



## Zoning & Planning Committee Report

### City of Newton In City Council

**Monday, May 24, 2021**

Present: Councilors Crossley (Chair), Leary, Wright, Krintzman, Danberg, Baker, Albright and Ryan

Also Present: Councilors Laredo, Kelley, Downs, Bowman, Lucas and Greenberg

City Staff: Jonathan Yeo, Chief Operating Officer; Jen Caira, Deputy Director, Nevena Pilipovic-Wengler, Community Engagement Planner, Zach LeMel, Chief of Long Range Planning, Barney Heath, Director Planning & Development Department

Others Present: NewTV

Utile Consultants: Timothy Love, Lisa Hollywood and Will Cohen

Planning Board: Peter Doeringer (Chair), Kevin McCormick, Chris Steele, Sonia Parisca and Barney Heath

#### **#88-20 Discussion and review relative to the draft Zoning Ordinance**

DIRECTOR OF PLANNING requesting review, discussion, and direction relative to the draft Zoning Ordinance.

**Zoning & Planning Held on 01/27/20, 02/10/2020, 02/24/2020, 03/09/2020, 03/23/2020, 04/13/2020, 04/27/2020, 05/19//2020, 06/01/2020, 06/15/2020, 06/29/2020, 07/09/2020, 07/16/2020, 08/13/2020, 09/14/2020, 10/01/2020, 10/15/2020, 11/05/2020, 11/09/2020, 12/14/20, 02/22/21, 03/08/21**

**Action: ZONING & PLANNING HELD 8-0**

**Note:** Chair Crossley stated that tonight's discussion will focus on Village Center Districts. Planning Department staff and members of the planning and architecture firm, *Utile*, who are consulting on Newton's zoning reform effort will join us. Utile will share some of their preliminary quantitative research and plans for continued work to assess village centers in Newton. We will also review the community engagement materials that will be distributed throughout the City to a variety of groups, the scope of the outreach effort and how we can be more directly and positively involved in our respective communities.

Utile Consultants Timothy Love, Lisa Hollywood and Will Cohen provided a detailed PowerPoint presentation (attached). The PowerPoint includes an agenda, village center characteristics, where and what are village centers, comprehensive plan Land Use working group 2004, Pattern Book 2018, draft zoning proposal 2018, summary of previous studies, what are the mix of uses in village centers, land uses, arts, historic, existing uses in village centers and green line ridership.

Utile consultants shared and discussed their initial desktop research on village centers across the City. Utile has completed some analysis of the mix of uses and village centers which is an important issue for us. We are going to be talking about how village centers are accessed either by driving or by transit and this is all going to be accompanied by some initial data analysis that we have done spatial data analysis to kind of get at some of these issues.

**Utile provided two discussion questions for Committee members**

**1) Do you agree with the hypothesis that village centers are predominantly defined by their mix of uses? What mix of uses do you think support and create healthy village centers?**

**2) What do you think about using the twelve village centers identified in all previous studies as a starting point for analysis?**

**Committee members comments, suggestions, questions and answers:**

After completing the analysis, is it the right mix of uses or do we want other mixes and change the zoning ordinance? Mixed uses do not necessarily talk about the ownership or patterns of the uses. In village centers there are different mix of uses. What are the decisions that lead them to choose to take a tenant or not? Large shopping centers, try and provide a mix of uses that are complimentary with anchor tenants. How you come back with those answers may lead you to a very different land use decision making process. Mr. Love answered that they had a discussion along similar lines with the EDC. One of the outcomes of this might also be an economic development plan for the City to complement what land use can do, that might be more proactive look at attracting businesses. A retail entrepreneurship program encourages promising startups to try their retail concepts. There is a range of things that are not just about land use, outreach and engagement the City is doing. You asked what is the point of the analysis? We may need to encourage professional offices, co working spaces and retail spaces as a use, because that drives weekday customers that allow the businesses that commuters rely on and succeed. Mr. Cohen answered that whenever it comes to this idea of chains versus whatever is how we made the determination. We must think through what we want to figure out how we specify the right land use way.

