**Level III Site Plan & Subdivision Review**

**Seaport Lofts**

**101-121 Newbury Street**

**BACKGROUND & REVIEWS**

113 Newbury Street, LLC is returning to the Planning Board for Level III site plan and subdivision review for a four-story housing complex, the Seaport Lofts, at the corner of Hancock & Newbury Streets. At a hearing held on September 24, the Board reviewed final plans. At the time, a number of issues, particularly relating to design and off-street parking, remained unresolved and a number of conditions of approval were suggested. After some discussion, the board tabled the item and asked the applicant to provide additional information addressing outstanding concerns.

**OUTSANDING ISSUES AND EFFORTS TO ADDRESS**

In the intervening time, the applicant has provided revised plan sets, revised elevations, and additional supporting material. Review the content of these as they relate to the outstanding issues.

***Subdivision***

*1 & 2. Subdivision Plat & Easement/Licenses*

At the time of the 9/24 hearing, there were several subdivision plat edits requested. The applicant has provided a revised plat addressing outstanding concerns. However, the applicant will still need to provide a revised subdivision plat, evidence of easements and licenses, as required as conditions of approval.

*3. Condominium documents & parking*

At the board hearing, neighborhood residents raised concerns regarding impacts to the on-street parking supply. The Board asked the applicant to provide additional information on a parking allocation plan and suggested a review of condominium documents. The applicant has not provided draft condominium documents, stating that their attorney has not progressed them to the point of submittal quality. As such, this condition of approval remains.

The applicant has, however, provided an email from Sebago Technics with a brief description of a proposed parking plan for the project. This email states that parking spaces will be assigned in perpetuity to units as they’re sold, ensuring that each unit has a designated parking space. Thomas Errico, consulting traffic engineer, has reviewed this email and has stated that he believes the parking situation will be acceptable.

***Site Plan***

*1 & 2. Site Plan Edits*

Applicant has made the minor modifications to the site plan requested by DPS and David Senus, consulting civil engineer. These conditions of approval have been removed.

*3. PWD*

The applicant has provided an email from PWD which attests to the suitability of a storm drain locations. This condition of approval has been removed.

*4. Zoning*

Based on supporting documentation provided by the applicant, the zoning administrator has confirmed that the project is meeting the height limit of 45 feet as well as lot coverage requirements. This condition of approval has been removed.

*5. Parking Schedule*

As noted previously, the applicant is proposing changes to the city’s on-street parking schedule, including the addition of approximately 4 spaces. This will require council approval, and the related condition of approval remains.

*6. CMP*

Following the 9/24 hearing, the city reiterated requests regarding the construction management plan for the project, noting that staff and the public have raised concerns regarding construction during the first phase of Bay House development and future construction impacts. The applicant has not provided additional information, stating that a contractor has not been identified and that, thus, specific details cannot be outlined at this time. This condition of approval has been modified to indicate that an approved construction management plan will be required prior to the issuance of any permit.

*7. Financial Contributions for India/Middle/Traffic Monitoring Study*

As noted previously, the consulting traffic engineer has requested that the applicant make contributions towards the improvement of the India/Middle Street intersection and the East End Traffic Monitoring Study. This condition of approval remains.

*8. HVAC Verification*

The city has not confirmed that the applicant’s proposed HVAC system meets applicable standards, so this condition of approval remains.

*9. Addressing*

The addressing plan for individual units in the development still remains to be resolved with the Fire Prevention Bureau, so this condition of approval remains.

*10. Design*

At the 9/24 board hearing, staff members, board members, and the public commented extensively on the design of the proposed building. Following the hearing, the project architect and developer met via conference call with city staff to discuss possible changes. At that meeting, staff made numerous suggestions relating to the B-2b design guidelines, including suggestions regarding façade composition, window design, door and canopy design, the treatment of the building’s rear, and color and darkness, among others. The applicant submitted revised elevations, which appear in your packet. Note that at the time of the report, revised renderings had not been provided. Renderings were received on Monday and are included as an addendum to your packet.

The elevations and renderings show several changes which attempt to address the requests of staff, the board, and the public:

* The door of the main, shared entry on Newbury Street has been pulled out to the face of the building. The architect has also altered the awning in this area to represent a more contemporary style. The details of the awning design remain to be resolved.
* At the city’s request, the applicant has also added an awning to the Hancock Street door. The city has asked the architect to revise the awning in this area to match that on the Newbury Street façade.
* The applicant has revised the floor plans to square the northwest corner, adding floor area to the upper story units and changing the window and balcony configuration in this area.
* In response to repeated comments about the flatness of the building, the applicant has altered the composition of the Newbury street façade, alternating between brick and metal cladding on the third floor, to accentuate the vertical and add visual interest. The applicant has also changed the material configuration on the west end and the posts at the building’s rear. Staff has requested that the architect add a soldier course at the top of the second floor in order to rationalize the change in composition there, and the most recent renderings show this soldier course.
* Window mullions have been added, and the openings on the west elevation have been reconfigured slightly.
* On the rear of the building, the applicant has reduced the size of the balconies and added windows.

The applicant has not provided samples showing a final proposed color scheme or material qualities. Likewise, city staff has not reviewed details for the metal screens or the exterior lighting at the building entrances. Outstanding design items have been included in a revised condition of approval.

In terms of design, it should be noted that neighbors have quite recently raised concerns regarding building location and massing. The building is proposed to sit 5 feet from the western property line on Newbury Street and stand 45 feet tall. The adjacent two-story townhome, which is an older building of a historic character, lies between 0-10 feet from the same property line. The adjacent property owner has argued that the building’s size and proximity will negatively affect her property values. Recognizing that there is a related site plan standard, which states that ‘the bulk, location, or height of proposed buildings shall minimize, to the extent feasible, any substantial diminution in value or utility to neighboring structures,” the neighbor, as well as city staff, have discussed means of mitigating the potential impacts to the extent feasible. The Board may wish to further explore this issue.

*11. Stormwater maintenance agreement*

A standard condition of approval related to a maintenance agreement for the proposed subsurface stormwater detention system remains.

*Construction impacts*

Lastly, a condition of approval has been added regarding construction impacts to abutting building foundations and retaining walls. Issues regarding the structural integrity of these structures have been raised in prior board meetings and in correspondence with neighbors. This condition refers to an email from Sebago Technics which has been included as an addendum to the packet.

**ADDITIONAL PUBLIC COMMENTS**

Public input on the project is included as attachment to the Board report. As noted previously, neighbors have raised concerns regarding building design; proximity, height, and shadow impacts; construction impacts; and impacts to the function of adjacent chimneys, among others. Neighbors have suggested additional articulation on the buildings’ façade which mirror city comments throughout the project, alterations to the façade composition on the building’s rear, and eliminating units as a means of addressing proximity and height concerns. Concerns regarding construction impacts are meant to be addressed via the condition of approval contained in the addendum. Concerns regarding the draw of adjacent chimneys were referred to building inspections, who indicated that separation as drawn in site plans should be adequate.

**QUESTIONS/CLARIFICATION**

Staff is recommending approval of the plans, subject to conditions designed to address the outstanding comments above.