Planning Department recommends that preliminary designs for any pathway system, even if it includes off-site improvements, be brought to the Commission at an early stage in the design process to solicit input. This will help ensure that the connections are desirable and could be permitted by the Commission when the time comes to begin construction. The Department also notes that the MBTA has several outstanding Orders of Conditions (OOCs) with the Conservation Commission for earlier projects on this property. These OOCs should be closed out by the agency before construction can begin on this site for

any new development.

- Could the developer provide more details about the interrelationship between the retail area and open space with the MBTA ICF?** Retail space is attached to the ground floor of the Grove Street side of the MBTA facility with open space separating it from Grove Street. The open space and the retail both benefit from the movement of people coming and going from the surrounding neighborhoods to the MBTA station. People will be crossing the park, using the benches, or grabbing coffee or snacks from the retail businesses. It is intended that the MBTA facility be visibly porous at the ground level, yet be designed to avoid any dangerous conflicts between pedestrians and vehicles. People who park in the MBTA facility will be able to get to the retail shops by way of two primary connections between the garage and the open space: the first is at the elevator to the community space and upper garage levels, and the second is at the stairway up to the train level. The remainder of the south edge of the MBTA facility will include benches that provide seating for the bus users as well as to discourage cross movement.



The landscape design reinforces the selective separation of the MBTA facility and the open space with planting beds and trees lining the edge of a pathway along the MBTA façade, and seat walls that define the edge to the children's splash fountain area, providing a physical barrier. This design is detailed in the diagram shown above.

- Which trees on the site will be removed?** The developer has not provided a tree removal plan, but has indicated that every tree on the site will have to be removed to accommodate the redevelopment program. The total caliper inches of existing trees

over eight inches on the site that will be removed has been estimated at 2096 inches. The total caliper inches of proposed new trees equals 362. Although the Newton Tree Ordinance does not apply on this site because the property is owned by a State entity, it is being developed with a for-profit project. The Planning Department feels this project fails to meet the spirit of the Ordinance by replacing only 17% of the caliper inches that will be removed and recommends additional trees or payment into the City's tree replacement fund as would be required if the land were in private ownership.

D. URBAN DESIGN/SITE PLAN REVIEW

1. **The office building and the residential building appear large and overwhelming. What can be done to soften their appearance and massing?** The developer's design team has attempted to be sensitive to the overall massing of the buildings. The office building is broken up into four different façade types: the glass over the entrance, the precast façade to the left of the entrance with two-story window openings, the precast façade to the right of the entrance with one-story window openings, and the metal panel façade facing the highway. The design team is committed to mitigating the visual impact of the large building on the site and will continue to work toward this goal.

Criterion Development Partners will be developing the residential structure. Their architect is working on a design, which will incorporate the townhouse feeling. However, the stoops may not meet accessibility standards and the architect for the residential building is consulting with an accessibility expert. The developer should be prepared to bring samples of the materials that will be used on all of the buildings in the development to a working session in the future, as well as to a meeting of the City's Urban Design Commission for their review and input.

2. **Could the developer provide a photometric site plan and provide cut sheets for the proposed lighting fixtures?** The developer's design team has engaged a lighting design firm to work on the project to establish appropriate light levels required across the site and to help in the selection of light fixtures per the Stretch Code and aesthetic considerations. The developer should submit this information before a working session is scheduled on this issue.
3. **The submitted site plans do not show areas for snow storage or a plan for its removal.** The developer has committed to working with the MBTA to develop a plan and designate such areas; this should be submitted before a working session is scheduled.
4. **The site plans do not indicate how trash will be picked up and removed from the site.** The developer should submit a trash removal plan before a working session is scheduled.
5. **The site plans do not adequately address accessibility issues or necessary design features for individuals with limited mobility.** Accessibility features of the site plan

were review by the Commission on Disability on November 19th. While the Commission's comments were generally favorable, particularly with regards to the access from the office area to the overlook near the river, they also offered some suggestions to make the site even more convenient for the disabled: 1) Redistribute handicap parking spaces close to entrances to both first and second floor of the parking structure, where they can easily access community spaces, retail area, and the train station; 2) locate accessible and adaptable units within the structure so they are nearest the elevators; 3) ensure an easy path from the residential area to the train station, including consideration of a midblock crosswalk (staff will investigate further to determine if this is a safe place to cross). One issue that was raised was that the number of handicap parking spaces should not be reduced in the same way as parking spaces generally are reduced for mixed-use developments because it is not as likely for persons with disabilities to park and visit more than one place at a time, as might be the case for able bodied individuals (Attachment B). The developer has indicated a commitment to providing an appropriate number of handicap spaces and the Commission on Disability is willing to assist in the effort to determine the best locations and number of spaces. The Committee also questioned if there would be a charge for handicap parking in the parking structure, so staff will investigate the applicable laws and discuss further with the MBTA. Finally, the Commission suggested an accessibility consultant review access throughout the site and within the buildings.