In the PowerPoint, the professional, scientific and technical services is 1½ times larger than the retail trade. What we desire will take time. To look at the city as a whole and look at each village and how their makeup is, I think you will see it very differently than what it is here as a whole. Mr. Love answered that this is just 13 villages, it is not the City as a whole. What we will do next is combine a couple of bubbles when it is figured out. We try to make a fingerprint of

each of the centers, because that will assist us anecdotally what separates one village from the other.

What is defined as a village center, is it a five-minute walk? How did you define village centers with these uses? Mr. Love answered that it is not a five-minute walk. These are tight boundaries, using the definitions from the pattern book excluding residential uses at some point we have to put a bound on it. We will bring it to a ten-minute walk, by analyzing the number of people, the number of households in a ten-minute walk. The relative population of a ten-minute walk and transit count is much lower. We will look for correlations between those three things to determine how those three issues overlap suggesting where we want to go

Are the maps and charts to scale? Mr. Love answered yes.

The purpose of doing the walk sheds is to determine the symbiotic relationship between residential and village centers. How does one feed the other? Mr. Love answered within a 10-minute radius how many households or people see that as a convenient place to go, versus getting in their car. That symbiotic relationship between that kind of walkable population and the mix of uses in the village center we think is related.

Village centers change overtime. Do you plan to do this kind of analysis for each village? In the future could we discuss mix uses that build a successful village working with landlords? Mr. Love answered yes, they will work on analysis for each village. We are having conversations with EDC to meet with experts and property owners to engage them and understand what our goals are. Perhaps there could be a future EDC action item to discuss mix uses with landlords.

Regarding the MBTA on/off data, is there scientific proof that the on/off balance and stops makes a difference on how village centers operate? Mr. Love answered that it indicates that there are schools or jobs that are worth getting off the "T" to go to versus stops where everybody is getting on and nobody is getting off and vice versa. If the infrastructure is there, for people to get off to support small professional offices that that could drive better retail choices. The City could market this opportunity with building owners or developers The goal of the MBTA is for every stop to be balanced.

Village centers are predominantly defined by their mix of uses. The mix of uses that we create in the in the village centers, defines how successful they are going to be. In the past 10 years, we have had a very different mix of uses than we had in the previous 30 years. For example, small hardware stores closed when Home Depot opened and that there were no longer any people living in units in the village centers because we did not have mixed use. The City did away with mixed use, in the 40s or 50s when we tore down the taller buildings and replace them with one story buildings.

Bronxville New York has small village centers with a proliferation of banks and financial institutions, because it is an affluent community and banks wanted a presence. The town

required banks, financial institutions, non-retail establishments and non-restaurants to go anywhere but the ground floor. There was a lot of pushback but in the end, they discovered that it was a great move for all.

Professional offices, banks, real estate offices, financial services, tax prep, personal care, family services, counseling, exercise, physicians and dentists belong anywhere but the first floor. Because what we want to do with our villages, is to get things on the first floor that can entertain people. You cannot browse in a dental office you cannot browse in a law office. These are services that people will gladly go to the second floor. Reserve the first floor for our restaurants, and retail because this is what is going to enliven the streets and have a browsing capability for pedestrians, make it pedestrian friendly and enliven the village in general.

I would like to see the City of Newton go back to what it was in the 60s, 70s and 80s in a mixed use way. One thing that drove people out was the price of rents and the leases. If we could get back to some sort of mixed use like, then when everything was available. Additional housing would also benefit village centers.

I define village centers as a mix of uses as one way, but I also think there is a certain economy of scale that goes with that mostly as a cluster of retail and commercial activities. I define mix uses as unique businesses that attract people to different villages, things that you can get that you just cannot get with delivery such as with Amazon. Those delivery trucks and local retailers are constantly driving through our neighborhoods, that is a big part of the problem. Walkability and the connection between transportation options and vibrant village centers is important to consider. When we talk about convenient parking, the more parking you have, the more cars you attract which does not make for a vibrant pedestrian friendly village option. What can we do to attract what we want?

