

City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459 Telephone (617) 796-1120 Telefax (617) 796-1142 TDD/TTY (617) 796-1089 www.newtonma.gov

Barney Heath Director

STAFF MEMORANDUM

Meeting Date: Wednesday, December 8, 2021

DATE: December 3, 2021

TO: Urban Design Commission

FROM: Shubee Sikka, Urban Designer

SUBJECT: Additional Review Information

The purpose of this memorandum is to provide the members of the Urban Design Commission (UDC) and the public with technical information and planning analysis which may be useful in the review and decision-making process of the UDC. The Department of Planning and Development's intention is to provide a balanced view of the issues with the information it has at the time of the application's review. Additional information may be presented at the meeting that the UDC can take into consideration when discussing Sign Permit, Fence Appeal applications or Design Reviews.

Dear UDC Members,

The following is a brief discussion of the sign permit applications that you should have received in your meeting packet and staff's recommendations for these items.

I. Roll Call

II. Regular Agenda

Sign Permits

1. 1126 Beacon Street – Skin Tight Medspa

<u>PROJECT DESCRIPTION</u>: The property located at 1126 Beacon Street is within Business 2 zoning district and has a free-standing sign approved by a special permit via Board Order # 490-92. The applicant is proposing to install the following signs:

 One addition to existing free-standing sign, non-illuminated, with a total of approximately 19 sq. ft. of sign area at the corner of Beacon Street and Beaconwood Road. 2. One window sign, non-illuminated, with approximately 3 sq. ft. of sign area on the western building façade facing Beaconwood Road.

TECHNICAL REVIEW:

- The proposed free-standing sign is an addition to an existing free-standing sign. The
 existing free-standing sign is authorized by a special permit via Board Order #490-92
 (see attachment A). The proposed addition to the free-standing sign appears to be
 not consistent with the special permit. The applicant will need to apply for an
 amendment to the special permit.
- The window sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, window sign that covers up to 25% of the window area is allowed, which the applicant is not exceeding. Window sign is allowed by right and does not require sign review.

<u>STAFF RECOMMENDATION</u>: Staff seeks recommendation from UDC regarding the proposed addition to the free-standing sign to the Land Use Committee of the City Council.

2. 7 West Street – Café Martin West Street

<u>PROJECT DESCRIPTION</u>: The property located at 7 West Street is within Multi-Residence 2 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, externally illuminated, with approximately 23 sq. ft. of sign area on the eastern façade facing West Street.

TECHNICAL REVIEW:

• The proposed wall mounted principal sign appears to be not consistent with the dimensional controls specified in §5.2.7. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and the maximum size of the sign allowed is 20 sq. ft., which the applicant is exceeding.

<u>STAFF RECOMMENDATION</u>: Staff recommends the applicant submit a revised sign with an area of less than 20 sq. ft.

3. 335 Walnut Street – Los Amigos Taqueria

<u>PROJECT DESCRIPTION</u>: The property located at 335 Walnut Street is within Business 1 zoning district. The applicant is proposing to install the following signs:

- 1. One wall mounted split principal sign, internally illuminated, with approximately 36 sq. ft. of sign area on the southeastern façade at the corner of Walnut Street and Highland Avenue.
- 2. One perpendicular split principal sign, internally illuminated, with approximately 4 sq. ft. of sign area on the eastern façade perpendicular to Walnut Street.

TECHNICAL REVIEW:

 The applicant has given the façade frontage to be 901 feet on the sign permit application, which appears to be the frontage for the entire building and not the business. Staff has requested the applicant to send the correct frontage for the business.

<u>STAFF RECOMMENDATION</u>: Staff will provide a recommendation at the meeting after receiving the correct frontage from the applicant.

4. 1210-1230 Washington Street – Free-standing sign

<u>PROJECT DESCRIPTION</u>: The property located at 1210-1230 Washington Street is within Business 1 zoning district and has a free-standing sign authorized by a special permit via Board order #115-97 (attachment B). The applicant is proposing to install the following sign:

1. One free-standing principal sign, internally illuminated, with approximately 35 sq. ft. of sign area facing Washington Street.

