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Creating Community: Mixed Use Development in New Bedford, MA

Matthew J.B. Cate

Roger Williams University, mattcate@gmail.com

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CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

Matthew J.B. Cate
Bachelor of Science in Architecture / Master of Architecture Dual Degree
Graduate Thesis: Submitted to Roger Williams University
School of Architecture, Art, and Historic Preservation
Fall 2009

SIGNATURE PAGE

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*School of Architecture, Art, and Historic
Preservation*

Hasan-Uddin Khan

Advisor

*School of Architecture, Art, and Historic
Preservation*

Stephen White

Dean

*School of Architecture, Art, and Historic
Preservation*

ACKNOWLEDGEMENTS

5



Roger Williams University
School Of Architecture, Art, and
Historic Preservation

Dean

Stephen White

Thesis Advisor

Hasan-Uddin Khan

Secondary Advisors

Jeff Staats

Mete Turan



City of New Bedford
Office of Housing & Community
Development

Director

Patrick J. Sullivan

External Advisors

David Sousa
Katherine Duff



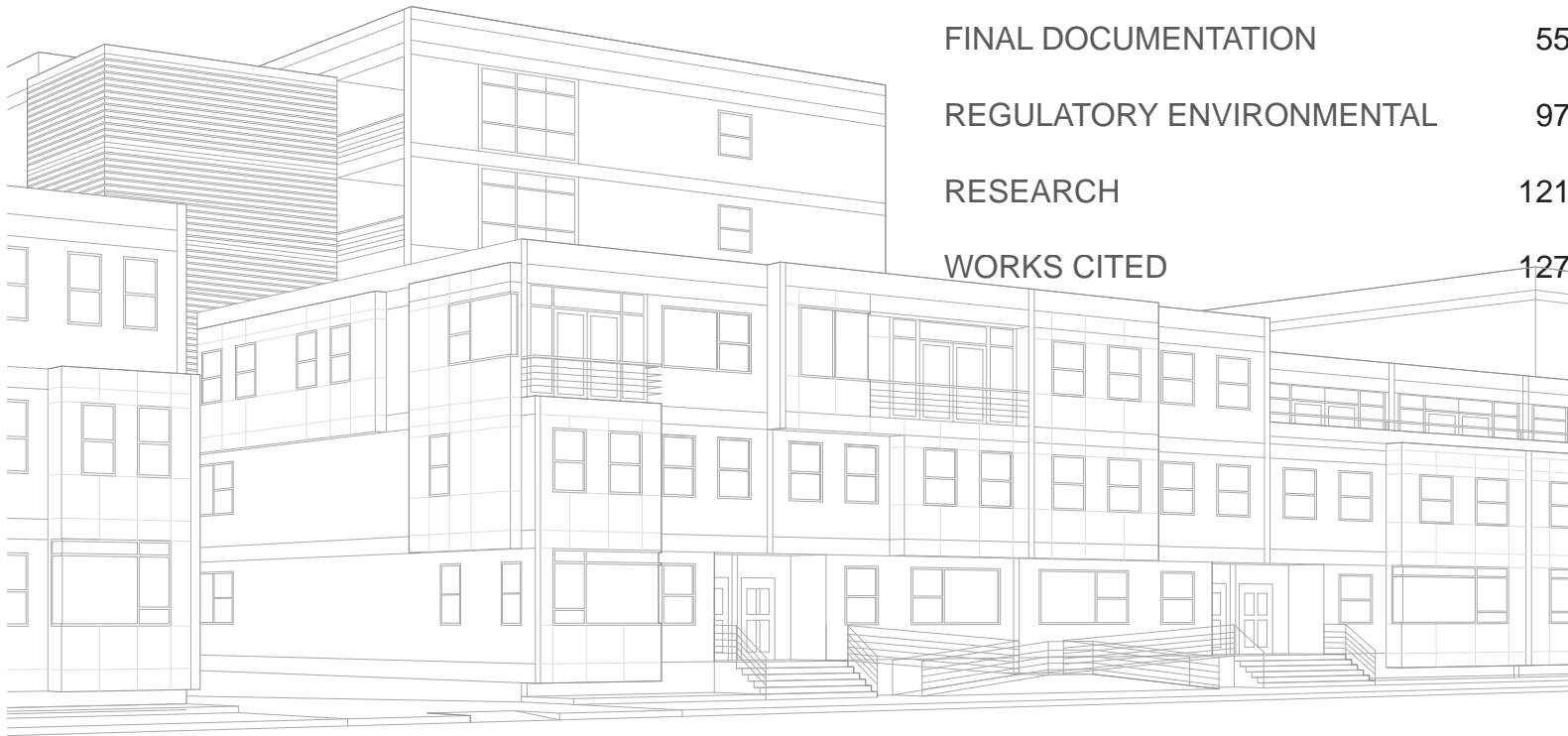
CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

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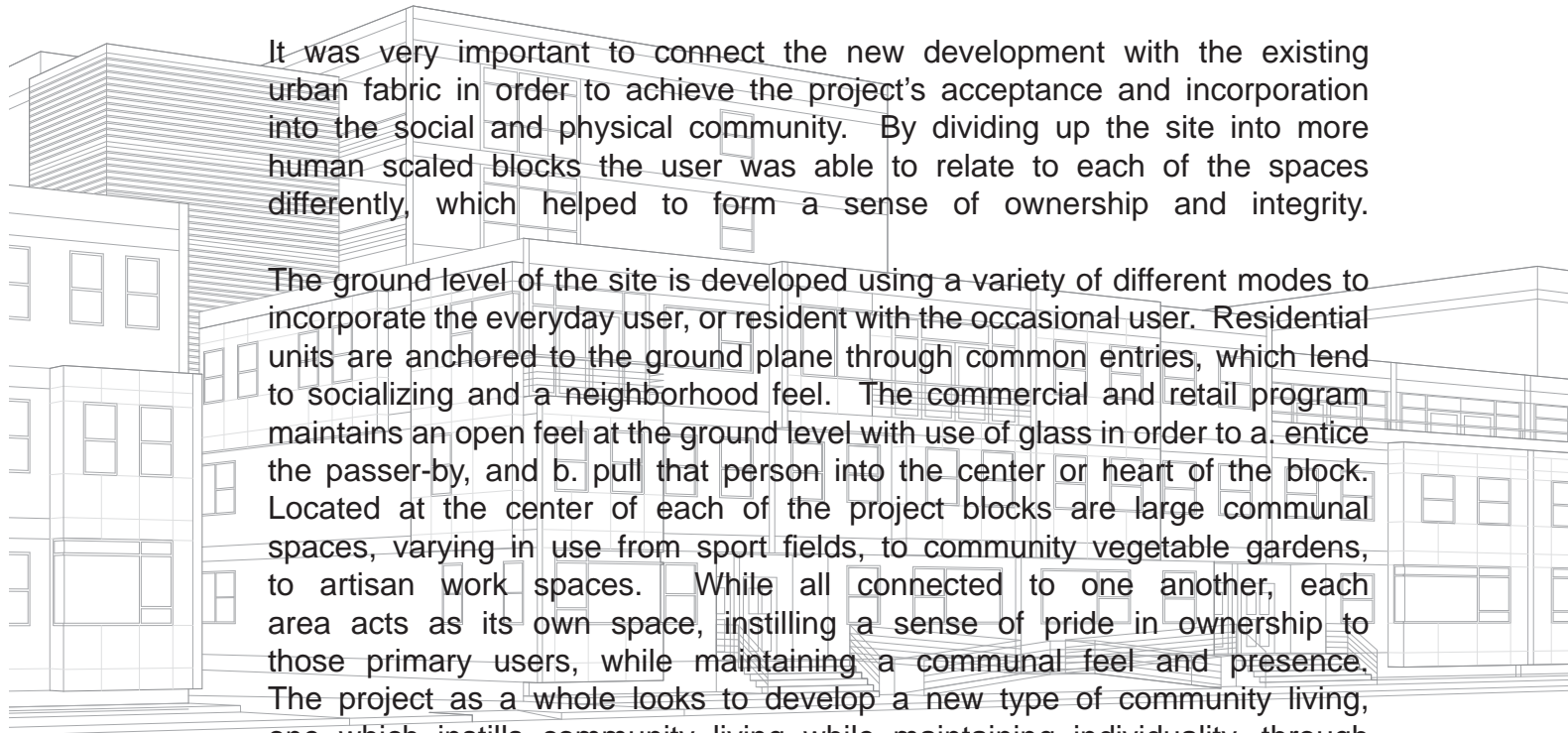
ABSTRACT

11

In creating a new type of community for New Bedford, MA, there was an awareness of both the existing community, context, and people, while realizing a need for change. The design uses the concept of adapting the existing density into two modes. First, merging the existing residential fabric and merging it with a public program including both commercial and retail development. Second, focusing that new typology into a smaller more refined space, while creating new public areas for communal enjoyment and development. Creating such an idea of living takes the existing unused exterior spaces allotted to the typical housing blocks, and combines them into a far more versatile and useable space for enjoyment by all.

It was very important to connect the new development with the existing urban fabric in order to achieve the project's acceptance and incorporation into the social and physical community. By dividing up the site into more human scaled blocks the user was able to relate to each of the spaces differently, which helped to form a sense of ownership and integrity.

The ground level of the site is developed using a variety of different modes to incorporate the everyday user, or resident with the occasional user. Residential units are anchored to the ground plane through common entries, which lend to socializing and a neighborhood feel. The commercial and retail program maintains an open feel at the ground level with use of glass in order to a. entice the passer-by, and b. pull that person into the center or heart of the block. Located at the center of each of the project blocks are large communal spaces, varying in use from sport fields, to community vegetable gardens, to artisan work spaces. While all connected to one another, each area acts as its own space, instilling a sense of pride in ownership to those primary users, while maintaining a communal feel and presence. The project as a whole looks to develop a new type of community living, one which instills community living while maintaining individuality, through the creation of an alternative means to housing and open living spaces.



