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James Freas
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PUBLIC HEARING MEMORANDUM

Public Hearing Date: April 7, 2015
Land Use Action Date: April 14, 2015
Board of Aldermen Action Date: June 15, 2015
90-Day Expiration Date: July 6, 2015

DATE: April 3, 2015

TO: Board of Aldermen

FROM: James Freas, Acting Director of Planning and Development
Alexandra Ananth, Chief Planner for Current Planning
Daniel Sexton, Senior Planner

COPIED: Planning & Development Board

SUBJECT: **Petition #102-06(13)**, CHESTNUT HILL REALTY DEVELOPMENT, LLC./KESSELER DEVELOPMENT, LLC., to AMEND SPECIAL PERMIT/SITE PLAN APPROVAL #102-06(12) granted to Chestnut Hill Realty Development, LLC on November 17, 2014 for a 4-story 80-unit multi-family building with a partially below grade parking garage and related site amenities on land located on LaGRANGE STREET, Ward 8, known as Sec 82, Blk 37, Lot 95, containing approximately 640,847 sf of land in a Multi-Residence 3 district; said amendment seeks to modify the special permit from 80 units to 88 units to be located in the same building with no changes to the footprint or site from what was approved in special permit #102-06(12). Ref: §30-24, 30-23, 30-9(d) of the City of Newton Rev Zoning Ord. and special permit board order #102-06(12).

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 Public hearing/Working Session.



View from LaGrange Street

EXECUTIVE SUMMARY

The petitioner, Chestnut Hill Realty Development, LLC, is looking to amend the previous special permit approval via Board Order #102-06(12) for a four-story multi-family residential building on property located along LaGrange Street. To date, the petitioner has obtained a building permit from the Inspectional Services Department to perform some 'site work', which exercises the previous special permit approval. The proposed amendment includes increasing the number of residential units from 80 to 88, minor changes to the underground parking garage and surface parking areas to increase the available number of parking stalls by 16 spaces, and minor changes to the building's façade. The petitioner further indicated that the amended project will not increase the building envelop or footprint, the area of land disturbance, or the amount of subsurface material removed through blasting.

The petitioner provided a supplemental traffic impact assessment (TIA), developed by MDM Transportation Consultants, Inc., to evaluate the potential impacts of the increased number of residential units on the area's roadways. The conclusions of the TIA indicate that the unit increase will not have a material impact on the capacity of the area roadways or the level of service (LOS). The City's Director of Transportation has reviewed the supplemental TIA and concurs with the conclusions presented. Further, the petitioner submitted an updated inclusionary housing plan to account for the increase and reconfiguration of units, and one additional inclusionary unit for a total of 13 deed restricted inclusionary units, which is consistent with the Newton Zoning Ordinance (NZO).

The Planning Department believes the amended project does not appear to be materially different from the previous approval. The additional units being proposed will be accommodated within the existing building envelope, and do not impact the previously approved building footprint. The additional units will result in a size reduction of all the units within the structure and, more notably, decreasing the size of market rate units by 21% on average, which reduces the size disparity between the inclusionary and market rate units. The Planning Department believes that the proposed changes to the site plan will not affect the abutting properties, especially those along Rangeley Road in the Town of Brookline, as the site's activities will continue to be hidden from view by landscape plantings and the rock knoll. For these reasons the Planning Department does not have any concerns with the proposed amendment to the previously approved special permit.

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Board should consider whether:

- The site is an appropriate location for 88-units of rental housing within a single multi-family structure, where 80-units were previously approved. (§30-24(d)(1))
- The location, design, and massing of the proposed structure, which is not substantively changed, is compatible with the character of the surrounding neighborhood and will not adversely affect the surrounding neighborhood. (§30-24(d)(2))

- The amended development proposal will not cause a nuisance or be a serious hazard to vehicles or pedestrians in the surrounding neighborhood. (§30-24(d)(3))
- Access to the site over streets is appropriate for the modest increase of vehicles that will be accessing the site. (§30-24(d)(4))

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The property is located on LaGrange Street, and is bound to the east by the City's municipal boundary with the Town of Brookline. The subject property is currently vacant, but is abutted by single-family and multi-family land uses (**ATTACHMENT A**). To the north and west of the property is an area zoned Single Residence 2 and 3, with pockets of Public Use, which are accessed from Vine Street and Brookline Street. Across LaGrange Street is an area zoned Multi-Residence 1 and is proximate to parcels in the City of Boston containing larger multi-family residences and are zoned Multi-Family Residential (MFR). The nearby properties located in the Town of Brookline off of Rangeley Road and Princeton Road include single-family homes, and are zoned Single-Family Residential (S-15). The site is currently zoned Single Residence 3 (**ATTACHMENT B**).