6. **The submitted site plans do not show how deliveries will be made on the site.** The proponent has requested a special permit to waive strict compliance with the Newton Zoning Ordinance's requirements for loading areas. The Planning Department would like to see how the developer plans to service the buildings on site or accept deliveries without these loading facilities. A loading and delivery plan should be submitted before a working session is scheduled.
7. **The submitted site plans do not show an access plan for the Fire Department.** The developer should submit a fire access plan, approved by the Fire Department, before a working session is scheduled.
8. **Could the developer provide more information on the phasing of the project and submit a Construction Management Plan?** The developer has stated that the project will be phased over time. The MBTA ICF will necessarily be built in the first phase to make space available for the rest of the redevelopment project. More information on the phasing should be submitted before a working session is scheduled. In addition, the MU3/TOD zoning district includes a provision that requires that any enhancements to public roadways to be completed prior to issuance of any occupancy permits.

NOTE: *The developer is expected to make a full presentation to the Urban Design*

Commission (UDC) prior to the working session. 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 Commission review.

E. USES

- 1. The proponent has requested a special permit under the MU3/TOD zone to allow medical offices on-site. Why isn't this use included in the developer's parking analysis?** Section 30-19(d) of the Newton Ordinance lists different ratios for required parking depending upon use. In this section, general office use requires four parking spaces per 1,000 gross square feet. Because medical offices usually attract more visitors during the day, the parking ratio for medical office use is higher: five parking spaces per 1,000 square feet. As noted earlier in this memo the parking requirement for mixed-use developments in the MU3/TOD zoning district is based on a shared-parking study and not on the current ratios in Section 30-19(d). Nevertheless, if the developer intends to attract medical offices to the site, an acknowledgement that this use may have a more intense parking need should be included in the shared-parking study. The developer should be prepared to address this issue at a working session.
- 2. Will basic goods and services be provided on-site within the 20,000 square feet of retail uses?** The developer does not have a specific list of tenants for the site yet. However, in the context of discussions about traffic and parking the proponents have consistently stated that the retail uses on-site are intended to be goods and services that will primarily serve the people already at Riverside station (i.e., residents, employees and commuters) rather than to be destination retail stores and restaurants.
- 3. While the proposed 8,000 square foot Community Center will be an on-site amenity, who will operate the center?** The development team has stated that while it is willing to build the Community Center, it is not interested in operating it in the future. Several Aldermen expressed concern that Community Center will be a burden on the City's limited resources. The developer's representative and Planning staff met with Alderman John Rice to understand the Hyde Center operations and determine if the Hyde Center would be a suitable model for this new community space. The development team is currently working on a plan to potentially turn the administration of the Community Center over to a non-profit operator who will make the space available to community groups on an as-needed basis.

F. WATER AND SEWER INFRASTRUCTURE AND ENGINEERING ISSUES

The developer and the Engineering Division of the Public Works Department are continuing to discuss I&I mitigations and further details will be provided at the working session.

G. FISCAL IMPACT ANALYSIS

The Planning Department has engaged a peer reviewer, Cambridge Economic Research, for the developer's fiscal impact analysis. The draft report is expected by the end of November. In preliminary meetings with the peer reviewer and City staff, which included representatives from the Planning Department, the Assessing Department and the School Department, there was general agreement that some of the information reported in the Fiscal Impact Report conducted by RKG Associates was not current. In addition, the Planning Department is concerned that the developer's report relies heavily on its proposed bedroom mix, which includes a higher percentage of studios and one-bedroom apartments than other multi-family developments in Newton, in its calculation of school costs. The company constructing and operating the apartment building, Criterion Development Partners sent a memo to site developer justifying the proposed bedroom mix by explaining that the target market for the residential units is single young professionals. Nevertheless, State statute prohibits the City from regulating the interior of a residential structure. As such, there will be nothing to prevent the reconfiguration of the bedroom mix should the market analysis change in the future. Throughout this special permit process, the Planning Department has advocated for providing the developer with as much flexibility as possible to respond to changes in market conditions. Toward that end, we recommend that the developer reanalyze the fiscal impacts of the residential building using a more balanced bedroom mix. This approach will provide a more conservative estimate of school costs and will afford the owner the opportunity to change the interior design of the building as needed in the future without having to reevaluate fiscal impacts again later on.

