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MEMORANDUM

DATE: August 5, 2019

TO: Planning and Development Board

FROM: Barney Heath, Director of Planning and Development
James Freas, Deputy Director of Planning and Development
Jennifer Caira, Chief Planner

SUBJECT: **Petition #425-18** 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.

CC: City Council

The purpose of this memorandum is to provide the Planning and Development Board 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. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Planning and Development Board.

EXECUTIVE SUMMARY

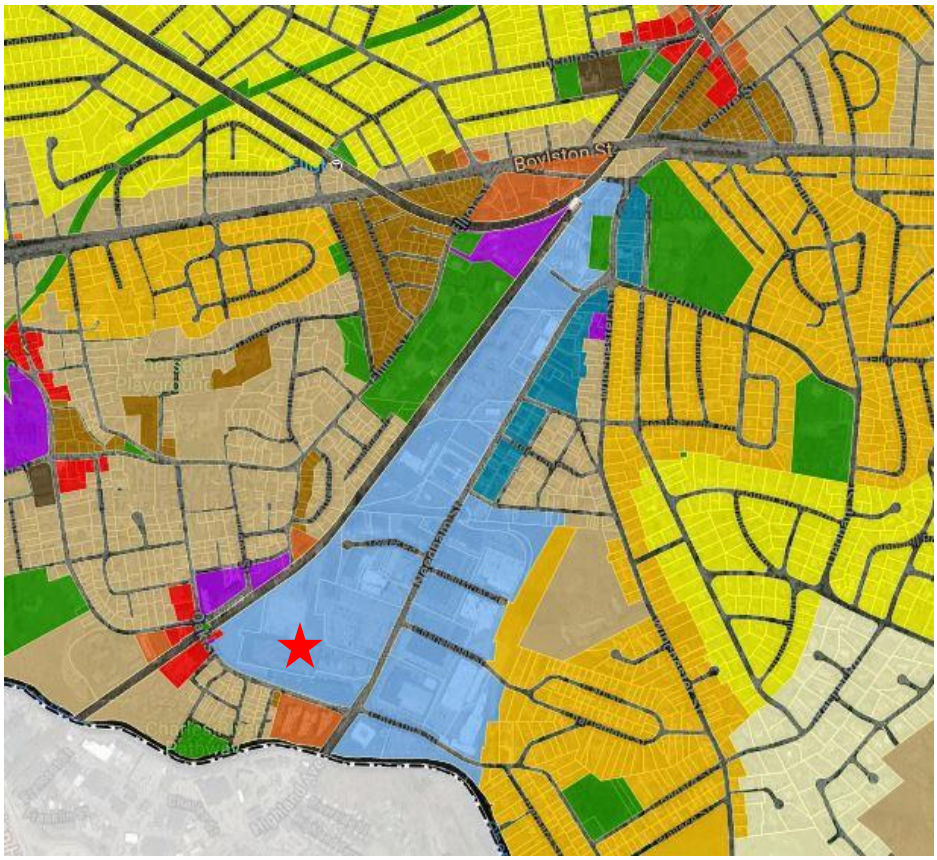
The subject property is located at the northwest corner of the intersection of Needham and Oak streets in a Mixed Use 1 (MU1) zoning district. The site consists of three parcels that, taken together, measure approximately 22.6 acres: 156 Oak Street (referred to herein as Parcel 1), 55 Tower Road (Parcel 2), 275-281 Needham Street (Parcel 3).

The property is bounded by Needham Street to the east, Oak Street to the south and the Upper Falls Greenway to the west; the northern tip of the property has frontage on Tower Road. It is currently improved with various commercial and industrial buildings as well as accessory parking. The existing building at 156 Oak Street was constructed circa 1900 and is proposed for preservation and incorporation into the proposed development. The remaining buildings on the project site, including a 1979 strip mall, would be razed.

The Petitioners are proposing to construct a multi-building mixed use development incorporating 800 residential units, 180,000 square feet of office space, 115,000 square feet of retail, personal service, and restaurant space, and public open spaces. The petitioner proposes approximately 1.4 million square feet of gross floor area in 17 proposed structures with heights ranging from two to eight stories. The proposal also includes 1,450 on-site parking stalls and 200 valet spaces within garages and surface parking, as well as accommodations for 1,100 bicycles. In anticipation of the proposed mixed use redevelopment project, the petitioner is seeking to rezone all three parcels to Business 4 (BU4).

I. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

The Northland Site consists of three parcels located at the northwest corner of Needham and Oak streets. All three parcels are currently zoned Mixed Use 1 (MU1), as are the other parcels in the immediate area along the Needham Street corridor, with exceptions being a Business 2 (BU2) zoned parcel district at the southwest corner of Needham and Oak streets and a Mixed Use 2 (MU2) district on the east side of Needham Street several hundred feet to the north. The neighborhoods to the east and west of the Needham Street corridor exhibit a diverse mix of zoning designations, including Single Residence 2 and 3 (SR2 and SR3), Multi Residence 1 and 2 (MR1 and MR2), Business 1 and 2 (BU1 and BU2), Manufacturing (MAN) , as well as Public Use (PUB). Specifically, districts immediately adjacent to the Northland Site include the BU2 parcel referenced above, as well as MU1 and BU1 districts, to the south (across Oak Street), MAN, MU1 and MU2 to the west, and a SR3 district to the east.



The current land uses on the Northland Site and other parcels in the area reflect this diverse zoning. Of the three Northland parcels, 55 Tower Road is industrial, while the other two are currently considered commercial properties, a mix that generally characterizes the uses along the Needham Street corridor. The area to the south , across Oak Street, includes single- and multi-residential uses, as well as some commercial and open spaces. The neighborhood to the west also includes single- and multi- residential and commercial uses, as well as some industrial, and non-profit uses. Across Needham Street are commercial and industrial uses; further to the east the uses are predominantly single- and multi- residential with some interspersed vacant and open space parcels with Winchester Swamp located to the north of Charlemont Street. The Needham Street corridor is primarily comprised of retail, restaurant and service uses with a few office buildings, the Avalon residential development, and a few industrial uses towards the southern end.

II. REZONING REQUEST (Petition # 425-18)

The petitioner has requested that the site be rezoned from its current MU1 designation to BU4. The Planning Department recognizes that, given its size and location, the site lends itself to redevelopment as a mixed use development and generally agrees that the current MU1 zoning, although it allows for limited residential and commercial uses, might be considered dated and

inappropriate for the site.

A. Mixed Use 1 vs. Business 4 Zoning Comparison

Zoning Dimensional Requirements:

	MU1	BU4
Lot size	40,000 sf min	10,000 sf min
Density	10,000 sf of lot area per residential unit	1,200 sf of lot area per residential unit
Height	4 stories/ 48 feet max	8 stories/ 96 feet max
Floor Area Ratio	2.00 max	3.00 max
Front Setback	Equal to Building Height	10 feet max
Side Setback	Abutting res: ½ bldg. height or 20' Other: 7.5'	Abutting res: ½ bldg. height or 15' Other: ½ bldg. height or equal to abutting side setback
Rear Setback	Abutting res: ½ bldg. height or 20' Other: 7.5'	Abutting res: ½ bldg. height or 15' Other: 0'

The zoning dimensional requirements of the Mixed Use 1 zone are designed to accommodate buildings with a large footprint on a large parcel. The Business 4 zone allows more floor area, significantly more height, and smaller setbacks (particularly at the front setback). The most significant difference between the two zones is the density of housing allowed. At one unit for every 10,000 square feet of lot area the MU1 zone would only permit four residential units at the minimum lot size of 40,000 square feet and the Northland site at over 22 acres could only include approximately 100 residential units. By comparison, the BU4 zone allows one unit for every 1,200 square feet of lot area, or 822 units. By comparison, the Avalon development on Needham Street has a density of one unit per 1,155 square feet of lot area. This is similar to other recent multifamily developments such as Washington Place and Austin Street which have even more units per square feet than the BU4 zone would allow.

The above table and analysis assumes the maximum build-out allowed by Special Permit. Without seeking a special permit a building could be built by-right in either zone to a maximum of three stories with a 1.50 floor area ratio. In either zone a Site Plan Approval by the City Council would be required for the construction of 10,000 square feet and a Special Permit would be required for the construction of 20,000 square feet.