TECHNICAL REVIEW:

• The proposed free-standing sign is not consistent with the free-standing sign authorized by special permit; hence the applicant will need to apply for an amendment to the special permit.

<u>STAFF RECOMMENDATION</u>: Staff seeks recommendation from UDC regarding the proposed free-standing sign to the Land Use Committee of the City Council.

5. 1210-1230 Washington Street – Panera Support Center

<u>PROJECT DESCRIPTION</u>: The property located at 1210-1230 Washington Street is within Business 1 zoning district. The applicant is proposing to install the following signs:

- 1. One wall mounted secondary sign, internally illuminated, with approximately 49 sq. ft. of sign area on the southern façade facing the Massachusetts Turnpike.
- 2. One wall mounted secondary sign, non-illuminated, with approximately 6 sq. ft. of sign area on the northern façade facing Washington Street.
- 3. One wall mounted secondary sign, non-illuminated, with approximately 8 sq. ft. of sign area on the western façade facing the neighboring property.

TECHNICAL REVIEW:

• Both the proposed secondary signs (sign #1 and #2) appear to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is not exceeding, and on this

- façade of 308 feet, the maximum size of each sign allowed is 50 sq. ft., which the applicant is also not exceeding.
- The proposed secondary sign (sign #3) appears to be not consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two secondary signs are allowed, which the applicant is exceeding. The applicant will need to apply for a special permit to allow this secondary sign.

<u>STAFF RECOMMENDATION</u>: Staff recommends approval of the both the secondary signs #1 and #2 as proposed. Staff seeks recommendation from UDC regarding the proposed secondary sign #3 to the Land Use Committee of the City Council.

6. 1210-1230 Washington Street – The Rockport Group

<u>PROJECT DESCRIPTION</u>: The property located at 1210-1230 Washington Street is within Business 1 zoning district. The applicant is proposing to install the following signs:

- 1. One wall mounted secondary sign, non-illuminated, with approximately 6 sq. ft. of sign area on the northern façade facing Washington Street.
- 2. One wall mounted secondary sign, non-illuminated, with approximately 8 sq. ft. of sign area on the western façade facing the neighboring property.

TECHNICAL REVIEW:

- There are currently 3 existing signs for The Rockport Group: 84 sq. ft. sign, 41 sq. ft., and 4.5 sq. ft. sign. The applicant has indicated that the existing 41 sq. ft. sign will be removed with this proposal. If the proposed free-standing sign is approved, the remaining two existing signs will become secondary signs, but 84 sq. ft sign will be in violation due to its size. Hence, the applicant will need to apply for a special permit for this sign as well.
- Both the proposed secondary signs (sign #1 and #2) appear to be not consistent
 with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two
 secondary signs are allowed, which the applicant is exceeding. The applicant will
 need to apply for a special permit to allow both proposed secondary signs.

<u>STAFF RECOMMENDATION</u>: Staff seeks recommendation from UDC regarding both the proposed secondary signs and existing 84 sq. ft. secondary sign to the Land Use Committee of the City Council.

Design Consistency Review

1. 355 & 399 Grove Street - Riverside Design Consistency Review Process

On September 9, 2021, the Land Use Committee of the City Council voted to approve the amended Riverside project. The Project will redevelop an existing surface parking lot at 355 Grove Street and 399 Grove Street, currently improved with a

hotel use, with a new mixed-use development of not more than 1,025,000 square feet of gross floor area in ten buildings that are designed to maximize the principle of walkability and to create a vibrant, transit-oriented hub. These buildings incorporate approximately 362,235 square feet of office and/or laboratory/research and development (i.e., life science) space, approximately 550 dwelling units, approximately 21,852 square feet of ground floor commercial space, accessory surface parking, and a multi-level parking facility in Buildings 9 and 10 that will provide parking for MBTA patrons and parking for the Project.