VII. PETITIONER'S RESPONSIBILITIES

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

- 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
- Information about how deliveries will be made to Buildings A and B so site circulation is not obstructed by large vehicles and the buildings can be properly served
- Additional information about the logistics of trash pick-up, particularly from Building C
- A strategy for storing and/or removing snow from the site
- Potential for creating bike lanes on Grove Street
- Construction Management Plan
- Identify the ways in which a TDM can incentivize bike and pedestrian activity
- Photometric Plan

ATTACHMENT A: SHARED PARKING ANALYSIS PREPARED BY FST, DATED NOVEMBER 6, 2012

ATTACHMENT B: LETTER FROM JASON ROSENBERGER, RECEIVED BY EMAIL NOVEMBER 18, 2012



November 6, 2012

City of Newton, Massachusetts
Attn: Candace Havens, AICP, MPA, Director
Department of Planning and Community Development
1000 Commonwealth Avenue
Newton, Massachusetts 02459

Subject: Peer Review – Adequacy of Parking/Shared Parking
Analysis -- Riverside MBTA Station Redevelopment,
Newton, Massachusetts

Dear Candace:

As requested, Fay, Spofford & Thorndike is pleased to submit this follow up peer review of the Adequacy of Parking/Shared Parking Analysis (pp. 40-48) submitted as part of the 258-12 and (2) City of Newton Special Permit Application Narrative– referred to below as ‘ the Application Narrative’. The Application Narrative begins with the premise that:

“Parking for the site is appropriate to the intensity of development, types of uses, hours of operation, availability of alternative modes of travel and encourages the use of alternatives without over-supplying parking.”

In our original assessment of the parking assessment provided in the TIAS (VHB, February 2012), FST cited the following as it pertains to the Riverside redevelopment plan on-site parking:

- “In aggregate the TIAS site parking would include a total of 2,014 parking spaces –1,005 dedicated to the MBTA commuters and 1,009 dedicated to new site land uses.
- The site’s parking strategy pertaining to individual site user groups and shared parking, as presented in the TIAS, is not clearly defined and needs to be. As presented in the TIAS, the MBTA garage and 11 (*now 12*) surface parking spaces represent the supply of parking that will be available to satisfy future retail and community space parking demands. Unanswered questions include:
 - Where exactly will retail and community space employees and visitors park? It is not clear whether retail and community building parking demands will remove

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commuter spaces and require parking fee parking or whether the 11 (*now 12 surface parking*) spaces will be time period limited or reserved for retail or community space building employees.

- How are retail and community building parking spaces to be managed?
- What are the potential non-specific shared parking arrangements cited in the TIAS?
- Will the office use parking supply and a portion of the residential parking supply be available for shared parking arrangements? If so, during what times of the day or week?

These questions must be answered to evaluate whether the proposed site parking supply is adequate as proposed.

Site parking needs to be clarified for the retail and community building users to determine whether the proposed site parking supply is adequate.”

Shared Parking Overview

While the above FST comments were not specifically addressed within the Application Narrative, it does contain pertinent information that indirectly addresses them. Below is a summary of how we interpret the site’s shared parking strategy.

Approximately half the site’s roughly 2,000 space parking supply will be controlled by the Applicant. With a few possible exceptions, these spaces will likely be ‘free’ for most non-commuter site users. The other half of site parking spaces will be designated for public ‘pay’ commuter parking under the control of the MBTA. The MBTA’s ICF garage will probably be operating similar to its newest garage at the MBTA Wonderland Station. It will likely have automated ticketing and pay parking controlled through ticketing gates and credit card and cash payment kiosks on floors to accommodate patrons. For example, the recently-opened Wonderland Blue Line Station garage has a \$5 fee for parking from 0-14 hours and \$12 fee per 14-24 hours. The T does not have the flexibility to provide a discount for short term parkers *unless it is applied to all public parkers*. Given the MBTA’s fiscal constraints, it is unlikely to discount parking fees in its Riverside Garage for financial benefit of retail employees or patrons. Consequently, the MBTA’s Intermodal Commuter Facility (ICF) garage flat fee pricing system expected to be in place is likely to *reduce* site-generated traffic by reducing demands from any overflow shared parking users. Any excess site-generated parking demands will need to pay if they exceed the available ‘free’ parking supply.

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The Table below summarizes what we understand are pertinent issues that define what will happen with the future Riverside site parking supplies and demands.

