

Setti D. Warren Mayor

City of Newton, Massachusetts

Department of Planning and Development

1000 Commonwealth Avenue Newton, Massachusetts 02459

#114-17

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Barney Heath Director

May 23, 2017 Public Hearing Date: Land Use Action Date August 1, 2017 August 7, 2017 City Council Action Date: August 21, 2017 90-Day Expiration Date:

DATE: May 19, 2017

TO: City Council

FROM: Barney Heath, Director of Planning and Development

Michael Gleba, Senior Planner

Petition #114-17, for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special SUBJECT:

Permit #2-15 to allow a 1/3 reduction in the number of required parking stalls or a waiver for 386 stalls, dimensional relief to allow conformance with the existing parking facility and waivers with regard to the number, size, location and/or height of signs at 300 Boylston Street, Ward 7, Chestnut Hill, on land known as Section 82, Block 002, Lot 0001, containing approximately 125,771 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: 7.3, 7.4, 5.1.4.A, 5.1.13, 5.1.4.C, 5.1.13, 5.2.13

of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



300 Boylston Street

EXECUTIVE SUMMARY

The subject property at 300 Boylston Street is a 125,771 square feet lot improved with a nonconforming multi-story structure (formerly known as the Atrium Mall) with approximately 280,000 square feet of commercial tenant space and common areas as well as several levels of underground parking. Developed by-right in 1986, a 1988 amendment to the Zoning Ordinance changed the dimensional requirements in Business 1 (BU1) zoning districts and rendered the structure nonconforming in regards to height and setbacks.

The property has since been the subject of several previous special permits since 1986, including a 2015 special permit to repurpose the building into a mixed-use facility. The primary tenant of the building, Life Time Fitness, will occupy approximately 111,650 square feet of the first and second levels of the structure and include a health club and medical office space, as well as restaurant, retail and spa spaces uses. Other identified uses proposed for the structure include an approximately 18,000 square feet medical office currently under construction on the third floor; an approximately 78,000 medical orthopedic center and outpatient/ambulatory care facility on the fourth floor; and approximately 12,000 square feet of office space on the third floor. Yet to be leased are 16,000 square feet on the second floor and 61,500 square feet on the third floor.

While the existing 1,045 parking stalls on the site parking facilities appear adequate to accommodate the currently identified tenants and uses, for the property to be fully tenanted 1,431 parking stalls, 386 more than currently exist, would be required. As no physical modifications to the existing underground parking facility are proposed, the petitioner is therefore seeking a waiver of 386 parking stalls or, in the alternative, a one-third reduction (the maximum allowed under Section 5.1.4.C) in the required parking for a single development with three or more uses. The latter could reduce the number of required parking stalls to 954, which is fewer than the currently existing 1,045. A special permit would be required in either case.

Additionally, the existing underground parking facility is nonconforming with regard to minimum stall dimensions, with most measuring 7.9 feet wide by 18 feet deep, as well as to certain end stall requirements. Other nonconformities may exist but are not documented on submitted plans. The petitioner applicant seeks a waiver through Section 5.1.13 to legitimize any aspect of the existing parking which does not meet the requirements of Section 5.1.

Lastly, the petitioner has submitted a comprehensive sign package for the building that places all proposed signage on its Boylston Street / Route 9 elevation (avoiding signage on its Florence Street side of the property, and is seeking a special permit to allow exceptions to the extent that the proposed signage exceeds the number or dimensions allowed, or otherwise does not meet any other standards required by Section 5.2.

The Planning Department has been supportive of the petitioner's efforts to repurpose the existing structure, seeing it as consistent with the 2007 Newton Comprehensive Plan that encouraged "business growth that furthers other goals in the Plan, provides essential services, and contributes to the vibrancy of the community" and identified the need to "facilitate

designs which assure compatibility between commercial and residential uses where such uses adjoin."

I. SIGNIFICANT ISSUES FOR CONSIDERATION:

When reviewing this request, the Council should consider whether:

In reference to the requested reduction in required parking stalls:

- ➤ the site, a single integrated development with three or more uses in a Business 1 (BU1) district, is an appropriate location for an up to one-third reduction in the sum total of stalls required for each of the uses (§5.1.4.C, §7.3.3.C.1);
- ➤ a reduction of up to one-third of the sum total of stalls required for each of the uses will adversely affect the neighborhood (§5.1.4.C §7.3.3.C.2);
- a reduction of up to one-third of the sum total of stalls required for each of the uses will create a nuisance or serious hazard to vehicles or pedestrians (§5.1.4.C, §7.3.3.C.3);
- access to the site over streets is appropriate for the types and numbers of vehicles involved (§5.1.4.C, §7.3.3.C.4)

or:

▶ literal compliance the provisions of Sec. 5.1 establishing the minimum number of parking stalls required for the uses to be located on the site is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§5.1.4.A; §5.1.13).

In reference to the requested waivers as to parking facility dimensional requirements:

➢ literal compliance the provisions of Sec. 5.1 establishing dimensional requirements for parking facilities of more than five stalls is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§5.1.13).

In reference to the requested exceptions to signage requirements:

➤ the exceptions to the limitations imposed by Sec. 5.2 sought for the number, size, location and height of signs are in the public interest, given the nature of the use of the premises, the architecture of the building or its location with reference to the street (§5.2.13).

¹ Newton Comprehensive Plan, adopted 2007, page 3-28.

I. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The property is at the corner of Boylston Street/Route 9 and Florence Street, in a mixed use area of Chestnut Hill. The properties abutting and/or in the general neighborhood of the subject property contain multi-family and single family residential, commercial, and mixed-use land uses (**Attachment A**). The subject property is zoned Business 1. The surrounding parcels are zoned Single Residence 1 and 2, Multi-Residence 1, 2, 3, and 4, Business 1, 2, and 4 (**Attachment B**).

B. Site

The site consists of 125,771 square feet of land and is improved with a multi-story commercial structure with a five-level underground parking garage, constructed in 1986. The structure, currently vacant, was previously used as a mixed-use shopping center. The parcel is largely level, but gradually descends along Florence Street to the southeast corner of the site.

II. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

As per Board Order #2-15, the existing vacant building is being repurposed into a mixed use commercial facility containing general office, medical office, lab, retail and restaurants. This application does not seek any changes to these uses or to the structure.