Mr. Love answered that e commerce is the threat to and is the reason it is hard to go back in time to some of the things that have been cited. What is replaced the amenity retail stores is called food and beverage in the real estate industry, but it is restaurants, cafes etc. it is experiential things which is consistent with places that invite people to go in and browse. What trends are nationally would also be part of that but that probably should be upstairs as was pointed out. In the radical transformation of retail, what makes sense to fill in these spaces does not make sense anymore because you can order it online this should be the center of our focus here.

Part of the challenge of pedestrian access is what the weather and the climate is because what is walkable today is very different from what is walkable in February. Some village centers are a walk shed distance, you might walk to the nearest, but not to the farthest. Is the modeling you will propose analyze the time and space impacts?

We should focus on reimagining what we have now, because it may be a parking lot, or a street does not mean that is what we think it should stay. It is necessary to rethink and think out of the box when we start to do work on the zoning.

**Councilors comments, suggestions, questions and answers:**

We are dealing with a mixture of economic development, what kind of economic development do we want in our City for example, give rent discounts for a business starting up in a village center to attract hardware or ice-cream stores? Our task as a Council is to draft a zoning code that encourages but obviously cannot dictate what goes into these various village centers and so I think we need to be prescriptive to some degree, but not overly prescriptive because we do not know what 5, 10, 15, 20 years from now will hold. Council will not be rewriting the zoning code every 3, 4 or 5 years, that lack of predictability for owners and occupiers of space is not good. There is a real challenge. Our village centers are different, do we need different rules for each center? The City does not have a bulk of housing, housing disappeared 60 to 70 years ago. The reason we do not have those kinds of places in the village centers, is because except in a few places are not economically sustainable under our current model. It is not lack of customers. We should look at each village center differently, every one of them is built out, that does not mean we will not have that new construction. It is not because we want to treat different areas of the city differently, but because the built out structure there is different. I did not hear anything in the discussion so far about the effect that COVID-19 is going to have on the types of businesses in our community. COVID-19 is having a profound effect on how professional services providers are thinking of their office space. The number offices are going to decrease in the footprint for them is good decrease dramatically as we craft these rules, what will that look like. Regarding co-workers' spaces, are not doing well right now, reason being that model may not be the model of the future. Co-working space is a great concept and has potential to add to the vitality of our village centers. There are going to be some advantages to co- working but the advantage of being able to work from home is just that you work from home with no rent. Regarding the "T" in Newton Centre, you showed 100 people in total getting on and 100 or so people getting off at the peak hours. How much is that contributing to the vibrancy of the village center, compared to the total number of people who work there or are within a 10 minute walk? We will unlikely get a major grocery store in the village center, economically it does not work for them. I define a village center as a place that you can get to by a variety of transit modes, has a variety of restaurants, stores and service business that will attract you to come there. I do not view our village centers as destinations for people outside of Newton but that is not likely to be the best use of our village center space.

Chair Crossley stated that the effect of COVID-19 on how we go to work in the future, Mr. Love, I know this is all very preliminary, but I heard your interest in analyzing the potential impact of co-working space and village centers which we have done some work on through our special permit process. We do not have a robust co-working model anywhere in the city. Mr. Cohen answered that co-working is not a guarantee that it is the right fit, it is just part of the list. There are a fair number of co-working spaces in the metro area we call boutique co-working

spaces, things that given the ecosystem in Cambridge, Somerville or wherever its sort of a means for small businesses to get together. Mr. Love answered that there are a couple of co-working startups that are looking at the suburban market and a more disaggregated less as a real estate play. It is true that outdoor dining is here to stay. The amount of sidewalk space adjacent to existing restaurants, future strategies for development with active granular uses is something that we are also going to want to look. It is an issue we are keenly aware of. How people will work in the future, and how much exterior space, restaurants and cafes need are the two internal discussions that we have had.