RIVERSIDE REDEVELOPMENT SITE PARKING OVERVIEW ASSESSMENT										
	Proposed Parking Supply	Base Peak Parking Requirement Newton Zoning	Base Peak Parking Requirement Newton Zoning Adjusted for Transit Use	Unadjusted Peak Parking Demands from ITE Parking Generation	Adjusted Peak Parking Demands from ITE Parking Generation	Adjusted Range of Applicant's Surplus or (Deficit)	Range of Typical Users Assumed to use MBTA Garage			
Building A (Applicant)	571									
Office Users ¹		695	660	591	561	10 to -89	0 to 89			
Building B (Applicant)	441									
Retail Users ²		20	20	N/A	N/A	0 to -20	0 to 20	⁴		
Residential Users		580	435	374	374	0 to 47	0			
Building C (Applicant)	0									
Retail Users		59	59	N/A	N/A	-24 to -59	24 to 59	⁴		
Community Building ³		54	54	N/A	N/A	-22 to -54	22 to 54	⁴		
MBTA (Public)	1,005	Potential T Spaces Occupied by Non-Commuter Site Users					46-232	Spaces		
Estimated Typical MBTA Commuter Supply available during the typical AM commuter peak:⁴							774-959	Spaces		
1 - Assumes 5% office employees/visitors are transit users and 25% of residential users per TIAS for both ITE and Newton Zoning Requirement.										
2 - Assumes 1 space per 3 employees assuming 600 SF/employee .										
3- Assumes community building has parking demands similar to offices.										
4 - Lower end of range is expected during the typical morning commuter peak period. High end assumes retail and community space demands peak at the same time as office and MBTA commuter demands. The latter estimate is very 'high side'.										
N/A - Not Available										

Based on the Table above, from **46 to 232 parking spaces within the MBTA parking garage may need to accommodate site-generated parking demands**. The *high end of the range* -- 232 parking spaces -- represents a very conservative 'worst case' estimate. It assumes the site's non-commuter parking demands will be simultaneous with retail and community building parking demands and the City's zoning requirements, adjusted for transit, represent anticipated parking demands occurring simultaneously. The *low end of the range* -- 46 parking spaces -- should be more accurate as it assumes MBTA commuter parking demands, similar to office-related parking demands, will dissipate later on in the afternoon when retail and community space parking demands typically tend to peak. The low end range of parking demands suggests the retail and community space parking demands occurring during the morning peak hours will represent no more than 40% of weekday daily parking demand peak. Internal capture trips for the retail component, as noted in the Application Narrative, should further reduce morning peak period retail parking demands. The lower range estimates further assume that parking demands estimated by using the less-conservative *ITE Parking Generation* report will occur. On peak Red Sox Game Days, however, the peaks will coincide, as they do currently.

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Because typical retail/community building parking demands do not peak simultaneously with MBTA commuter parking demands, their demands will affect the available MBTA commuter parking supply only to the extent that retail and community building employees and customers would regularly park in the garage during the morning peak hours.

Shared Parking Methodology Review

Only minor changes have been made to the total parking supply since the TIAS. Overall, the total non-ICF mixed use parking supply is now proposed at 1,012 parking spaces, of which the Building A office parking garage would contain a total of 571 parking spaces, and the Building B parking supply would include a total of 441 spaces. The MBTA ICF garage is still intended to be 1,005 spaces.

To provide a better framework for the estimate of the proposed Riverside Intermodal Commuter Facility (ICF) component of site shared parking, the Applicant collected parking data over a 2 and ½ month period at the existing MBTA Riverside parking lot from May 8, 2012 -July 31, 2012. The data was used to identify commuter lot use demands. Observations were photographed at 9:45 AM, 12:45 PM, and 4:45 PM during Monday to Friday periods. The photo observations found that late spring/summer parking demands for the ICF generally resulted in a minimum of 300 parking spaces available out of the existing 961 space parking supply on weekdays. On two of the Red Sox Game days during this period, the lot was completely filled by 4:45 PM. This high usage situation was the exception rather than the rule. The Application Narrative indicates that with a future 1,005-space MBTA Intermodal Commuter Facility (ICF), a surplus of 300+ parking spaces should typically be available to satisfy non-commuter site-related parking demands.

Because the MBTA will own and control the ICF garage operations, unless there are specific agreements between the Applicant's non-commuter users and the MBTA, all garage users will be charged the same flat rate, as is customary at MBTA parking garages. The Application Narrative did not indicate there would be any Agreements with the MBTA to defer costs to any site-related garage users.