As per the Council Order, all buildings, other than the Parking Garage, shall undergo a two- or three-step process set forth in Conditions #9 through 13 for review of each building to ensure the Project is constructed in accordance with the Zoning Ordinance, the Amended and Restated Special Permit/Site Plan Approval, and the Design Guidelines.

- 1. As per Condition #9 of the Special Permit, "Submission and Review of Schematic Plans
 - a. At the schematic design stage, the Petitioner shall file the following with the Director of Planning and Development and its consultants, the City of Newton's Urban Design Commission (the "UDC"), and the Liaison Committee:
 - i. Individual building plans consisting of exterior renderings, preliminary building elevations, building footprints, and representative wall sections showing consistency with the Special Permit Plan Set and the Design
 - Guidelines (the "Schematic Plans"); and
 - ii. a signed certificate from the Petitioner's architect and/or civil engineer certifying that the Schematic Plans are consistent with the Special Permit Plan Set.
 - b. Within thirty (30) days of receipt of a complete submission of the materials set forth in Condition #9(a), the Director of Planning and Development will review and provide an opinion as to whether the Schematic Plans are in full compliance with the Special Permit Plan Set and consistent with the Design Guidelines. If the Director of Planning and Development's review requires the input or assistance

from a peer review consultant, the Petitioner shall pay the reasonable fees for such peer review. The Director of Planning and Development's opinion shall be submitted in writing to the Petitioner, the Commissioner of Inspectional Services, the City Council, and the Liaison Committee. If it is the Director's opinion that the Schematic Plans are not compliant with the Special Permit Plan Set or inconsistent with the Design Guidelines, such inconsistencies shall be expressly identified.

- c. Within thirty (30) days of receipt of a complete submission of the materials set forth in Condition #9(a) (and concurrent with the review of the Director of Planning and Development), the UDC, after review of such submission at a public meeting, will provide an opinion as to whether the Schematic Plans are in full compliance with the Special Permit Plan Set and consistent with the Design Guidelines. The Petitioner shall provide the Liaison Committee and the Ward 4 City Councilors with notice of the date of the UDC's public meeting at least 14 days in advance and the UDC should make all efforts to take public comment. The UDC's opinion shall be submitted in writing to the Petitioner, the Commissioner of Inspectional Services, the City Council, and the Liaison Committee. If it is the UDC's opinion that the Schematic Plans are inconsistent with either the Special Permit Plan Set or the Design Guidelines, such inconsistencies shall be expressly identified.
- d. Upon receipt of the written consistency opinions referenced in Condition #9(b) and (c) above, the Petitioner may proceed to the design development stage. If either the UDC or the Director of Planning issues an opinion that the Schematic Plans are inconsistent with either the Zoning Ordinance, the Special Permit Plan Set, or the Design Guidelines, the Petitioner must submit revised Schematic Plans in accordance with Condition #9(a)."

The applicant is expected to submit for Review of Schematic Plans in late January. The applicant is planning to group the buildings into three groups:

- Group 1 will be buildings 1, 2, 3, 8 and 9
- Group 2 will be buildings 4 and 7
- Group 3 will be buildings 5 and 6

The applicant has indicated the following timelines:

• 1/28/22 – Schematic design submission for 30-day review for group 1 and group 2

• 5/6/22 – Design development submission for 45-day review for group 1

Group 2 design development date is still to be finalized and group 3 will follow the same two-step approach, but the applicant doesn't have submission timelines for that group yet.

