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## STAFF MEMORANDUM

Meeting Date: **Wednesday, May 11, 2022**  
DATE: May 8, 2022  
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. 19-31 Needham Street – Town Fair Tire**

**PROJECT DESCRIPTION:** The property located at 19-31 Needham Street is within Mixed Use 1 zoning district. The applicant is proposing to install the following signs:

1. One wall mounted principal sign, internally illuminated, with approximately 92 sq. ft. of sign area on the southern façade facing Needham Street.
2. One wall mounted principal sign, internally illuminated, with approximately 92 sq. ft. of sign area on the eastern façade facing Easy Street.

3. Two directory signs, non-illuminated, with approximately 3 sq. ft. of sign area perpendicular to Needham Street.

TECHNICAL REVIEW:

- Per the Zoning Ordinance, two principal signs are allowed on a corner lot. Frontage on the first street is 100 feet (Needham Street) which is 75 percent of frontage on the second street (Easy Street). Frontage on Easy Street is 158 feet. Both the proposed principal signs appear to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, two principal signs are allowed, which the applicant is not exceeding, and on this façade of 105 ft. and 250 feet, the maximum size of the sign allowed is 100 sq. ft. each, which the applicant is also not exceeding.
- Both the directory signs are allowed by right and do not require a sign review.

STAFF RECOMMENDATION: Staff recommends approval of both principal signs and both directory signs as proposed.

**2. 1211 Centre Street – Mr. Sid**

PROJECT DESCRIPTION: The property located at 1211 Centre Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, non-illuminated, with approximately 39 square feet of sign area on the eastern facade facing Centre Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 42 feet, the maximum size of the sign allowed is 100 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

**3. 16-20 Lincoln Street - Walnut Market**

PROJECT DESCRIPTION: The property located at 16-20 Lincoln Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. Reface of one perpendicular split principal sign, internally illuminated, with approximately 16 square feet of sign area on the northern façade perpendicular to Lincoln Street.

TECHNICAL REVIEW:

- The proposed perpendicular sign is a reface of an existing perpendicular sign.

STAFF RECOMMENDATION: Staff recommends approval of reface of the perpendicular sign.

#### **4. 1195-1209 (1197) Chestnut Street – Mike’s Barber Shop**

PROJECT DESCRIPTION: The property located at 1197 Chestnut Street is within a Business 1 zoning district. The applicant is proposing to install the following sign:

1. One perpendicular principal sign, non-illuminated, with approximately 9 sq. ft. of sign area on the northern building façade perpendicular to Chestnut Street.

TECHNICAL REVIEW:

- The proposed perpendicular principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 23 feet, the maximum size of the sign allowed is 69 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign.

#### **5. 321 Walnut Street – The UPS Store**

PROJECT DESCRIPTION: The property located at 321 Walnut Street is within Business 1 zoning district. The applicant is proposing to install the following sign:

1. One wall mounted principal sign, internally illuminated with approximately 21 square feet of sign area on the eastern façade facing Walnut Street.

TECHNICAL REVIEW:

- The proposed wall mounted principal sign appears to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 14.5 feet, the maximum size of the sign allowed is 43.5 sq. ft., which the applicant is also not exceeding.

STAFF RECOMMENDATION: Staff recommends approval of the proposed principal sign on the condition that the banner sign is removed.

#### **6. 379 Hammond Street – Church of the Redeemer**

PROJECT DESCRIPTION: The property located at 379 Hammond Street is within Single Residence 1 zoning district. The applicant is proposing to install the following sign:

1. One free-standing principal sign, non-illuminated, with approximately 14 square feet of sign area.

TECHNICAL REVIEW:

- The proposed principal sign appears to be consistent with the dimensional controls specified in §5.2.7. Per the Zoning Ordinance, one free-standing sign is allowed, which the applicant is not exceeding, the maximum size of the sign allowed is 10 sq. ft., which the applicant is also not exceeding.
- The applicant is required to send a letter to the Commissioner of Inspectional Services requesting a dover waiver.

STAFF RECOMMENDATION: Staff recommends approval of the free-standing sign as proposed on the condition that the Commissioner grants a dover waiver.

**7. 792 Beacon Street - Salt**

PROJECT DESCRIPTION: The property located at 792 Beacon Street is within a Business 1 zoning district and has a comprehensive sign package authorized by a special permit via Board Order # 138-18, dated April 17, 2018. The applicant is proposing to install the following signs:

1. One awning mounted split principal sign, non-illuminated, with approximately 14 sq. ft. of sign area on the northern building façade facing Langley Road.
2. One awning mounted split principal sign, non-illuminated, with approximately 14 sq. ft. of sign area on the southern building façade facing Langley Road.