Chair Crossley could expand a tiny bit on what goes to the mix of uses, but every village center certainly can't support a grocery store, but what I think I'm hearing is that you intend to analyze each village center and you're looking at it in terms of what can that village center support, versus what do we want it to be able to support and what do we need, what do we need to be able to do in order to get what we want, or more of what we want. There are some large grocery stores, walkable to a couple of village centers, and then some smaller ones in other places. but it is not always in a village center. Mr. Love answered this must be part and parcel with an economic development strategy that might seek out businesses that are in alignment with the vision for the village centers that emerge with data to back it up by doing outreach to find out if there are any venture capitalists looking at co-working spaces in the Boston area, it might be an invitation from Newton to come try one here because of the data we have about on or off of "T" and the other mix of uses. We will continue to speculate about these things as we are also addressing our core mission to help guide decisions about land use and zoning.

I would define village centers to include houses because they are part of a village center. Have we identified the right components of village centers? It appears the connections, from what is happening close to the "T", the vast commercial center and what the opportunity is to sort of better connect those spaces because it is one of the most livable places in the City. Will we get to the point of analysis to better understand 15 or 20-minute neighborhood for Newton and if we can use this to identify businesses and uses that will be beneficial in various village centers.

COVID-19 taught us how much further we can walk, and how close things are in Newton. A safe connection is key if we are going to have spaces that are welcoming and attract people without being surrounded by parking lots. How does the mix of businesses and institutions fit with zoning? Village centers that work, meet a variety of needs and do so within a very short commute of housing. I suggest that you think about those needs with daily, weekly or monthly paradigm of what which will provide a better sense of what needs to be within that walking distance to make that neighborhood truly a 15 or 20 minute walk. Mr. Love answered that we have set 10 minutes as a starting point for our analysis. I think about other modes and how those intersect with this is going to be important. The public realm and qualitatively what that walk is like is important to consider. The question about why this points to zoning is precisely the uses that are going to be allowed the parking ratios that are required and what happens on the first and second floor is a clear message through the zoning what the expectations are here is going to be important to think about.

**Planning Board members comments, suggestions, questions and answers:**

Have you considered adding to the analysis and exploration of the existing or not of the central space? The core of the center villages could be a plaza, or Boulevard. Some towns do not have this central space, a place where you can go not to shop, but to walk to see other people. Uses and retail is changing, and office space demand is decreasing. What will not decrease is face to face meetings. Mr. Love answered is there through streetscape projects and lane diets is there a complimentary study of areas where pedestrian, the public realm can be captured that is consistent with the visions of the delivery centers. We have discussed relative to COVID and the expectations of restaurants and cafes to use outdoor space across three seasons and more aggressively even as part of their business plan to augment the number of seats that they have.

Utiles presentation is impressive and their moving approach from anecdotes to data.

Nevena Pilipovic-Wengler, Community Engagement Planner and Zach LeMel, Chief of Long Range Planning provided a detailed PowerPoint (attached). The PowerPoint included purpose of engagement, engagement efforts, timeline, vision kit, vision kit companion, images, table of past City strategies, goals, actions, objective for village centers, history of village centers, polis survey, focus groups, outreach, EDC engagement, on the spot surveying and how Councilors can help increase participation. Planning staff presented the detailed community engagement efforts that will take place over the next several months, with a specific focus on how the Newton community can provide input through the multiple options.

**Committee members comments, suggestions, questions and answers:**

Involving people in conversation requires some sense of what the end in mind of that conversation will be. Ms. Pilipovic-Wengler answered that in December, she received feedback on where and how these goals decided were decided. It is important to hear from community members on what kinds of visions they want to lead our assessment of how we engage with the zoning ordinance for the village centers. It is an opportunity to collect qualitative information and make sure we are not losing sight of the human element of how people want their village centers to both remain the same in future years, as well as shift and change to accommodate visions for the future as we investigate technical and policy analysis.