III. Old/New Business

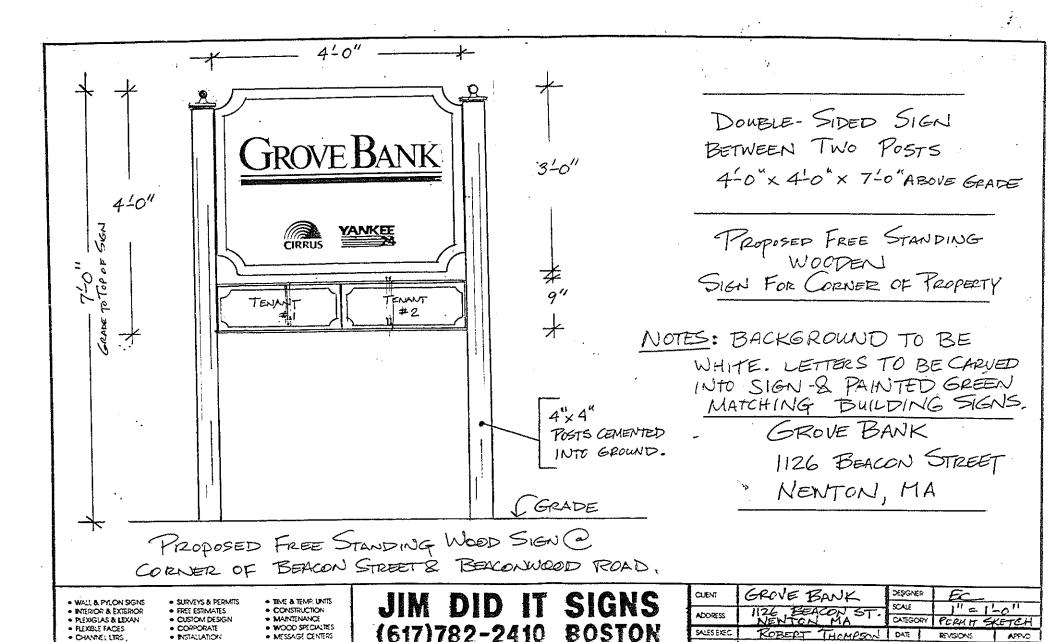
1. Approval of Minutes

Minutes of November meeting are still being prepared. Staff intends to have it ready for the night of the meeting. If any are available early, they will be submitted to the Commission via email.

Attachments

Attachment A: 1126 Beacon Street

Attachment B: 1210 Washington Street – Special Permit



DRAY NO

OCTOBER 31 1992

CHANNEL LIRS.

THIS DESIGN/ENGINEERING PROPOSAL IS TO REMAIN

THE COMMONWEALTH OF MASSACHUSETTS

NEWTON

BOARD OF ALDERHON

**************************	June	3,	19	93

Register of Deeds

NOTICE OF VARIANCE

Conditional or Limited Variance or Special Permit

(General Laws Chapter 40A, Section Viscas amounded) /SITE PLAN APPROVAL Notice is hereby given that a Схиникимикимикимимиким Умунанский Special Permit has been granted Grove Bank/Le Santo Corporation Address 1126 Beacon Street City _____Newton, Ward 5, on land known as Section 54, Block 22, Lot 3, containing approximately 15,900 square feet of land.

Ideally Lond Affected by the City of Newton Board of Aldermen affecting the rights of the owner with respect to the use of premises xxxx for a free-standing sign at Newton 1126 Beacon Street the record title standing in the name of Le Santo Corporation whose address is 264 Worcester Land Waltham MA 02154 State Page Registry District of the Land Court Certificate No......BookPage.... The decision of said Board is on file with the papers in Decision or Case No. 490-92...... in the office of the City Clerk of Newton Signed this 3rd day of June 19 93 Board of Alderses Richard J. McGrathPresident Beard of Aldernes finda Finucani Board of Alderman Linda FInucane, Acting Clerk 19 at o'clock and minutes ...M. Received and entered with the Register of Deeds in the County of...... Book..... Page..... Attest

CITY OF NEWTON

IN BOARD OF ALDERMEN

April 20, 1993

ORDERED:

That the Board finding that the public convenience and welfare will be substantially served by its action and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, the following SPECIAL PERMIT/SITE PLAN APPROVAL is hereby granted, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefore, through its Chairman, Alderman Susan M. Basham:

- 1. The Board of Aldermen finds that the proposed sign is small and cannot be seen from Beaconwood Road residences.
- The Board of Aldermen takes note that the building is set back 40 feet from both Beacon Street and Beaconwood Road and that these setbacks make the free-standing sign needed for the bank and the ATM machine which provide a service for Newton residents and businesses.
- 3. The Board of Aldermen finds that the proposed landscaping will enhance the site and the neighborhood.

