



Land Use Committee Agenda

City of Newton **In City Council**

Tuesday, February 12, 2019

7:00 PM
Chamber

#26-18(2) Request for an Extension of Time to Exercise Special Permit #26-18

SCOTT ROSS petition for an EXTENSION OF TIME to EXERCISE Special Permit Council Order #26-18, creating two attached dwelling units, allowing waivers to the lot area requirements and lot area per unit requirements, to reduce the side setback requirement, to reduce the lot coverage requirement, to allow a driveway within 10' of a side lot line and to allow parking within 20' of a side lot line at 20 Dale Street/19 Simpson Terrace, Ward 2, Newtonville, on land known as Section 22, Block 14, Lot 03, containing approximately 5,968 sq. ft. of land in a district zoned MULTI RESIDENCE 1. Ref: 7.3.3, 7.4, 3.2.4, 6.2.3.B.2 of the City of Newton Rev Zoning Ord, 2015.

#40-19 Special Permit Petition to increase non-conforming FAR at 46 Berwick Road

JONATHAN FLYNN petition for SPECIAL PERMIT/SITE PLAN APPROVAL to raze an existing garage and replace it with a single-car attached garage, library space and a second story accessory apartment, increasing the non-conforming FAR to .65 where .44 is required and .50 exists at 46 Berwick Road, Ward 6, Newton Centre, on land known as Section 52 Block 16 Lot 14, containing approximately 6,437 sq. ft. of land in a district zoned SINGLE RESIDENCE 2. Ref. 7.3.3, 7.4, 3.1.9, 7.8.2.C.2 of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

#39-19 Special Permit Petition to allow detached garage at 32 Baldpate Hill Road

MATTHEW AND DINA WOSK petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow the construction of a detached single-car garage where an attached two car garage exists, to allow greater than 700 sq. ft. of garage space and to allow a retaining wall greater than four feet in height in the setback at 32 Baldpate Hill Road, Ward 8, Newton Centre, on land known as Section 82 Block 26 Lot 01, containing approximately 25,225 sq. ft. of land in a district zoned SINGLE RESIDENCE 1. Ref: Sec. 7.3.3, 7.4, 3.4.2.B.1, 3.4.3.A.4.a, 3.4.2.B.1, 3.4.3.A.4.c, 5.4.2 of the City of Newton Rev Zoning Ord, 2017.

7:30 PM
Or Later

The location of this meeting is accessible and reasonable accommodations will be provided to persons with disabilities who require assistance. If you need a reasonable accommodation, please contact the city of Newton's ADA Coordinator, Jini Fairley, at least two business days in advance of the meeting: jfairley@newtonma.gov or (617) 796-1253. The city's TTY/TDD direct line is: 617-796-1089. For the Telecommunications Relay Service (TRS), please dial 711.

The development team for the following two items will present an overview of project revisions. An updated schedule of topics is attached to this agenda.

#425-18 Request to Rezone three parcels for Northland Development

NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, NORTHLAND OAK STREET, LLC petition for a change of zone to BUSINESS USE 4 for land located at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), currently zoned MU1.