In addition to the dimensional control differences between the two zones, the uses allowed in each zone vary. Uses such as residential, office and large scale retail are permitted in both

zones, however *t*here are many uses that are only permitted in either the MU1 or BU4 zone. A comparison of those uses is below:

	MU1	BU4
Elderly housing with services		X
Club, clubhouse		X
Hospital		X
Library, museum or similar		X
Convalescent or rest home		X
Theatre, hall		X
Animal service	X	
Business services	X	
Drive-in business		X
Fuel establishment	X	
Funeral home		X
Hotel		X
Job printing		X
Open air business		X
Personal Service		X
Radio or TV studio		X
Radio or TV transmission station	X	
Retail, under 5,000 sf		X
Vehicle repair, sales and service	X	
Veterinary hospital	X	
Assembly or fabrication of materials	X	
Manufacturing	X	
Telecomm and data storage	X	
Wholesale business or storage	X	
Adult business	X	

The MU1 zone is tailored more towards industrial uses and those uses that would require a large footprint. Housing is permitted but at such a low density the only apartment building built in the MU1 zone was done by Comprehensive Permit (Avalon) where zoning regulations can be waived. By comparison, the BU4 zone allows for a wider range of uses and for uses that are oriented towards the public and contribute to a vibrant pedestrian environment.

B. Needham Street Area Vision Plan

The Planning Department's review of the proposed rezoning and development along Needham Street is informed by the "Needham Street Vision Plan" the product of an extensive community based planning effort the Department undertook in collaboration with local residents. The Vision for Land Use in the Needham Street Area Vision Plan (Vision Plan) states the "Needham Street area will be a vibrant destination with a distinct identity. The area will have a diversity of homes, businesses, and gathering places for community life". There was consensus during the visioning process that the current zoning along Needham Street, particularly the MU1 zone, did not allow for the type of place the community desired. A strong theme from the visioning process was that a true mix of uses was desired and despite the name, the Mixed Use 1 zone does not permit this. The MU1 zone is oriented towards office and industrial uses and prohibits small scale retail, most community uses, and discourages residential uses, while the Vision Plan proposes a mix of uses along Needham Street linking the villages of Upper Falls and Newton Highlands. The Vision Plan also includes goals for creating a diverse housing stock, increasing support for small local businesses, and creating a range of community gathering spaces.

Relevant action items from the Vision Plan include:

- Amend zoning along Needham Street to encourage mixed uses, including housing, community uses, smaller commercial uses, and compatible manufacturing/production uses (e.g. breweries, artisans, R&D lab space, etc.)
- Encourage a range of housing unit types and sizes to accommodate all ages and incomes
- Reduce minimum lot area per unit in the zoning ordinance to encourage the production of a range of housing types
- Allow small-scale retail by-right
- Amend zoning to allow broader range of civic and cultural uses as well as private entertainment and recreational uses