B. Site

The site of the proposed development presently consists of a vacant wooded lot comprised of approximately 640,847 square feet, or 14.7 acres, of land and is part of the Kessler Woods Subdivision. Significant portions of the property contain sensitive environmental features and habitats including wetlands, floodplains, Saw Mill Brook and an intermittent tributary stream. Topographically, the site contains a large rock knoll and significantly steep slopes. Atop the knoll, which contains dramatic views of the surrounding area, there is an unusual pitch pine and scrub brush habitat, more typical of southeastern Massachusetts.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The petitioner is not seeking to change the previously approved multi-family residential use (Board Order #102-06(12)) or the zone change from Single Residence 3 to Multi-Residence 3 (Board Order #102-06(11)), which is contingent upon the exercising of the project. The petitioner is seeking to increase the intensity of the multi-family use from 80-units to 88-units.

B. Building and Site Design

The petitioner is proposing to increase the number of residential to 88-units, modify the underground parking garage and surface parking areas to accommodate 16

additional parking stalls, and slight changes to the building façade. The additional units will be incorporated into the previously approved building envelope, and do not result in any changes to the bulk, mass or footprint of the building. The resulting unit mix within the structure will be 34 one-bedroom and 54 two-bedroom units. To accommodate the proposed unit configuration, the petitioner is proposing minor adjustments to window locations and sizes, the reduction in size and elimination of some balconies, and the installation of bay additional bay windows. The combination of adding bay windows and converting some of the previously approved window arrangements from three double hung windows side-by-side to two double hung windows side-by-side appears to further articulate and breakup the visual mass of the building's façade. Further, the petitioner has accommodated the additional parking stalls for the eight additional units on the site by reconfiguring the layout of the underground parking garage to create five parking stalls and by adding 11 parking stalls along the looped driveway adjacent to the rock knoll and the front of the building.

The Planning Department would have preferred to see some of the additional surface parking stalls be located further away from the abutters on Rangeley Road; however, this would likely require additional blasting and the reconfiguration of the site layout. The Planning Department believes that the previously approved 'Planting Plan' and the retention of the rock knoll are adequate to minimize off-site impacts. For these reasons, the Planning Department has no concerns with the amended aspects of the project proposal discussed above.

C. Parking, Circulation, and Traffic

The amended development plan provides 176 parking stalls, consisting of 41 outdoor and 135 indoor parking stalls, to meet the minimum number of parking stalls required by the NZO. To accommodate the additional 16 parking stalls, the petitioner reconfigured the underground parking garage to allow for five additional parking stalls and 11 stalls have been added along the looped driveway. Although a number of the new parking stalls within the underground parking garage are dimensionally noncompliant, the previous special permit approval granted relief from the dimensionally standards for parking stalls.

To understand whether the additional residential units will impact traffic patterns in the area's roadways, the petitioner provided a supplemental TIA, developed by MDM Transportation Consultants, Inc. The conclusions of the TIA indicate that the unit increase will not have a material impact on the capacity of the area roadways or the LOS. The City's Director of Transportation reviewed the supplemental TIA and agrees with the conclusions presented.

The Planning Department is supportive of the proposed parking configuration and believes the amended project will not cause a nuisance or be a serious hazard to vehicles or pedestrians in the surrounding neighborhood.

D. Inclusionary Housing

The amended proposal includes the development of 88-units of rental housing within a single multi-family structure. Of the total units being proposed, the petitioner has designated 13 units, or 15%, of the total units as inclusionary units. The petitioner is proposing that six of the inclusionary units be available to households earning up to 50% of the area median income (AMI), six units will be available to households earning up to 80% of the AMI, and the remaining unit will be available to a household at 65% of the AMI. The petitioner also provided an updated inclusionary housing plan. The petitioner is also proposing to reconfigure the mix of residential units, which will create smaller units. As a result, the additional units will decrease the size of the inclusionary units by 9% and the market rate units by 21% on average, which reduces the disparity between the inclusionary and market rate unit sizes.

The Planning Department finds that the proposed mix of inclusionary and market rate units are consistent with the NZO. The Planning Department is supportive of the petitioner's efforts to reduce the unit sizes and decrease the disparity of unit size between the market rate and inclusionary units.