#426-18 Special Permit to allow mixed use development

NEEDHAM STREET ASSOCIATES, NORTHLAND TOWER ROAD INVESTORS, LLC, NORTHLAND OAK STREET, LLC petition for SPECIAL PERMIT/SITE PLAN APPROVAL to allow a mixed-use development greater than 20,000 sq. ft. with building heights of up to 96' consisting of 822 residential units, with ground floor residential units, with restaurants with more than 50 seats, for-profit schools and educational uses, stand-alone ATMs drive-in businesses, open air businesses, hotels, accessory multi-level parking facilities, non-accessory single-level parking facilities, non-accessory multi-level parking facilities, places of amusement, radio or TV broadcasting studios, and lab and research facilities, to allow a waiver of 1,600 parking stalls, to allow a reduction in the overall parking requirement to not less than 1900 stalls, to waive dimensional requirements for parking stalls, to waive end stall maneuvering requirements, to allow driveway entrances and exits in excess of 25', to waive perimeter landscaping requirements, to waive interior landscaping requirements, to waive lighting requirements for parking lots, to waive general lighting, surfacing and maintenance requirements, to waive off-street loading facilities requirements, to waive sign requirements relative to number, size, location or design, to waive the number of signs allowed at 156 Oak Street (Section 51 Block 28 Lot 5A), 275-281 Needham Street (Section 51, Block 28, Lot 6) and 55 Tower Road (Section 51 Block 28 Lot 5), Newton Upper Falls, Ward 5, on 22.6 acres of land in a proposed BU4 district. Ref: Sec. 7.3.3, 7.4, 4.1.2.B.1, 4.1.2.B.3, 4.1.3, 7.8.2.C, 5.4.2, 4.4.1, 5.1.4, 5.1.13, 5.1.8.B.1, 5.1.8.B.2, 5.1.8.B.6, 5.1.8.D.2, 5.1.9.A, 5.1.9.B, 5.1.10.A.1, 5.1.10, 5.1.12, 5.1.13, 5.2, 5.2.13 of the City of Newton Rev Zoning Ord, 2017.

Respectfully Submitted,

Greg Schwartz, Chair

26-18(2)

January 25, 2019

Nadia Khan
Clerk, Land Use Committee
Newton City Hall
1000 Commonwealth Avenue
Newton, MA 02459

DAVID A. O'NEILL, Clerk
Newton, MA 02459

2019 JAN 25 AM 11:58

RECEIVED
Newton City Clerk

Re: Extension Request for Special Permit Order # 26-18,
20 Dale Street
Newton, MA 02460

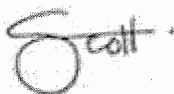
Dear Nadia,

I am writing to request an extension to the above referenced special permit that was approved by the City Council and filed with the Newton City Clerk on February 22, 2018. Due to extenuating circumstances, we will not be able to commence the work prior to the expiration of its current term.

Please let me know what, if any, additional steps are necessary to process this extension request and notify me of when this request may be brought before the Land Use Committee.

Please also feel free to contact me directly by my cell phone with any questions.

Sincerely,



D. Scott Ross
20 Dale Street
Newton, MA 02460

Cell: (617) 694-2457

Cc: Neil Cronin

Sent via email

TENTATIVE LAND USE COMMITTEE SCHEDULE
Updated February 8, 2019

NORTHLAND NEEDHAM STREET/OAK STREET

Special Permit # 426-18 and Request to Rezone #425-18

Land Use Committee Date	Topic	Description
9/25/2018	Project Overview	Applicant to introduce project and committee to discuss schedule.
11/13/2018	Site Design and Open Space	Review of site plan, including placement of buildings, roads and open space as well as sight lines and shadows.
12/11/2018	Housing and Economic Impacts	Review of proposed residential and commercial program, including: analysis of the number of housing units, including affordability levels; the commercial mix; and the overall fiscal and economic impacts of the proposed project.
1/15/2019	Transportation	Review of the proposed internal street network and circulation including bicycle and pedestrian facilities, and analysis of the traffic impacts, shared parking proposal, and transportation demand management strategy.
2/12/2019	Project Update	Preview of project revisions and discussion of schedule.
3/12/2019	Site Design and Open Space/ Housing and Economic Impacts	Review of revisions and responses to comments regarding Site Design and Open Space and Housing and Economic Impacts.
4/9/2019	Transportation	Review of revisions and responses to comments.
5/14/2019	Architecture and Design Guidelines and Sustainability and Stormwater	Review of design guidelines that will regulate future detailed architectural design of the proposed buildings; review of the sustainability report and stormwater mitigations.
6/11/2019	Mitigations and Conditions	Discussion of necessary mitigation measures and proposed conditions.