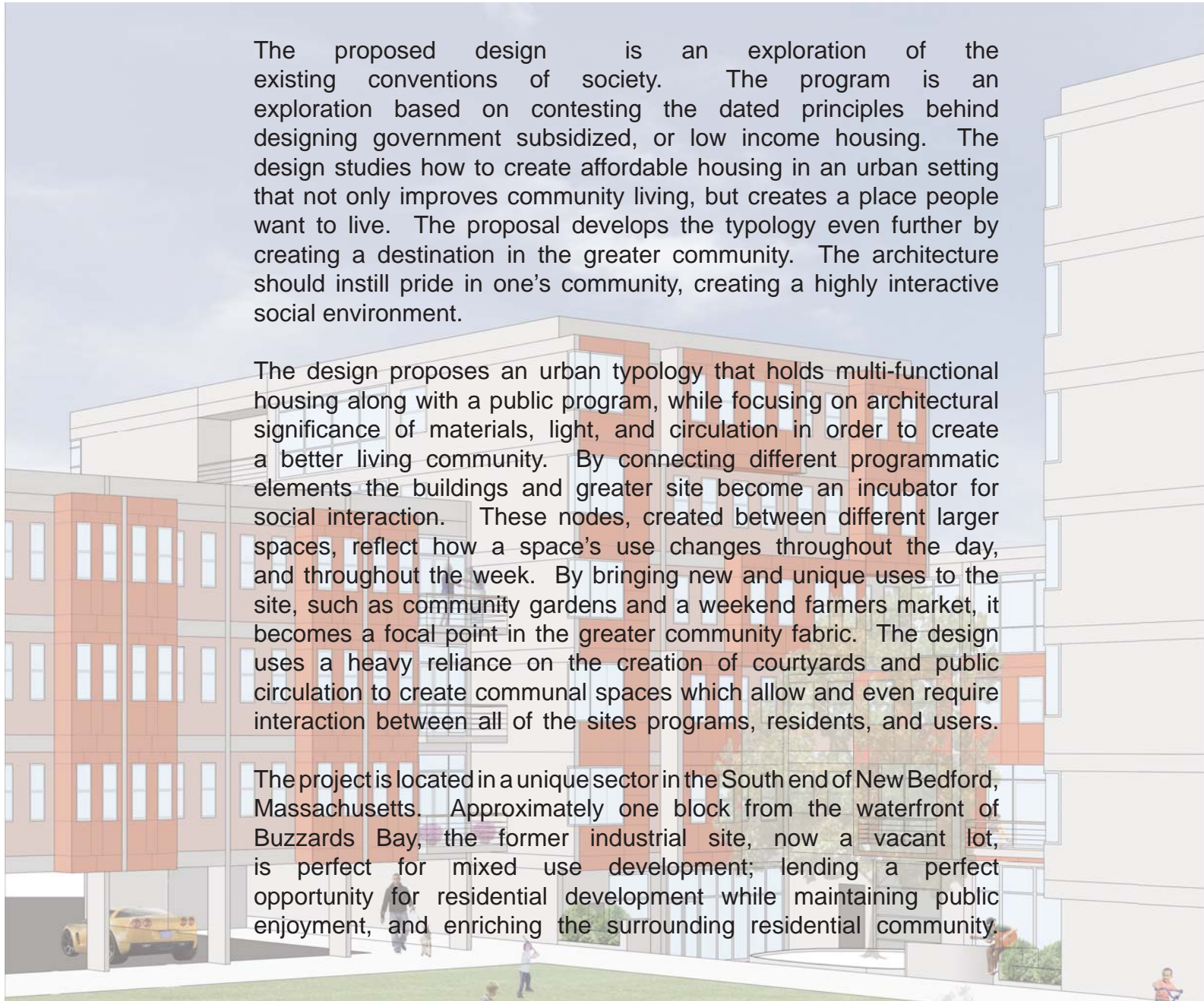
STATEMENT OF INTENT

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The proposed design is an exploration of the existing conventions of society. The program is an exploration based on contesting the dated principles behind designing government subsidized, or low income housing. The design studies how to create affordable housing in an urban setting that not only improves community living, but creates a place people want to live. The proposal develops the typology even further by creating a destination in the greater community. The architecture should instill pride in one's community, creating a highly interactive social environment.

The design proposes an urban typology that holds multi-functional housing along with a public program, while focusing on architectural significance of materials, light, and circulation in order to create a better living community. By connecting different programmatic elements the buildings and greater site become an incubator for social interaction. These nodes, created between different larger spaces, reflect how a space's use changes throughout the day, and throughout the week. By bringing new and unique uses to the site, such as community gardens and a weekend farmers market, it becomes a focal point in the greater community fabric. The design uses a heavy reliance on the creation of courtyards and public circulation to create communal spaces which allow and even require interaction between all of the sites programs, residents, and users.

The project is located in a unique sector in the South end of New Bedford, Massachusetts. Approximately one block from the waterfront of Buzzards Bay, the former industrial site, now a vacant lot, is perfect for mixed use development; lending a perfect opportunity for residential development while maintaining public enjoyment, and enriching the surrounding residential community.

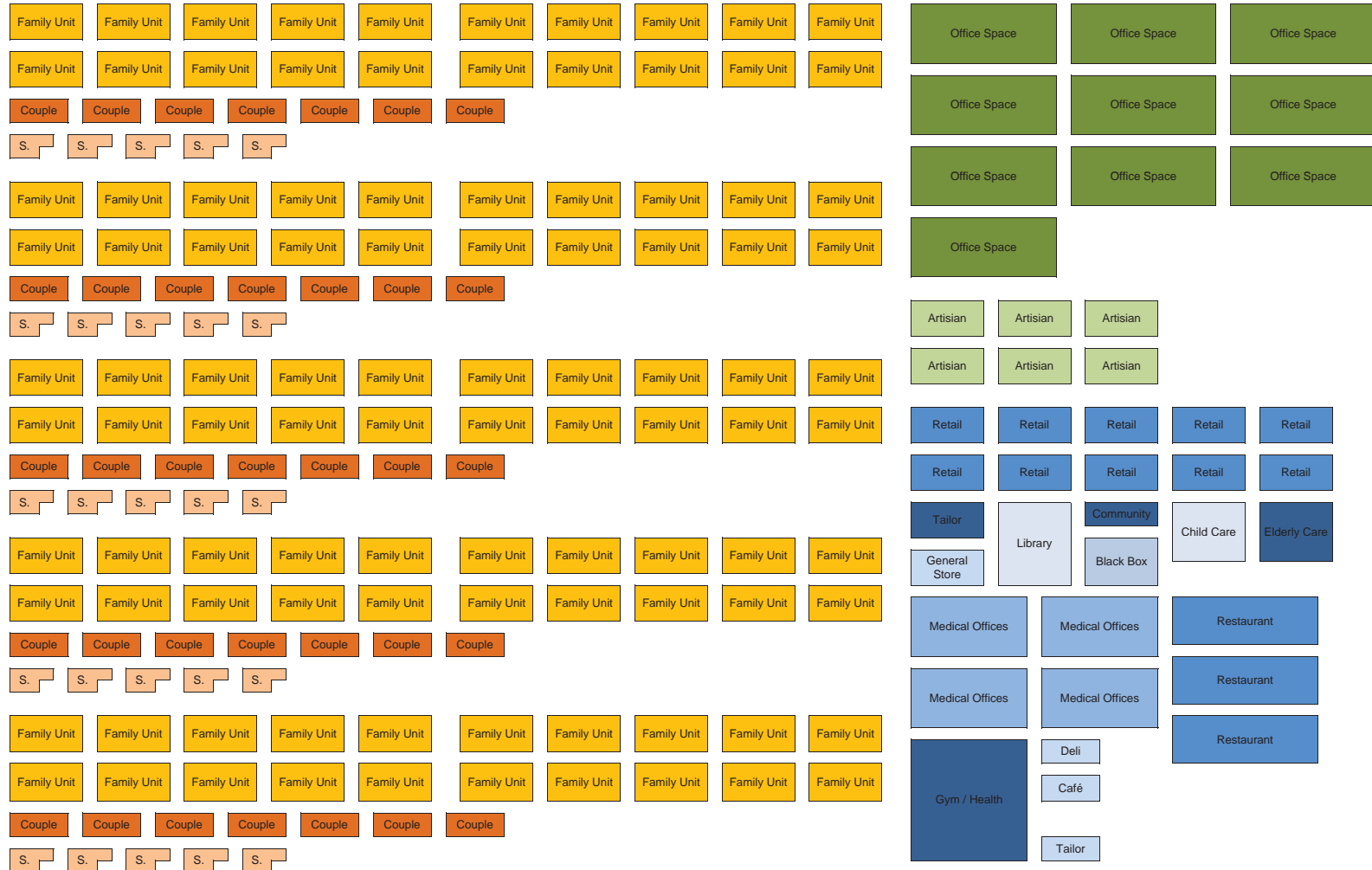


PROGRAM LIST

	Program Title	Qty.	SF / Unit	Total SF	Brief Description
Public Program	Retail Spaces, Clothes, Etc.	10	1,500	15,000	Retail stores will allow for an economic center, and bring in the external community.
	Bank	1	3,500	3,500	Close proximity to rest of life in community.
	Drycleaner & Tailor	1	1,500	1,500	Close proximity makes it easier for the office workers.
	Foot Mart / General Store	1	1,500	1,500	Nothing large, just a place to get some milk and vegetables, medicine from the local doctor.
	Medical Offices	4	4,000	16,000	Medical offices close to work and living make it easier for elderly, and the community.
	Health Facility / Gym / Spa	1	8,000	8,000	Close proximity makes it more convenient, creating a healthier lifestyle. Possibilities for classes, etc.
	Salon / Barber	1	800	800	Locate everything in one place.
	Library	1	3,500	3,500	A small, secondary public library, educational, external community, proximity to park & café.
	Community Room	1	1,000	1,000	A place for town meetings, group therapy, any small / medium community gathering.
	Performing Arts Space "Black Box"	1	2,000	2,000	Adjacent to community room, rentable space for community performances. A music room.
	Child Day Care	1	2,500	2,500	Usable by both residents, local workers, and community alike.
	Elderly Care	1	2,500	2,500	Senior center for residents, elderly care for community, close proximity to health facilities & medical.
	Café / Deli	2	800	1,600	Space for community gathering, work breaks, or to read.
	Restaurant / Dining	3	4,000	12,000	Bringing "night-life" to the area, centralized community. Exterior seating.
	Skate Park / Amphitheatre / Bandstand	1	-	-	External, multifunctional spaces for community involvement and socialization.
	Park	1	-	-	Green space.
	"Soap Box" Space	1	-	-	Adjacent to both external spaces, and community room, could function as a place of "peaceful protest".
Public Program Total				71,400	
Semi-Pub.	Gardens / Produce Production	1	-	-	For use by residents, community, or daycare facilities, for both educational purposes, and self investment.
	Office Space	10	5,000	50,000	To include a variety of offices, from Banking to Architecture.
	Artisan Studios / Workshops	6	1,500	9,000	From painting to carpentry, high-bay workshop style spaces with adjacent storefronts. Everyday use.
	Internal Park	1	-	-	Act as an internal gathering spaces for workers and residents, for lunch, or use by daycare, etc.
Semi-Public Program Total				59,000	
Private	Housing Units (Family)	100	+/- 1,500	150,000	3-4 Bedroom - Family Use.
	Housing Units (Couples)	35	+/- 800	28,000	1-2 Bedroom - Young, elderly, or new families.
	Housing Units (Single / Studio)	25	+/- 500	12,500	0-1 Bedroom - First-time apartments, or singles.
	Oversized Circulation	0.10	190,500	19,050	Act as a place for social encounter, spatially carrying throughout all buildings between programs.
Semi-Public Program Total				209,550	
Total Proposed Net SF				339,950	
Total Proposed Gross SF [Net x 1.3]				441,935	