E. Landscape Screening

The petitioner is not proposing any substantive changes to the previously approved landscape plan.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance)

The Zoning Review Memorandum (**ATTACHMENT C**) provides an analysis of the proposal with regard to zoning. Based on this review, the petitioner is seeking to amend the previous a Special Permit/Site Plan Approval via Board Order #102-06(12) to add an additional eight units for a total of 88 residential units, to modify the approved site plan, and to change the building façade slightly.

V. PETITIONERS' RESPONSIBILITIES

The petitioner is considered to be complete. The Planning Department recommends approval with conditions.

ATTACHMENTS:

- Attachment A:** Land Use Map
Attachment B: Zoning Map
Attachment C: Zoning Review Memorandum, dated March 2, 2015








Land Use Map Lagrange Street

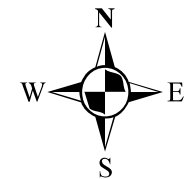
*City of Newton,
Massachusetts*

ATTACHMENT A

Legend

Land Use

-  Single Family Residential
-  Multi-Family Residential
-  Open Space
-  Nonprofit Organizations
-  Vacant Land
-  Property Boundaries
-  Building Outlines

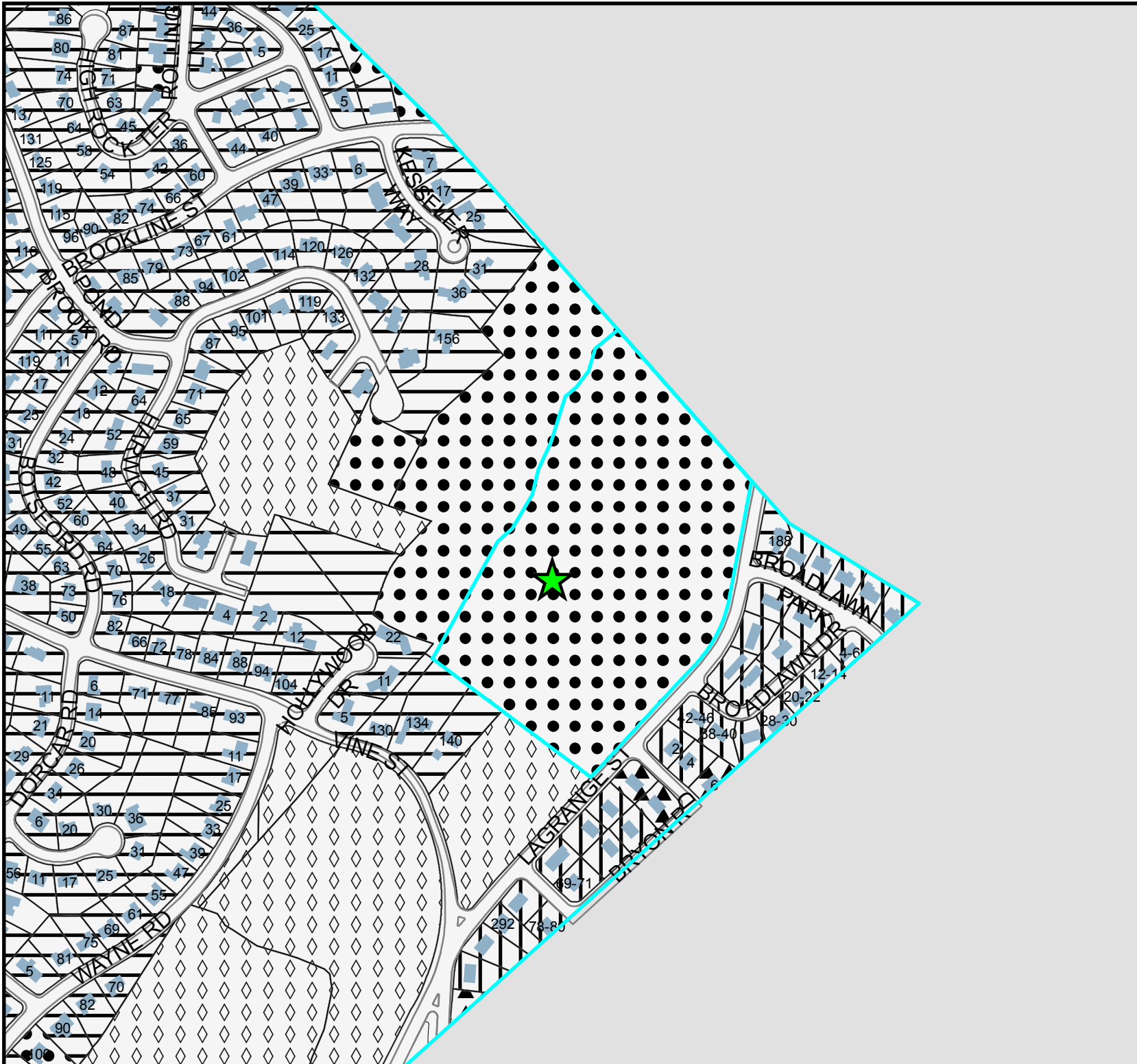


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CITY OF NEWTON, MASSACHUSETTS
Mayor - Setti D. Warren
GIS Administrator - Douglas Greenfield