B. Building and Site Design

The property, which was developed to its current configuration in 1986, is in the process of being repurposed pursuant to Special Permit #2-15. Toward that end, the building's façade has been modified with new glass panels, precast concrete panels and stone and stucco veneer.

The building consists of approximately 281,196 square feet of interior space. The petitioner is not proposing any physical changes to the site plan or building pursuant to this petition beyond the approval of a comprehensive sign package discussed herein.

C. Parking and Circulation

The number of parking stalls required for the presumed uses for the structure is detailed in the attached Zoning Review Memorandum (Attachment C). One tenant, Life Time Fitness, will include several uses (Health Club/Fitness; Medical Office; Office; Child Care; Restaurant; Salon (service/retail); storage/mechanical) that, in the aggregate, require 607 spaces per the zoning ordinance. (Planning staff notes that if the entire occupancy of Life Time Fitness was calculated solely as a "health club," as

opposed to breaking down the individual uses, the parking requirement would be 745 stalls.) Several additional uses are proposed for the building, including a 78,000 square foot medical office; a fertility lab, and a financial planning office. These uses taken together would require 516 stalls.

Therefore, the currently tenanted uses at the property require 1,123 parking stalls. However, the number of spaces now required is established by previous special permits for the site and the formula found in Section 5.1.3.B, which (again, as detailed in the Zoning Review /memorandum) results in 1,035 stalls actually being required, fewer than the 1,045 that currently exist. As such, no waiver is required for what has been tenanted to date.

However, for the property to be fully tenanted, with the most intensive use of the remaining 61,546 square feet of untenanted space as a medical office presumed, an additional 386 spaces would be required, thus resulting in a total of 1,431 parking stalls required. As such, a reduction in the number of required stalls by 386 parking stalls would be required (note: while a parking credit resulting from previous special permits may apply, the simplest method of calculating a waiver for parking should be used). Section 5.1.13 provides that the Council may waive the requirement for the additional 386 spaces by special permit

In the alternative, the City Council may also, by a special permit pursuant to Section 5.1.4.C, allow an up-to one-third reduction in the required parking for a single development with three or more uses. A full one-third reduction in the required 1,431 stalls would result in a parking requirement of 954 stalls, fewer than the 1,045 that current exist on site.

On May 17, 2017, the petitioner submitted a Shared Parking Analysis (SPA) prepared by Vanasse & Associates (**Attachment C**) estimating the parking demand that could be expected for the structure fully tenanted with proposed uses. The SPA states that, given differing peak parking hours for the different uses, "the actual peak demand is much less than the sum of the individual peak parking demands," and found that the peak weekday and weekend parking demands of 826 and 832 spaces, respectively, would be satisfied by the existing 1,045 parking stalls.

The Transportation Division of the Department of Public Works reviewed the Shared Parking Analysis and did not disagree with the methodology used, assumptions made, or examples cited in the Shared Parking Analysis. Given this, the Planning Department is generally not concerned with the requested reduction in the number of required parking stalls.

As to whether this reduction should be in the form of a waiver of 386 parking stalls or, in the alternative, a one-third reduction (the maximum reduction allowed under Section 5.1.4.C) in the required parking for a single development with three or more uses, which would reduce the number of required parking stalls to 954 stalls (even fewer than the currently existing 1,045), the Planning Department notes that the

latter would create a "surplus" of stalls, potentially allowing the petitioner to subsequently add uses that would increase the number of required stalls. However, it would also create a situation that in the event the number of on-site uses is at some point is reduced to one or two, the reduction may longer be applicable. As such the Planning Department suggests that the petitioner consider seeking a reduction of the sum to total stalls required to the existing 1,045, rather than a full one—third reduction to 945, or merely seek the waiver of 386 stalls discussed above.

The applicant is not proposing any physical modifications to the existing nonconforming underground parking facility. However, as noted in the attached Zoning Review Memorandum, it is nonconforming as to dimensions, with most stalls measuring 7.9 feet wide by 18 feet deep (rather than the currently required 9 feet by 19 feet), as well as to end stalls requirements; other possible nonconformities not documented on submitted plans may also exist. The applicant seeks a waiver through Section 5.1.13 to the extent needed to legitimize any aspect of the existing parking which does not meet the minimum dimensional requirements of Section 5.1.

The Planning Department is generally not concerned with this requested waiver as it recognizes that the existing parking facility has been in operation since the building's construction and features numerous support columns that would make modifications difficult.

Transportation Division staff also noted its interest in the placement of several carsharing parking stalls and covered bicycle parking spaces. The Planning Department recommends that the petitioner consider creating such facilities and be prepared to discuss this issue at the public hearing.

D. Signage

The applicant has submitted a comprehensive sign package including signs for the building itself and its tenants. Per Section 5.2.8, on corner lots such the subject property, allows for two principal signs each measuring a maximum 100 square feet and two secondary signs of up to 50 square feet each, are allowed on each frontage as well (totaling 300 SF of signage).

The comprehensive sign package proposed by the petitioner is comprised of three principal signs that together measure 200 square feet, six secondary signs (one building identifier and five tenant signs) that measure 228 square feet in the aggregate, and an existing/ nonconforming 23 square foot exterior pylon sign; taken together the proposed signage measures 451 square feet, 151 more than that allowed by right.

The Planning Department is generally not concerned with the proposed signage, given its extent in the context of the scale of the structure and the fact that the signs are limited to the Boylston Street/Route 9 elevation of the structure and avoids the residential neighborhood on Florence Street. However, the proposed

comprehensive sign package has been reviewed by the Urban Design Commission (see below), and the Planning Department suggests that the petitioner consider the UDC's recommendations.

III. TECHNICAL REVIEW

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

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment D**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- > Special Permit per §7.3.3:
 - To waive 386 parking stalls (§5.1.4.A, §5.1.13), or allow a 1/3 reduction in the required stalls (to 945)(§5.1.4.A, §5.1.4.C);
 - To waive any requirements for parking facilities with more than five stalls as necessary (§5.1.13);
 - To waive regulations relative to signs as necessary (§5.2.13).

B. **Engineering Review**

The Engineering Division reviewed the submitted material and has indicated it has no engineering issues with the plans.