PROGRAM ADJACENCIES

15



SITE IDENTIFICATION AND RATIONALE

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CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

CRITERIA

Choosing the right site for the design was essential for the project's success. In order for the design to have a positive effect on the existing community, it had to be placed within a neighborhood that would not only benefit from such an addition, but would allow for such a project to act as a catalyst for further development.

Several criteria were used when beginning to look at sites for the project-

1. Need: The area must have a need for a mixed use development, at both a residential and commercial level, as well as social.
2. Ability: The site must allow for the construction of a mixed-use building.
3. Social Integrity: The demographic needs must allow for a high-density building to be livable, while also holding a need for some type of social rejuvenation.
4. Regulatory Cooperation: There must be project backing at the governmental level, to allow for the project to take place.
5. Community: There must be an existing community for multiple reasons, one for pure use reasons, and two, for adoption- the project must be accepted before it can instill a sense of community pride.

Ultimately a site was chosen in a waterfront district in the south end of New Bedford, Massachusetts.

The site is located in a multi-zone area which is in close proximity to many of the needs of the community, including: parks, schools, banks, restaurants, retail stores, religious buildings, and commercial institutions. It abuts a very large neighborhood of highly variant demographics.

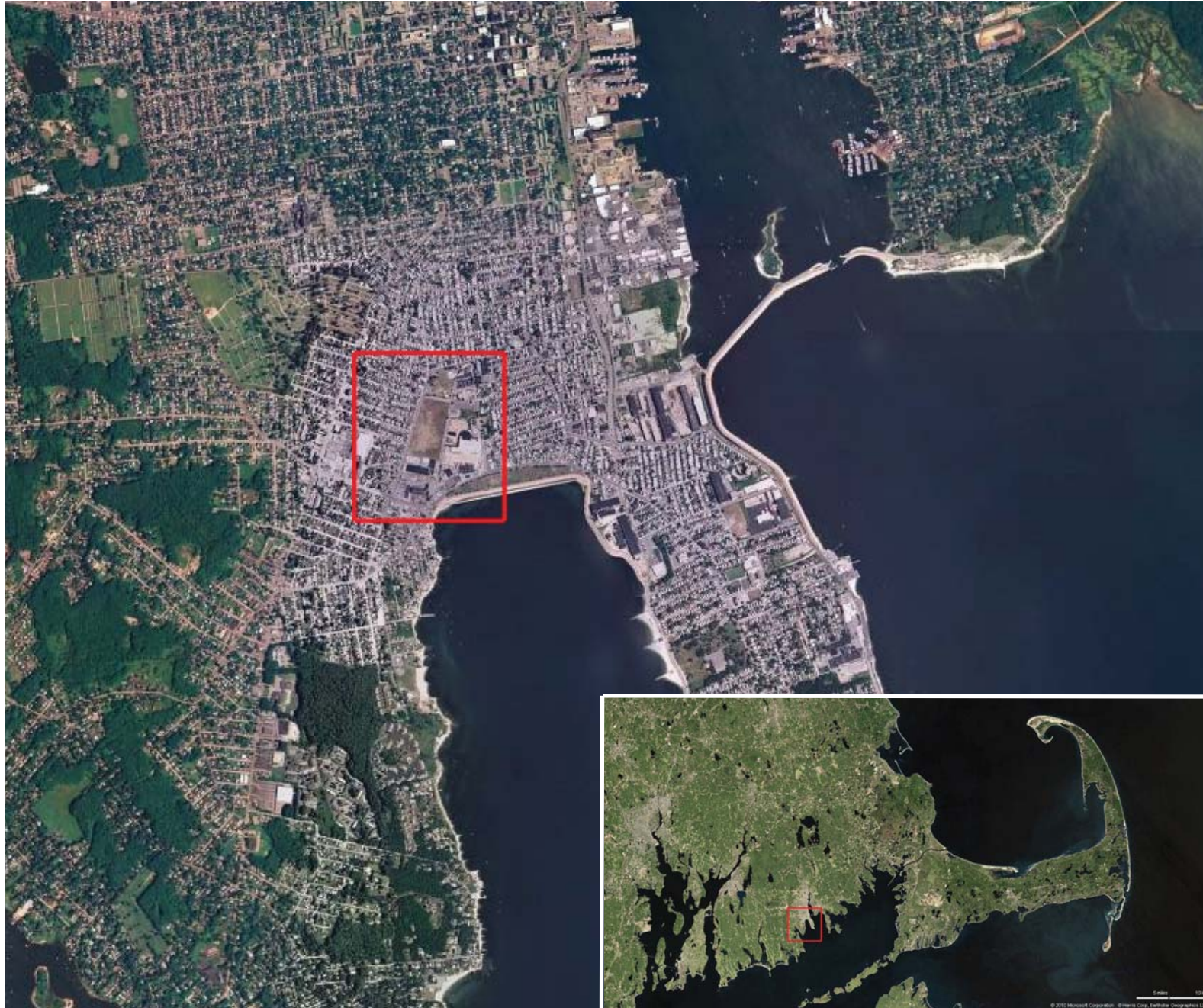
The chosen Site is approximately twelve acres and was formerly the location of an old mill, which had most recently housed Goodyear Tire, until the structure was demolished within the last five years.

The site, being privately owned has been subject to several different development plans, but ultimately shut down for varying reasons.

Due to the diverse makeup of the site and the wealth of commodities in the surrounding context, the design will act as a catalyst for community development and growth.

AERIAL MAP

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CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

AERIAL PHOTOGRAPH



SATELLITE STREET MAP

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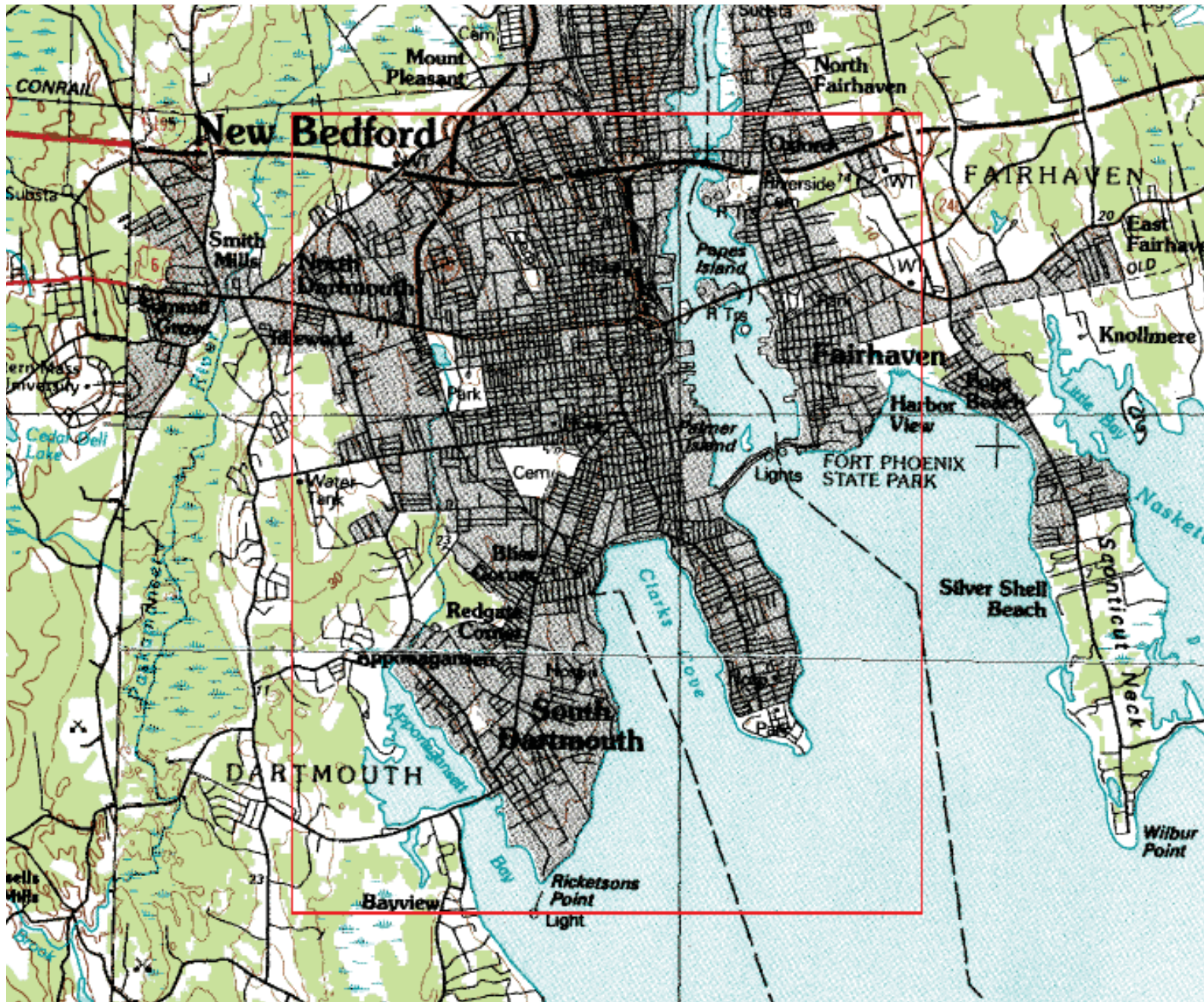
CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