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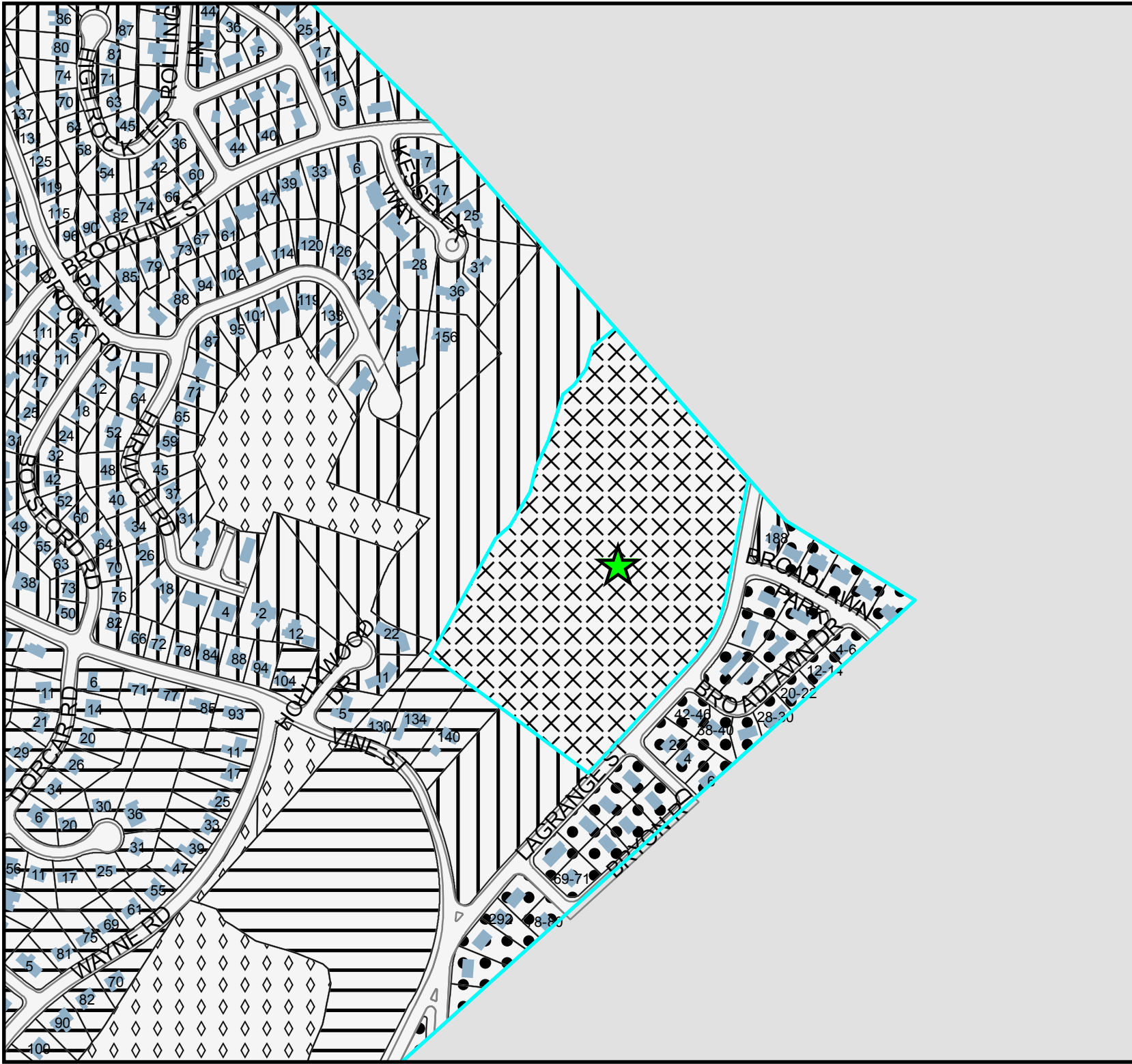
Map Date: March 31, 2015



