

Town of Westwood

Planning Board Public Hearing

Proposed University Avenue

Mixed Use District Zoning Bylaw

December 18, 2012

Westwood Planning Board

University Avenue Mixed Use District Bylaw

- Introduce UAMUD Bylaw
- Amendment Process
- UAMUD Differs From Traditional Zoning
- Master Development Plan
- Structure of Proposed Bylaw – How it Works
- Authorized Uses

University Avenue Mixed Use District

- Creates New Zoning for 130 Acres on University Avenue
- Two Components – Zoning Bylaw and Master Development Plan
- Master Development Plan (MDP) is part of Bylaw

Zoning Amendment Process

- Draft Bylaw is Prepared and Submitted to Board of Selectmen
- Board of Selectmen Refers Bylaw to Planning Board for Recommendation
- Planning Board Publishes Notice of a Public Hearing
- Planning Board Holds a Public Hearing
- Finance Commission Also Holds a Public Hearing
- Finance Commission Makes a Written Recommendation in Town Meeting Warrant
- Planning Board Gives a Report at Town Meeting
- 2/3 Vote of Town Meeting Required

UAMUD Differs From Traditional Zoning

- Traditional Zoning Establishes Rules that Apply Within a Zoning District
- Those Rules Govern the Types of Uses and Dimensional Requirements
- UAMUD Bylaw Includes the Actual Development Plan
- Planning Board in Reviewing the Bylaw Also Evaluates the Development Plan

Master Development Plan

- Becomes Part of the Zoning Bylaw
- Divides Site into Different Development Areas and Open Space Areas
- Identifies Roadways, Infrastructure, Building Program and Open Space

Building Program

- 130 Acres
- 750,000 sf Retail/Service, Restaurant or Entertainment
- 325,000 sf Office/R&D
- 650 Residential Units
- 160 Room Hotel
- 100 Unit Assisted Living Facility

Core Development Area

- 560,000 sf Retail, Service, Restaurant and Entertainment
- 420 Residential Units
- 16 Acres Open Space
- Maximum Building Height 60/70 feet
- Site Plans Well Developed
- Planning Board Could Complete Review Before Town Meeting

Other Development Area

- Development Area A -- Office/R&D are the Only Permitted Uses
- Development Area B – The Village Area
 - Mixed Use Area – Retail, Service, Restaurant, Entertainment, Hotel, Residential, Office, R&D
 - Maximum Height 80 feet
- Development Area C – Existing Warehouse Use, Other Uses Could be Interior Self Storage, Office, Service, Retail, Entertainment or Restaurant
- Development Area D – Residential and Municipal Uses

How the Bylaw Works – Process

- Approval of Master Development Plan and Bylaw at Town Meeting
- Core Development Area – Requires that Planning Board Determine that Final Plans Conform with MDP
- Other Development Areas – Require Conformance Determination AND Project Development Review by Planning Board Before a Building Permit

Project Development Review

- Applies to All Development Not Approved as Part of the CDA
- Three Findings by the Planning Board:
 - Proposed Project is in Conformance with the MDP
 - Proposed Project Does Not Pose Unmitigated New Material Adverse Impacts or Adversely Affect Existing Impacts
 - Proposed Project Complies with the Performance and Design Standards of the UAMUD Bylaw
- Board Can Grant Waivers of Certain Dimensional, Parking and Sign Requirements
- Board Can Condition Approval on Mitigation of Existing or Anticipated Impacts

Authorizes a Mix of Uses

- Retail
- Restaurants
- Office
- Residential
- Hotel

Denial of Project Development Review

- Board May Deny Project Development Review if Impacts are not Adequately Mitigated
- Board May Also Deny Project Development Review if Impacts from Completed Phases of the Project are Greater than Anticipated and not Adequately Mitigated

If PDR Denied, Developer Can:

- Withdraw Application
- Make Modifications so that Phase Does Comply with Board Findings and Seek Reconsideration
- Seek Approval of a Minor Modification of the MDP
- Seek, at its option, Special Permit for Modification of the MDP, or Approval of a Revised MDP by Town Meeting

Minor Modification of Master Development Plan

- Planning Board May Approve a Minor Modification of an MDP if:
 - Proposed Changes do not Adversely Affect the Overall Design and Implementation of the Project
 - Do not Increase by More than 10% the Maximum Gross Floor Limitation for Each Category of Use Noted on the MDP
 - Do not Increase Land Area by More than 10%
 - Do not Increase Parking Requirements by More than 5%
 - Do not Adversely Affect Stormwater Quality
 - Do not Increase Vehicle Trips by More than 5%
- Office Uses Can Increase to 550,000 square feet
- Retail/Restaurant/Entertainment Uses Can Increase to 900,000 square feet

Water Resource Protection District Changes

- Planning Board is the Special Permit Granting Authority
- No Special Permit Required for:
 - Construction-Related Excavation Within 4 Feet of High Groundwater
 - Storage of Fertilizers and Hazardous Materials in Quantities Greater than Those Normally Associated with Household Use,
 - Fertilizers and Hazardous Materials Must be Stored Indoors or Within a Fully Enclosed Container if Stored Outdoors

Uses

- Allowed by Right:
 - Retail
 - Restaurant with or without Entertainment (but not Fast Food Restaurants)
 - Banks, Pharmacies and Coffee Shops with or without Drive-Through Service
 - Office
 - Hotel
 - Research and Development
 - Medical Center or Clinic
 - Fitness/Health Club

Uses

- Principal Uses Allowed by Special Permit
 - Drive Through Service, other than Bank, Pharmacy or Coffee Shop
 - Specialized Motor Vehicle Salesroom, not to Exceed 5,000 sf
 - Self-Storage or Mini-Storage Facility
 - Movie Theaters
 - Music Venues
 - Bowling Alleys
 - Other Indoor Commercial Recreation Facilities
- Accessory Uses that Require a Special Permit
 - Sales and Installation of Tires, Batteries and Similar Accessories
 - Storage of Sodium Chloride, Calcium Chloride and Similar Materials for the Removal of Snow and Ice