ZONING MAP

Residential / Commercial & Civic

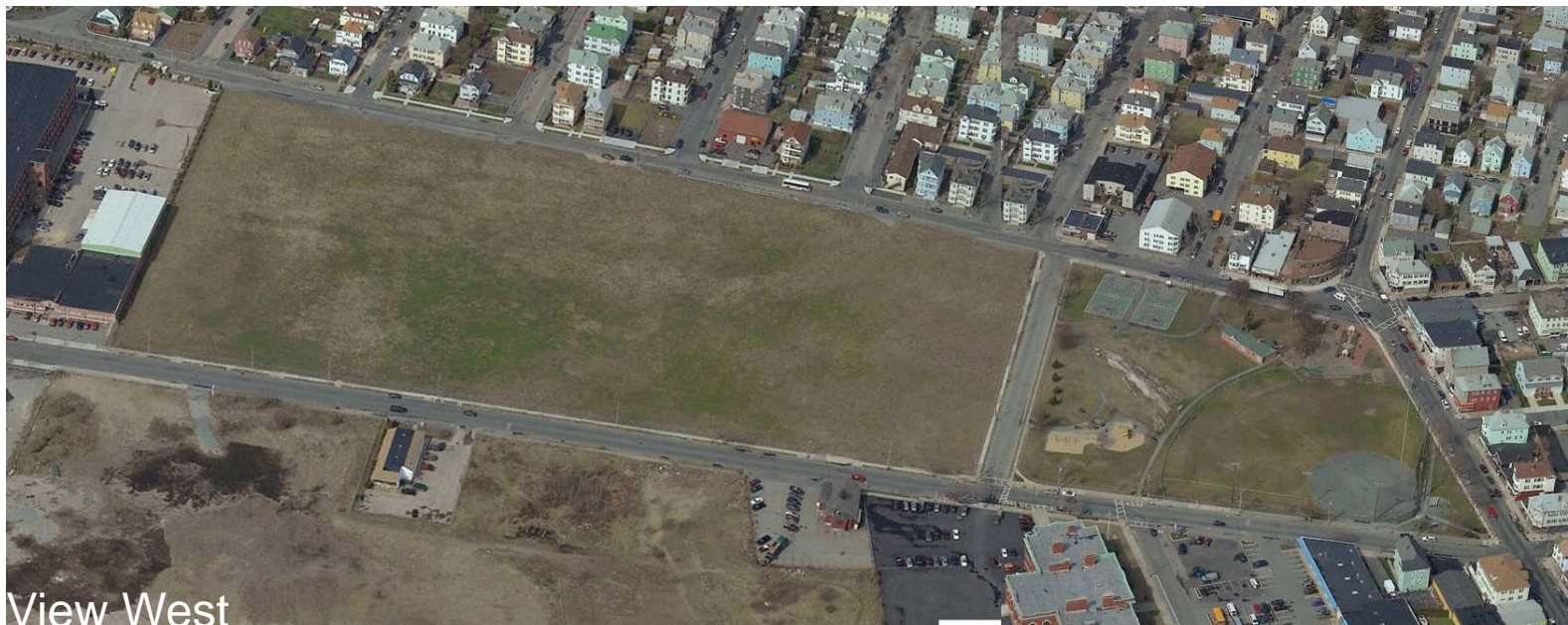




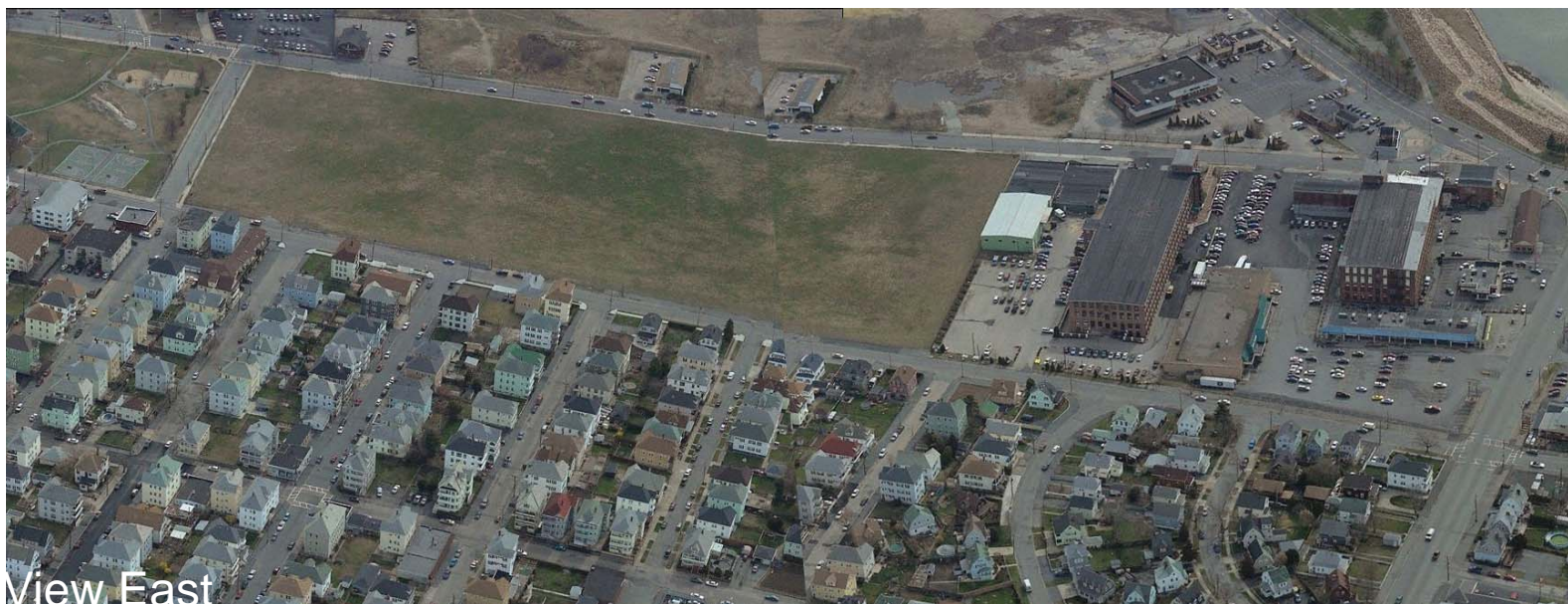


BIRD'S EYE

25



View West



View East

SITE PHOTOGRAPHS



North boundary of property, looking North.



East boundary of property, looking West.



West boundary of property, looking East.



West boundary of property, looking West.

SITE PHOTOGRAPHS

27



North boundary of property, looking South.




South boundary of property, looking East.



North boundary of property, looking North-West.

PARCEL IDENTIFICATION

City of New Bedford


Location: WS ORCHARD ST		Parcel ID: 23 292		Zoning: MUB		Fiscal Year: 2009	
Current Owner Information: CLARK'S COVE DEVELOPMENT CO, L 651 ORCHARD STREET SUITE 200 NEW BEDFORD, MA 02744				Current Sales Information: Sale Date: 10/15/2004 Sale Price: \$1,550,000.00 Legal Reference: 7223-263 Grantor: GOODYEAR TIRE & RUBBER CO,		Card Number : 1 of 1	
This Property contains 0.999 acres of land mainly classified for assessment purposes as LAND-C							
Building Value: 0		Land Value: 190600		Yard Items Value: 3800		Total Value: 194400	
							
Fiscal Year 2009 Tax Rate Res.: 11.43 Tax Rate Com.: 23.56 Property Code: 390 Total Bldg Value: 0 Total Yard Value: 3800 Total Land Value: 190600 Total Value: 194400 Tax: \$4,580.07		Fiscal Year 2008 Tax Rate Res.: 10.55 Tax Rate Com.: 21.51 Property Code: 390 Total Bldg Value: 0 Total Yard Value: 3800 Total Land Value: 190600 Total Value: 194400 Tax: \$0.00		Fiscal Year 2007 Tax Rate Res.: 10.31 Tax Rate Com.: 22.35 Property Code: Total Bldg Value: 0 Total Yard Value: 0 Total Land Value: 0 Total Value: 0 Tax: 50.00			

Disclaimer: Classification is not an indication of uses allowed under city zoning.
 This information is believed to be correct but is subject to change and is not warranted.

PARCEL IDENTIFICATION

City of New Bedford

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Location: WS ORCHARD ST		Parcel ID: 23 158		Zoning: MUB		Fiscal Year: 2009																																															
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This Property contains 5.580 acres of land mainly classified for assessment purposes as LAND-C																																																					
Building Value: 0		Land Value: 787500		Yard Items Value: 16200		Total Value: 803700																																															
																																																					
Fiscal Year 2009 <table border="1"> <tr><td>Tax Rate Res.:</td><td>11.45</td></tr> <tr><td>Tax Rate Com.:</td><td>23.56</td></tr> <tr><td>Property Code:</td><td>390</td></tr> <tr><td>Total Bldg Value:</td><td>0</td></tr> <tr><td>Total Yard Value:</td><td>16200</td></tr> <tr><td>Total Land Value:</td><td>787500</td></tr> <tr><td>Total Value:</td><td>803700</td></tr> <tr><td>Tax:</td><td>\$18,935.17</td></tr> </table>		Tax Rate Res.:	11.45	Tax Rate Com.:	23.56	Property Code:	390	Total Bldg Value:	0	Total Yard Value:	16200	Total Land Value:	787500	Total Value:	803700	Tax:	\$18,935.17	Fiscal Year 2008 <table border="1"> <tr><td>Tax Rate Res.:</td><td>10.55</td></tr> <tr><td>Tax Rate Com.:</td><td>21.51</td></tr> <tr><td>Property Code:</td><td>390</td></tr> <tr><td>Total Bldg Value:</td><td>0</td></tr> <tr><td>Total Yard Value:</td><td>16200</td></tr> <tr><td>Total Land Value:</td><td>787500</td></tr> <tr><td>Total Value:</td><td>803700</td></tr> <tr><td>Tax:</td><td>\$17,287.59</td></tr> </table>		Tax Rate Res.:	10.55	Tax Rate Com.:	21.51	Property Code:	390	Total Bldg Value:	0	Total Yard Value:	16200	Total Land Value:	787500	Total Value:	803700	Tax:	\$17,287.59	Fiscal Year 2007 <table border="1"> <tr><td>Tax Rate Res.:</td><td>10.31</td></tr> <tr><td>Tax Rate Com.:</td><td>22.35</td></tr> <tr><td>Property Code:</td><td>440</td></tr> <tr><td>Total Bldg Value:</td><td>0</td></tr> <tr><td>Total Yard Value:</td><td>9400</td></tr> <tr><td>Total Land Value:</td><td>529700</td></tr> <tr><td>Total Value:</td><td>539100</td></tr> <tr><td>Tax:</td><td>\$12,048.89</td></tr> </table>		Tax Rate Res.:	10.31	Tax Rate Com.:	22.35	Property Code:	440	Total Bldg Value:	0	Total Yard Value:	9400	Total Land Value:	529700	Total Value:	539100	Tax:	\$12,048.89
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PRECEDENT ANALYSIS

