



Land Use Committee Report

City of Newton **In City Council**

Tuesday, May 23, 2017

Present: Councilors Laredo (Chair), Schwartz, Crossley, Auchincloss, Lennon, Cote, Harney, Lipof

Also Present: Councilor Baker

City Staff: Deputy City Solicitor Ouida Young, Chief Planner for Current Planning Alexandra Ananth, Senior Planner Michael Gleba

Planning & Development Board Members: Scott Wolf (Chair), Sonia Parisca, Jonathan Yeo, Peter Doeringer, Megan Meirav, Director of Planning & Development Barney Heath

#63-17 Special Permit to allow six-unit multi-family at 16-26 Dalby Street

DALBY DEVELOPMENT, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to construct six dwelling units with shared underground parking by combining three lots at 16-26 Dalby Street, Ward 1, Newton, on land known as SBL 11007 0046, 11007 0045, 11007 0044, containing approximately 23,400 sq. ft. of land in a district zoned MULTI RESIDENCE 2. Ref: 7.3.3, 7.4, 3.4.1 of Chapter 30 of the City of Newton Rev Zoning Ord, 2015.

Action: **Land Use Approved Subject to Second Call 7-0-1 (Laredo abstaining)**

Note: Attorney Terry Morris representing the petitioner, presented changes to the petition based on concerns raised at the public hearing. Revisions to the proposal include the relocation of two pedestrian walkways on either side of the driveway. The two walkways have been located further from the driveway to allow the planting of a landscaping strip that gradually slopes up towards the front lawn. As the garage is below grade, concern was expressed related to the amount of above grade stonework adjacent to the driveway. The petitioner proposes to replace the above grade stonework with a landscaped strip. Additionally, a fence will be located about the garage, between the two structures to allow for visibility to the courtyard. Attorney Morris reiterated that the by right option, would allow for two, two unit structures larger than the proposed development.

PUBLIC COMMENT

Steve Weiner 44 Dalby Street, reiterated that there are flooding issues on Dalby Street.

Councilor Lennon motioned to close the public hearing which carried unanimously.

Mr. Verne Porter, 354 Eliot Street, noted that drainage is being installed on the site. The new system will contain and infiltrate all water on site. There will be an overflow system to capture water from the garage as requested by Associate City Engineer John Daghljan. Mr. Porter noted that there is currently no storm water management on site and confirmed that the proposed conditions are a vast improvement over existing conditions. Mr. Porter confirmed that he has no concerns that the regrading of the site will impede water flow in the neighborhood.

Councilor Lennon motioned to approve the petition, but requested that the Planning Department confirm with the Engineering Department that there are no flooding issues in the neighborhood. Committee members reviewed the Draft Board Order & Conditions. Senior Planner Michael Gleba asked that a final set of updated architectural and engineering plans be available to incorporate into the order before the Council meeting on June 5, 2017. Councilor Lennon amended his motion to approve to a motion to approve, subject to second call, pending receipt of the revised documents. The Committee voted 7-0-1 in favor of the petition with an abstention from Councilor Laredo who does not see the benefit of the project to the City.

#114-17 Request to amend Special Permit for the Atrium Wellness Center

ATRIUM WELLNESS CENTER, LLC. petition for SPECIAL PERMIT/SITE PLAN APPROVAL to amend Special 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.

Action: Land Use Approved 8-0

Note: Attorney Schlesinger, representing Atrium Wellness Center, LLC., presented requests for reduced parking and changes to signage. His presentation is attached. Atty. Schlesinger noted that the development at 300 Boylston Street, was approved by special permit for restaurant and lab use in 2015. In order to accommodate the future uses at Lifetime Fitness, the petitioner seeks to obtain a waiver for either 386 stalls or 1/3 of the required stalls. It was noted that there are currently 1,045 spaces, the ordinance requires 1,431 and the parking analysis demonstrates a maximum need of 835 spaces. Attorney Schlesinger noted that the Framingham facility of the same size has a peak, Saturday use of 429 parking stalls. The petitioner additionally intends to offer valet services, a possible car share program and hope to implement a shuttle service.

The second relief required is relocation of a sign as requested by the Urban Design Commission. Committee members expressed no concerns.

PUBLIC COMMENT

David Rushka, 250 Hammond Pond Parkway, is supportive of the plans. He noted that the proposed signage seems appropriate based on the location of the site and he does not have concerns about overflow parking.

Councilor Auchincloss motioned to close the public hearing which carried unanimously.