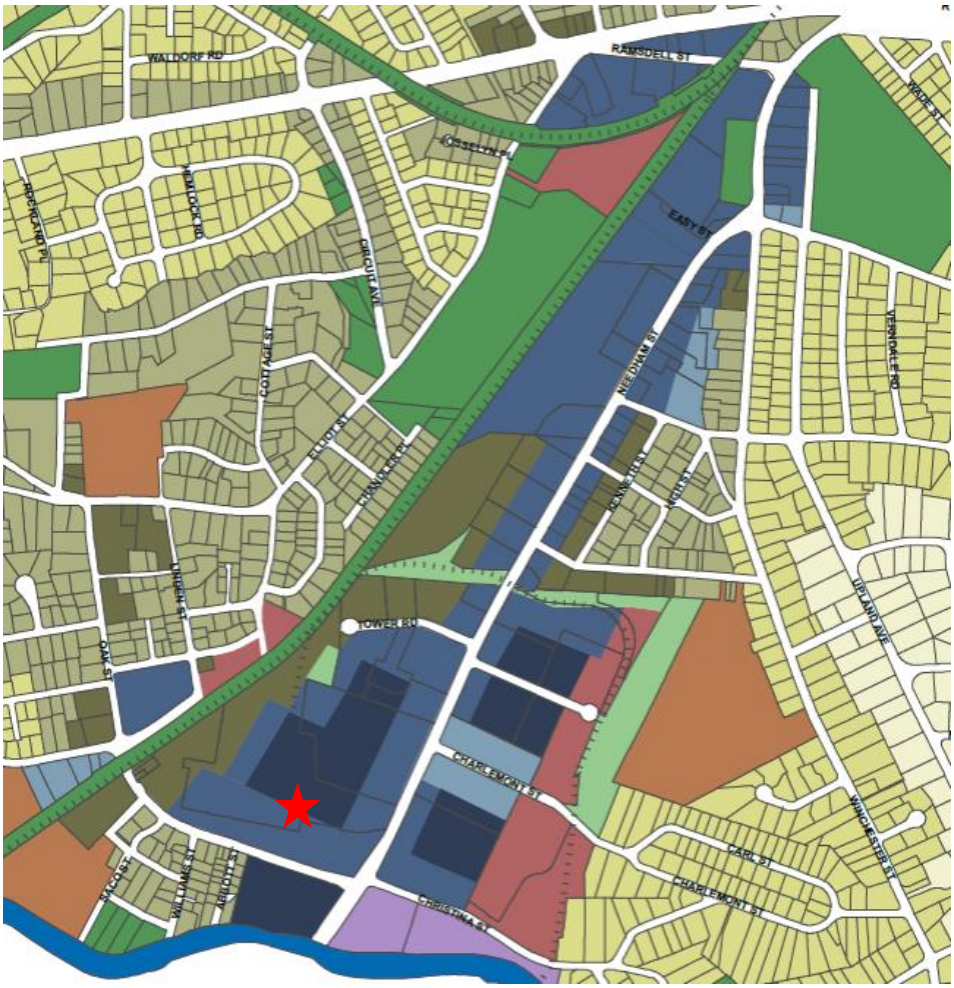
The goals of the Vision Plan are largely inconsistent with the current Mixed Use 1 zone. While further amendments to the zoning through Zoning Redesign are necessary to meet all of the action items proposed by the Vision Plan, a rezoning to BU4 accomplishes many of the goals and helps implement the vision for Needham Street by allowing for increased and more diverse housing, small-scale retail, personal services, and community oriented uses in buildings that

are oriented towards the street.

C. Zoning Redesign Recommendations for Needham Street

The area along Needham Street is one of the few areas in the Zoning Redesign process where the recommended zoning districts were not based on the existing context. In this case, zoning was identified based on the recommendation of the Needham Street Area Vision Plan. The proposed zoning used a combination of the three Village Districts to vary the density, height, and types of buildings along the corridor.

The zoning recommendation primarily calls for the application of the Village 2 district along most of the corridor representing buildings of up to 4 stories and a mix of business and residential uses. The Village 3 district is proposed for centralixed locations at the wider end of the Needham Street area, with up to 10 stories allowed (there is also a Village 3 designation proposed on the Charles River reflecting the existing building on that site, which is more than 5 stories tall). The Village 2 district surrounds the applications of the Village 3 district thus stepping down the height to the surrounding areas. The Village 1 District, with a 3 story max, was used to step down height between the Village 2 and a close by residential neighborhood as well as to create a potential viewshed from an adjacent higher land area out to the corridor.



III. REZONING RECOMMENDATION

The current Mixed Use 1 zoning along Needham Street does not truly support a mix of uses and has resulted in a corridor defined by large parcels with big box retail in buildings that are set back from and oriented away from the street. This creates an unpleasant pedestrian experience and further exacerbates traffic conditions along Needham Street. By rezoning the site the proposed project is able to provide not only a mix of uses within the site but housing units that will diversify the housing stock in the area and contribute towards balancing the overall mix of uses along Needham Street. Additional density and height, reduced front setbacks, and the addition of small scale retail, service and community uses all contribute to creating a "vibrant destination with distinct identity" as contemplated by the Needham Street Area Vision Plan. The need for housing, and particularly multi-family and affordable housing options, is also identified as an important piece of the City's Economic Development Strategy and is critical to supporting the efforts of the N^2 Innovation District. Allowing a mix of uses can also improve transportation over the alternative as some residents will live and work on site and many residents and office tenants will not need to leave the site for basic amenities and entertainment. Additionally, the different uses proposed onsite have different peak traffic periods, so new trips as a result of the project are more spread out rather than concentrated during a smaller peak period, such as with office uses.

The rezoning request is consistent with the Needham Street Area Vision Plan and the preliminary draft of Zoning Redesign. For all of these reasons, the Planning Department recommends approval of the rezoning from MU1 to BU4.