STEPHEN J. BUCHBINDER
ALAN J. SCHLESINGER
LEONARD M. DAVIDSON
A. MIRIAM JAFFE
SHERMAN H. STARR, JR.
JUDITH L. MELIDEO-PREBLE
BARBARA D. DALLIS
PAUL N. BELL
KATHERINE BRAUCHER ADAMS
FRANKLIN J. SCHWARZER
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February 6, 2019

Gregory R. Schwartz, Chairman
Land Use Committee
City of Newton
1000 Commonwealth Ave.
Newton, MA 02459

Re: Northland Needham Street Petitions # 425-18 and #426-18

Dear Chairman Schwartz:

Northland is grateful to the Committee for the time and attention spent on its very important project on Needham Street. We understand as Mayor Warren originally said that this is a “generational opportunity”, so the Company intends to work to make the project the best it can be.

An important part of doing that is listening to the Committee’s comments and the comments of the peer reviewers and the community and adapting to what is heard.

We have presented to you on September 25, November 13, December 11 and January 15. Immediately after the November 13 meeting on Master Planning our architects from Cube 3 and Stantec together with Keith O’Connor of Skidmore, Owings & Merrill LLP (SOM) in New York reviewed and evaluated the comments of Horsely Witten Group and the Land Use Committee at that meeting.

After the December 13 meeting the team together with placemaking/retail consultant Streetsense, Inc. of Washington D.C. undertook a similar review of programming and in particular the commercial elements based on the site plan comments and the comments of RKG Associates and the Committee.

In both cases the team was asked to review the Northland master plan with attention to the most significant comments we heard. Our notes indicate those comments and the source of the comments were:

Site Design – November 13

- Buildings 5 and 6 frontages were long, and we should look at breaking them up to provide both E-W and N-S access (Planning, Horsely Witten,

Gregory R. Schwartz, Chairman
February 6, 2019

Urban Design (Kaufman, Doolin), Councilor Auchincloss, Councilor Lipof, Councilor Markiewicz, Councilor Crossley)

- Building 4 – not enough access to the Oak Street Park (Planning)
- Building 7 – mid-building permeability (Horsely Witten, Councilor Downs, Councilor Kelley, Chairman Schwartz, Councilor Laredo)
- Building 4 – recommended parking underground (Horsely Witten)
- Village Green – width of driveways around 4 sides (Horsely Witten, Urban Design (Dooling), Newton Highlands NAC (Lichtin), Councilor Greenberg, Councilor Downs, Chairman Schwartz)
- Location of Community Building (Planning, Horsely Witten, Newton Highlands NAC (Lichtin), Councilor Greenberg)
- Parking – both the number of parking spaces and the above ground garages in Buildings 5 and 6 were discussed (Horsely Witten, Councilor Auchincloss, Councilor Downs)

Commercial Spaces – December 11

Many of the comments at the December 11 hearing dealt with programmatic proposals including affordability, schools and the proposed tax revenues from the project rather than physical planning. However, certain comments from the City's RKG peer review, particularly comments as to programming, were also reviewed by Northland's planning and design team including retail and marketing consultant Streetsense, Inc. For example the RKG report of December 3, 2018 states on page 19:

“Nonetheless, there appears to be a mismatch between the proposed retail square footage at Northland and RKG's estimated supportable new retail square footage... It is also possible that the first floor retail space could remain vacant at Northland if sales are not high enough to support the quantity of retail proposed.”

In conclusion RKG stated also on page 19 and 20:

“RKG believes that the amount of retail proposed exceeds the spending within a reasonable drive time of the site.”

“RKG's estimate of supportable retail is substantially less than what is proposed at Northland Newton. RKG has concerns that this space may sit vacant if built or result in sales transfer from other commercial activity centers across the City.”

On review of the RKG report the Planning Department said in its December 7 memo on page 8, “...staff recommends the petitioner explore diversifying the proposed commercial space...”.