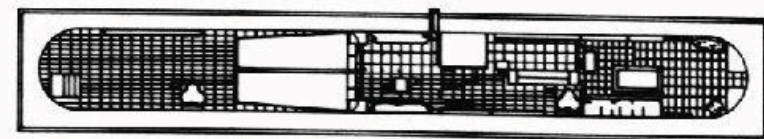
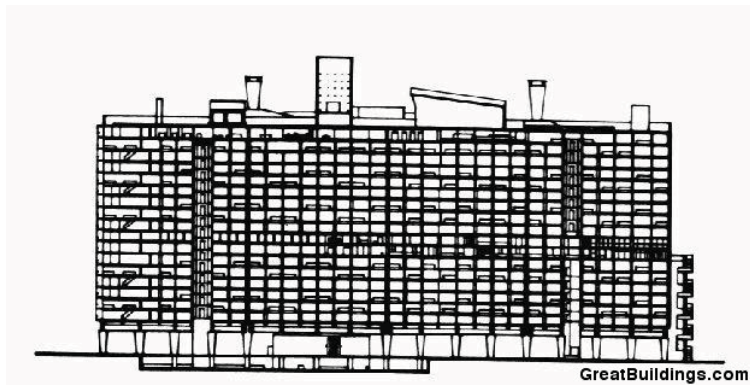
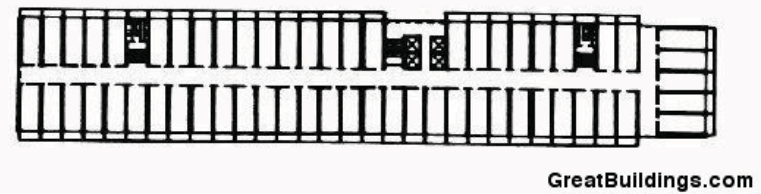
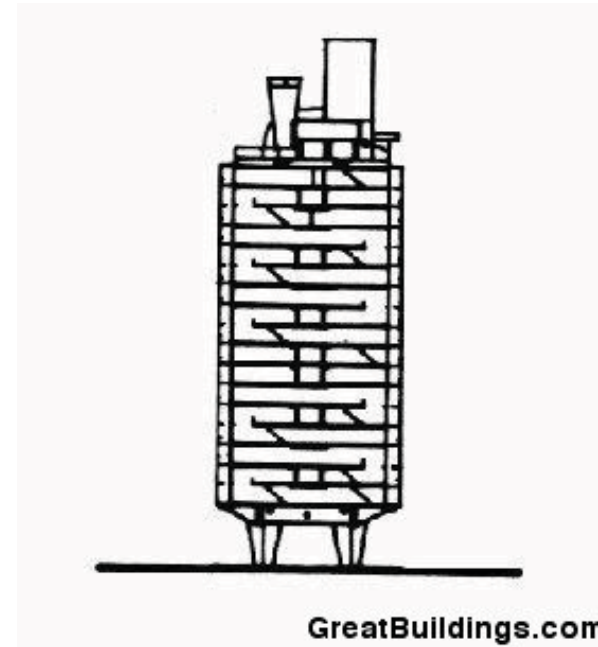
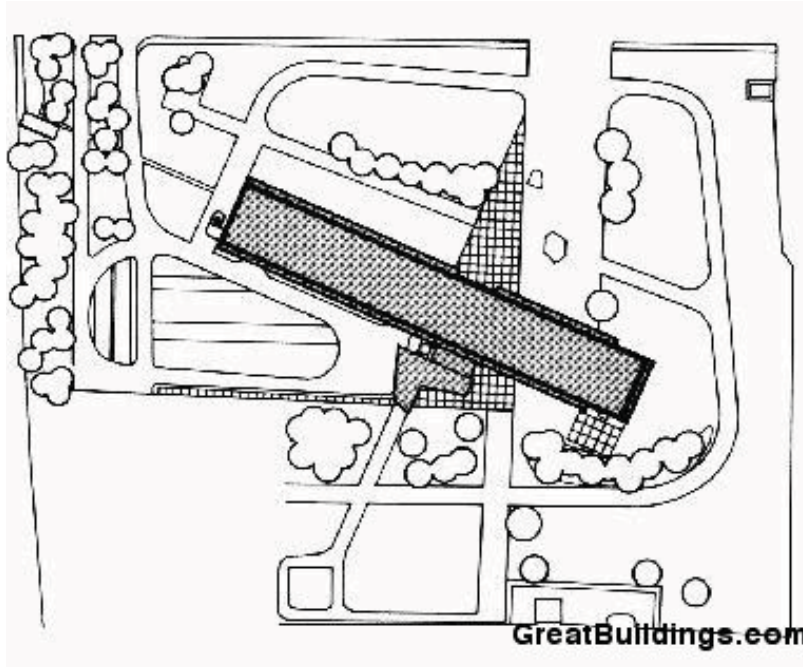
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ALEXANDRA ROAD HOUSING	37
SPANGEN QUARTER	39
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PRECEDENT ANALYSIS

Unite d'Habitation



PRECEDENT ANALYSIS

Unite d'Habitation

33



Architect: Le Corbusier
Location: Marseilles, France
Date Built: 1947-1952

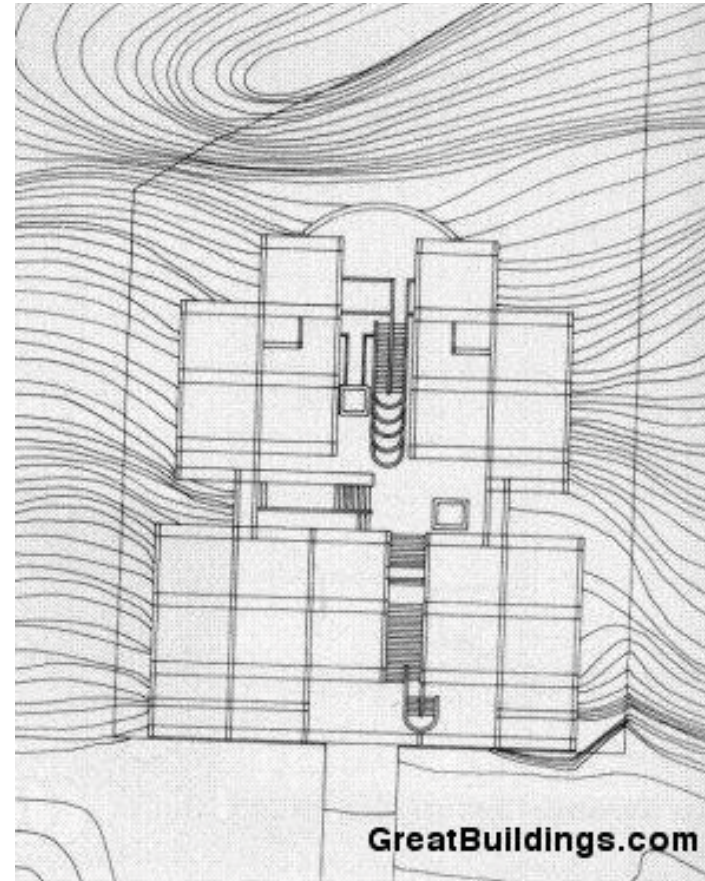
Building Type: Mixed-use Housing
Occupancy Load: 1,600 Residents
Construction Type: 12-Story Concrete Structure

CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

PRECEDENT ANALYSIS

Rokko Kobe Housing



PRECEDENT ANALYSIS

Rokko Kobe Housing

35

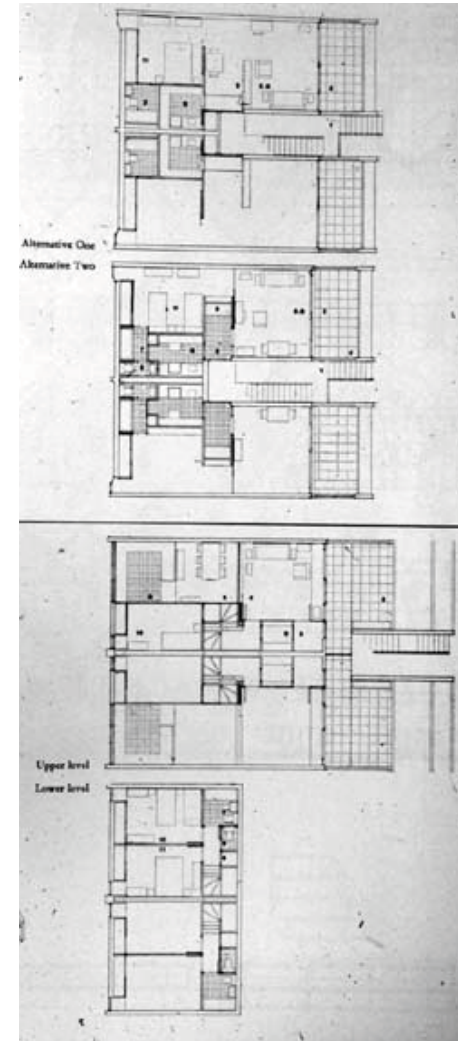
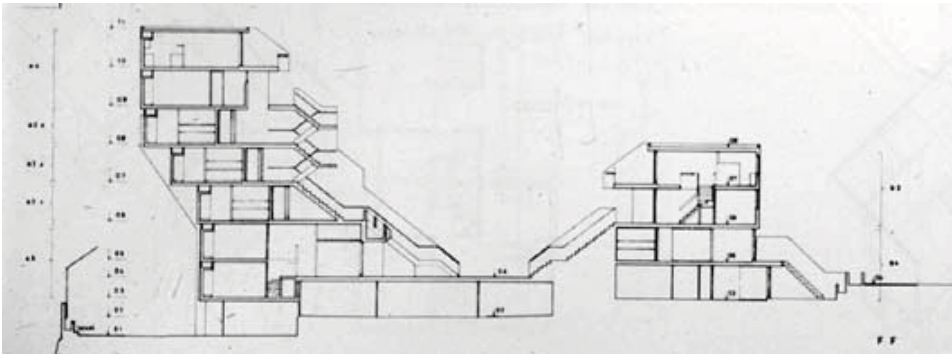