Some Historical neighborhood associations are missing including the Chestnut Hill Association, Lower Falls Improvement Association and different neighborhood groups have been active in the City for years. It is important that the general interest be represented in this conversation. Those who will be affected by these decisions must be included in the process. Ms. Pilipovic-Wengler answered that Lower Falls is included and agrees that the other neighborhood associations be included and agrees that it will be essential to engage.

When you work with the EDC, perhaps the Newton-Needham Chamber of Commerce can help connect to businesses. Ms. Pilipovic-Wengler answered that a member recently reached out to her.

Have you reached out to the PTO's? Ms. Pilipovic-Wengler answered that she has reached out to the multiple PTO listservs that exist including the newsletter, PTOs for the respective schools, PTOs that are focused on families with children with disabilities their contact names are included in the presentation. The PTOs have informed me that they are going to be quiet with their activity because it is the onset of the summer. Ms. Pilipovic-Wengler has also contacted Safe Routes to School, Green School connections, Forge school teams and several METCO social workers.

Would it be possible to write about the vision kit and polis survey requesting every PTO to put it in their newsletter? Ms. Pilipovic-Wengler answered that this has been done for the information session and will be doing it again with updated facts.

Thank you for involving different groups that are usually not brought into the mix, we need to reach out to these groups. The LGBTQ+ community can tell you about places they will want to go in Newton and places that they will want to go and people with disabilities that feel they have not got the right access.

**Councilors comments, suggestions, questions and answers:**

Because we value being a community that is trying to welcome families with younger children. It is important to reach out to families with younger children including 5-8 and 9-12 years.

Will the Planning Department hold virtual office hours this summer, as they did last summer? Mr. Heath answered that holding virtual office hours was very staff intensive and is uncertain if that will take place this summer due to this engagement undertaking which will involve all staff.

What makes you think LGBTQ+ people want something different from zoning that straight people, because you do call them out? Ms. Pilipovic-Wengler answered that she does not assign what people want based on their identities. I am not assuming that because people are identified as LGBTQ+ that necessarily means they want anything different or unique in the village centers. Part of the purpose of these focus groups is to do targeted outreach. For example, focus groups are highly recommended by the Metropolitan Area Planning Council (MAPC) to get more engagement of marginalized identities. LGBTQ+ people are one of those marginalized identities. We wanted to have that focus group. In terms of engaging with business centers, there is a lack and this is not just for new in this is overall in the US also have LGBTQ+ owned and managed businesses that make it feel safe for people to use so it felt relevant and important space to be able to ask how those village centers can be used by people who do not identify as straight.



**Planning Board members comments, suggestions, questions and answers:**

The role of the mixed methods collection of quantitative information from the community engagement surveys, focus groups visioning exercises and the long term look at the how the villages evolved historically is useful. The focus groups for the business community engagement process are only listed on the website as being organized for real estate brokers, consultants, mixed use and small scale commercial developers. It would be beneficial to for business owners to provide their thoughts on the process.

Is there a way for similar focus groups might be organized for the business and property owners which are also a target group for business engagement? Mr. LeMel answered that we are hoping to connect with business owners and property owners through a targeted survey on why they chose to locate in a village center and what are the benefits. Ms. Pilipovic-Wengler added that this suggestion will be raised with the EDC. We thought we were going to access people through relationships and individual phone calls, the approach we wanted to take but is more labor extensive. We have decided to allocate our energy to hosting focus groups.

It is hopeful that business owners will also be asked what they see as their problems and possible solutions.

Maybe create a separate vision kit for local businesses.

Ms. Pilipovic-Wengler answered that she will take these suggestions to the next EDC meeting.

Chair Crossley thanked Utile, Ms. Pilipovic-Wengler and planning staff for a tremendous job reaching out to a huge number of people, individuals and organizations.

Without further discussion, Councilor Krintzman made a motion to hold this item. Committee members agreed 8-0.

At approximately 9:30 p.m. the Committee adjourned.

**Respectfully Submitted,**

**Deborah J. Crossley, Chair**