Petition number:

#490-92

Petitioner:

Grove Bank/Le Santo Corporation

Location:

1126 Beacon Street, Ward 5, Section 54,

Block 22, Lot 3, containing

approximately 15,900 sq. ft, of land.

Owner:

Le Santo Corporation

Address of owner:

264 Worcester Lane Waltham, MA 02154

To be used for:

Free-standing sign

Construction:

Wood

Explanatory note:

Section 30-20(i) allows the Board of Aldermen to grant a Special Permit for exceptions to the sign ordinance.

Land referred to is in a Business 2 District.

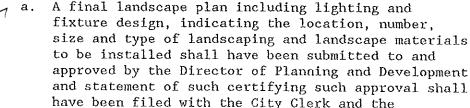
Approved, subject to the following conditions:

1. That all buildings, parking areas, driveways, walkways, landscaping and other site features shall be located and constructed consistent with plans entitled "Proposed Free Standing Wood Sign" by Jim Did It Signs, a "Site Development Plan" dated November 9, 1989, and a revised landscape plan submitted to the Planning Department on March 31, 1993 submitted by the petitioner and filed herewith.



That the Planning Department review the landscaping plan with particular attention to the sight distance for motorists exiting the site.

- 3. That the height of the sign be reduced to approximately 5 feet in order to be seen under the canopy of the proposed trees and above the screen of the proposed shrubs.
- 4. That no building permit shall be issued in pursuance of the SPECIAL PERMIT/SITE PLAN APPROVAL until:



Department of Inspectional Services.

b. The petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a Certified copy of this Board Order granting this SPECIAL PERMIT/SITE PLAN APPROVAL with appropriate reference to the book and page of the recording of the Fetitioner's title deed or notice of lease endorsed thereon.

c. A certified copy of such recorded notice shall have been filed with the City Clerk, the Inspectional Services Department and the Department of Planning and Development. Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 2 absent (Ald. Lipsitt and Mansfield)

The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT and SITE PLAN APPROVAL is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on April 20, 1993. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT and SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the Planning and Development Board and the City Clerk.

ATTEST:

(SGD) EDWARD G. ENGLISH, City Clerk

Clerk of the Board of Aldermen

I, Edward G. English as the <u>Clerk of the Board of Aldermen</u> and keeper of its records and as the <u>City Clerk</u> and official keeper of the records of the <u>CITY OF NEWTON</u> hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the <u>Office of the City Clerk</u> on <u>April 20, 1993</u> and that <u>NO APPEAL</u> to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST MUUM

EDWARD G. ENGLISH, City Clerk

CITY OF NEWTON

IN BOARD OF ALDERMEN

March 29, 1993

ORDERED:

That in accordance with the recommendation of the Land Use Committee and the provisions of Section 9 of M.G.L. c. 40A, the Board of Aldermen hereby agrees to a thirty (30) day EXTENSION OF TIME between the Petitioner and the Board of Aldermen in which the Board may act on GROVE BANK/LE SANTO CORPORATION petition #490-92 for a SPECIAL PERMIT/SITE PLAN APPROVAL said extension to be from APRIL 12, 1993 up to and including MAY 12, 1993.

