



MEMORANDUM

Town of Wellesley - Planning Department

To: Board of Selectmen
Cc: Planning Board
From: Michael D. Zehner, Planning Director
Date: November 30, 2018
Subject: Public Hearing - 40R Zoning Bylaw, Wellesley Office Park

As the Board is aware, the owners of Wellesley Office Park (20 William Street, 40 William Street, 45 William Street, 55 William Street, 60 William Street, 60 William Street, 65 William Street, 80 William Street, and 100 William Street), John Hancock Life Insurance Co., have proposed the redevelopment of the property utilizing the provisions of [M.G.L., Chapter 40R, Smart Growth Zoning and Housing Production](#). A prerequisite to Town Meeting's consideration of the adoption of a 40R zoning district is the Town's receipt of a Letter of Eligibility from the Massachusetts Department of Housing and Community Development ("DHCD"); DHCD's consideration of the issuance of the Letter of Eligibility is prompted by the Town's filing of an *Application for Preliminary Determination of Eligibility for 40R Zoning* ("Application"), a prerequisite of which is the public hearing noticed to be opened at the Selectmen's meeting on December 3, 2018. Essentially, the purpose of the public hearing is to allow the Board to consider the appropriateness of the proposed Smart Growth Zoning District and to consider the Board's submission of an Application to DHCD.

Pursuant to the applicable regulations ([760 CMR 59.00 Download](#)), the following are the materials required to be included in the Application (Item (k) is not applicable to the Town's application, and we do not expect Item (m) to be applicable either). Staff continues to make progress in collecting these materials, however, continuance of the public hearing to a date in January 2019 is recommended to allow a complete application to be developed for consideration by the Board of Selectmen and the public.

- (a) *An application in the form prescribed by DHCD.*
- (b) *A copy of the proposed 40R Zoning, 40R Zoning map and Design Standards (if not contained in the 40R Zoning) for the District.*
- (c) *One or more plans or maps that collectively are sufficient to show:*
 1. *The location of the proposed District and any sub-Districts, and the relevant features (e.g., associated Area of Concentrated Development) to enable DHCD to determine whether it qualifies as a Highly Suitable Location;*
 2. *The areas within the proposed District that qualify as Developable Land including Underutilized Land (if any), and areas excluded from Developable Land pursuant to 760 CMR 59.02: Developable Land, with the total acreage of each area;*

3. *On a parcel-by-parcel basis, as applicable, the existing residential units and existing as of right residential densities within the proposed District;*
 4. *Proposed as-of-right densities in any sub-District as well as documentation of any concurrently proposed 40R developments; and*
 5. *If development of the proposed District will require the creation of new roadways, a concept plan showing how residential density would be achieved with the inclusion of roadways meeting applicable Municipal standards.*
- (d) *A 40R density data spreadsheet on a form provided by DHCD.*
- (e) *Any Municipal and developer certifications required pursuant to 760 CMR 59.03(1)(j) and 760 CMR 59.03(1)(k), as applicable.*
- (f) *For a proposed Starter Home Zoning District, a statement whether any Additional Municipal Standards will apply to development under the Starter Home Zoning.*
- (g) *A copy, including both text and map(s), of the Underlying Zoning for the District.*
- (h) *A demonstration of the Municipality's housing history and strategy by means of:*
1. *A Comprehensive Housing Plan adopted by the Municipality within the past 5 years (or a longer period if the Municipality submitted updates to such Comprehensive Housing Plan in accordance with DHCD guidance); a Housing Production Plan previously adopted by the Municipality and still in effect; or a Housing Production Summary; and*
 2. *For Smart Growth Zoning Districts only, a description of other residential development opportunities for infill housing and the residential re-use of existing buildings and underutilized buildings; and*
 3. *An assessment of Municipal housing needs for households in protected classes identified in state and federal law, addressing how housing choice for such households will be served. The Municipality shall submit a statement that it will comply with the requirements for affirmative fair housing marketing of any Affordable or Income-Restricted units, as applicable, pursuant to 760 CMR 59.04(1)(j).*
- (i) *Documentation that the Municipality has complied with the public notice and hearing requirements of 760 CMR 59.05(1). A Municipality may submit with its application any letters of support issued by the planning board, board of health, conservation commission, or other interested parties.*
- (j) *Sufficient information, certified by a Municipal engineer, or public works, board of health or conservation commission official or other person with similar expertise, to demonstrate that the impacts of the build-out of the Future Zoned Units within the District are consistent with Smart Growth and will not overburden Infrastructure (which for the purposes of 760 CMR 59.03(1)(j) shall also include*

improvements to public Dedicated Open Space and public recreational facilities) as it exists or may be practicably upgraded to provide adequate accommodation of the demands of the District's existing and future residents and uses. Such material shall describe any such Planned Infrastructure upgrades, including the timing for completion of the improvements (to be within five years of the 40R Zoning Application date, or other reasonable time period approved by DHCD, taking into consideration the anticipated build-out schedule or timeline) and the identity of the entities responsible for completing the improvements.

If, at the time of the 40R Zoning Application, the Municipality does not have information to demonstrate that the impacts of the build-out of the Future Zoned Units within the District will not overburden Infrastructure as described in 760 CMR 59.03(1)(j), it may request a Letter of Conditional Approval, subject to its subsequent compliance with 760 CMR 59.03(1)(j) as provided in 760 CMR 59.05(4).

(k) For Starter Home Zoning Districts only:

1. Copies of any Additional Municipal Standards that will apply to development under the Starter Home Zoning, together with one of the following:
 - a. A Developer Certificate of Feasibility with respect to Additional Municipal Standards; or
 - b. Documentation demonstrating that such Additional Municipal Standards do not Render Development Infeasible, certified by a Municipal official, civil engineer or other individual with appropriate expertise to evaluate and opine as to the feasibility of such development; or
 - c. Documentation substantiating the circumstances the Municipality asserts warrant the imposition of Additional Municipal Standards on development under the Starter Home Zoning in the proposed District, which shall be certified by a Municipal engineer or by a public works, board of health or conservation commission official with relevant expertise, unless otherwise substantiated in accordance with guidance issued by DHCD.
2. If required pursuant to 760 CMR 59.03(2)(a)vi., a Developer Certificate of Feasibility with respect to Design Standards.

- (l) Additional materials, including narrative and exhibits as required, upon the form of application or in the format determined by DHCD, demonstrating that the proposed District satisfies the approval requirements of 760 CMR 59.04(1).
- (m) If applicable, the Municipality's request for an area waiver under 760 CMR 59.04(2) or (with respect to Smart Growth Districts only) density reduction under 760 CMR 59.04(3).

Attached for the Board's review and consideration are the public hearing notice, a preliminary conceptual draft of the Smart Growth Zoning District Bylaw, an *Exhibit 2-2* indicating the current zoning of the subject property and adjacent properties, a current site plan for the Park, a conceptual master plan indicated the potential build-out, and a conceptual development summary.

WELLESLEY BOARD OF SELECTMEN

NOTICE OF PUBLIC HEARING TO CONSIDER A PROPOSED 40R SMART GROWTH ZONING DISTRICT AND THE SUBMISSION OF AN APPLICATION FOR PRELIMINARY DETERMINATION OF ELIGIBILITY FOR 40R ZONING

WELLESLEY OFFICE PARK, WILLIAM STREET

Public Hearing to be held by the Board of Selectmen at a meeting to begin at 6:30p.m. on Monday, December 3, 2018 in the Juliani Room in Town Hall, 525 Washington Street

Pursuant to Chapter 40R of the Massachusetts General Laws, and the associated regulations, specifically 760 CMR 59.05(1), the Board of Selectmen will hold a public hearing to consider a proposed Smart Growth Zoning District and to consider the Board's submission of an Application for Preliminary Determination of Eligibility for 40R Zoning to the Massachusetts Department of Housing and Community Development. The proponent of this District and Application is John Hancock Life Insurance Co., owner of the property to be affected by the creation of this District known as Wellesley Office Park, comprised of properties at 20 William Street, 40 William Street, 45 William Street, 55 William Street, 60 William Street, 60 William Street, 65 William Street, 80 William Street, and 100 William Street ((Assessor's Parcel ID #s 2-1, 4-1-A, 3-4, 3-3, 3-1, 3-2, 3-1-B, and 3-1-A, respectively) totaling approximately 26 acres.