Committee members were in agreement that lack of adequate parking at the site would be detrimental to the petitioner. Because there are few locations for overflow parking to impact the neighborhood, Committee members expressed no concern with the waiver of parking stalls. Committee members discussed how there are some substandard stalls at the site and noted that it might be appropriate to approve the waiver of 1/3 of the required parking with a condition on the Board Order to restripe the lot to create more functional parking stalls. Deputy City Solicitor Ouida Young confirmed that she would discuss a condition in the Board Order with the petitioner. With a motion from Councilor Lipof to approve, the Committee voted unanimously in favor.

The Committee adjourned at 7:15 pm

Respectfully submitted,

Marc C. Laredo, Chair



Schlesinger and Buchbinder, LLP
Attorneys at Law

300 Boylston Street

Presentation to Land Use Committee of the City Council

May 23, 2017



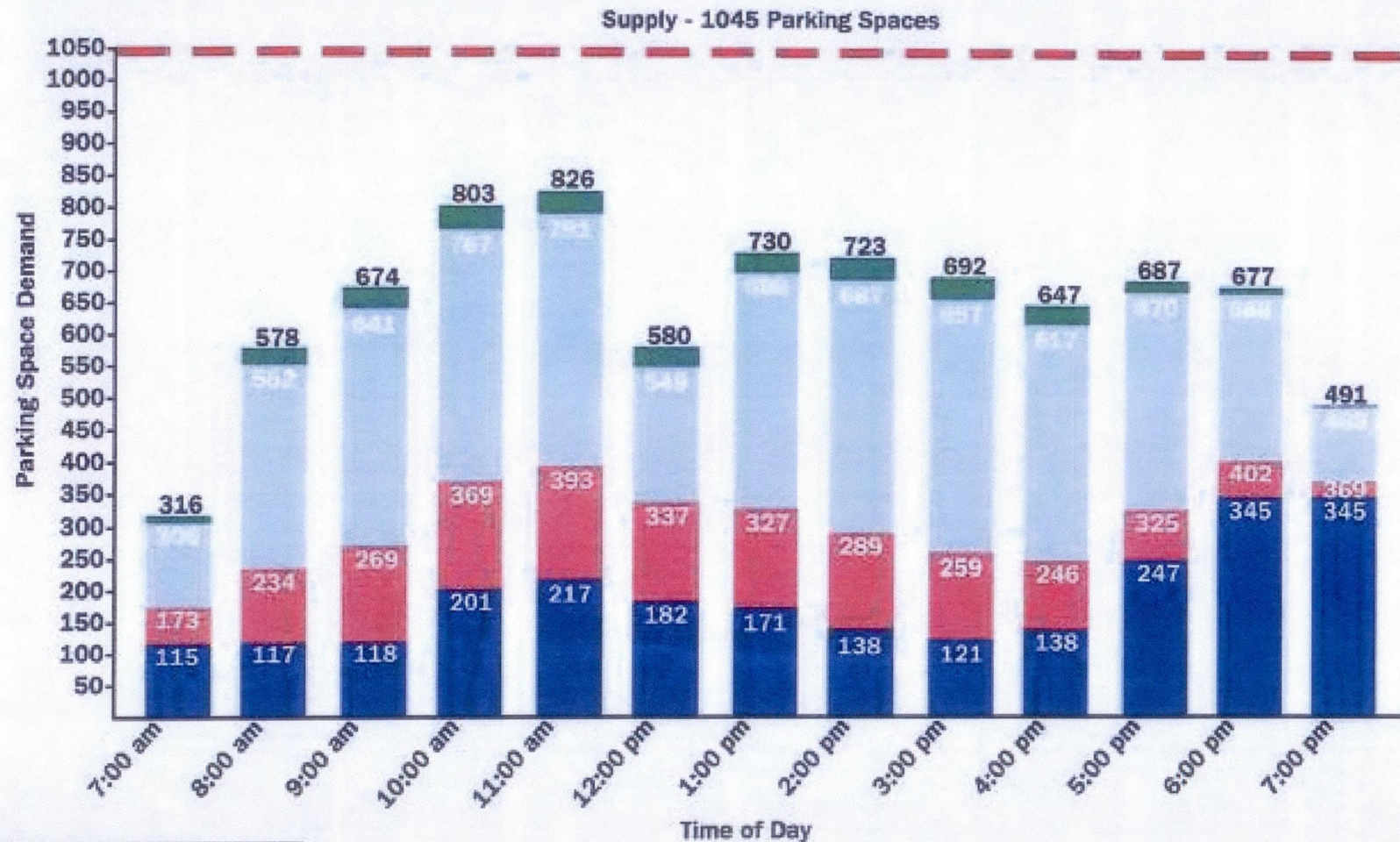
Aerial View



Parking

- Existing: 1,045 stalls
- Required Under the Zoning Ordinance: 1,431 stalls
- Actual need as determined by the Shared Parking Analysis: 835 stalls