Under Suspension of Rules Readings Warred and Approved (SGD) EDWARD G. ENGLISH, City Clerk

I, Edward G. English, as the Clerk of the Board of Aldermen and keeper of its records and as the City Clerk and official keeper of the records of the CITY OF NEWTON, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the Office of the City Clerk on March 29, 1993 and that NO APPEAL to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST 4

EDWARD G. ENGLISH, City Clerk

1210 Washington St

CITY OF NEWTON

IN BOARD OF ALDERMEN

July 14, 1997

CITY CLERK NEWTON, MA, 02159

ORDERED:

That the Board, finding that the public convenience and welfare will be substantially served by its action and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, the following SPECIAL PERMIT/SITE PLAN APPROVAL is hereby granted, in accordance with the recommendation of the Land Use Committee and the reasons given by the Committee therefor, through its Chairman, Alderman Susan M. Basham:

- 1. The Board finds that the proposed free-standing sign will help people find the site, identify the business, and avoid a potential traffic hazard.
- 2. The Board finds that the proposed free-standing sign is not detrimental to the neighborhood.
- 3. The Board finds that the proposed free-standing sign is well designed.

PETITION NUMBER:

115-97

PETITIONER:

SRP Sign/Charter Systems/Martin Mill Realty Ltd.

Partnership

LOCATION:

1210 Washington Street, Ward 3, West Newton, Section

31, Block 4, Lot 13, containing approximately 79,093 sq.

ft, of land.

OWNER:

Martin Mill Realty Ltd. Partnership

ADDRESS OF OWNER:

2101 Rosecrans Avenue

Suite 525

El Segundo, California 90245

TO BE USED FOR:

Free-standing sign

CONSTRUCTION:

Wood

EXPLANATORY NOTE:

Section 30-20(1) allows the Board of Aldermen to grant a special permit for exceptions to the sign ordinance including a free-standing sign.

Land referred to is in a Business 1 District.

Approved, subject to the following conditions:

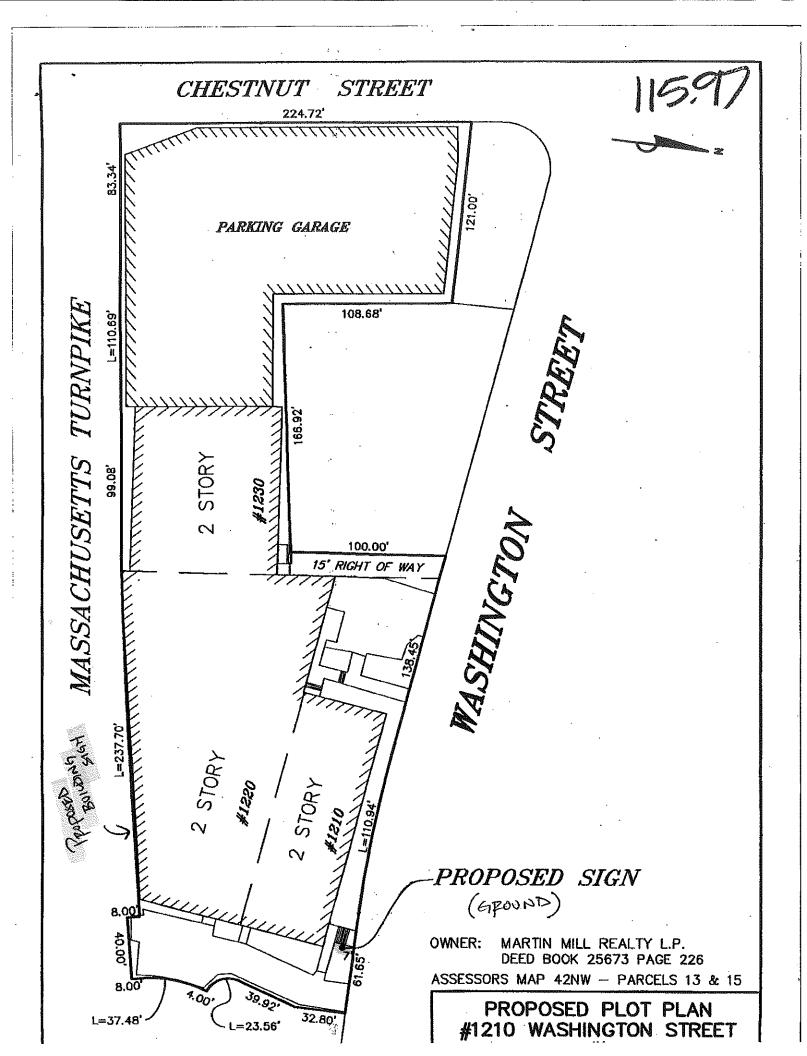
- 1. That all buildings, parking areas, driveways, walkways, landscaping and other site features shall be located and constructed consistent with a plan entitled "Proposed Plot Plan #1210 Washington Street in Newton, Mass." dated 3/20/97 by H & R Survey and with a conceptual sign design by SRP Sign and Awning (attachment #2), submitted by the petitioner and filed herewith.
- 2. That the petitioner submit a landscaping plan for plantings at the base of the free-standing sign.
- 3. That no building permit shall be issued in pursuance of the SPECIAL PERMIT/SITE PLAN APPROVAL until:
 - a. The petitioner has submitted a landscape plan in accordance with Condition #2 of this special permit to the Director of Planning and Development for review and approval.
 - b. The petitioner has submitted the final design of the sign to the Director of Planning and Development for review and approval in consistency with the approved plan.
 - c. The petitioner shall have recorded with the Registry of Deeds for the Southern District of Middlesex County a Certified copy of this Board Order granting this SPECIAL PERMIT/SITE PLAN APPROVAL with appropriate reference to the book and page of the recording of the Petitioner's title deed or notice of lease endorsed thereon.
 - d. A certified copy of such recorded notice shall have been filed with the City Clerk, the Inspectional Services Department and the Department of Planning an Development.