C. <u>Urban Design Review Commission Review</u>

The petitioner appeared before the Urban Design Commission (UDC) on May 17, 2017 to present the proposed comprehensive sign package. Subsequent to that meeting, UDC staff submitted the attached review (**Attachment E**). Generally, the UDC liked the lower sign band but would prefer to not have signs at the top of the building. It made some specific recommendations as well, including:

- Smaller signs, up to a maximum of 5 signs, should be allowed anywhere in the lower sign band;
- Any signs approved for the top of the building should be grouped in the upper band closer to the proposed "Sign A" (Lifetime Athletic).
- The three signs in the upper sign band should have consistently-sized black backgrounds with the actual size of the tenant "Sign B" and "Sign" C limited to 50 sq. ft.
- Each top sign should have a similar relationship with the blue vertical window as does the proposed Sign A.

IV. PETITIONER'S RESPONSIBILITIES

The petition is considered complete at this time.

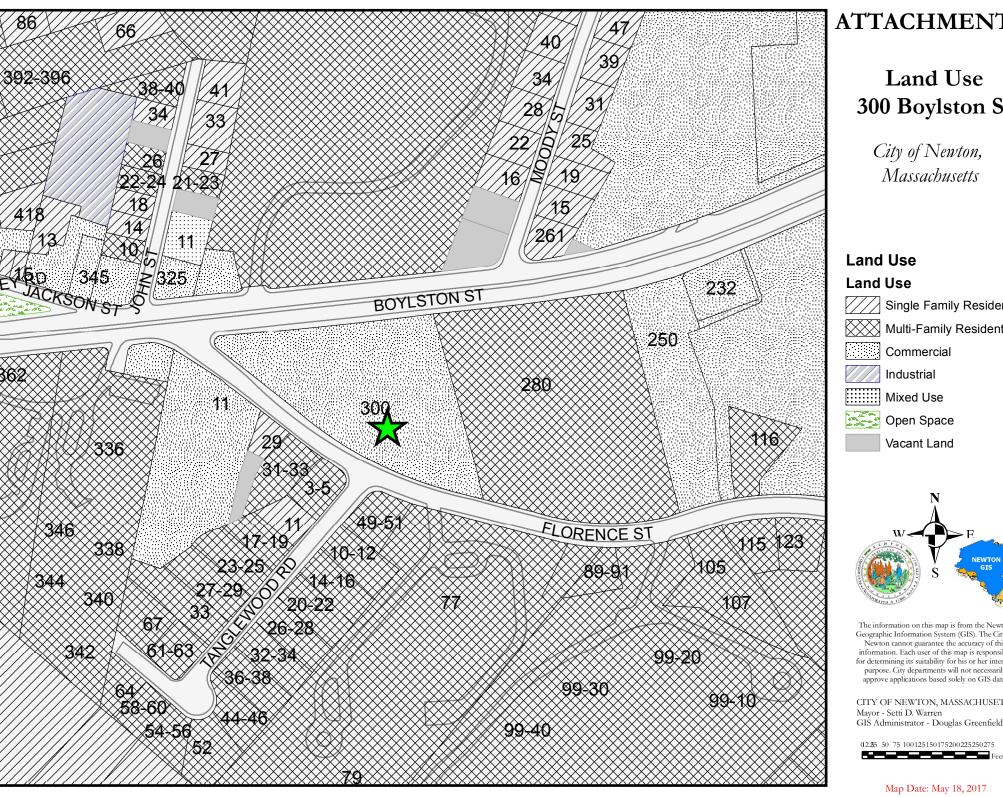
ATTACHMENTS:

Attachment A: Land Use Map
Attachment B: Zoning Map

Attachment C: Petitioner's Shared Parking Analysis (SPA)

Attachment D: Zoning Review Memorandum

Attachment E: Urban Design Commission Memorandum



ATTACHMENT A

Land Use 300 Boylston St

City of Newton, Massachusetts

Single Family Residential

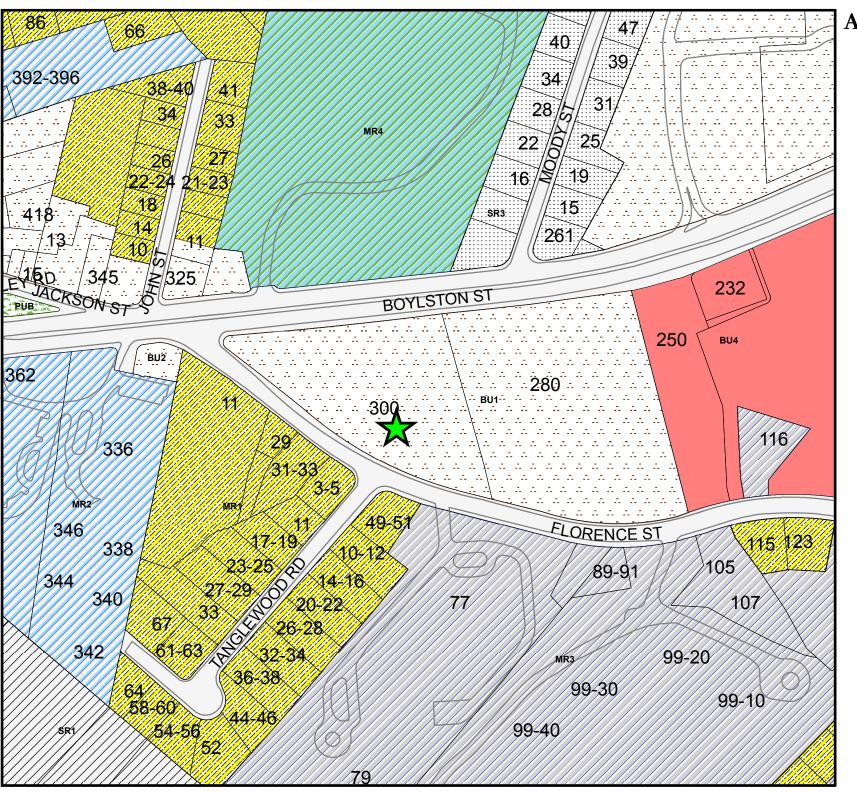
Multi-Family Residential



The information on this map is from the Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS

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ATTACHMENT B

Zoning 300 Boylston St

City of Newton, Massachusetts

Legend

Single Residence 1
Single Residence 3
Multi-Residence 1

Multi-Residence 2

Multi-Residence 3

Multi-Residence 4

Business 1

∴ ∴ Business 2

Business 4

Public Use



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

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ATTACHMENT C

Shared Parking Analysis

Lifetime Center, 300 Boylston Street

Newton, Massachusetts

Re: VAI File # 6467

Presented To:

Mark R. DiOrio, Esq.
General Counsel and Senior Vice President
The Bulfinch Companies, Inc.
250 First Avenue, Suite 200
Needham, Massachusetts 02494

From:

Mr. F. Giles Ham, P.E. Ms. Jennifer Conners Vanasse & Associates, Inc.