Persons interested in this matter are encouraged to call the Planning Department for more information: 781-431-1019 x 2234, 2232, 2230, or 2238. The application, plans, and other materials may be reviewed at the Planning Department, Town Hall, 525 Washington Street, Wellesley MA 02482.

Michael D. Zehner, AICP
Planning Director

(11/15/2018, 11/22/2018)

SECTION XIVJ. SMART GROWTH OVERLAY DISTRICTS

A. PURPOSE

The purposes of this Section ## are:

1. To allow for the establishment of Smart Growth Overlay Districts to promote the redevelopment of certain areas and properties in a form that meets the objectives of “smart growth” within the purposes of Mass. Gen. Laws Ch. 40R.
2. To provide for a more diversified housing stock within the Town of Wellesley, including affordable housing and housing types that meet the needs of the Town’s population, all as currently identified in the Wellesley Housing Production Plan.
3. To promote advanced site planning, sustainable design, improved transportation management, and environmental enhancements in the development of projects.
4. To generate positive tax revenue, and to benefit from the financial incentives provided by Mass. Gen. Laws Ch. 40R, while providing the opportunity for new business growth and additional local jobs.

B. DEFINITIONS

As used in this Section, the following terms shall have the meanings set forth below:

ACCESSORY USE – A use subordinate to a Principal Use in the District and serving a purpose customarily incidental to the Principal Use, and which does not, in effect, constitute conversion of the Principal Use of the Development Lot, site or structure to a use not otherwise permitted in the District.

ADMINISTERING AGENCY – The Wellesley Housing Development Corporation, which shall have the power to monitor and to enforce compliance with the provisions of this Bylaw related to Affordable Units, including but not limited to computation of rental and sales prices; income eligibility of households applying for Affordable Units; administration of an approved housing marketing and resident selection plan; and recording and enforcement of an Affordable Housing Restriction for each Affordable Unit in the District.

AFFORDABLE UNIT – An Affordable Rental Unit or an Affordable Homeownership Unit that is affordable to and occupied by an Eligible Household.

AFFORDABLE HOUSING RESTRICTION – A deed restriction of an Affordable Homeownership Unit meeting statutory requirements in Mass. Gen. Laws Ch. 184 Section 31 and the requirements of F. HOUSING AND HOUSING AFFORDABILITY of this Bylaw.

AFFORDABLE RENTAL UNIT – A Dwelling Unit required to be rented to an Eligible Household in accordance with the requirements of F. HOUSING AND HOUSING AFFORDABILITY of this Bylaw.

AFFORDABLE HOMEOWNERSHIP UNIT – A Dwelling Unit required to be sold to an Eligible Household in accordance with the requirements of F. HOUSING AND HOUSING AFFORDABILITY of this Bylaw.

APPLICANT – A landowner or other petitioner who files a site plan for a Development Project subject to the provisions of this Bylaw.

APPLICATION – A petition for Site Plan Approval filed with the Approving Authority by an Applicant and inclusive of all required documentation as specified in administrative rules adopted pursuant to I. SITE PLAN REVIEW.

APPROVING AUTHORITY – The [Zoning Board of Appeals or Planning Board] of the Town of Wellesley acting as the authority designated to review projects and issue approvals under this Section ##.

AS-OF-RIGHT DEVELOPMENT – A Development Project allowable under this Section ## without recourse to a special permit, variance, zoning amendment, or other form of zoning relief. A Development Project that is subject to the Site Plan Review requirement of this Section ## shall be considered an As-of-Right Development.

ASSISTED ELDERLY HOUSING – A building or group of buildings that have on-site medical, convalescent, and nursing facilities for the residents but in all other manners is consistent with the definition and uses permitted for Independent Elderly Housing projects. For purposes of this Bylaw, Assisted Elderly Housing projects shall not be considered to include Dwelling Units.

CONSERVATION USE – Any woodland, grassland, wetland, agricultural or horticultural use of land, any use of land for the construction and use of ponds or storm water management facilities.

DEPARTMENT – The Massachusetts Department of Housing and Community Development (“DHCD”) or any successor agency.

DESIGN AND PERFORMANCE STANDARDS – The document entitled [Wellesley 40R _____ District Design and Performance Standards], approved by DHCD on [_____, 20__], pursuant to Mass. Gen. Laws Ch. 40R Section 10. The Design and Performance Standards are applicable to all Development Projects within the District that are subject to Site Plan Review by the Approving Authority.

DEVELOPABLE LAND – All land within the District that can be feasibly developed into Development Projects. Developable Land shall not include: the rights-of-way of existing public streets and ways; or areas that are: (1) protected wetland resources (including buffer

zones) under federal, state, or local laws; (2) land unsuitable for development because of topographic features or for environmental reasons; ; or (3) rare species habitat designated under federal or state law. The foregoing definition shall be for purposes of calculating density under G. DIMENSIONAL AND OTHER REQUIREMENTS, Paragraph 2, and shall not limit development activities in such excluded areas if otherwise allowed by applicable law.

DEVELOPMENT LOT – One or more tracts of land defined by metes, bounds or lot lines in a deed or conveyance on a duly recorded plan which are designated as a Development Lot on a site plan for a development proposed within the District and for which Site Plan Approval is required under the provisions of this Section ##. Where a Development Lot consists of more than a single lot, such lots (i) in combination, shall be treated as the Development Lot, (ii) may be contiguous or non-contiguous, (iii) need not be in the same ownership, and (iv) shall be considered as one lot for all calculation purposes, including parking requirements and Dwelling Units per acre. Any development undertaken on a Development Lot is subject to the Design and Performance Standards established under N. DESIGN AND PERFORMANCE STANDARDS of this Bylaw. The owner of any such Development Lot shall be entitled to lawfully divide such lot without modifying the approved Site Plan and without the need for other approvals.

DEVELOPMENT PROJECT – A development comprising any permitted uses provided for hereunder undertaken under this Section ##. A Development Project shall be identified on a Site Plan which is submitted to the Approving Authority for Site Plan Review.

DISTRICT – An overlay zoning district adopted pursuant to Mass. Gen. Laws Ch. 40R, in accordance with the procedures for zoning adoption and amendment as set forth in Mass. Gen. Laws Ch. 40A and approved by the Department of Housing and Community Development pursuant to Mass. Gen. Laws Ch. 40R and 760 CMR 59.00.

DWELLING UNIT – A room, group of rooms, or dwelling forming a habitable unit for living, sleeping, food storage and/or preparation and eating, and which is directly accessible from the outside or through a common hall without passing through any other dwelling unit.

ELIGIBLE HOUSEHOLD – An individual or household whose annual income is at or below eighty percent (80%) of the area-wide median income as determined by the United States Department of Housing and Urban Development (“HUD”), adjusted for household size, with income computed using HUD's rules for attribution of income to assets.

FAMILY – (A) One (1) or more persons related by blood, adoption or marriage and not more than two (2) additional persons all residing together as a single housekeeping unit; (B) A number of persons but not exceeding three (3) residing together as a single housekeeping unit where such persons are not related to one another by blood, adoption or marriage.

GROSS FLOOR AREA – The floor area of space on all floors inclusive of heated basements, hallways, measured from the exterior faces of exterior walls. Gross floor area

does not include covered walkways, open roofed-over areas, porches, exterior terraces or steps, chimneys, roof overhangs, parking garages and unheated basements.

GROSS LEASABLE FLOOR AREA – The area of a building exclusive of hallways, mechanical rooms, storage space and other miscellaneous space not exclusively occupied by a single tenant or occupant.