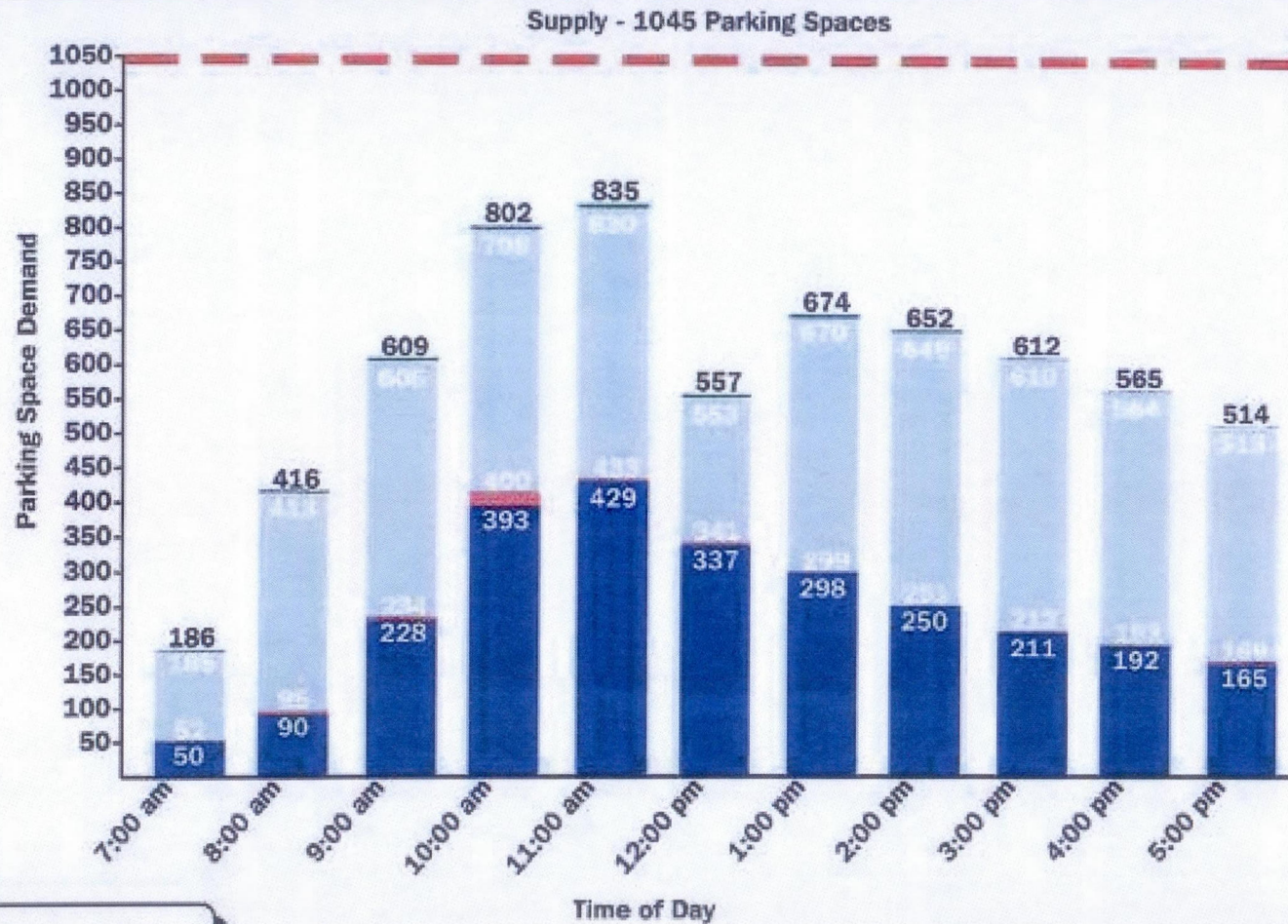
Typical Weekday Demand



Legend:

- Lifetime - 111,650 sf
- Medical Clinic - 78,000 sf
- Medical Office - 79,546 sf
- Office - 12,000 sf

Typical Saturday Demand



Legend:

- Lifetime - 111,650 sf
- Medical Clinic - 78,000 sf
- Medical Office - 79,546 sf
- Office - 12,000 sf