In other words, *the implication is that without special arrangements/agreements*, typical flat rate MBTA parking fees will be charged to the following potential non-commuter users of the future ICF garage:

- Retail customers who are not MBTA commuters, site residents, or Building A workers already at the site.
- Any Building A overflow office building use visitors and employees who are not MBTA commuters

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- All community space building employees and users *not accommodated in the Building B parking supply*.

Specifically, any non-commuter parking users of the 15,000 square foot retail space and 8,000 square foot community space in Building C who cannot park in the Building B parking supply will need to pay a flat rate daily fee to park in the ICF garage. Such an approach to parking management will likely dampen automobile use of the retail and community building to the benefit of the traffic demand reduction goal.

Building A - 571 Applicant-provided Spaces - Office Building Parking Analysis

The parking supply of Building A would be under the control of the Applicant. The 10-18 % transit mode share cited in the shared parking analysis is inconsistent with the 5% transit mode assumed in the TIAS for the office transit share. The 5% office transit share assumed in the TIAS, in our opinion, is a reasonable estimate for reverse commuting to the office spaces from the services provided at the Riverside ICF. Nonetheless, we conclude that the proposed parking supply with Building A should satisfy typical peak parking demands, assuming the accuracy of the (ITE) *Parking Generation* report for the office use, even assuming a 5% transit mode share. This assumes the site generates peak parking demands consistent with the Institute of Transportation Engineers (ITE) *Parking Generation* report (4th Edition, 2010) based on comprehensive parking data collected nationally at a wide array of uses.

According to *ITE Parking Generation*, a standard transportation industry resource, typical office peak demands for the proposed 225,000 square foot office space will be approximately 591 spaces. This represents a 21 space shortfall without any credit for transit. With a 5% transit credit assumed in the TIAS, we would anticipate a typical peak parking demand of approximately 561 parking spaces, or a *10 space surplus* that should typically be available during the weekday peak demand period. However, under *Newton's unadjusted zoning parking requirements*, the proposed 571 parking space parking supply represents an 18% or 125 space shortfall from its requirement of 696 parking spaces.

The Applicant's shared parking analysis indicates that should Building A office parking demands exceed the available supply, they will be accommodated in the MBTA's ICF parking garage. The implication is that excess office space parking demands that would be 125 spaces if the Newton zoning estimate is assumed, will be satisfied as 'paid' parking. According to the shared parking analysis, the MBTA parking garage will typically have a surplus of at least 300 parking spaces, except on a few of the Red Sox game days each year.

We note that increasing the proposed 571 parking spaces parking supply would be contrary to the goal of reducing site auto trips to the maximum extent possible, as it is

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very close to meeting the ITE Parking Generation estimates of 591 spaces *unadjusted for transit*. Keeping the number of site-generated auto trips to a minimum was cited as a major objective at meetings with the Riverside Neighborhood Committee.

Building B – 441 Applicant-Provided Spaces - Residential/Retail Analysis

The parking supply proposed for Building B is also under the control of the Applicant. As currently proposed, its 441 parking space parking supply would be serving 290 residential units plus 5,000 square feet of retail space. As currently envisioned, the 441 space supply would include ADA spaces plus 12 exterior surface spaces and 26 tandem spaces.