HEIGHT – The distance between average finished grade adjacent to the building (exclusive of basements) and the ceiling of the upper-most occupied space in the building in the case of flat roofs and, in the case of buildings with pitched roofs, at the point at which such ceiling intersects with the exterior portion of the building. The calculation of building height shall not apply to roof tanks and their supports, roof decks, ventilating, air conditioning and similar building service equipment, chimneys, railings, skylights, mechanical penthouses and other similar features of buildings which are in no way designed or used for living purposes nor the portion of the pitched roof above the intersection of the ceiling of the upper-most heated space and the exterior of the building.

INDEPENDENT ELDERLY HOUSING – A building or group of buildings containing dwellings where the occupancy of the dwellings is restricted to persons 62 years of age or older or couples where either the husband or wife is 62 years of age or older. Independent elderly housing may include support services such as central dining, cleaning, linen, laundry and other personal support services. Further they may provide convenience retail services if said facilities do not have any exterior signs and comprise not more than 2% of the total floor area of the development. Independent Elderly Housing may include a medical service station for a house physician but not on site convalescent or nursing facilities. However, this definition shall not prevent independent elderly housing units from being developed as a distinct element in a larger development that includes assisted elderly housing units are on separate floors or separate buildings. For purposes of this Bylaw, Independent Elderly Housing projects shall not be considered to include Dwelling Units.

INFRASTRUCTURE LETTERS – The letters issued on behalf of the Town in fulfillment of Mass. Gen. Laws Ch. 40R Section 6(a)(11) and 760 CMR 59.04(1)(h) identifying infrastructure improvements to be made incident to the construction of one or more Development Projects in the District.

MEDIAN HOUSEHOLD INCOME – The median income, adjusted for household size, as reported by the most recent information from, or calculated from regulations promulgated by, HUD.

MULTI-FAMILY DWELLING UNITS – A residential building containing four or more Dwelling Units; and

NURSING HOMES AND SKILLED NURSING FACILITY – A building housing a facility licensed to provide full time long term accommodation and a combination of personal and health care services in a supervised environment. Said facilities shall provide long term intensive, skilled and supportive nursing care, convalescent or chronic care to individuals

who, by reason of advanced age, chronic illness, or infirmity, are unable to care for themselves. The facilities may contain common areas for therapy, recreation and dining; further the facilities may also include on-premise medical offices and treatment facilities related to the care of the tenants. For the purposes of this Bylaw, it includes: extended care facility, intermediate care facility, convalescent home and rest home. For purposes of this Bylaw, Nursing Homes and Skilled Nursing Facility projects contain no Dwelling Units.

OFFICE – A place for the regular performance of business transactions and services, generally intended for administrative, professional and clerical activities, including a medical or dental office or health clinic.

OFFICE-HIGH TECH – A place for the regular performance of research and development, high tech, biotechnology, life sciences and/or other related uses, provided that such use does not involve disturbing or offensive noise, vibration, smoke, gas, fumes, odors, dust or other objectionable or hazardous features.

PRINCIPAL USE – The main or primary purpose for which a structure, building, or Development Lot is designed, arranged, licensed, or intended, or for which it may be used, occupied, or maintained under this Section ##. More than one Principal Use is permitted as-of-right on a Development Lot or within a Development Project.

RECREATIONAL ACCESSORY USE – A use subordinate to a Principal Residential Use on the same Development Lot or in the same structure and serving a purpose customarily incidental to the Principal Residential Use, and which does not, in effect, constitute conversion of the Principal Use of the Development Lot, site or structure to a use not otherwise permitted in the District. Recreational Accessory Uses may include, but are not limited to greenhouse, tool shed, clubhouse, swimming pool, tennis court, basketball court, and playground.

RECREATIONAL USE – The principal use or intended principal use of land or structures for relaxation, entertainment, amusement, sports, or the like, whether on a fee or non-fee basis.

RESTAURANT – Any business establishment principally engaged in serving food, drink, or refreshments, whether prepared on or off the premises provided, however, that drive through windows are not allowed.

SMALL-SCALE RETAIL – Business establishment not to exceed 5,000 sq. ft. of Gross Leasable Floor Area selling goods and/or services to customers on-site, generally for end use personal, business or household consumption. A reasonable amount of storage of said goods shall also be assumed to be an integral part of small-scale retail use.

SITE PLAN – A plan depicting a proposed Development Project for all or a portion of the District and which is submitted to the Approving Authority for its review and approval in accordance with the provisions of I. **SITE PLAN REVIEW** of this Bylaw.

SITE PLAN APPROVAL – The Approving Authority’s authorization for a proposed Development Project based on a finding of compliance with this Section ## of the Bylaw and Design and Performance Standards after the conduct of a Site Plan Review.

SITE PLAN REVIEW – The review procedure established by this Section ## and administered by the Approving Authority.

UNDERLYING ZONING – The zoning requirements adopted pursuant to Mass. Gen. Laws Ch. 40A that are otherwise applicable to the geographic area in which the District is located, as said requirements may be amended from time to time.

UNDULY RESTRICT – A provision of the District or a Design Standard adopted pursuant to Mass. Gen. Laws Ch. 40R and 760 CMR 59.00 that adds unreasonable costs or unreasonably impairs the economic feasibility of a proposed Development Project in the District.

UNRESTRICTED UNIT – A Dwelling Unit that is not restricted as to rent, price or eligibility of occupants.

C. ESTABLISHMENT AND DELINEATION OF DISTRICTS

The specific districts established under this Section shall serve as overlay districts, to be superimposed over the underlying zoning districts. The boundaries of the districts are delineated on the Zoning District Map of the Town of Wellesley, pursuant to Section I, Establishment of Districts, of the Zoning Bylaw.

D. AUTHORITY AND APPLICABILITY

The districts established under this Section are done so pursuant to the authority of Mass. Gen. Laws Ch. 40R and 760 CMR 59.00. At the option of the Applicant, development of land within the District may be undertaken by means of a Site Plan Approval pursuant to the zoning controls set forth in this Section, or by complying with all applicable Underlying Zoning controls set forth in the Zoning Bylaw of the Town of Wellesley. Notwithstanding anything to the contrary in the Zoning Bylaw, Development Projects proceeding under this Section shall be governed solely by the provisions of this Section and the standards and/or procedures of the Underlying Zoning shall not apply. Development Projects proposed pursuant to this Section shall not be subject to any other provisions of the Zoning Bylaw, including limitations upon the issuance of building permits for residential uses related to a rate of development or phased growth limitation or to a local moratorium on the issuance of such permits, or to other building permit or Dwelling Unit limitations.

E. SITE PLAN REVIEW

The Approving Authority shall adopt and file with the Town Clerk administrative rules relative to the Application requirements and contents for Site Plan Review. Such administrative rules and any amendment thereto must be approved by the Department of Housing and Community Development. The Site Plan Review process encompasses the following:

1. Pre-Application Review. The Applicant is encouraged to participate in a pre-Application review at a regular meeting of the Approving Authority. The purpose of the pre-Application review is to minimize the Applicant's cost of engineering and other technical experts, and to obtain the advice and direction of the Approving Authority prior to filing the Application. At the pre-Application review, the Applicant shall outline the proposal and seek preliminary feedback from the Approving Authority, other municipal review entities, and members of the public. The Applicant is also encouraged to request a site visit by the Approving Authority and/or its designee in order to facilitate pre-Application review.
2. Application Procedures:
 - a. The Applicant shall file an original of the Application with the Town Clerk for certification of the date and time of filing. Said filing shall include any required forms provided by the Approving Authority. A copy of the Application, including the date and time of filing certified by the Town Clerk, as well as the required number of copies of the Application, shall be filed forthwith by the Applicant with the Approving Authority and Building Inspector. As part of any Application for Site Plan Approval for a Development Project, the Applicant must submit the following documents to the Approving Authority and the Administering Agency:
 - i. Evidence that the Development Project complies with the cost and eligibility requirements of F. HOUSING AND HOUSING AFFORDABILITY;
 - ii. Development Project plans that demonstrate compliance with the design and construction standards of F. HOUSING AND HOUSING AFFORDABILITY; and
 - iii. A form of Affordable Housing Restriction that satisfies the requirements of F. HOUSING AND HOUSING AFFORDABILITY
 - b. Upon receipt by the Approving Authority, Applications shall be distributed to the Building Inspector, Fire Chief, Police Chief, Health Department, Wetlands Protection Committee, the Board of Selectmen and the Department of Public