TECHNICAL REVIEW:

- Condition 4.b of the board order states that *“If the future signs comply with Section 5.2 of the Newton Zoning Ordinance and are deemed inconsistent with the Comprehensive Sign package by the Commissioner of Inspectional Services and Director of Planning and Development, the changes(s) shall be submitted to the Urban Design Commission for review and approval.”*
- Both the proposed split principal signs appear to be consistent with the dimensional controls specified in §5.2.8. Per the Zoning Ordinance, one principal sign is allowed, which the applicant is not exceeding, and on this façade of 25 feet, the maximum size of the total signage allowed is 75 sq. ft., which the applicant is also not exceeding. Per Zoning Ordinance §5.2.8, *“In particular instances, due to the nature of the use of the premises, the architecture of the building, or its location with reference to the street, the total allowable sign area may be divided between two wall signs which together constitute the principal wall sign.”*
- *Both the proposed split principal signs are not consistent with the comprehensive sign package (attachment A).*

STAFF RECOMMENDATION: Staff seeks recommendation from the Commission regarding both split principal signs.

## **Fence Appeal**

### **1. 255 Parker Street Fence Appeal**

PROJECT DESCRIPTION: The property located at 255 Parker Street is within a Single Residence 3 district. The applicant is proposing to add the following fence:

- a) Front Lot Line – The applicant is proposing to add a fence, set at the front property line with a new fence, 6 feet high solid wood, approximately 175 feet (59.15' + 46.41' + 68.6') in length.

#### TECHNICAL REVIEW:

The existing fence along the front property lines appear to be not consistent with the fence criteria outlined in §5-30(d)(1) of the Newton Code of Ordinances.

*According to §5-30(d)(1), "Fences bordering a front lot line: No fence or portion of a fence bordering or parallel to a front lot line shall exceed four (4) feet in height unless such fence is set back from the front lot line one (1) foot for each foot or part thereof such fence exceeds four (4) feet in height, up to a maximum of six (6) feet in height, and further, that any section of a perimeter fences greater than four (4) ft. in height must be open if it is parallel to a front lot line."*

The existing fence at the corner appears to be not consistent with the fence criteria outlined in §5-30(f)(7) of the Newton Code of Ordinances.

*According to §5-30(f)(7), "Visibility on Corner Lots. No fence shall be erected or maintained on any corner lot as defined in Section 30-1 of the Revised Ordinances, as amended, in such a manner as to create a traffic hazard. No fence on a corner lot shall be erected or maintained more than four (4) feet above the established street grades within a triangular area determined by each of the property lines abutting each corner and an imaginary diagonal line drawn between two points each of which is located twenty-five (25) feet along the aforesaid property lines of said lot abutting each of the intersecting streets as illustrated in the diagram below. The owner of property on which a fence that violates the provisions of this section is located shall remove such fence within ten (10) days after receipt of notice from the Commissioner of Inspectional Services that the fence violates the provisions of this section and creates a traffic hazard in the judgment of the City Traffic Engineer."*

As specified under §5-30(c) and (h), the UDC may grant an exception to the provisions of the City's Fence Ordinance. The proposed fence, however, must be found to comply with the "requirements of this ordinance, or if owing to conditions especially affecting a

*particular lot, but not affecting the area generally, compliance with the provisions of this ordinance would involve substantial hardship, financial or otherwise.” The UDC must also determine whether the “desired relief may be granted without substantially nullifying or substantially derogating from the intent and purposes of this ordinance or the public good.”*

The applicant is seeking an exception to allow 6 feet tall fence at the front property line and at the corner for a total length of 175 feet, where the ordinance would permit such a fence to be 4 feet tall at the front property line. The applicant’s stated reasons for seeking this exception are that *“The proposed fence will replace the existing one. It will be installed on the property line and will keep the cement bollards. The height will provide privacy, noise control and safety from the intersection of Route 9/Boylston and Parker Street, where the property is located.”*

STAFF RECOMMENDATION: Based on the information submitted in the fence appeal application and staff’s technical review, staff seeks recommendation from the Commission.

## **Design Review**

### **1. 1314 Washington Street**

Mark Development (the “applicant”) proposes a new mixed-use development consisting of a five story, 59.9-foot-high addition to the rear of the existing building at 1314 Washington Street (the “Project”). The existing bank building will be converted to a 4,119 square foot restaurant, with 160 indoor seats and 65 outdoor patio seats. The addition will contain 50 rental units and 69,301 square feet of space.

The locus is comprised of three lots containing 30,031 square feet of land in the BU-1 zoning district: 1314 Washington Street, 31 Davis Street, and 33 Davis Street. The lots would be consolidated into a single parcel and rezoned to MU-4.