Architect: Tadao Ando
Location: Rokko Kobe, Japan
Date Built: 1983

Building Type: Multifamily Housing
Occupancy Load:
Construction Type: Site-Cast Concrete

PRECEDENT ANALYSIS

Alexandra Road Housing



PRECEDENT ANALYSIS

Alexandra Road Housing

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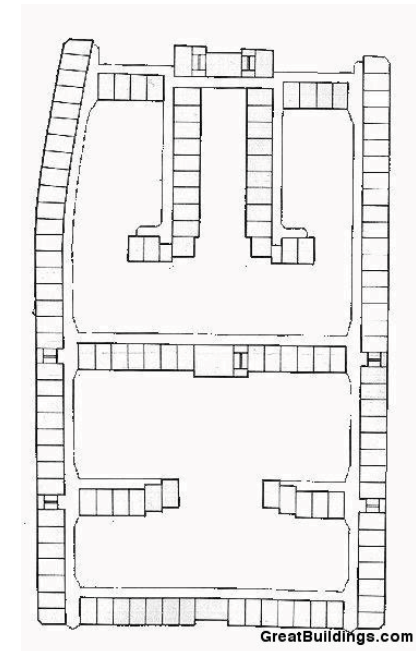
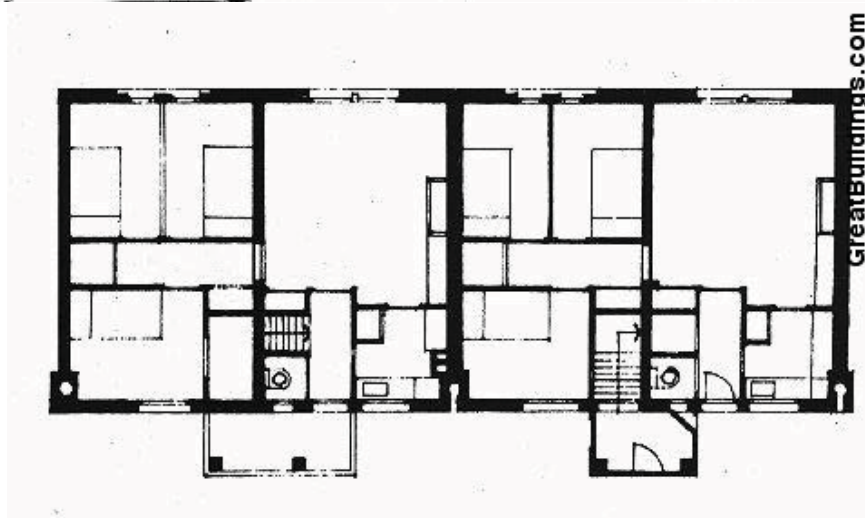
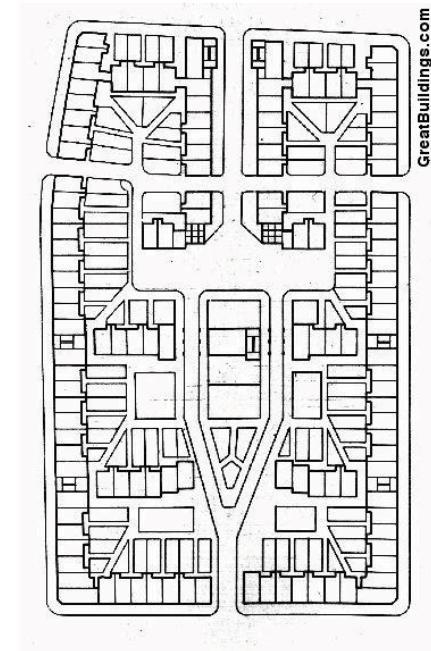
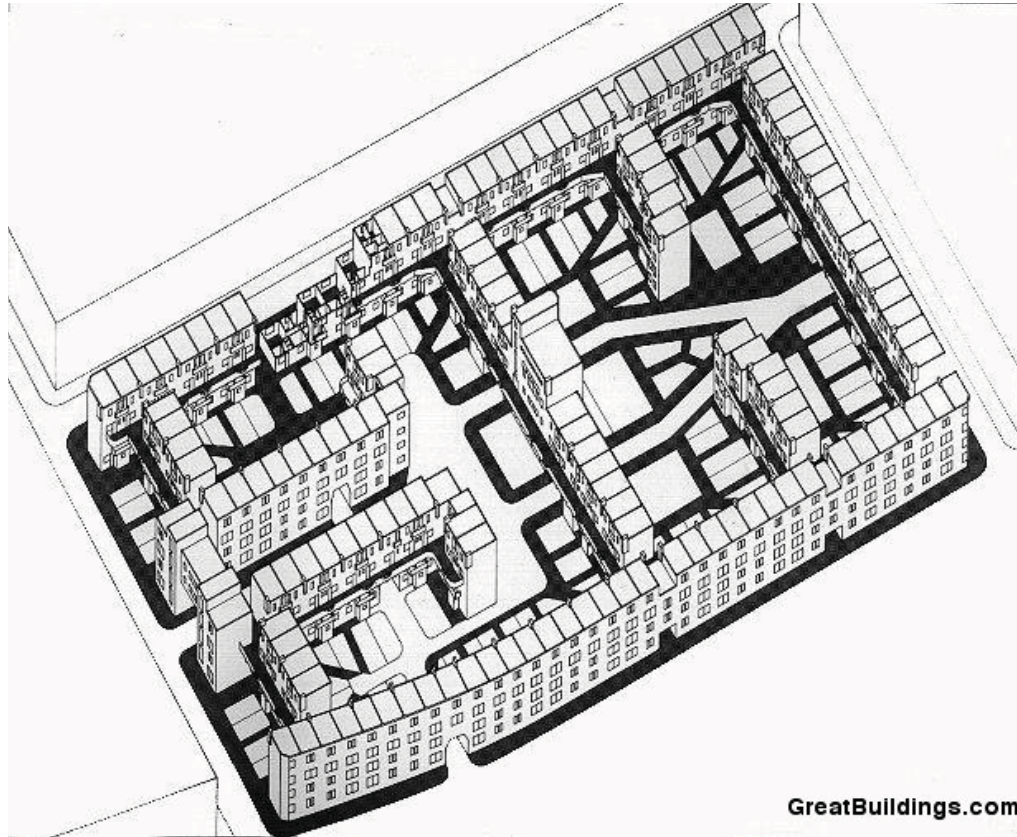


Architect: Brown, Neave
Location: Camden, London, England
Date Built: 1977

Building Type: Row House, Terrace
Occupancy Load: High Density
Construction Type: R-C Frame, Concrete