Works. Any reports from these parties shall be submitted to the Approving Authority within thirty (30) days of filing of the Application; and

- c. Within thirty (30) days of filing of an Application with the Approving Authority, the Approving Authority or its designee shall evaluate the proposal with regard to its completeness and shall submit an advisory report in writing to the Applicant certifying the completeness of the Application. The Approving Authority or its designee shall forward to the Applicant, with its report, copies of all recommendations received to date from other boards, commissions or departments.
3. Public Hearing. The Approving Authority shall hold a public hearing and review all Applications according to the procedure specified in Mass. Gen. Laws Ch. 40R Section 11 and 760 CMR 59.04(1)(f).
 4. Site Plan Approval decision.
 - a. The Approving Authority shall make a decision on the Site Plan Application, and shall file said decision with the Town Clerk, within one hundred twenty (120) days of the date the Application was received by the Town Clerk. The time limit for public hearings and taking of action by the Approving Authority may be extended by written agreement between the Applicant and the Approving Authority. A copy of such agreement shall be filed with the Town Clerk;
 - b. Failure of the Approving Authority to take action within one hundred twenty (120) days or extended time, if applicable, shall be deemed to be an approval of the Application;
 - c. An Applicant who seeks approval because of the Approving Authority's failure to act on an Application within the one hundred twenty (120) days or extended time, if applicable, must notify the Town Clerk in writing of such approval, within fourteen (14) days from the expiration of said time limit for a decision, and that a copy of that notice has been sent by the Applicant to the parties in interest by mail and that each such notice specifies that appeals, if any, shall be made pursuant to Mass. Gen. Laws Ch. 40R and shall be filed within twenty (20) days after the date the Town Clerk received such written notice from the Applicant that the Approving Authority failed to act within the time prescribed;
 - d. The Approving Authority's findings, including the basis of such findings, shall be stated in a written decision of approval, conditional approval or denial of the Application for Site Plan Approval. The written decision shall contain

the name and address of the Applicant, identification of the land affected and its ownership, and reference by date and title to the plans that were the subject of the decision. The written decision shall certify that a copy of the decision has been filed with the Town Clerk and that all plans referred to in the decision are on file with the Approving Authority;

- e. The decision of the Approving Authority, together with the detailed reasons therefor, shall be filed with the Town Clerk, the Planning Board, and the Building Inspector. A certified copy of the decision shall be mailed to the owner and to the Applicant, if other than the owner. A notice of the decision shall be sent to the parties in interest and to persons who requested a notice at the public hearing; and
 - f. Effective date. If twenty (20) days have elapsed after the decision has been filed in the office of the Town Clerk without an appeal having been filed or if such appeal, having been filed, is dismissed or denied, the Town Clerk shall so certify on a copy of the decision. If the Application is approved by reason of the failure of the Approving Authority to timely act, the Town Clerk shall make such certification on a copy of the notice of Application. A copy of the decision or notice of Application shall be recorded with the title of the land in question in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record or recorded and noted on the owner's certificate of title. The responsibility and the cost of said recording and transmittal shall be borne by the owner of the land in question or the Applicant.
5. Criteria for approval. The Approving Authority shall approve the Development Project upon the following findings:
- a. The Applicant has submitted the required fees and information as set forth in applicable regulations; and
 - b. The proposed Development Project as described in the Application meets all of the requirements and standards set forth in this Section ## and applicable Design and Performance Standards, or a waiver has been granted therefrom.

For a Development Project subject to the Affordability requirements of F. HOUSING AND HOUSING AFFORDABILITY, compliance with condition (b) above shall include written confirmation by the Approving Authority that all requirements of that Section have been satisfied. Prior to the granting of Plan Approval for a Project, the Applicant must demonstrate, to the satisfaction of the Administering Agency, that the method by which such affordable rents or affordable purchase prices are computed

shall be consistent with state or federal guidelines for affordability applicable to the Town of Wellesley.

6. Criteria for conditional approval. The Approving Authority may impose conditions on a Development Project as necessary to ensure compliance with the District requirements of this Section ## and applicable Design and Performance Standards, or to mitigate any extraordinary adverse impacts of the Development Project on nearby properties, insofar as such conditions are compliant with the provisions of Mass. Gen. Laws Ch. 40R and applicable regulations and do not Unduly Restrict opportunities for development.
7. Criteria for denial. The Approving Authority may deny an Application for Site Plan Approval pursuant to this Section ## of the Bylaw only if the Approving Authority finds one or more of the following:
 - a. The Development Project does not meet the requirements and standards set forth in this Section ## and applicable Design and Performance Standards; or
 - b. The Applicant failed to submit information and fees required by this Section ## and necessary for an adequate and timely review of the design of the Development Project or potential Development Project impacts.
8. Time limit. A project approval shall remain valid and shall run with the land indefinitely provided that construction has commenced within two (2) years after the decision issues, which time shall be extended by the time required to adjudicate any appeal from such approval. Said time shall also be extended if the project proponent is actively pursuing other required permits for the project or if there is good cause for the failure to commence construction, or as may be provided in an approval for a multi-phase Development Project.
9. Appeals. Pursuant to Mass. Gen. Laws Ch. 40R Section 11, any person aggrieved by a decision of the Approving Authority may appeal to the Superior Court, the Land Court, or other court of competent jurisdiction within twenty (20) days after the Site Plan decision has been filed in the office of the Town Clerk.

F. WAIVERS

The Approving Authority may waive the bulk and dimensional provisions of this G. DIMENSIONAL AND OTHER REQUIREMENTS and may waive specific requirements of applicable Design and Performance Standards upon a finding that such waiver will allow the Development Project to achieve the density, affordability, mix of uses, and/or physical character allowable under this Section ##.

G. PROJECT PHASING

The Approving Authority, as a condition of any Site Plan Approval, may allow a Development Project to be constructed in one or more phases.

H. CHANGE IN PLANS AFTER APPROVAL BY THE APPROVING AUTHORITY

1. Minor Change. After Site Plan Approval, an Applicant may apply to make minor changes in a Development Project involving minor utility or building orientation adjustments, or minor adjustments to parking or other site details that do not affect the overall build out or building envelope of the site, or provision of open space, number of housing units, or housing need or affordability features. Such minor changes must be submitted to the Approving Authority on redlined prints of the approved plan, reflecting the proposed change, and on application forms provided by the Approving Authority. The Approving Authority may authorize such changes at any regularly scheduled meeting, without the need to hold a public hearing. The Approving Authority shall set forth any decision to approve or deny such minor change by motion and written decision, and provide a copy to the Applicant for filing with the Town Clerk.
2. Major Change. Those changes deemed by the Approving Authority to constitute a major change in a Development Project because of the nature of the change in relation to the prior approved plan, or because such change cannot be appropriately characterized as a minor change as described above, shall be processed by the Approving Authority as a new Application for Site Plan Approval pursuant to this Section ##.

I. DESIGN AND PERFORMANCE STANDARDS

To ensure that new development shall be of high quality, and shall meet the standards envisioned by the Town of Wellesley in adopting this Bylaw, the Approving Authority shall adopt the Design and Performance Standards governing the issuance of Site Plan Approvals for Development Projects within the District and shall file a copy with the Town Clerk. In addition to the standards set forth in this Bylaw, the physical character of Development Projects within the District shall comply with such Design and Performance Standards. In the event of any conflict between this Bylaw and the Design and Performance Standards, this Bylaw shall govern and prevail.

J. FAIR HOUSING REQUIREMENT

All Development Projects within the districts established herein shall comply with applicable federal, state and local fair housing laws.