Gregory R. Schwartz, Chairman
February 6, 2019

Northland has taken each of these comments seriously as constructive and thoughtful analysis. Northland and the design team have spent the past several weeks developing a revised plan to respond directly to the comments of the Committee, Planning and the peer reviewers. An overview of the revised plan is attached as “Key Plan Refinements” contrasted with the prior plan entitled “Original Proposal”. The refinements are focused on six ideas:

- Permeability: Buildings 5 and 6 have been split into 5A, 5B, 6A, 6B and 6C with “Laneways” through Buildings 5A and 5B and 6A, 6B and 6C. Building 4 has a smaller footprint to increase permeability from the Oak Street Park to the Village Green.

Permeability of Building 7 has been enhanced by moving the Mobility Hub to the center of the building. Since the Mobility Hub will be uniquely positioned to have pedestrian traffic going through it as a public space with access on Needham Street and Unnamed Street, the Mobility Hub itself will serve as the permeability of the building.

- Parking: Parking formerly in the Building 5 and 6 structures has been placed below ground in a two level parking structure and reduced by over 20% from 1,953 spaces to approximately 1,595. Limited parking remains on the surface.
- Neighborhood Playground/Community Building: The Neighborhood Playground and the Community Building (now Building 13) have been moved from Tower Road south to a new site close to the Depot and the Greenway parking area for ease of public access.
- Village Green: Main Street has adjusted to create a more distinct entry angle and add area to the Village Green.
- Open Space: Open space is increased.
- Commercial Spaces: The retail spaces are reduced from 185,200 net to 115,000 net. The retail space is a significant factor in the traffic calculations.

The building reconfiguration has also led to a reduction of units from the previously proposed 822 units to 800 units. However, Northland has committed to maintain affordability at 123 units as previously proposed.

There is a lot of work to be done to bring all the architectural detail and civil engineering for the revisions to an appropriate level for review by Planning and the peer reviewers. It is our hope that our schedule for review can be:

- February 12 – we will present these plans with comments from Brian O’Connor from Cube 3. We understand that although Planning has seen copies of the plans attached to this letter, they

Gregory R. Schwartz, Chairman
February 6, 2019

will not have had the opportunity to review them in any meaningful way, nor will the peer reviewers have had an opportunity to review the revisions.

- By February 15 we intend to submit revised reports as to site planning, fiscal impact and traffic in form sufficient for review by the City's peer reviewers
- On March 12 at the scheduled hearing date we will present the plans in a more formal manner and we hope to be able to receive and respond to the revised peer review comments on planning, fiscal and traffic.

We are hopeful that on March 12 we will be able to get a sense as to whether the design changes have addressed the Committee's concerns, and we hope to be able to move from there to the discussion of sustainability and engineering, revisiting transportation to the extent necessary and moving forward with the Committee's deliberations.