PRECEDENT ANALYSIS

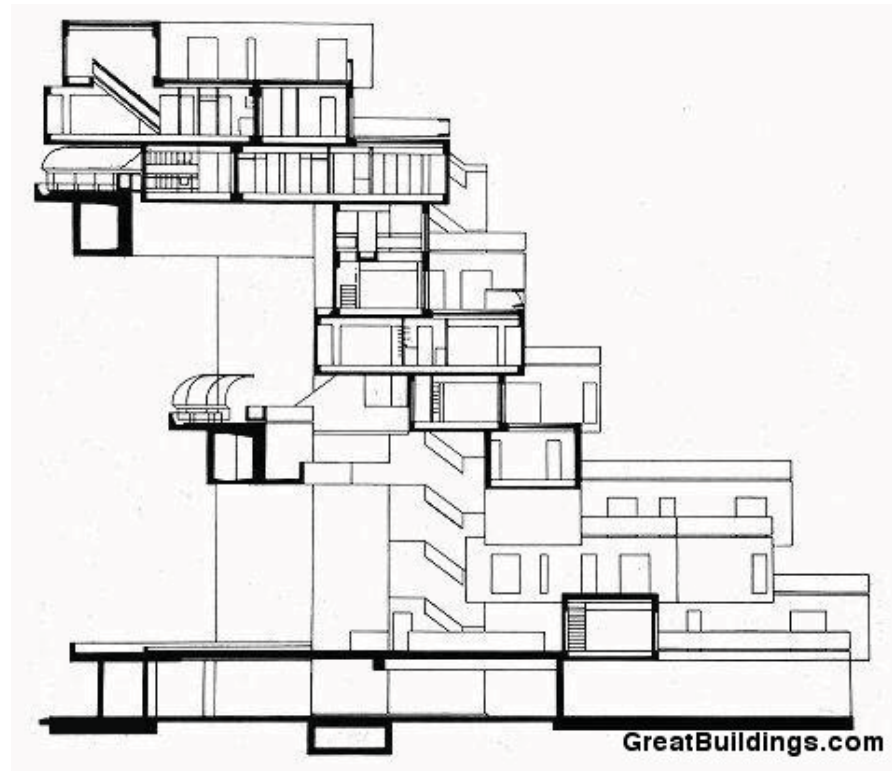
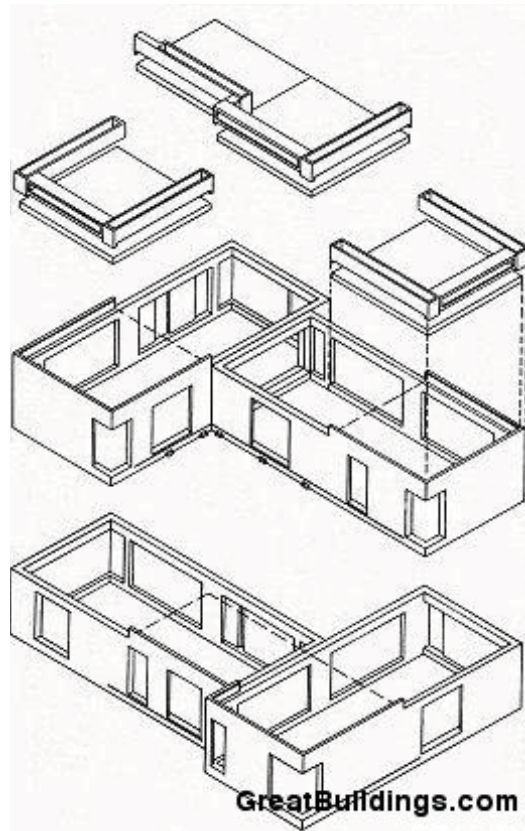
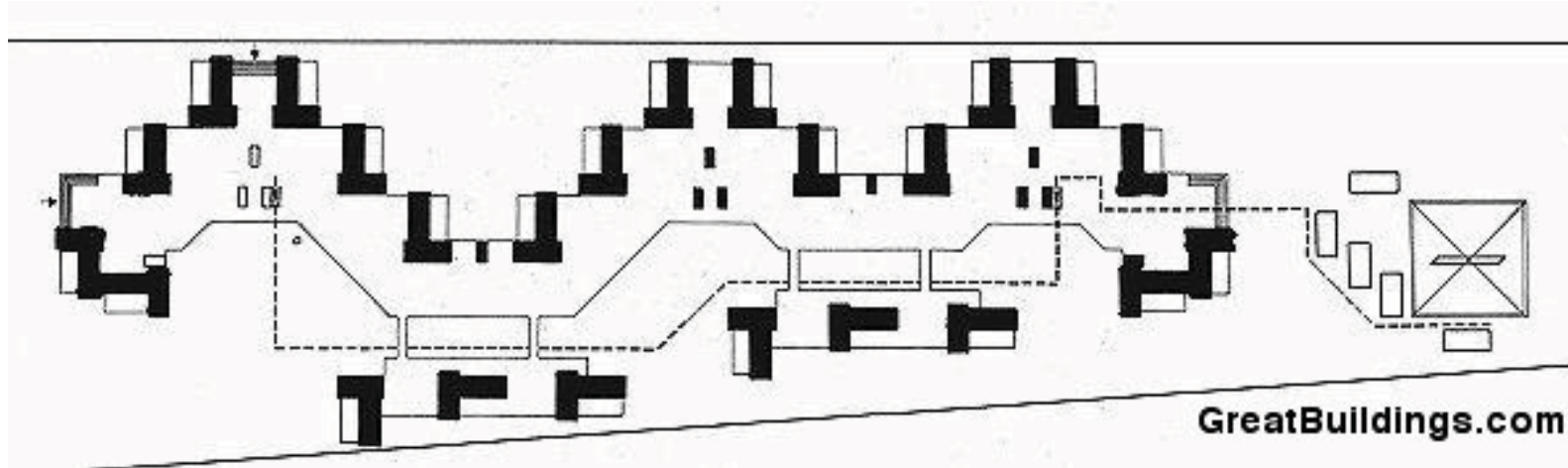
Spanden Quarter





Architect: Michiel Brinkman, J.J.P. Oud, Jan Wils
 Location: Rotterdam
 Date Built: 1919-1921
 Low-Income Housing, commissioned by Municipal Housing Authority

Building Type: Block-Defining Structure
 Occupancy Load: 4 Levels of Housing
 Construction Type: Concrete Structure



PRECEDENT ANALYSIS

Habitat 67

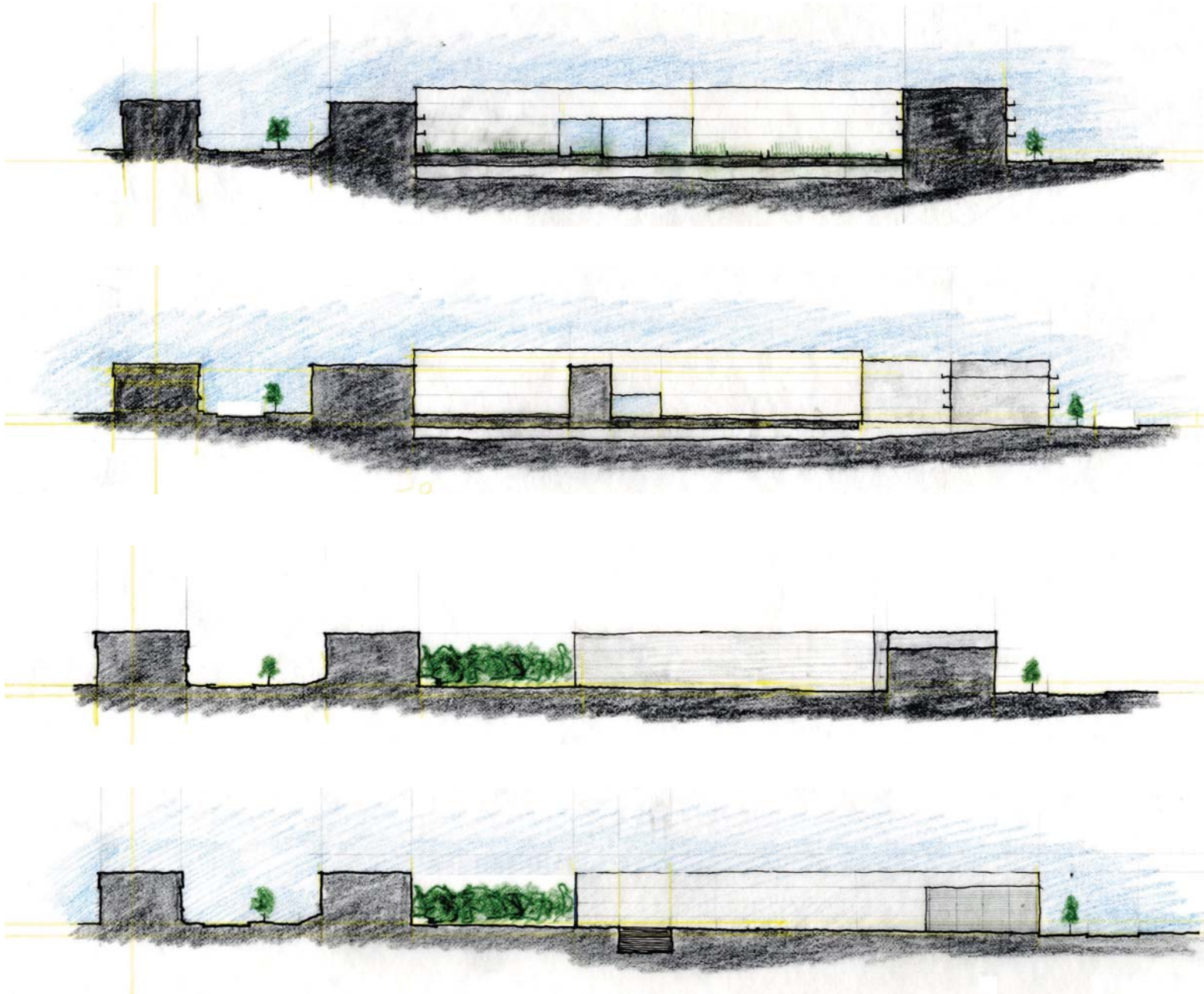
41



Architect: Moshe Safdie
Location: Montreal, Canada
Date Built: 1967

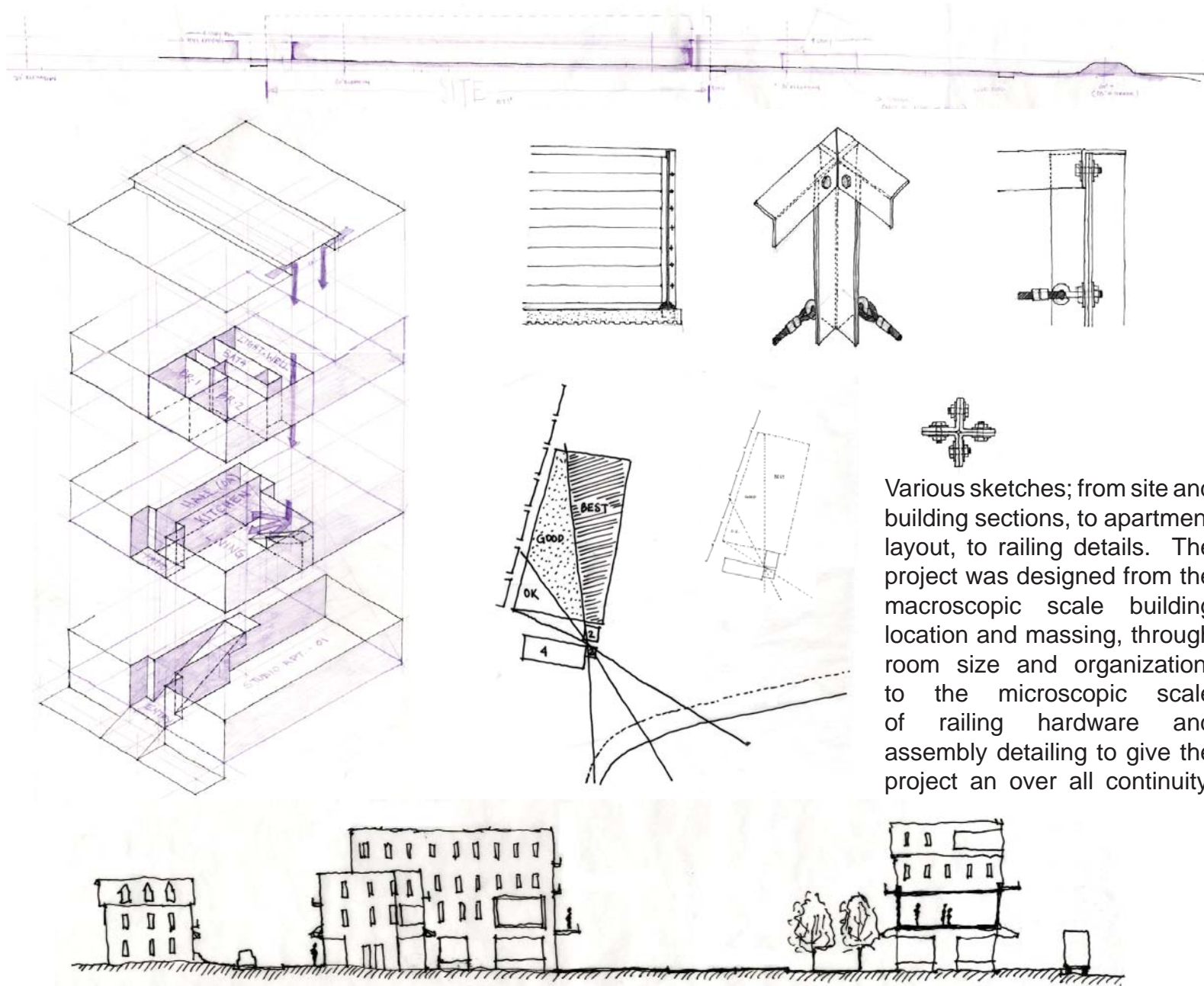
Building Type: "Hill-Shaped" Building
Occupancy Load: 158 Units
Construction Type: Concrete