MEMORANDUM

TO: Mr. Mark R. DiOrio

The Bulfinch Companies, Inc 250 First Avenue, Suite 200 Needham, MA 02494 FROM: Mr. F. Giles Ham, P.E.

Ms. Jennifer Conners Vanasse & Associates, Inc.

35 New England Business Center Drive

Suite 140

6467

Andover, MA 01810-1066

(978) 474-8800

DATE: May 17, 2017

y 17, 2017 **RE:**

SUBJECT: Shared Parking

Newton, Massachusetts

INTRODUCTION

Vanasse & Associates, Inc. (VAI) has conducted a Shared Parking Study to review parking for the mixed-use development at the Life Time Center (f/k/a Atrium Mall) in Newton, Massachusetts. The proposed mixed-use development, as currently planned, includes a 111,650 sf Health Club, 78,000 sf of Medical/Office Clinic, 79,546 sf of Medical Office and 12,000 sf of Office space. The parking supply is 1,045 spaces. This assessment summarizes the parking spaces required based upon land-use, size and time of day. The shared parking methodology is outlined in the Shared Parking Manual¹ prepared by the Urban Land Institute.

SHARED PARKING ANALYSIS

Shared parking is a method through which different land uses can share the same parking supply, and reduce the number of parking spaces that each individual land use would be required to provide. If land uses have different peak hours of parking demand, then they can share some of the same spaces. For each separate Land Use of Health Club, Medical/Office Clinic, Medical Office and Office, the parking demand for each hour of the day is estimated. The following summarizes how the daily parking demand was estimated for each land use:

Health Club – The Life Time Fitness Health Club consists of many land uses including fitness, office, childcare, restaurant and retail. The Life Time club is larger than a typical health club to accommodate these multiple uses. The City of Newton, in an April 11, 2017 memorandum, calculated the parking requirement based upon the individual uses within Life Time Fitness to be 607 parking spaces. This estimate is conservative as it does not account for multi-purpose trips, such as when a patron parks and enjoys many uses during a single visit, which reduces the actual demand. In order to provide an accurate depiction of parking demand, the Life Time Fitness Center in Framingham was monitored to estimate the actual daily parking demand for this combination of uses. It is important to note that while the City of Newton conservatively required 607 spaces, actual peak demand at the Life Time Fitness Framingham facility was 345 parked cars at 6:00 PM on a weekday and 429 vehicles at 11:00 AM on a Saturday.

¹Shared Parking Manual, Second Edition; Urban Land Institute; Washington D.C; 2005.

Medical/Office Clinic – Medical/Office Clinic provides outpatient and day surgical care in addition to lab facilities. This use is less patient intensive in comparison to a typical medical office. In order to estimate the daily parking demand for a medical/office clinic a similar use was monitored in Dedham, Massachusetts. A medical/office clinic is generally not open on weekends.

Medical Office – In order to estimate the daily parking demand at the Medical Office use, the City of Newton requirement of 5.0 spaces per 1,000 sf was utilized and the daily temporal distribution was estimated utilizing the shared parking methodology. On a typical day, the peak parking of 5.0 spaces per 1,000 sf will occur between 10:00 AM and 12:00 Noon and again between 2:00 and 3:00 PM, but the remainder of the day the parking demand for medical office use will be less.

Office – Similarly, the City of Newton requirement of 3.0 spaces per 1,000 sf was utilized for office use and the daily temporal distribution was estimated utilizing the shared parking methodology. On a typical day, office parking will peak at 10:00 AM and again at 2:00 PM with the remainder of the day having a parking demand less than 3.0 spaces per 1,000 sf. On a Saturday parking demand is significantly less.

Based upon the above, the daily accumulation of parking demand for the proposed mixed-use development of Life Time Center consistent with the shared parking methodology is presented in Figures 1 and 2. As can be seen in Figure 1, at 11:00 AM on a weekday the parking space demand peaks at 826 occupied spaces. On a Saturday, the peak also occurs at 11:00 AM with a parking demand of 835 occupied spaces, as shown in Figure 2.

CONCLUSION

The Shared Parking Analysis allows for an estimation of the parking demand over the entire day and accounts for the fact that different land uses peak at different times of the day. The Life Time Center is a perfect example of this, as the fitness use parking demand peaks after 5:00 PM on a weekday and at 11:00 AM on a Saturday, while the other uses peak during the midday on a typical weekday and have less overall parking demand on a Saturday. As such, the actual peak demand is much less than the sum of the individual peak parking demands.

Based upon the Urban Land Institute shared parking methodology, observed parking demand counts for an actual Life Time Fitness Center in Framingham, and observed parking demand counts for a comparable medical/office clinic use in Dedham, the existing parking garage at Life Time Center, with a parking capacity of 1,045 spaces, has more than sufficient parking supply to satisfy the projected peak parking demands of 826 parking spaces during the weekday peak hour, and 835 parking spaces during the Saturday peak hour.