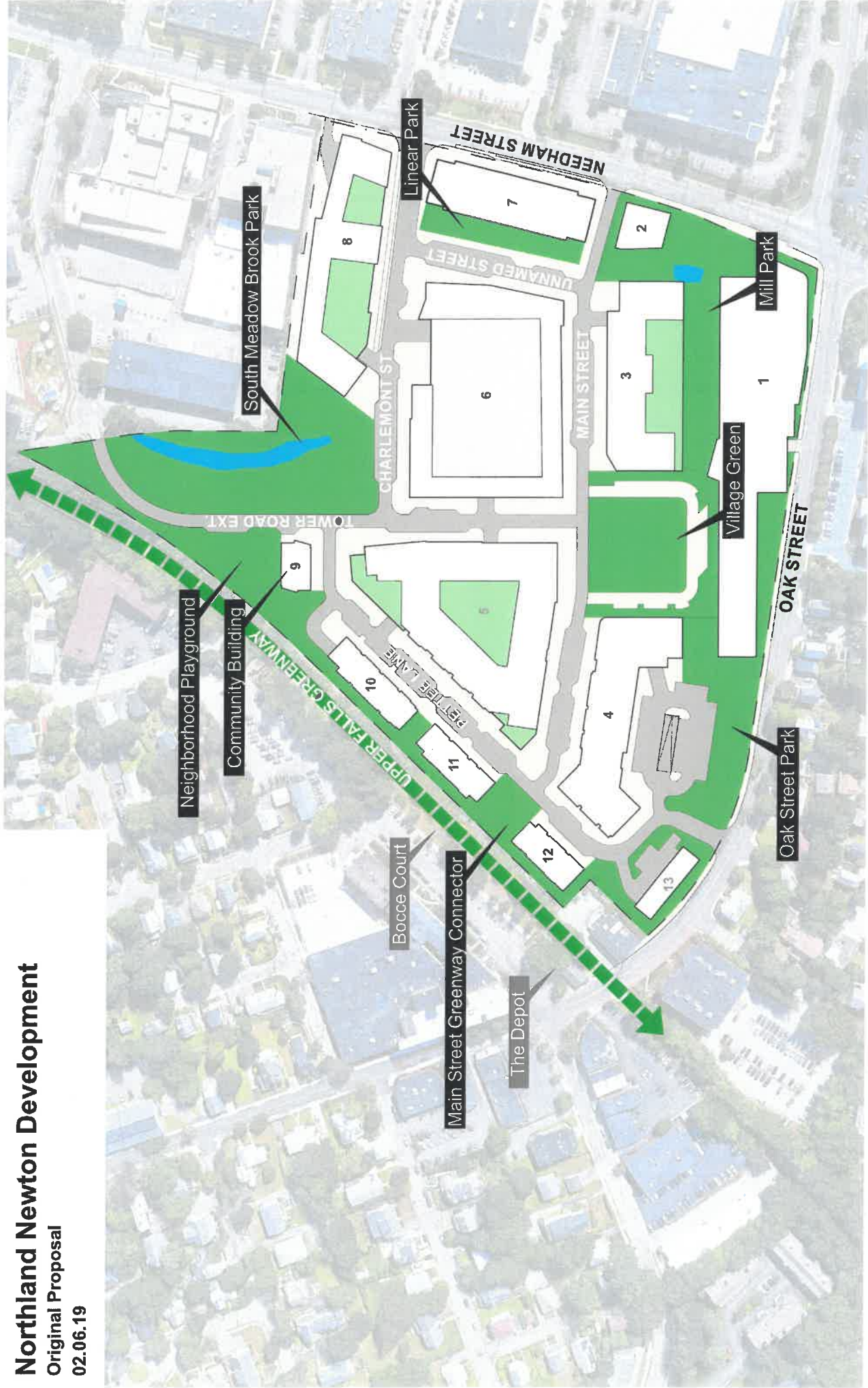
Very truly yours,


Alan J. Schlesinger

cc: Land Use Committee
Planning Board
Planning Department
City Clerk

Northland Newton Development

Original Proposal
02.06.19

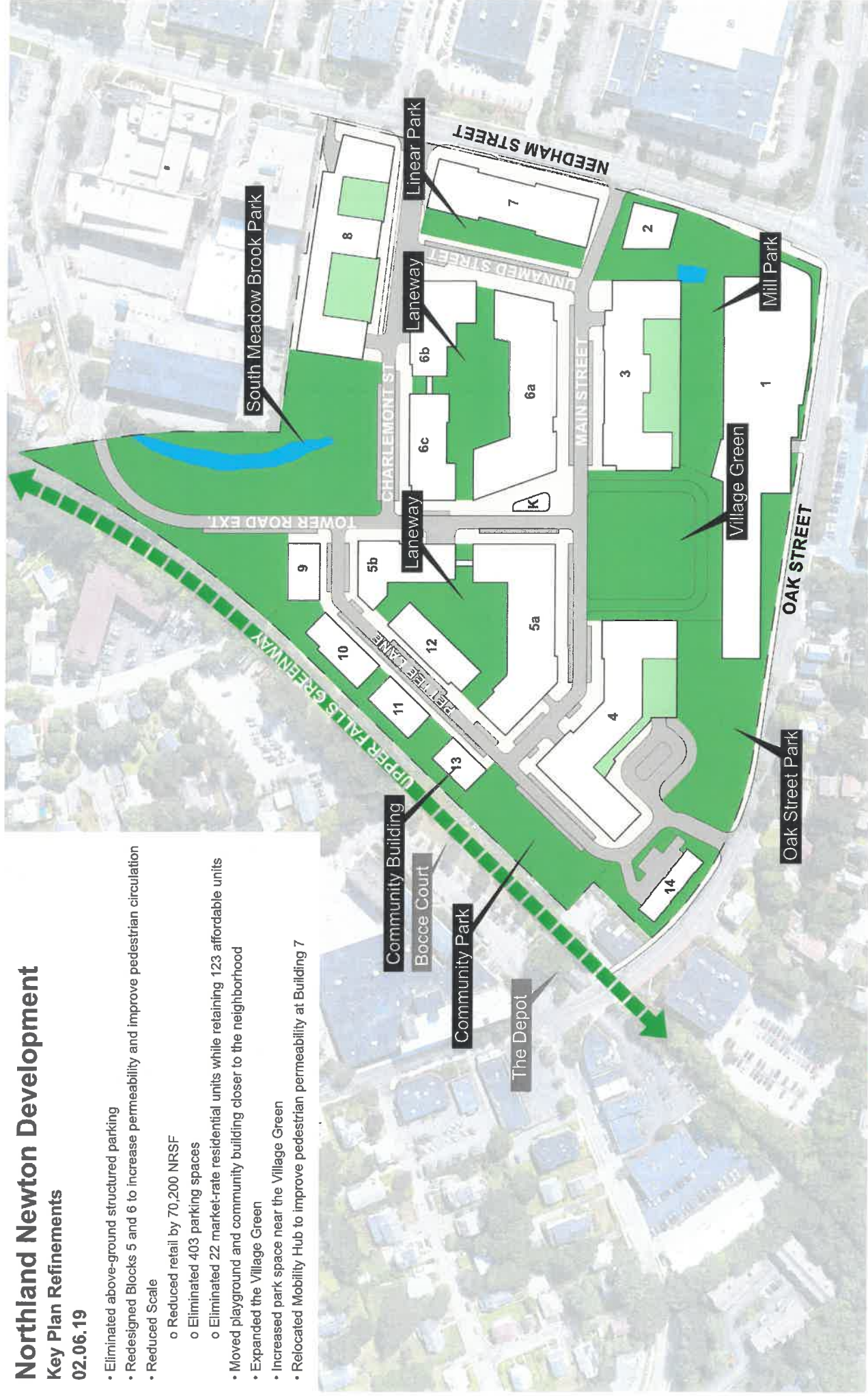


Northland Newton Development

Key Plan Refinements

02.06.19

- Eliminated above-ground structured parking
- Redesignated Blocks 5 and 6 to increase permeability and improve pedestrian circulation
- Reduced Scale
 - o Reduced retail by 70,200 NRSF
 - o Eliminated 403 parking spaces
 - o Eliminated 22 market-rate residential units while retaining 123 affordable units
- Moved playground and community building closer to the neighborhood
- Expanded the Village Green
- Increased park space near the Village Green
- Relocated Mobility Hub to improve pedestrian permeability at Building 7



Northland
INVESTMENT CORPORATION

CUBE3

Joint Sustainability
Commitment

SOM

Stantec

streetsense.

vhb

128 128 BUSINESS COUNCIL
SUSTAINABILITY