In terms of dimensional standards, the applicant is seeking a special permit for: (1) a development of more than 20,000 square feet pursuant to Section 4.2.2.B.1; (2) a lot area per unit of 601 square feet pursuant to Sections 4.2.2.A.2 and 4.2.5.A.2; (3) a building height of up to 60 ft. (where 59.9 ft. is proposed) and five stories pursuant to Sections 4.2.3 and 4.2.5.A.2; and (4) a floor area ratio of up to 2.5 (where 2.44 is proposed) pursuant to Section 4.2.3.

In terms of design standards, the applicant is seeking a special permit for: (1) a waiver of the front setback requirements of Section 4.2.5.A.4. to allow front setbacks greater than 10 ft. (10.9 ft. along Washington Street, 25.6 ft. along Highland Street, and 19.2 ft. along Davis Street), (2) a waiver of the height setback and step back plane requirements of

Section 4.2.5.A.4.c. for buildings higher than 40 ft. pursuant to Section 4.2.5.A.4; and (3) a waiver of the transparency and entrance requirements of Section 4.2.5.A.6.

In terms of proposed uses, the applicant is seeking a special permit pursuant to Section 4.4.1 for: (1) restaurant of over 50 seats, (2) to the extent necessary, restaurant having extended hours of operation (Section 6.4.29.C.6) and (3) to the extent necessary, residential uses at the ground floor.

In terms of parking, the proposed project will provide 73 parking stalls on-site. 23 of the parking stalls will be dedicated to the proposed restaurant use and 50 of the parking stalls will be dedicated to the residential use. Pursuant to Section 5.1.4.A, the applicant seeks a special permit to allow 1.25 parking stalls per residential unit. The applicant also seeks the following waivers, all pursuant to Section 5.1.13:

1. a waiver of 74 parking stalls from what is required by Section 5.1.4.A;
2. a waiver of the prohibition on the assignment of parking stalls to specific tenants under Section 5.1.3.E;
3. parking stall dimension requirements of Sections 5.1.8.B.1 and 2;
4. end stall maneuvering space requirements of Section 5.1.8.B.6; and
5. application of the A-B+C formula of Section 5.1.3.B.

At the request of the Planning Department, the petitioner has been asked to present the revised project proposal to the UDC for consideration. The Planning Department encourages the UDC to review the project with regards to, but not limited to, the following: the proposed site plan; the building's design; bulk and massing; and relationship to context and the street.

### **III. Old/New Business**

#### ***1. Approval of Minutes***

Staff will provide meeting minutes at the next meeting.