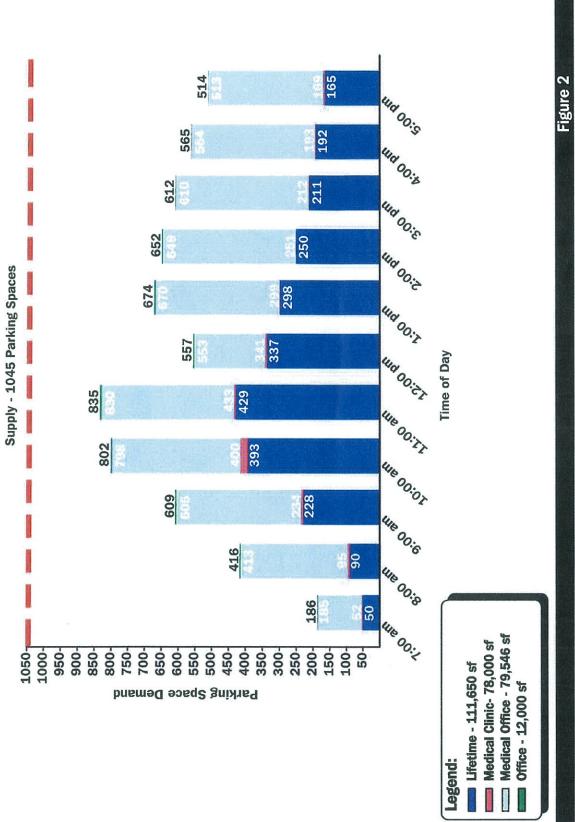
Arium Mall Redevelopment - 300 Boylston Street - Newton, Massachusetts

Vanasse & Associates, Inc.

Shared Parking Analysis

Figure 1

Typical Weekday



Shared Parking Analysis Typical Saturday

Vanasse & Associates, Inc. ransportation Engineers & Planners

Calculation - Weekday

| Mandlant | Medical | CIMIC |
|-------------|---------|-----------|
| 345 | 7:00 | |
| 345 | 00:9 | |
| 247 | 5:00 | |
| 138 | 4:00 | |
| 121 | 3:00 | |
| 138 | 2:00 | |
| 171 | 1:00 | ne of Day |
| 182 | 12:00 | TIn |
| 217 | 11:00 | |
| 201 | 10:00 | |
| 118 | 9:00 | |
| 117 | 8:00 | |
| 115 | 7:00 | |
| 1- Lifetime | | |

1.18

st st

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Space Per Unit Land Use

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Visitor/Staff x Space per Unit Land Use
Visitor (K) 2
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Medical OFF - Area

Office

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Visitor

| | Graphic | aphic numbers | 75 | | | | | | | | | | |
|------------------|---------|---------------|------|-------|-------|-------|-------------|------|------|------|------|------|------|
| | | | | | | Ė | Time of Day | | | | | | |
| | 7:00 | 8:00 | 9:00 | 10:00 | 11:00 | 12:00 | 1:00 | 5:00 | 3:00 | 4:00 | 2:00 | 9:00 | 7:00 |
| 1- Lifetime | 115 | | 118 | 201 | 217 | 182 | 171 | 138 | 121 | 138 | 247 | 345 | 345 |
| 2- Medical Cil | 173 | 234 | 269 | 369 | 393 | 337 | 327 | 585 | 259 | 246 | 325 | 402 | 369 |
| 3- Medical Offic | 306 | | 641 | 767 | 791 | 549 | 869 | 687 | 657 | 617 | 670 | 899 | 488 |
| 4- Office | 316 | 578 | 674 | 803 | 826 | 580 | 730 | 723 | 692 | 647 | 687 | 677 | 491 |

Calculation Typical Weekday



Calculation - Saturday

| 5.00 | 4-00 | 3.00 | 2:00 | 1:00 | 12:00 | 11:00 | 10:00 | 9:00 | 8:00 | 7:00 |
|-------------------|------|------|------|------|-------|-------|-------|------|------|------|
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| 3- Medical Office | 133 | 318 | 371 | 398 | 398 | 212 | 371 | 398 | 398 | 371 | 345 |
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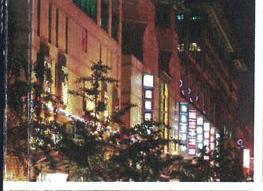
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| 9 | 01 | | 3.33 | 1.67 | 5.00 | | | d Use | 4.88818 | 12.84182 | | 0.03 | 0.35 | 0.38 | | | d Use | 0.36 | 4.2 |
| , | • | se | | | | | | Lan | 26 | 13 | se | | | | | | Lan | | |
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| | Graphic numbers | numbe | SJ: | | | | | | | | |
|-----------------|-----------------|-------|------|-------|-------|-------------|------|------|------|------|------|
| | | | | | Ī | Time of Day | | | | | |
| | 7:00 | 8:00 | 00:6 | 10:00 | 11:00 | 12:00 | 1:00 | 2:00 | 3:00 | 4:00 | 5:00 |
| 1- Lifetime | 20 | 06 | 228 | 393 | 429 | 337 | 298 | 250 | 211 | 192 | 165 |
| 2- Medical Cli | 52 | 95 | 234 | 400 | 433 | 341 | 299 | 251 | 212 | 193 | 169 |
| 3- Medical Ofic | 185 | 413 | 902 | 798 | 830 | 553 | 670 | 649 | 610 | 564 | 513 |
| 4- Office | 186 | 416 | 609 | 802 | 835 | 557 | 674 | 652 | 612 | 295 | 514 |