Zoning Map Lagrange Street

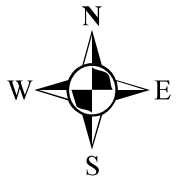
*City of Newton,
Massachusetts*

ATTACHMENT B



Legend

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



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ATTACHMENT C

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James Freas
Acting Director

ZONING REVIEW MEMORANDUM

Date: March 2, 2015

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Frank Stearns, Attorney
Chestnut Hill Realty, Applicant
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to amend Board Order 102-06(12) to allow for eight additional residential units

Applicant: Chestnut Hill Realty	
Site: Lot H-1, LaGrange Street	SBL: 82037 0095
Zoning: SR3	Lot Area: 640,847 square feet
Current use: approved 80-unit multi-family dwelling	Proposed use: 88-unit multi-family dwelling

BACKGROUND:

The subject property is a large vacant parcel located on LaGrange Street within the Kessler Woods subdivision created in 2004 and recorded in 2005. Special permit Board Order #102-06(12), approved on November 17, 2014, allows for construction of an 80-unit multi-family residential building. There is a separate board order for the rezoning of this site from SR3 to MR3 contingent upon the exercise of Board Order 102-06(12).

The applicant is proposing to increase the number of residential units to 88, while maintaining the approved building footprint and mass. The proposed amendment adjusts the interior unit mix to create smaller units, providing more one-bedroom units and fewer two-bedroom units.

To accommodate eight additional units, 16 parking stalls are required. The additional parking stalls are accommodated partially with a reconfiguring of the underground parking and partially on the one-way access road in front of the main entrance. No parking waiver is required for the additional units.

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

- Zoning Review Application, prepared by Franklin Stearns, K & L Gates, attorney, submitted 2/25/2015
- Layout and Materials Plan, prepared by Stantec, dated 2/19/2015, last revised 11/06/2014
- Site Plan Comparison Plan, prepared by Stantec, dated 2/17/2015, last revised 11/6/2014
- Floor Plans, prepared by The Architectural Team, architects, dated 8/22/2014, revised 8/29/2014, 10/24/2014, 11/6/2014, 11/17/2017, 11/24/2014, 2/19/2015
- Affordability Calcs, prepared by Franklin Stearns, dated 2/20/2015
- Elevations, prepared by The Architectural Team, architects, dated 2/4/2015

ADMINISTRATIVE DETERMINATIONS:

1. Eighty residential units were approved by Board Order 102-06(12), with a mix of one-and two-bedroom rental units. The applicant is requesting an amendment to the approved special permit to allow for 88 units. There will be no modification to the existing footprint or mass of the approved structure. Rather, the applicant intends to reconfigure the interior mix of units to create smaller units, with more one-bedroom units, and fewer with two bedroom units. This reconfiguration will create 32 one-bedroom units, and 52 two-bedroom units.
2. Per Section 30-24(f), the Inclusionary Zoning provisions, 15% of the total number of units must be affordable to a household making 80% of the area median income. The 80 units approved by Board Order # 102-16(12) required 12 affordable units to meet the requirements of the Zoning Ordinance. The additional eight units proposed in the amendment require an additional affordable unit. The Applicant is proposing 13 affordable units and therefore meets the requirements of the Inclusionary Zoning provisions.
3. Per Section 30-19(d)(2), two parking stalls must be provided for each dwelling unit in a multi-family dwelling. The applicant is proposing to reconfigure the interior underground parking, as well as the surface parking along the entrance drive to create the additional 16 parking stalls required to accommodate the additional eight proposed residential units. A total of 176 parking stalls are proposed in the amended plan.

MR3 Zone	Required	Current Special Permit	Proposed
Lot Size	10,000 square feet	640,847 square feet	640,847 square feet
Frontage	80 feet	625 feet	625 feet
Setbacks for existing structure* <ul style="list-style-type: none"> • Front • Side • Rear 	150 feet 50 feet 50 feet	203 feet 110 feet 77 feet	152 feet 185 feet 60 feet
Max Stories*	4	4	4
Max Building Height	48 feet	48 feet	48 feet
Max Lot Coverage	45%	8%	8%
Min Open Space	30%	85%	85%
Parking	2 stalls/dwelling unit	160 stalls for 80 units	176 stalls for 88 units
Affordable Units	13	12	13

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
	To amend Board Order #102-06(12) to allow for eight additional residential units, and to reconfigure the interior underground and surface parking	Amend Board Order #102-06(12)