

## Lexington Center Committee

*Members: T. Eric Ballard, Jr., Richard Brown, Upasna Chhabra, Katherine Huang, Frederic Johnson, Jeffery Lyon, Pamela Lyons, Innessa Manning, Jerold Michelson (Chair), Pamela Shadley, Jon Wakelin*

### **MEMORANDUM to Town Meeting Members & the Lexington community**

**Re: Lexington Center Committee's position on proposed amendments to Article 34**

**On April 7, 2023, the Lexington Center Committee voted unanimously against the McKenna et. al. Substitute Motion. We also voted against the Burger Amendment 7-0-2.**

**The McKenna et. al. Substitute Motion:** It is our strong feeling that the Central Business District should be included in any plan to increase density and height within Lexington.

Excluding Lexington Center from the Village Overlay rezoning is a mistake that will disadvantage the Center and risks its long-term viability as the retail hub of Lexington. Allowing and creating incentives for first floor retail and services in new developments built in other districts risk Lexington Center of being left behind and unable to offer competitive spaces. Development in Lexington Center is already by-right and nothing is preventing a land owner from improving their properties. However, the economics favor only minimal upgrades instead of a full overhaul and reconfiguration of the space. Real improvement cannot happen in our Center without allowing the opportunity for higher buildings. The language in the original article provides for this avenue.

Additionally, we would like to remind everyone that allowing property owners "by-right" opportunity for additional height come with constraints and review processes that can ensure community input on any proposed projects in the Center. The Historic District Commission Review involves notice, public meetings, review to ensure that the project meets the guidelines outlined in their 54-page guideline document. They evaluate factors such as "scale and massing" and have the ability to say "no" to projects. The Planning Board's Major Site Plan Review process will consider factors such as landscaping and traffic safety and also involve notice and public meetings. Therefore, voting to approve Article 34 in its original form does not end our community's conversation about Lexington Center, but begins it anew with more options than what is available today.

Lexington Center is also our town's transportation hub. Our in town bus system, Lexpress, the MBTA bus routes, and the Minuteman Commuter Bikeway all converge in Lexington Center. If anywhere in Lexington can create an opportunity for a car-free lifestyle, this is the place.

**The Burger Amendment:** Our committee feels that this amendment does not enhance the original motion in a meaningful manner.

We have long been attentive to shadow concerns posed by the possibility of taller buildings under Article 34. However, the risk of shadows covering our wider, north side, sidewalks only comes into play within 2 hours of sunset during 6-8 weeks of our winter. Do we implement zoning for areas impacted only 15% of the year, typically our coldest days, to save only the last 20% of the daylight?

Do you know how far apart our closest buildings are across Massachusetts Ave within the Center Business District? Michelson's Shoes is 100' from Bertucci's. Same for Crafty Yankee to Via Lago and Minilux to Ravies, +/- 2'. The proposed maximum height (note, not a required height) is limited to 52' which is only 10 feet higher than Lexington Place and lower than Cary Hall. If the 52' height is placed at the façade (which is not required), the key question is would it create a shadow and when? While Massachusetts Ave runs for the most part east to west, in Lexington Center it actually runs southeast to northwest., Generally speaking the sun rises behind Cary Hall and sets behind Cary Library. Therefore shadows are cast at a 30-45 degree angle towards the east, not directly across Massachusetts Ave. Under this Article 34, shadows would only touch to the sidewalk across Massachusetts Ave from the Craft Yankee/Michelson's Shoes/MiniLuxe side of the street within 2 hours of sunset during 6-8 weeks in winter, not the most conducive time to enjoy a latte on the sidewalk benches. But if you did choose to enjoy a late afternoon latte, you could simply move 70 feet to your right or left since the 52' height is not likely to be spread across the entirety of a whole block, especially with 12 different owners of the properties on the south side of Massachusetts Ave.

While our Committee supports step backs on upper floors, we became comfortable with Article 34 as currently written once we had a clear understanding of the HDC review process and ability to consider rooflines and neighborhood setting. Unfortunately, the Burger amendment states that a step back 'may' be 6', not 'should' or 'must'. The language regarding the north facing side of the buildings on the south side of Massachusetts Ave also raises questions about its interpretation. Additionally, the amendment imposes a special permit process, which we feel is unnecessary because of the requirement for HDC review and approval.

**A final thought regarding Lexington Center:** The suggestion that the work was not done to reimagine and improve vibrancy in Lexington Center is false. The discussion of increase height and density in Lexington Center goes back more than 20 years. The Lexington Center Committee meets monthly to discuss issues regarding Lexington Center. We are an advisory committee to the Select Board to dive deeper into issues regarding our Center. Over the years we have worked with the Planning Board to bring to Town Meeting zoning changes for the CB district to allow or dissuade different types of businesses which add or distract from a pedestrian friendly, vibrant environment. We were a leader in bringing the Center Streetscape project forward to ensure that our Center was safer for users of all abilities. We constantly discuss issues of the present with an eye to the future. We work with the Economic Development office to enhance the programming within Lexington Center. We collaborate with the Tourism Committee to recommend solutions for issues that cross lines with both Committees. We do not make conclusions for Lexington Center lightly. We do this in our open public meetings on the 2<sup>nd</sup> Thursday of each month. We invite you to join us.

**In conclusion, the Lexington Center Committee continues to support Article 34 in its original form, and we urge you to do so as well.**