K. ANNUAL UPDATE

On or before July 31 of each year, the Board of Selectmen shall cause to be filed an Annual Update with the DHCD in a form to be prescribed by DHCD. The Annual Update shall contain all information required in 760 CMR 59.07, as may be amended from time to time, and additional information as may be required pursuant to Mass. Gen. Laws Ch. 40S and accompanying regulations. The Town Clerk of the Town of Wellesley shall maintain a copy of all updates transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.

L. NOTIFICATION OF ISSUANCE OF BUILDING PERMITS

Upon issuance of a residential building permit within the districts established herein, the Building Inspector of the Town of Wellesley shall cause to be filed an application to the DHCD, in a form to be prescribed by DHCD, for authorization of payment of a one-time density bonus payment for each residential building permit pursuant to Mass. Gen. Laws Ch. 40R. The application shall contain all information required in 760 CMR 59.06(2), as may be amended from time to time, and additional information as may be required pursuant to Mass. Gen. Laws Ch. 40S and accompanying regulations. The Town Clerk of the Town of Wellesley shall maintain a copy of all such applications transmitted to DHCD pursuant to this Bylaw, with said copies to be made available upon request for public review.

M. DATE OF EFFECT

The effective date of this Bylaw shall be the date on which such adoption is voted upon by Town Meeting pursuant to the requirements of Mass. Gen. Laws Ch. 40A Section 5 and Mass. Gen. Laws Ch. 40R; provided, however, that an Applicant may not proceed with construction pursuant to this Bylaw prior to the receipt of final approval of this Bylaw and accompanying Zoning Map by both the DHCD and the Office of the Massachusetts Attorney General.

N. SEVERABILITY

If any provision of this Section ## is found to be invalid by a court of competent jurisdiction, the remainder of Section ## shall not be affected but shall remain in full force. The invalidity of any provision of this Section ## shall not affect the validity of the remainder of the Zoning Bylaws of the Town of Wellesley.

SECTION XIVJ.1. WELLESLEY PARK SMART GROWTH OVERLAY DISTRICT

A. PURPOSE

The purposes of this Section are:

1. To establish the Wellesley Park Smart Growth Overlay District (the “District”) to promote the redevelopment of the Wellesley Office Park into a vibrant, workable, livable community with a rich sense of place in a form that meets the objectives of “smart growth” within the purposes of Mass. Gen. Laws Ch. 40R.
2. To provide for a more diversified housing stock within the Town of Wellesley, including affordable housing and housing types that meet the needs of the Town’s population, all as currently identified in the Wellesley Housing Production Plan.
3. To promote advanced site planning, sustainable design, improved transportation management, and environmental enhancements in the mixed-use redevelopment of the District.
4. To generate positive tax revenue, and to benefit from the financial incentives provided by Mass. Gen. Laws Ch. 40R, while providing the opportunity for new business growth and additional local jobs.

B. ESTABLISHMENT AND DELINEATION OF DISTRICT

The District is an overlay district having a land area of approximately 26 acres in size that is superimposed over the underlying zoning district. The boundaries of the District are delineated as the “Wellesley Park Smart Growth Overlay District” on the Zoning District Map of the Town of Wellesley.

C. PERMITTED USES

1. The following Principal Uses, either alone or in any combination thereof, shall be permitted upon Site Plan Approval pursuant to the provisions of this Section ##. All uses not expressly allowed are prohibited.
 - a. Multi-Family Dwelling Unit;
 - b. Small-Scale Retail;
 - c. Restaurant;
 - d. Assisted Elderly Housing;
 - e. Independent Elderly Housing;
 - f. Nursing Homes and Skilled Nursing Facility;

- g. Office;
 - h. Office-High Tech;
 - i. Hotel;
 - j. Bank;
 - k. Conservation; and
 - l. Recreational Use.
2. Parking accessory to any of the above permitted Principal Uses are also permitted, including surface parking, parking under buildings, and above and below grade structured parking, subject to the dimensional requirements of this Section ##.
 3. All Accessory Uses to any of the above permitted Principal Uses are also permitted.

D. HOUSING AND HOUSING AFFORDABILITY

1. Number of Affordable Units. Twenty-five percent (25%) of all Dwelling Units constructed in a Development Project shall be maintained as Affordable Units.
2. Fractional Units. When the application of the percentages specified above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number.
3. Affordable Units shall comply with the following requirements:
 - a. The monthly rent payment for an Affordable Rental Unit, including utilities and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, assuming a Family size equal to the number of bedrooms in the unit plus one, unless other affordable program rent limits approved by DHCD shall apply;
 - b. For an Affordable Homeownership Unit the monthly housing payment, including mortgage principal and interest, private mortgage insurance, property taxes, condominium and/or homeowner's association fees, insurance, and parking, shall not exceed thirty percent (30%) of the maximum monthly income permissible for an Eligible Household, assuming a Family size equal to the number of bedrooms in the unit plus one; and

- c. Affordable Units required to be offered for rent or sale shall be rented or sold to and occupied only by Eligible Households.
4. Design and construction.
 - a. Design. Affordable Units must be dispersed throughout a Development Project and be comparable in initial construction quality and exterior design to the Unrestricted Units. However, nothing in this section is intended to limit a homebuyer's rights to renovate a Dwelling Unit under applicable law. The Affordable Units must have access to all on-site amenities. Affordable Units shall be finished housing units; and
 - b. Timing. All Affordable Units must be constructed and occupied not later than concurrently with construction and occupancy of Unrestricted Units and, for Development Projects that are constructed in phases, Affordable Units must be constructed and occupied in proportion to the number of units in each phase of the Development Project.
5. Unit mix. The total number of bedrooms in the Affordable Units shall, insofar as practicable, be in the same proportion to the total number of bedrooms in the Unrestricted Units.
6. Affordable housing restriction. Each Affordable Unit shall be subject to an Affordable Housing Restriction which is recorded with the Norfolk County Registry of Deeds or the Land Court. The Affordable Housing Restriction shall provide for the implementation of the requirements of this Section ##. All Affordable Housing Restrictions must include, at minimum, the following:
 - a. Description of the Development Project, including whether the Affordable Unit will be rented or owner-occupied;
 - b. A description of the Affordable Homeownership Unit, if any, by address and number of bedrooms; and a description of the overall quantity and number of bedrooms and number of bedroom types of Affordable Rental Units in a Development Project containing Dwelling Units or portion of a Development Project containing Dwelling Units which are rental. Such restriction shall apply individually to the specifically identified Affordable Homeownership Unit and shall apply to a percentage of rental units of a rental Development Project containing Dwelling Units or the rental portion of a Development Project containing Dwelling Units without specific unit identification.
 - c. The term of the Affordable Housing Restriction shall be the longest period customarily allowed by law but shall be no less than thirty (30) years.

- d. The name and address of an Administering Agency with a designation of its power to monitor and enforce the Affordable Housing Restriction;
- e. Reference to a housing marketing and resident selection plan, to which the Affordable Unit is subject, and which includes an affirmative fair housing marketing program, including public notice and a fair resident selection process. The housing marketing and selection plan shall provide for local preferences in resident selection to the maximum extent permitted under applicable law. The plan shall designate the household size appropriate for a unit with respect to bedroom size and provide that preference for such unit shall be given to a household of the appropriate size;
- f. A requirement that buyers or tenants will be selected at the initial sale or initial rental and upon all subsequent sales and rentals from a list of Eligible Households compiled in accordance with the housing marketing and selection plan;
- g. Reference to the formula pursuant to which rent of a rental unit or the maximum resale price of a homeownership unit will be set;
- h. A requirement that only an Eligible Household may reside in an Affordable Unit and that notice of any lease or sublease of any Affordable Unit to another Eligible Household shall be given to the Administering Agency;
- i. Provision for effective monitoring and enforcement of the terms and provisions of the Affordable Housing Restriction by the Administering Agency;
- j. Provision that the restriction on an Affordable Homeownership Unit shall run in favor of the Administering Agency and the Town of Wellesley, in a form approved by town counsel, and shall limit initial sale and re-sale to and occupancy by an Eligible Household;
- k. Provision that the restriction on Affordable Rental Units in a rental Project or rental portion of a Development Project containing Dwelling Units shall run with the rental Development Project containing Dwelling Units or rental portion of a Development Project containing Dwelling Units and shall run in favor of the Administering Agency and/or the municipality, in a form approved by municipal counsel, and shall limit rental and occupancy to an Eligible Household;

- l. Provision that the owner(s) or manager(s) of Affordable Rental Unit(s) shall file an annual report to the Administering Agency, in a form specified by that agency, certifying compliance with the provisions of this Bylaw and containing such other information as may be reasonably requested in order to ensure affordability;
- m. A requirement that residents in Affordable Units provide such information as the Administering Agency may reasonably request in order to ensure affordability; and
- n. Designation of the priority of the Affordable Housing Restriction over other mortgages and restrictions.