Under Suspension of Rules Readings Waived and Approved 22 yeas 0 nays 1 absent (Ald. Antonellis) 1 excused (Ald. Tattenbaum) The undersigned hereby certifies that the foregoing copy of the decision of the Board of Aldermen granting a SPECIAL PERMIT and SITE PLAN APPROVAL and is a true accurate copy of said decision, the original of which having been filed with the CITY CLERK on July 29, 1997. The undersigned further certifies that all statutory requirements for the issuance of such SPECIAL PERMIT/SITE PLAN APPROVAL have been complied with and that all plans referred to in the decision have been filed with the City Clerk.

ATTEST		
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(SGD) Æ	DWARD G. ENGLISH. City Clerk	7 .
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I, Edward G. English, as the <u>Clerk of the Board of Aldermen</u> and keeper of its records and as the <u>City Clerk</u> and official keeper of the records of the <u>CITY OF NEWTON</u>, hereby certify that Twenty days have elapsed since the filing of the foregoing decision of the Board of Aldermen in the <u>Office of the City Clerk</u> on <u>July 1</u> and that <u>NO APPEAL</u> to said decision pursuant to M.G.Laws Chapter 40, Section 17 has been filed thereto.

ATTEST PANDATAMUCAMI, ACTING EDWARD G. ENGLISH, City Clerk
LINDA FINUCANE



Charter Systems WALL SIGN FACING MASS PIKE (9.5 ft. long - 19" letters on facade) MASSACHUSETTS TURNPIKE L=237.70 2 STORY 2 STORY #1220 #1230 2 STORY WASHINGTON 1210 STREET

4 FT. by 5 FT.
(Cube shaped sign - painted 'Forest Green")

CITY OF NEWTON, MASSACHUSETTS Department of Planning and Development

Petition: # 115-97

Petitioner: SRP SIGN/CHARTER SYSTEMS

/MILL REALTY PARTNERSHIP

Zoning Districts

Single Residence 1

Single Residence 2

Single Residence 3

Multi-Residence 1

Multi-Residence 2

Multi-Residence 3

Multi-Residence 4

X Business 1

Business 2