Calculation Typical Saturday



SHARED PARKING

















Source

25% 35% 35% 100% 100% 100% 55% 55% 55% 55% 55% 55% 55%

10% 5% 15% 15% 15% 10% 100% 100% 100%

30% 30% 40% 40% 40% 55% 65% 65% 65% 100% 100%

10 p.m. 11 p.m. Midnight

| designation of the second seco | | - | COSTUMBING OR SERVICE OF | PROPERTY AND PERSONS ASSESSMENT | | | | | | | | | | |
|--|----------|------|--------------------------|---------------------------------|-------|-------|-------|-------|-------|--------|--------------|-------------|-------------|------|
| Shopping Center—Typical | Customer | 13% | 5% | 15% | 35% | 9299 | 85% | %56 | %00l | %56 | %06 | %0% | %56 | 95% |
| Peak December | Customer | 另 | 5% | 15% | 30% | 25% | 75.8 | %06 | 100% | 10.09K | %OU\$ | 2000 | 9707 | 200 |
| Late December | Customer | 1% | 2% | 10% | 20% | 40% | 965% | %06 | 100% | 300% | 8001 | %56 | 858 | 70% |
| | Employee | 10% | 15% | 40% | 75% | 85% | %56 | 100% | 100% | 100% | 100% | 100% | 95% | %56 |
| Fine/Casual Dining | Customer | 1 | 1 | 1 | 1 | 15% | 40% | 25% | 33% | %S9 | 40% | 30% | 75% | %56 |
| | Employee | l | 9602 | 20% | 75% | 9506 | %06 | 30% | 80% | 90% | 75% | 75% | 9,000 | 100% |
| Family Restaurant | Customer | 25% | 9609 | %09 | 75% | 85% | %06 | 100% | %06 | 50% | 45% | 45% | 75% | 80% |
| | Employee | 20% | 75% | 30% | %06 | 36001 | 96001 | 36001 | 3000 | 100% | 75% | 75% | 95% | 35% |
| Fast Food | Customer | 2% | 9601 | 30% | 30% | 85% | 85% | %001 | 100% | %06 | 9609 | 55% | %09 | 85% |
| | Employee | 15% | 20% | 30% | 40% | 75% | 900H | 100% | 99001 | 95% | 70% | 9609 | 70% | 90% |
| Nightclub | Customer | 1 | 1 | ì | 1 | J | 1 | 1 | 1 | 1 | 1 | 1 | 1 | 25% |
| | Employee | 1 | 1 | ł | 2% | 2% | 53% | 5% | 10% | 10% | 10% | 30% | 45% | 70% |
| Cneplex—Typical | Customer | 1 | 1 | 1 | 1 | 1 | 1 | 300% | 45% | %95 | 9655 | 55% | %09 | 9609 |
| Late December | Customer | 1 | 1 | 1 | ı | 1 | -1 | 35% | %09 | 5% | 80% | %08 | 80% | 70% |
| | Employee | 1 | 1 | 1 | | 1 | ı | 80% | 9609 | 9099 | 35% | 75% | 100% | 100% |
| Performing Arts Theater | Customer | 1 | 1 | j | % | 1% | 11% | 1% | % | 1% | %1 | 1% | % | 25 |
| No matinee | Employee | 1 | 10% | 10% | 300% | 20% | 50% | 30% | 30% | 30% | 30% | 30% | 30% | 100% |
| Arena | Customer | 1 | t | - | Æ. | 13% | FK | 28 | 26 | 138 | Z. | æ | Ł | 26 |
| No matinee | Етрюуее | 1 | 10% | 9604 | 30% | 20% | 20% | 30% | 30% | 30% | 30% | 30% | 30% | 100% |
| Stadium | Customer | I | I | ì | 3% | 13% | 11% | 5% | % | 5% | 5% | 2% | 965 | 10% |
| 8 p.m. start | Employee | 1 | 10% | 30% | 20% | 20% | 20% | 30% | 30% | 30% | 30% | 30% | 30% | 3000 |
| Health Club | Customer | 70% | 40% | 40% | 10% | 70% | 80% | *609 | 30% | 30% | 30% | 80% | 806 | 100% |
| | Employee | 75% | 75% | 75% | 75% | 75% | 75% | 75% | 75% | 73% | 5% | 器 | 96001 | 100% |
| Convention Center | Visitor | I | I | 20% | 100% | 36001 | 100% | 1000% | 100% | 100% | 30001 | 100% | 3,001 | 50% |
| | Employee | 286 | 30% | 33% | 33% | 3600L | 96001 | 3001 | 100% | 100% | 100% | %06 | 3000 | 40% |
| Hotel—Business | Guest | %56 | 80% | 80% | 70% | 9609 | %09 | 55% | %55 | %09 | 360% | 65% | 30% | 75% |
| Hotel—Leisure | Guest | %56 | 95% | 90% | 80% | 70% | 70% | %59 | 9699 | 36% | 3002 | 75% | 90% | 85% |
| Restaurant/Lounge | Customer | 1 | 10% | 8 | 10% | 10% | 28 | 1000 | 1000% | 33% | 10% | 1098 | 30% | 55% |
| Conference/Banquet | Customer | I | 1 | 30% | 9609 | %09 | 909 | 9899 | %59 | 9659 | 9659 | 9599 | 2000 | 100% |
| Convention | Customer | 1 | ı | 80% | 3000 | 30001 | 96001 | 100% | 1000 | 90001 | 960C | 100% | 10096 | 808 |
| | Employee | 2% | 30% | %06 | %06 | 1000% | 96001 | 96001 | 96000 | 36001 | 800 | %06 | 200% | 40% |
| Residential | Guest | 1 | 10% | 20% | 20% | 50% | 20% | 30% | 50% | 20% | 20% | 20% | 40% | %09 |
| Residential | Reserved | 100% | %001 | 100% | 36001 | 3000 | %001 | 100% | 100% | 100% | %00L | %001 | %00L | 100% |
| Residential | Resident | 100% | %06 | 85% | 80% | 75% | %02 | %59 | 3007 | 70% | 20% | 75% | 85% | %06 |
| Office | Visitor | 1 | 32 | 30% | %09 | 95001 | 45% | 15% | 45% | %00I | £17.7 | 15% | 10% | 5% |
| Office | Employee | 3% | 30% | 75% | %56 | 100% | 900 | %06 | 3606 | 96001 | 9055 | 80% | 30% | 35% |
| Medical/Dental Office | Visitor | 1 | 30 % | | %06 | 36001 | %00 | 30% | %06 | %001 | 35001 | %06 | 80% | 67% |
| | Employee | 1 | 404 | | 100% | 100% | 9600 | %001 | 100% | %001 | 700% | 100% | 1000% | 67% |
| Bank | Customer | 1 | - | 20% | %06 | 3,000 | %05 | 20% | 509K | 70% | */n | 80% | 10.09K | |
| | | | | | | | | | 200 | 200 | SSS COMMENTS | 2000 | 01001 | |

10% 10% 25% 25% 20% 20% 100% 40% 40%

Sources

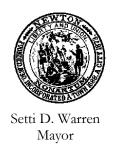
Conflictus data provided by shooling strength of Conflictus and Conflict 50% 50% 100% 1 1 %01 80% 100% 100%