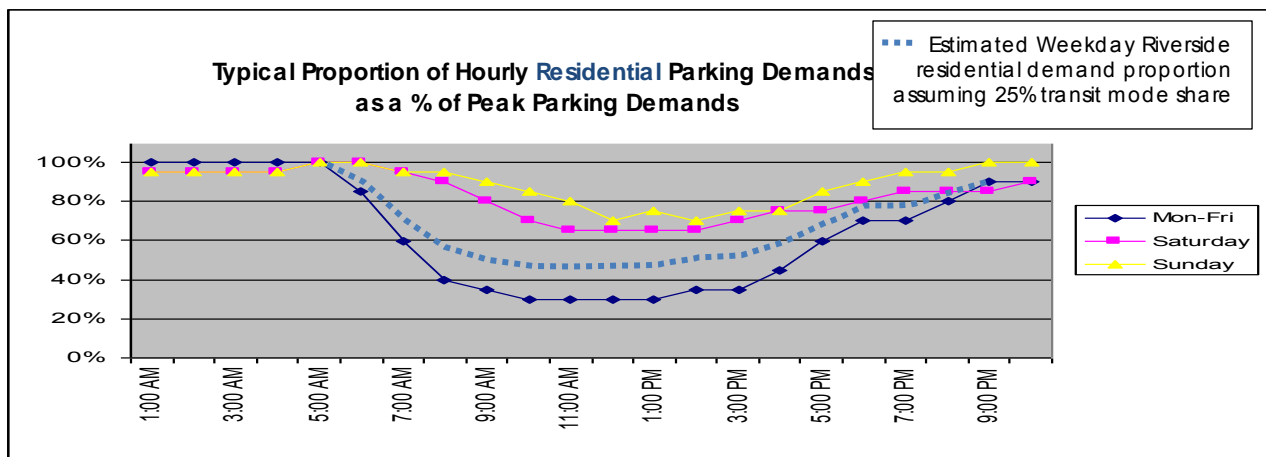
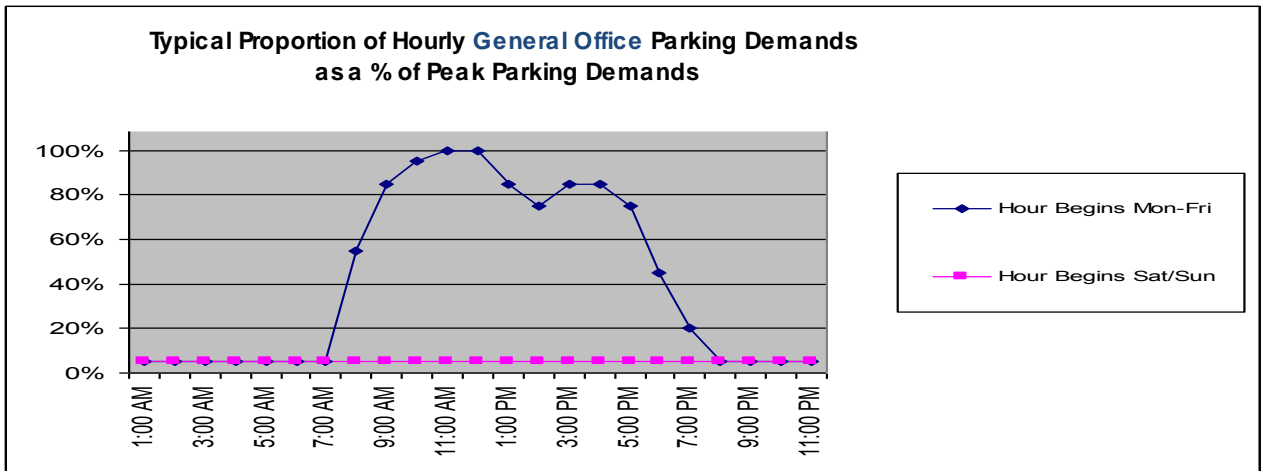
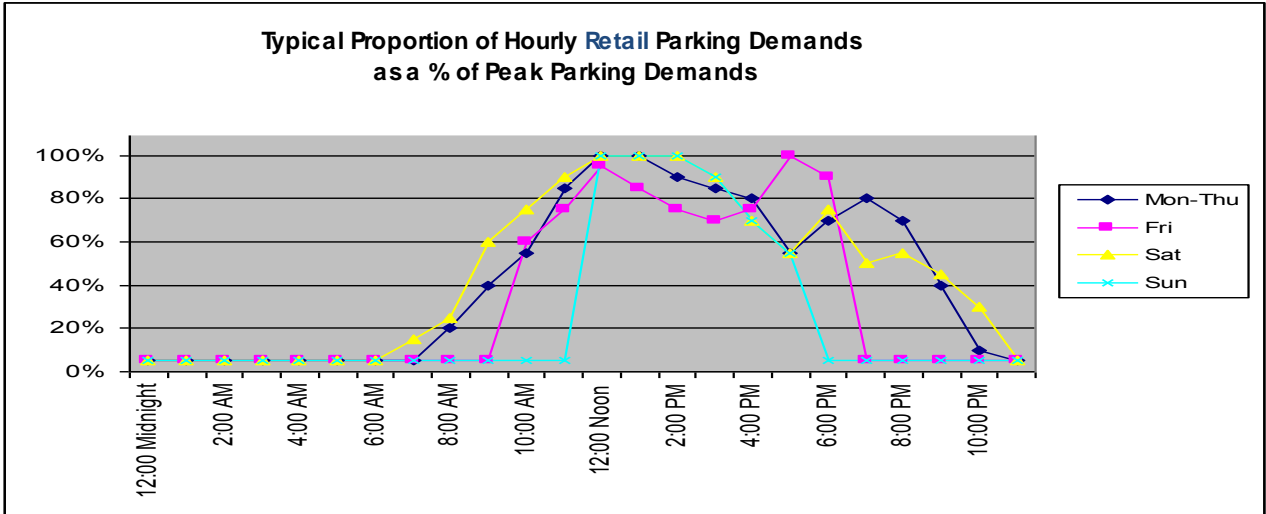
Within the Building B parking garage, the Applicant proposes tandem parking, which we believe is not a good way to control parking operations. The 26 tandem spaces would affect traffic and parking operations of a total of 54 parking spaces. Use of the tandem parking spaces may be space-efficient, but provides an inefficient, non-user friendly way to accommodate 12% of the parking supply associated with Building B. Maneuvers into or out of these spaces will be constricted, as the normally require two drivers to be present when a vehicle in an interior tandem space is being moved.