7. Administration.

- a. Administering Agency. The Administering Agency shall ensure the following:
 - i. Prices of Affordable Homeownership Units are properly computed; rental amounts of Affordable Rental Units are properly computed;
 - ii. Income eligibility of households applying for Affordable Units is properly and reliably determined;
 - iii. The housing marketing and resident selection plan conforms to all requirements and is properly administered;
 - iv. Sales and rentals are made to Eligible Households chosen in accordance with the housing marketing and resident selection plan with appropriate unit size for each household being properly determined and proper preference being given; and
 - v. Affordable Housing Restrictions meeting the requirements of this section are recorded with the Norfolk County Registry of Deeds or the Land Court.
- b. Housing Marketing and Selection Plan. The housing marketing and selection plan may make provision for payment by the Applicant of reasonable costs to the Administering Agency to develop, advertise, and maintain the list of Eligible Households and to monitor and enforce compliance with affordability requirements.
- c. Failure of the Administering Agency. In the case where the Administering Agency cannot adequately carry out its administrative duties, upon

certification of this fact by the Board of Selectmen or by the Department of Housing and Community Development, the administrative duties shall devolve to and thereafter be administered by a qualified housing entity designated by the Board of Selectmen or, in the absence of such designation, by an entity designated by the Department of Housing and Community Development.

E. DIMENSIONAL AND OTHER REQUIREMENTS

1. Buildings and Development Lots within the District shall be subject to the dimensional and other requirements set forth in this G. DIMENSIONAL AND OTHER REQUIREMENTS.
2. Density. Subject to the limit on Maximum Residential Development in Paragraph 8, below, Multi-Family Dwelling Units shall be permitted As-of-Right at a density of at least twenty (20) Dwelling Units per acre of Developable Land.
3. Minimum area and setbacks. There shall be no minimum Development Lot area or setback requirements within the District except for the District Buffer described herein.
4. Height. The maximum height for a Development Project in the District shall be eighty (80) feet.
5. Buffer from adjacent property. A minimum buffer of twenty-five (25) feet (the "District Buffer") shall be maintained along the perimeter of the District boundary. No vertical construction or pavement shall be allowed within the District Buffer, provided that the following elements shall be permitted within the District Buffer: pedestrian paths and sidewalks; vehicular access points to the District; cart paths to serve adjacent recreational uses; such emergency access and egress as may be required by the Town of Wellesley; drainage facilities; utilities and related easements but not including a wastewater treatment facility; landscaping; plantings; fences and walls; and signage and lighting approved by the Approving Authority pursuant to this Section ##.
6. Non-Frontage Development. In the District and on parcels that are contiguous to the District, a Development Lot lacking frontage may be developed and used without regard to the lack of frontage, provided that the non-frontage development has permanent access to a private or public way that is located within the District through easements recorded with the Norfolk County Registry of Deeds and appropriate provisions are made for parking, drainage and utilities. The development and use of such non-frontage development located entirely within the District shall be consistent with the requirements of this Section ##. Such non-frontage development may be

subdivided and sold or transferred, provided that each Development Lot so subdivided retains or is granted such cross access, drainage and utility easements to serve such non-frontage development. Should such transfer occur after an approval hereunder, in addition to the easements referenced above, the transferee shall demonstrate to the Approving Authority that the non-frontage development shall remain in compliance with any conditions of Site Plan Approval and, for parcels that are contiguous to the District, with applicable zoning requirements.

7. Number of buildings on a Development Lot. In the District, more than one principal building may be erected on a Development Lot. Buildings may also be erected in the District across Development Lot lines.
8. Maximum Residential Development. The aggregate number of Dwelling Units that may be permitted within the District pursuant to this Section ## shall be six hundred (600).
9. Total allowable new non-residential uses. The total non-residential Gross Leasable Floor Area within the District, including but not limited to Small-Scale Retail, Restaurant, Assisted Elderly Housing, Independent Elderly Housing, Nursing Homes and Skilled Nursing Facility, Office, Hotel, Bank, Office-High Tech, and Recreational Uses, but excluding all existing Gross Leasable Floor Area within the District in existence on the date of adoption of this Section ## (“Existing Floor Area”), shall not exceed 49% of the residential Gross Leasable Floor Area (constructed and planned). To the extent the Existing Floor Area is reduced for any reason whatsoever, it may be replaced with new non-residential Gross Leasable Floor Area without impacting this calculation.
10. Structured parking. Structured parking allowable pursuant to E. PERMITTED USES shall be governed by this Section ## and by Design and Performance Standards as adopted pursuant to N. DESIGN AND PERFORMANCE STANDARDS.

F. PARKING REQUIREMENTS

1. Parking shall be provided within the District in order to meet or exceed the following minimum requirements, subject to the provisions of this H. PARKING REQUIREMENTS:

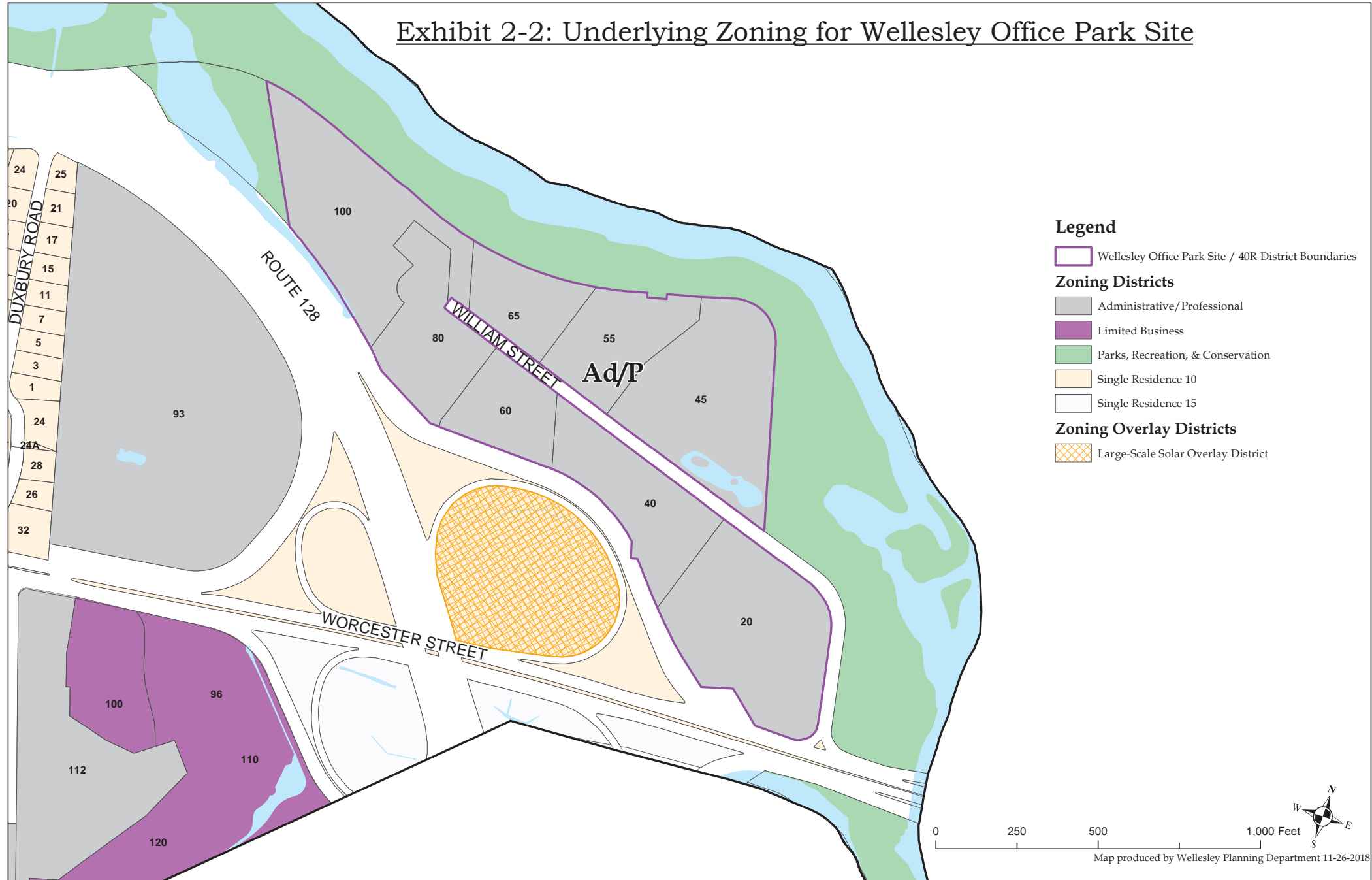
Table I-1		
Use	Minimum Required Parking	Maximum Permitted Parking
Multi-Family Dwelling Unit		