Key Findings 17

8 Shared Parking

Key Findings

ATTACHMENT D



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 S. Heath Director

ZONING REVIEW MEMORANDUM

Date: April 11, 2017

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official

Alexandra Ananth, Chief Planner for Current Planning

Cc: Alan Schlesinger, Attorney representing applicant

Barney S. Heath, Director of Planning and Development

Ouida Young, Associate City Solicitor

RE: Request to amend Board Order #2-15, to reduce required parking/parking waiver, to waive

certain provisions relative to parking, and to approve a comprehensive sign package

| Applicant: Atrium \ | Wellness Center, LLC |
|-------------------------------------|-------------------------------|
| Site: 300 Boylston Street | SBL : 82002 0001 |
| Zoning: BU1 | Lot Area: 125,771 square feet |
| Current use: Approved for mixed use | Proposed use: No change |

Background:

The subject property consists of 125,771 square feet and is currently improved with a structure formerly known as The Atrium Mall, a mixed use shopping center with underground parking. The property was developed by right in 1986 for retail purposes. A 1988 amendment to the Zoning Ordinance changed the dimensional requirements for the district and rendered the structure nonconforming due to height and setbacks. The building has approximately 280,000 square feet of commercial tenant space, with common areas and several levels of underground parking.

The applicant received a special permit in 2015 to repurpose the building into a mixed-use facility. The primary tenant of the building will be Life Time Fitness, a comprehensive fitness, medical office and wellness use including a restaurant, retail and spa spaces now under construction (tenant fit out) on existing levels one and two and occupying approximately 111,650 square feet. Fertility Lab Sciences is

a medical office use now under construction (tenant fit out) and occupying approximately 18,000 square feet on the third floor. A proposed medical orthopedic center and outpatient/ambulatory care facility is expected to occupy approximately 78,000 square feet on the fourth floor, and a financial investment firm is expected to occupy approximately 12,000 square feet on the third floor. Approximately 61,500 square feet on the third floor remain available for lease, and approximately 16,000 square feet remain available on the second floor in the space formerly occupied by the Cheesecake Factory. There are currently 1,045 parking stalls on site.

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

- Zoning Review Application, prepared by Alan Schlesinger, attorney, dated 3/7/2017
- Parking Analysis, prepared by Alan Schlesinger, attorney, dated 3/7/2017
- Letter from Eve Tapper, Chief Zoning Code Official, dated 3/22/2010
- Letter from Howard A. Levine, attorney, dated 3/25/2010
- Board Order #2-15, dated 4/6/2015
- Comprehensive Signage and Parking Summary, prepared by Stantec, dated 3/7/2017
 - o Lease Plan Level 1
 - o Lease Plan Level 2
 - o Lease Plan Level 3
 - o Lease Plan Level 4
 - o Parking Plans
 - o Building Signage Boylston Street
 - Building Signage Boylston Street Rendering
 - o Previous Existing Conditions Boylston Street Image

ADMINISTRATIVE DETERMINATIONS:

- 1. Board Order #2-15 was approved in April 2015, authorizing the repurposing of the existing vacant building into a mixed use commercial facility containing general office, medical office, lab, retail and restaurants. This application does not seek any changes to these uses or to the structure. However, as there are likely to be conditions imposed on a new special permit, the applicant seeks to amend the existing board order to consolidate all of the conditions.
- 2. The building consists of approximately 281,196 square feet of interior space, with the primary tenant, Life Time Fitness, occupying approximately 111,650 square feet on two levels. Life Time Fitness will be a comprehensive fitness, medical office and wellness use including a restaurant, retail and spa uses. As Life Time Fitness is an aggregate of several uses in a single leased space, the parking is calculated based on those individual uses, rather than under the general "health club" category. The parking requirements for the various uses are as follows:

| Life Time Fitness | Square Footage | Parking Ratio | Parking Requirement |
|------------------------|--------------------|----------------------|---------------------|
| Health Club/Fitness | 73,000 square feet | 1/150 | 487 |
| | 15 employees | 1/3 | 5 |
| Medical Office | 9,250 square feet | 1/200 | 47 |
| Office | 4,100 square feet | 1/333* | 13 |
| Child Care | 6,600 square feet | For employees only** | |
| | 8 employees | 1/1 | 8 |
| Restaurant | 7,900 square feet | | |
| | 66 seats | 1/3 | 22 |
| | 9 employees | 1/3 | 3 |
| Salon (service/retail) | 5,000 square feet | 1/300 | 17 |
| | 6 employees | 1/3 | 2 |
| Storage/mechanical | 5,800 square feet | 1/2500 | 3 |
| | | | |
| TOTAL | 111,650 | | 607*** |

^{*}Section 5.1.4 allows for a reduction in the parking requirement to 1 stall per every 333 square feet in a building with more than 20,000 square feet of office space.

3. There are several other uses proposed within the building, including 78,000 square feet of medical office for an orthopedic outpatient ambulatory care facility, a fertility lab, and a financial planning office. If the most intensive use of the still-vacant spaces is presumed (medical office), the **total** required parking for all of the proposed uses of the building include:

| Tenant | Use | Gross Floor Area of Use | Parking per Section 5.1 | # of stalls required |
|---|---|-------------------------|----------------------------|-------------------------|
| Life Time Fitness | Health Club, retail, office, service, restaurant | 111,650 | See Note 2 | 607 |
| Fertility Lab Sciences | Medical office | 18,000 | 1/200 | 90 |
| Arctaris | General office | 12,000 | 1/333 | 36 |
| Medical Orthopedic Outpatient/Ambulatory Care | Medical office | 78,000 | 1/200 | 390 |
| Sub-total (4 tenants) | | | | 1,123 |
| | _ | | | |
| Balance of Building | Medical Office | 61,546 | 1/200 | 308 |
| TOTAL | | 281,196 | | 1,431 |

^{**} The child care available on the premises is intended for use by employees of the business and those attending the gym. As such, the child care will not be open to those not already intending to be in the building, and it is unreasonable to require additional stalls based on the number of children.

^{***} If the entire occupancy of Life Time Fitness was calculated as a health club, as opposed to breaking down the individual uses, the parking requirement would be 745 stalls.