#### ***2. Commission Election – To Elect Chair and Vice Chair***

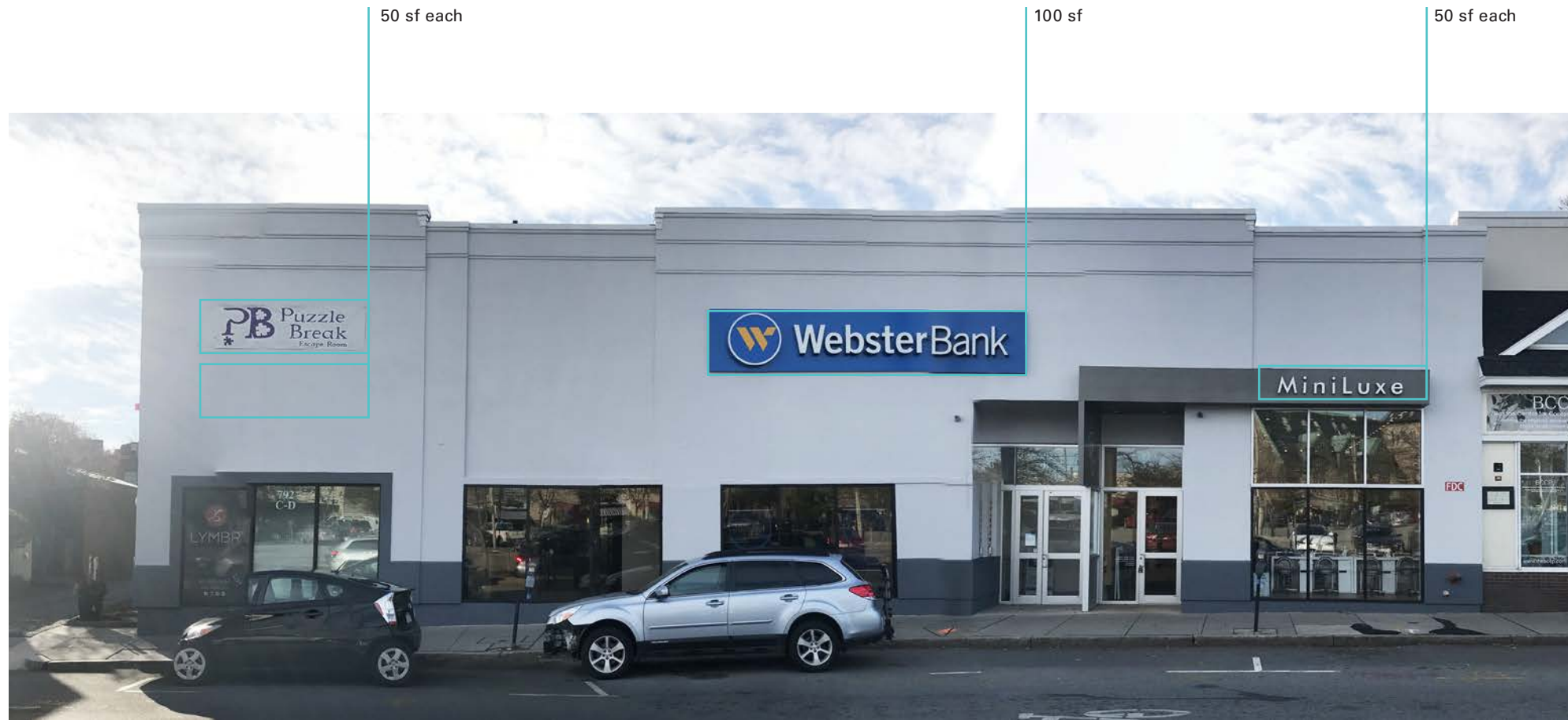
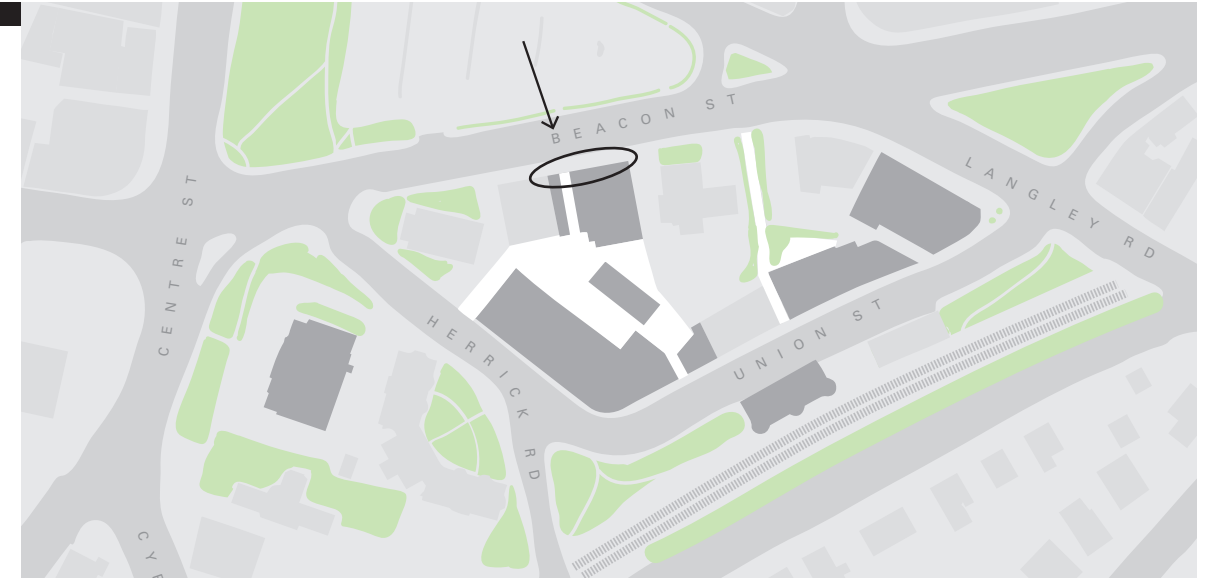
Per Urban Design Commission Rules and Regulations, article IV, *“Each year the Commission shall hold the election of officers from the Commission membership at the regular meeting held on the third Wednesday in May. The officer positions shall be for terms of one (1) year and include a Chairman and Vice Chairman. The City Clerk shall be notified of the election results.”*

### **Attachments**

- Attachment A: 792 Beacon Street - Piccadilly Square Comprehensive Sign Package



# 790–794 Beacon Street - North Facade



# 790–794 Beacon Street - North and East Facades

Frontage: 82 ft (per assessor's database)

Proposed Common Signs:

- Building mounted ID
- 'Painted' Brick Graphic
- Restaurant Directory



Yellow indicates sign band allocated for tenant use.