Small-Scale Retail or Bank		
Restaurant or Recreational		
Assisted Elderly Housing or Independent Elderly Housing or Nursing Homes and Skilled Nursing Facility		
Office or Office-High Tech		
Hotel		
Conservation		

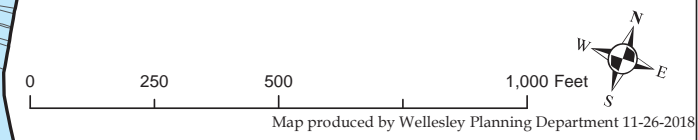
When application of the requirements set forth above results in a number that includes a fraction, the fraction shall be rounded up to the next whole number.

2. Modification in parking requirements. Notwithstanding anything to the contrary herein, any minimum required or maximum permitted amount of parking may be modified by the Approving Authority through the Site Plan Approval process, if the Applicant can demonstrate that the modified amount of parking will not cause excessive congestion, endanger public safety, or that a modified amount of parking will provide positive environmental or other benefits, taking into consideration:
 - a. The availability of public or commercial parking facilities in the vicinity of the use being served;
 - b. Shared use of parking spaces serving other uses having peak user demands at different times;
 - c. Age or other occupancy restrictions which are likely to resulting a lower level of auto usage;
 - d. Such other factors, including the availability of valet parking, shuttle service, or a transportation management plan as may be considered by the Approving Authority. Where such reduction is authorized, the Approving Authority may impose conditions of use or occupancy appropriate to such reductions.
 - e. Parking shall be designed and constructed to comply with all applicable disability access requirements including, but not limited to, the Americans with Disabilities Act.

Exhibit 2-2: Underlying Zoning for Wellesley Office Park Site

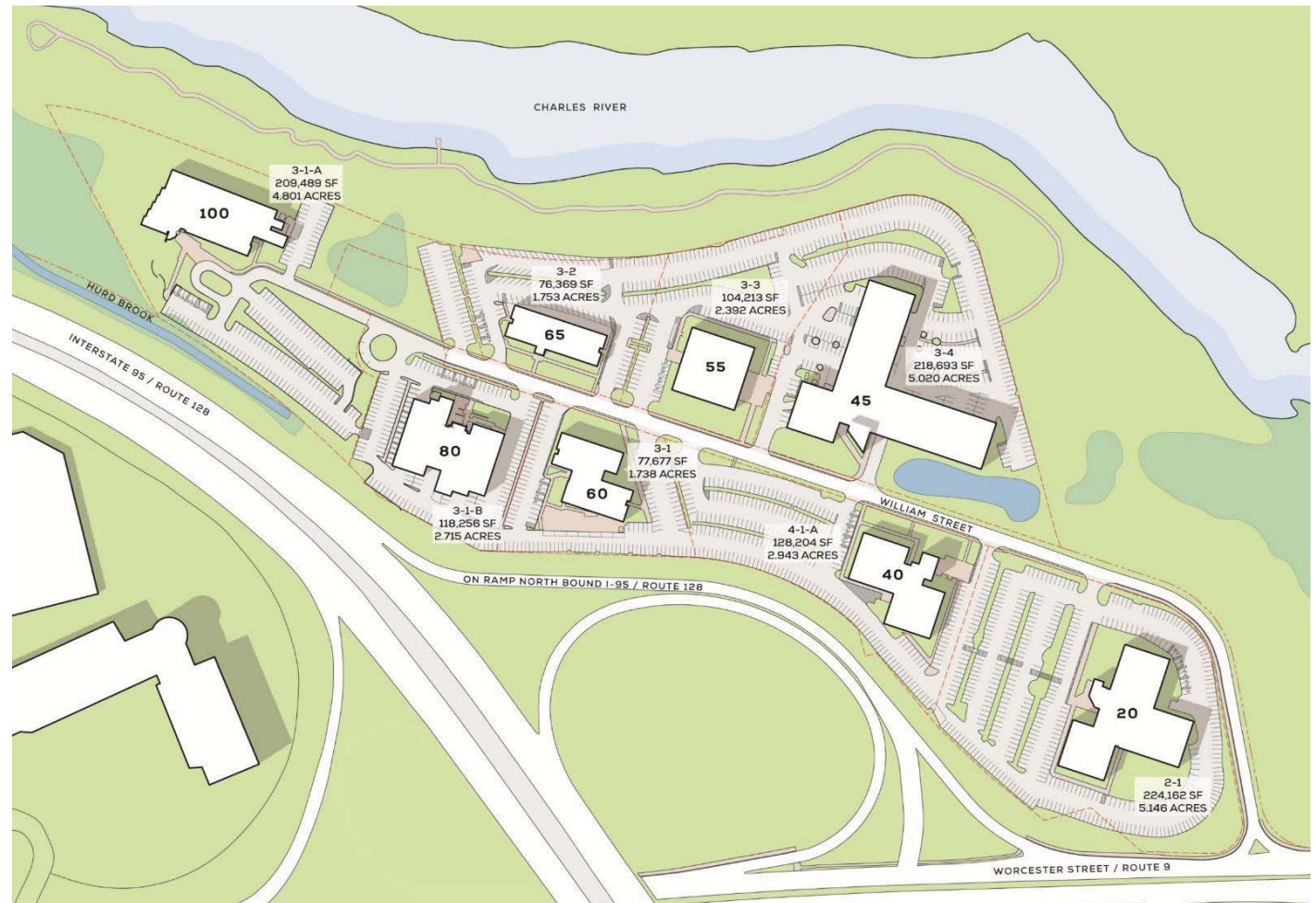


- Legend**
- Wellesley Office Park Site / 40R District Boundaries
 - Zoning Districts**
 - Administrative/Professional
 - Limited Business
 - Parks, Recreation, & Conservation
 - Single Residence 10
 - Single Residence 15
 - Zoning Overlay Districts**
 - Large-Scale Solar Overlay District