4. The property received a special permit in 1991 waiving 72 parking stalls to allow for The Cheesecake Factory restaurant. Another restaurant sought relief from parking in 1998, and the Board of Aldermen granted a special permit that allowed a parking demand for any mix of uses not to exceed 1205 stalls. At the time these permits were issued, the existing parking count was 1,063 stalls, where there now exist 1,045. The cap of 1,205 required stalls created a credit of (1,205-1,063 =) 142 more stalls than exist. At the last count in 2010, the uses on site required 1,133 stalls. Using this credit with current conditions, the property would be allowed to be tenanted to (1,045 + 142 =) 1,187 stalls.

The currently tenanted uses at the property will require 1,123 parking stalls. As there is a credit of 1,187 stalls, these uses are currently allowed under the existing parking credit. This credit may also be determined using the formula of A-B+C = the parking requirement found in Section 5.1.3.B where:

A = 1,123 (the current parking demand)

B = 1,133 (the 2010 parking demand)

C = 1,045 (actual number of stalls available)

$$1,123 - 1,133 + 1,045 = 1,035$$
 stalls required

Utilizing the formula found in Section 5.1.3.B, 1,035 stalls would be required for the currently tenanted uses, where 1,045 physically exist. No waiver is required for what has been tenanted to date.

5. However, for the property to be fully tenanted, a parking demand of 1,431 stalls is presumed. While a parking credit may apply, the simplest method of calculating a waiver for parking should be used. Section 5.1.13 provides that the Council may waive the parking requirement if literal compliance with the number of stalls required by the Ordinance is impractical. Per Section 5.1.4.A, 1,431 stalls are required for the total tenancy of the building, where 1,045 exist. A waiver of 386 parking stalls is required.

In the alternative, Section 5.1.4.C allows the Council to grant a special permit for a one-third reduction in the required parking for a single development with three or more uses. Utilizing this provision, a one-third reduction in the required 1,431 stalls produces a parking requirement of 954 stalls, which is less than the 1,045 on site.

In either case, a special permit to waive 386 stalls, or reduce the parking demand by one-third to 954 stalls is required.

6. The applicant is not proposing any physical modifications to the existing nonconforming underground parking facility. The stalls are nonconforming with regard to minimum dimensions, with most measuring 7.9 feet wide by 18 feet deep, as well as to the requirements for end stalls. Other nonconformities may exist but are not documented on submitted plans. To the extent that the Council feels it is necessary to legitimize any aspect of the existing parking which does not meet the requirements of Section 5.1, the applicant seeks a waiver through Section 5.1.13.

7. The applicant is submitting a comprehensive sign package for the entire building permitting signs for each of the separate tenants. Per Condition #10 of Board Order #2-15, the applicant must have the sign package reviewed by the Urban Design Commission.

Section 5.2.8 allows for two principal signs on corner lots, such as this, with a maximum of 100 square feet per each sign. Two secondary signs are allowed per each frontage as well, with a maximum of 50 square feet each. The applicant is proposing three principal signs and six secondary signs, one per each tenant as well as one identifying the building. One exterior pylon sign is proposed. To the extent that the proposed signs exceed the number or dimensions allowed, or do not meet any other standard required by Section 5.2, the applicant seeks an exception to these standards through Section 5.2.13.

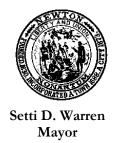
| Proposed Signage | Quantity | Sign Area SF | Sign Message |
|-------------------------------------|----------|--------------|--------------------------------|
| Principal Sign | 1 | 100 | Life Time Athletic |
| Principal Sign | 1 | 50 | Medical Orthopedic Center |
| Principal Sign | 1 | 50 | Tenant TBD |
| Secondary Sign – Building Identity | 1 | 63 | Life Time Center * |
| Secondary Sign | 1 | 25 | Tenant Retail TBD |
| Secondary Sign | 1 | 25 | Tenant Retail TBD |
| Secondary Sign | 1 | 37.5 | LT Medical |
| Secondary Sign | 1 | 37.5 | LifeSPA |
| Secondary Sign | 1 | 40 | LifeCafe |
| Pylon Sign (existing nonconforming) | 1 | 23 | Life Time Center (Illuminated) |

^{*}Two-sided perpendicular wall sign

8. See "Zoning Relief Summary" below:

| Zoning Relief Required | | | | |
|------------------------|---|-----------------|--|--|
| Ordinance | Zoning | Action Required | | |
| §5.1.4.A, | To waive 386 parking stalls | S.P. per §7.3.3 | | |
| §5.1.13 -or- | -or- | | | |
| §5.1.4.C | To allow a 1/3 reduction in the required stalls | | | |
| §5.1.13 | To waive any requirements for parking facilities with | S.P. per §7.3.3 | | |
| | more than five stalls as necessary | | | |
| §5.2.13 | To waive regulations relative to signs as necessary | S.P. per §7.3.3 | | |

ATTACHMENT E



City of Newton, Massachusetts

Department of Planning and Development 1000 Commonwealth Avenue Newton, Massachusetts 02459

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Barney Heath Director

DATE: May 18, 2017

TO: Michael Gleba, Senior Planner

FROM: Urban Design Commission

RE: Lifetime Wellness Center

CC: Land Use Committee of the City Council

Petitioner

At the request of the Department of Planning and Development, the Urban Design Commission has reviewed and provides the following comments to the Department of Planning and Development and the Land Use Committee of the City Council regarding the Comprehensive Sign Package at 131-181 Needham Street. The following information is intended to give advice on specific matters affecting Arbor Signage.

300 BOYLSTON STREET, LIFETIME WELLNESSS CENTER

The Urban Design Commission (UDC) held a meeting on May 17, 2017 to review the proposed Signage at 300 Boylston Street, Lifetime Wellness Center. Based on the signage submitted and the presentations by the applicant, the Urban Design Commission offers the following commentary.

The UDC discussed about the proposed signs. The UDC commented that they like the lower sign band but they prefer to not have signs at the top of the building. The UDC recommended the following:

- Smaller signs can be anywhere in the lower sign band as long as it is a maximum of 5 signs in total.
- If signs are approved at the top of the building, group the signs in the upper band closer together to the proposed sign A "Lifetime Athletic". The UDC recommended keeping a consistent background for the three signs in the upper sign band, have a black background of the same size for the three signs and keep the actual sign size to 50 sq. ft. for the tenant signs, sign B and C. The UDC also recommended keeping a similar relationship between each top sign and the blue vertical window same as the proposed sign A.