It is not clearly presented how the 12 surface spaces associated with Building ‘B’ will be controlled. Are these to be time controlled, metered or left uncontrolled?

Based on the *ITE Parking Generation* report, the 290 residential units should generate a parking demand of approximately 374 spaces, while the 5,000 square foot retail area could generate approximately 13 spaces or a combined estimated Building B weekday peak demand of 387 spaces. With a 441-space parking supply, a surplus of approximately 54 spaces is projected during the peak demand period, expected to be between 9 PM and 5 AM.). On the next page, we have included a summary of typical hour-by-hour peak demand distributions for residential, office, and retail uses, highlighting when peak demands would typically occur on an hourly basis. FST adapted information contained in the Urban Land Institute’s (ULI) Shared Parking (2nd Edition, 2005) to prepare these displays. MBTA commuter parking demands are likely to be similar to those for the office use parking, but offset by the amount of commuting time (i.e., commuter parking demands occur earlier and dissipate later by the amount of commuter time involved

We anticipate the proportions of hour-by-hour office and retail parking demands to peak demands would be similar to those illustrated on the attached charts. The exception is the residential component. Riverside transit-oriented development residential mid-day parking demands are likely to be 25% higher than the typical ULI residential parking demands that assume low transit use. This is because residents who will choose to use the MBTA service would be leaving their vehicles at home, thereby increasing the mid-day parking demands. If residential transit use exceeds 25%, which it does at many TOD locations, the parking supply available in Building B will be lower.

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Source: FST estimates adapted from ULI *Shared Parking*, 2nd Edition, 2005

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Building B – 441 Applicant-Provided Spaces - Residential/Retail Analysis (Continued)

The Application Narrative indicates that the potential surplus in Building B parking supply “*could be used, in the unlikely event it was necessary and mutually agreeable to all parties, by employees from Building A or Building C.*” This explanation is unclear. It implies that parking demands for non-residents -- *non-employees or customers of Buildings B or C* -- will not be accommodated in the Building A or Building B parking supplies, but rather these users/customers will pay to use MBTA ICF parking garage.

Basically, with the possible exception of the 12 surface parking spaces, operations of which were not clearly identified, there will be no ‘free parking’ for off-site retail and community building patrons. According to the charts on page 7, there will be unused parking availability on the weekends/nights, particularly in Building A that could conceivably be used to satisfy retail and community space parking needs if there were to be some ‘free’ parking for patrons or community space users.

Building C–Retail/Community Building Analysis

The Application Narrative indicates that Building C parking demands for the 15,000 square feet of retail space and 8,000 square feet of community space will be accommodated in the MBTA ICF garage. The possible exception is the retail and community space building employees, who may be accommodated in surplus parking within the Building B parking garage. This assertion needs clarification.

Conclusions

As noted above, under worst case conditions, the ability of the MBTA garage to accommodate its commuter parking demands *could be reduced by as much as approximately 230 parking spaces on a typical weekday*. If this were to occur based on the research cited in the Applicant’s Narrative, the MBTA garage would, at this time, have the typical capacity, which typically exceeded 300 spaces, to accommodate the demands. On the other hand, it is likely that the office Building A will be able to accommodate all of its parking demands. It is also likely that the retail/community building parking demands will represent approximately 40% of peak parking demands during the morning commuter peak period. In the latter case, the *impacts of site generated parking demands on morning commuter use of the proposed Riverside MBTA garage could be fewer than 50 spaces, or roughly the existing capacity of the existing 960 space surface lot at Riverside, so there would be no loss of commuter parking functionality at the MBTA compared to existing conditions*.