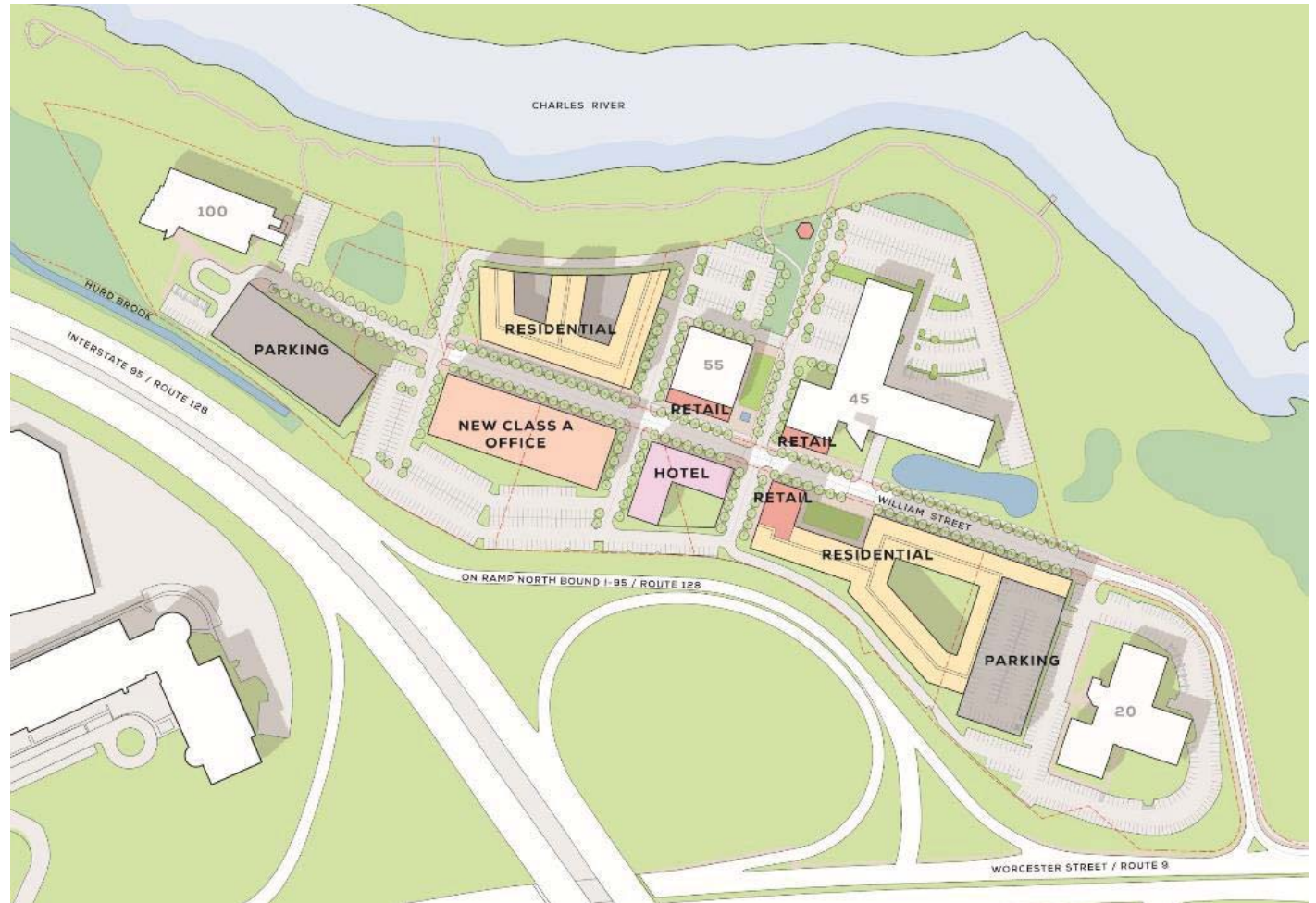
Current Site Plan and Program

- 26 +/- Acres
- 8 Office Buildings
 - » Built between 1961 and 1984
 - » Building height three (3) to four (4) floors
 - » 649,000 GSF
 - » 1,927 surface parking spaces
 - » Café and fitness center in Building 55



Conceptual Master Plan

- Potential Build-out
 - » 650,000 +/- SF Class A Office
 - » 600 +/- residential units
 - » Select service hotel
 - » Amenity retail
 - » Structured parking supporting proposed uses



Wellesley Office Park

Development Summary and Redevelopment Potential
9-Nov-2018

Existing Conditions

Site Data		
Lot Area (8 total lots)	1,157,063 sf	
Impervious Coverage	768,008 sf ±	66.40%
Building Coverage	192,682 sf ±	16.70%
Parking Spaces	1,927	
Development Area	649,184 gsf	0.56 FAR

Building Summary							
Building	Height	Office (gsf)	Retail (gsf)	Residential (gsf)	Units (±)	Hotel (gsf)	Total (gsf)
20	4 levels (49.5')	136,617	0	0	0	0	136,617
40	4 levels (51.1')	74,581	0	0	0	0	74,581
60	4 levels (38.3')	54,560	0	0	0	0	54,560
80	4 levels (67.9')	70,433	0	0	0	0	70,433
100	3 levels (48.3')	64,478	0	0	0	0	64,478
45	4 levels (71.6')	157,624	0	0	0	0	157,624
55	4 levels (55')	59,696	0	0	0	0	59,696
65	3 levels (32.4')	31,195	0	0	0	0	31,195
Total (gsf)		649,184	0	0	0	0	649,184
<i>Total (nsf)*</i>		<i>649,184</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>0</i>	<i>649,184</i>

*assumes 90% efficiency for new office/ retail / hotel and 82% efficiency for new residential; all existing buildings counted at 100%

Potential Phase One

Site Data		
Lot Area	1,157,063 sf	
Impervious Coverage	758,578 sf ±	65.60%
Building Coverage	234,760 sf ±	20.30%
Parking Spaces	2,171	
Development Area	969,653 gsf	0.84 FAR

Building Summary							
Building	Height	Office (gsf)	Retail (gsf)	Residential (gsf)	Units (±)	Hotel (gsf)	Total (gsf)
20	4 levels (49.5')	136,617	0	0	0	0	136,617
40	5 levels (75'±)	0	5,900	388,800	350	0	395,050
60	4 levels (38.3')	54,560	0	0	0	0	54,560
80	4 levels (67.9')	70,433	0	0	0	0	70,433
100	3 levels (48.3')	64,478	0	0	0	0	64,478
45	4 levels (71.6')	157,624	0	0	0	0	157,624
55	4 levels (55')	59,696	0	0	0	0	59,696
65	3 levels (32.4')	31,195	0	0	0	0	31,195
Total (gsf)		574,603	5,900	388,800	350	0	969,653
<i>Total (nsf)*</i>		<i>574,603</i>	<i>5,310</i>	<i>318,816</i>	<i>350</i>	<i>0</i>	<i>899,079</i>

*assumes 90% efficiency for new office/ retail / hotel and 82% efficiency for new residential; all existing buildings counted at 100%

Potential Complete Development

Site Data		
Lot Area	1,157,063 sf	
Impervious Coverage	712,974 sf ±	61.60%
Building Coverage	323,618 sf ±	28.00%
Parking Spaces	2,901	
Development Area	1,428,015 gsf	1.23 FAR

Building Summary							
Building	Height	Office (gsf)	Retail (gsf)	Residential (gsf)	Units (±)	Hotel (gsf)	Total (gsf)
20	4 levels (49.5')	136,617	0	0	0	0	136,617
40	5 levels (75'±)	0	5,900	388,800	350	0	395,050
60	6 levels (75'±)	0	0	0	0	90,000	90,000
80	6 levels (80'±)	241,200	0	0	0	0	241,200
100	3 levels (48.3')	64,478	0	0	0	0	64,478
45	4 levels (71.6')	157,624	2,400	0	0	0	160,024
55	4 levels (55')	59,696	3,200	0	0	0	62,896
65	5 levels (75'±)	0	0	277,500	250	0	277,750
Total (gsf)		659,615	11,500	666,300	600	90,000	1,428,015
<i>Total (nsf)*</i>		<i>635,495</i>	<i>10,350</i>	<i>546,366</i>	<i>600</i>	<i>81,000</i>	<i>1,273,811</i>

*assumes 90% efficiency for new office/ retail / hotel and 82% efficiency for new residential; all existing buildings counted at 100%

Disclaimer: The calculations provided in this summary are estimates provided for preliminary planning purposes based on available data and potential contemplated uses. These estimates will be verified and are subject to adjustment upon the completion of updated land survey and the advancement of redevelopment plans.