It is concluded that from a *traffic demand perspective*, the Applicant’s proposed shared parking management strategy will support the goal of minimizing site-generated traffic demands, as driving non-commuter customers of the retail and community building or

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overflow office building parkers will need to pay for parking. On the vast majority of typical weekdays, the MBTA ICF garage should have enough capacity to accommodate overflow site-related demands with minimal impact on the ability of the garage to accommodate its mission of serving MBTA commuters.

By not opening the Building A parking supply to the public as 'free' parking for Buildings B and C retail uses on nights and weekends, traffic demands to the site will be minimized. On the other hand opening the Building A parking supply to free validated community building parking associated with Building C, especially in the evening hours after the office use demands have diminished, would seem to be a reasonable strategy.

Based on the data submitted in the Application Narrative, we conclude, as we did in our August 2012 peer review letter, that *the proposed Riverside site redevelopment plan has enough parking spaces to meet the likely site-generated parking demands for the foreseeable future*. The added caveat is that *the MBTA ICF garage will need to share a portion of the site-generated parking demands associated with Building C at minimum, and possibly with Buildings A and B*. These demands could range from 46-232 parking spaces, depending on parking demand assumptions.

Shared parking arrangements identified in the Application Narrative should be aggressively pursued. These include, among other things, making arrangements to accommodate Building B and Building C retail/community building *employees* within the anticipated parking surplus of the Building B parking garage.

Furthermore, we encourage the City to require the Applicant to implement as many *trip-reduction measures* as possible that will simultaneously reduce parking demands related to Buildings A, B, and C such as:

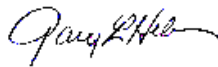
- Consider setting aside up to 10% of the most convenient Building A office parking supply spaces as designated carpool parking to encourage trip reductions.
- Consider the use of Zip Cars for residents and office building employees.
- Consider employer financial support for MBTA passes for employees, similar to what is done in Kendall Square.
- Regularly negotiate with the MBTA to upgrade Riverside Station transit services.
- Publicize transit schedules in prominent areas of Buildings A, B, and C.
- Join and actively participate in the TMA for the Area.

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In the event that the 'pay' component of MBTA ICF parking garage causes some site-related non-commuter patrons to consider parking off-site and walk to the site, the City should consider retaining mitigation funds to have the flexibility to implement a neighborhood resident parking sticker program(s). Such a program should only be implemented with the concurrence of the neighborhoods, to ensure that such demands do not encroach on their existing parking supplies.

Please contact FST should you require clarifications to this follow-up shared parking analysis peer review letter. We appreciate the opportunity to provide these services to the City of Newton Planning Department.

Very truly yours,
FAY, SPOFFORD & THORNDIKE
By



Gary L. Hebert, PE, PTOE
Vice president

258-12 and (2)
ATTACHMENT B

Girard and Rob

Since unfortunately I have a conflict and cannot be at the COD meeting, I wanted to forward my main concern, as it was also re the Chestnut Hill Square development.

It is logical to have a shared parking calculation for a mixed use development, and therefore the total number of spaces is reduced by a percentage. And so the 571 stall parking facility of Facility A is the result of that.

However, it is not appropriate to reduce the number of aggregate total of HP stalls as if 571 spaces were the true total required for the development. Twelve spaces is NOT ENOUGH and the so-called shared usage does not work for people with disabilities. The number of HP spaces should be based upon the actual number of spaces required before applying the discount, or some melding of both.

As an example and reminder at Chestnut Hill Square, the amount of retail for Wegmans was going to be double or triple that of the old Omni and its predecessor Stop and Shop, and there was also to be additional retail of the same magnitude as Wegmans- and they proposed by applying the requisite number to the discounted spaces LESS HP spaces than had been there for the old supermarket, which spaces usually filled up fast!

The proportion of people with disabilities or infirmities needing HP plates is increasing disproportionately to the population because of the aging of the Baby-Boomers. This additional factor necessitates adjusting upwards the number of HP spaces from that required under the so-called shared discount.

I do not know if Facility B's 429 stalls and B1's 12 stalls are the result of the shared use discount. If so, my comment applies to that as well. The disabled driver is less often likely to frequent multiple destinations served by an HP space - but that one destination will be unreachable if there is not an empty HP space waiting.

And the proximity of HP spaces to elevators and front doors is critical. That is why reserved HP spaces need to have sufficient numbers.

If there are restaurants which insist on food "pickup" spaces by the front door, then there must still either have sufficient HP spaces by that door or have the "pickup" spaces moved. This has become a critical issue for the disabled community as it negates the very essence for HP spaces - proximity to the destination, i.e., the front door.

I hope this helps. I will be in my office Monday if you'd like to discuss this further.

Regards,
Jason

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