PROCESS AND DEVELOPMENT

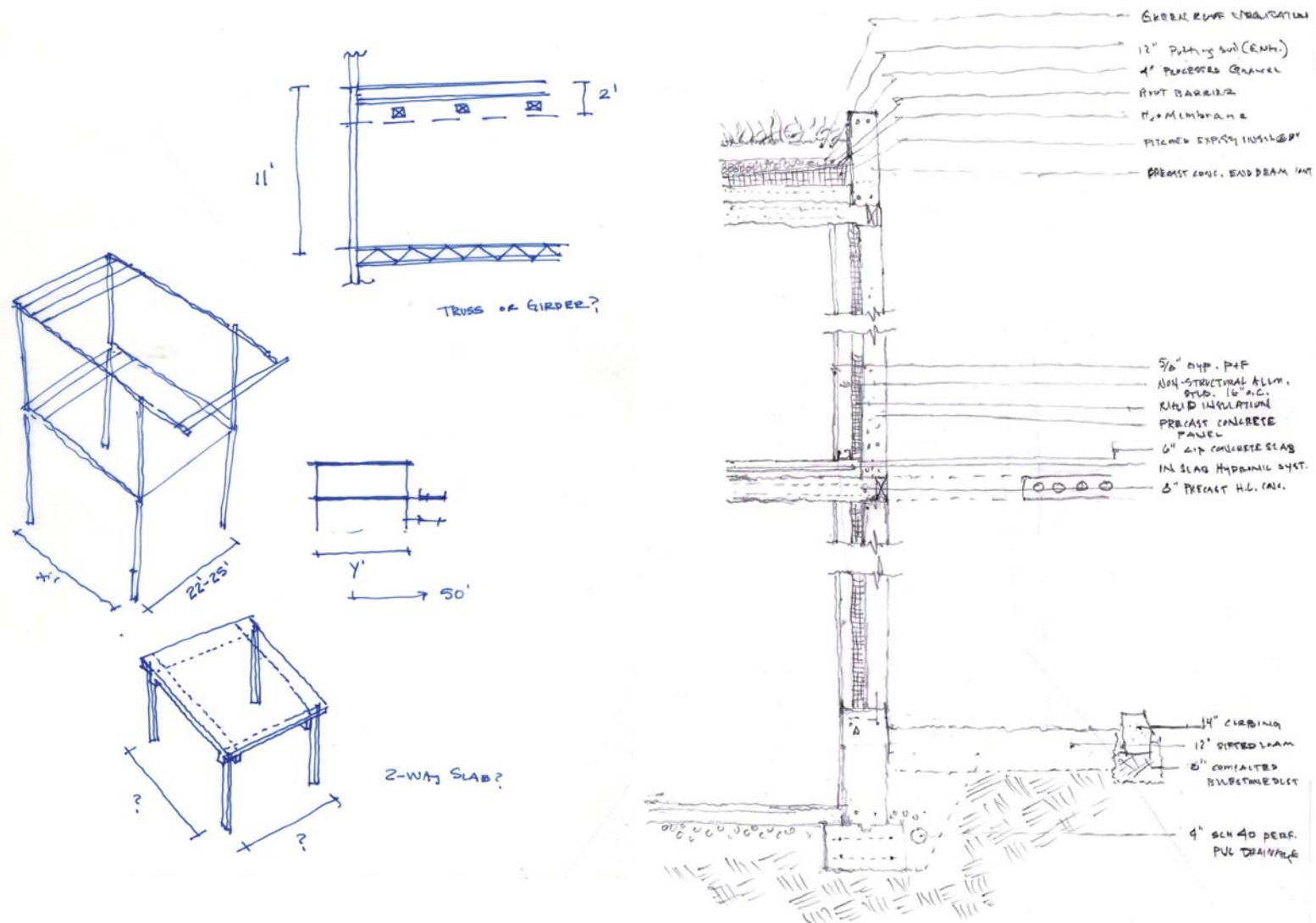
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Various sketches; from site and building sections, to apartment layout, to railing details. The project was designed from the macroscopic scale building location and massing, through room size and organization, to the microscopic scale of railing hardware and assembly detailing to give the project an over all continuity.

CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

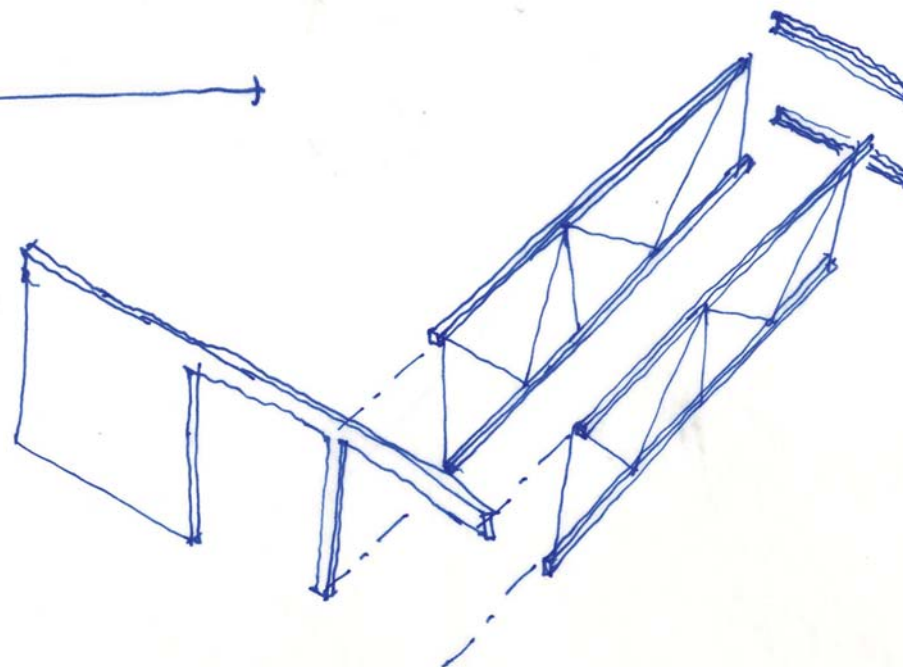
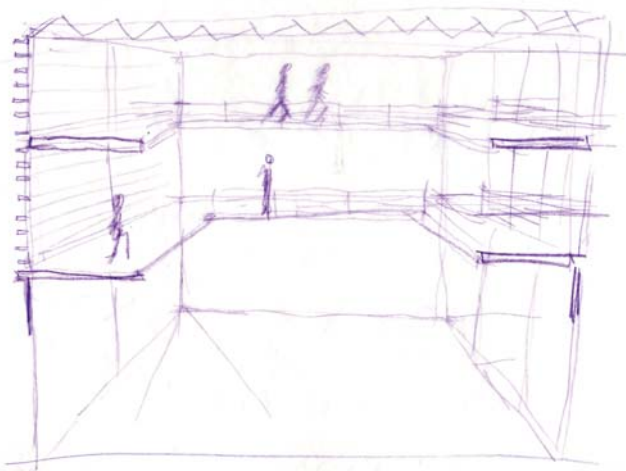
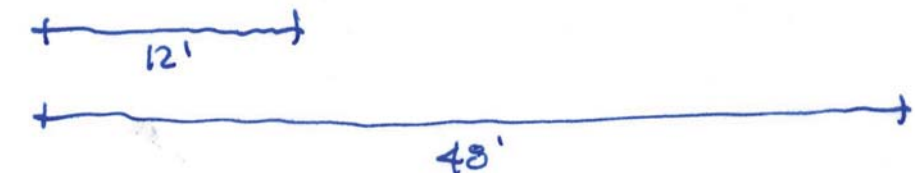
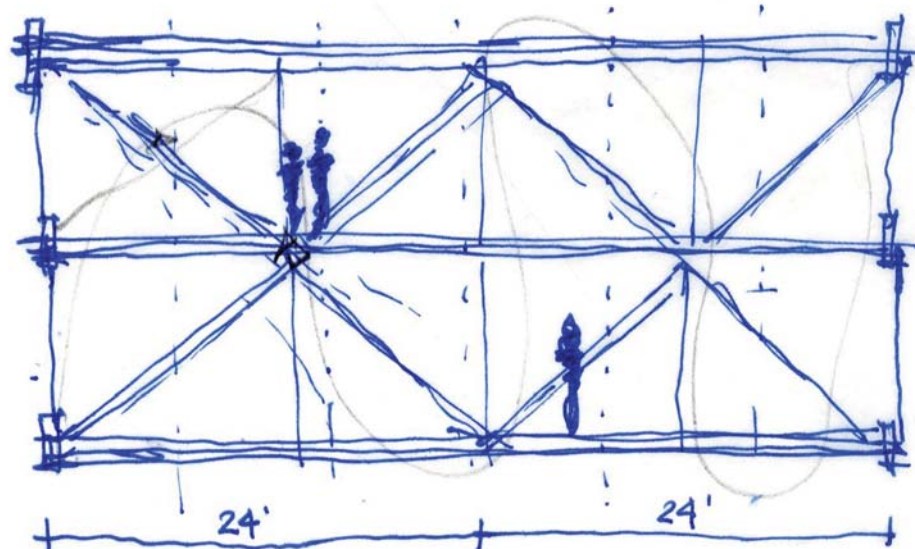


PROCESS AND DEVELOPMENT

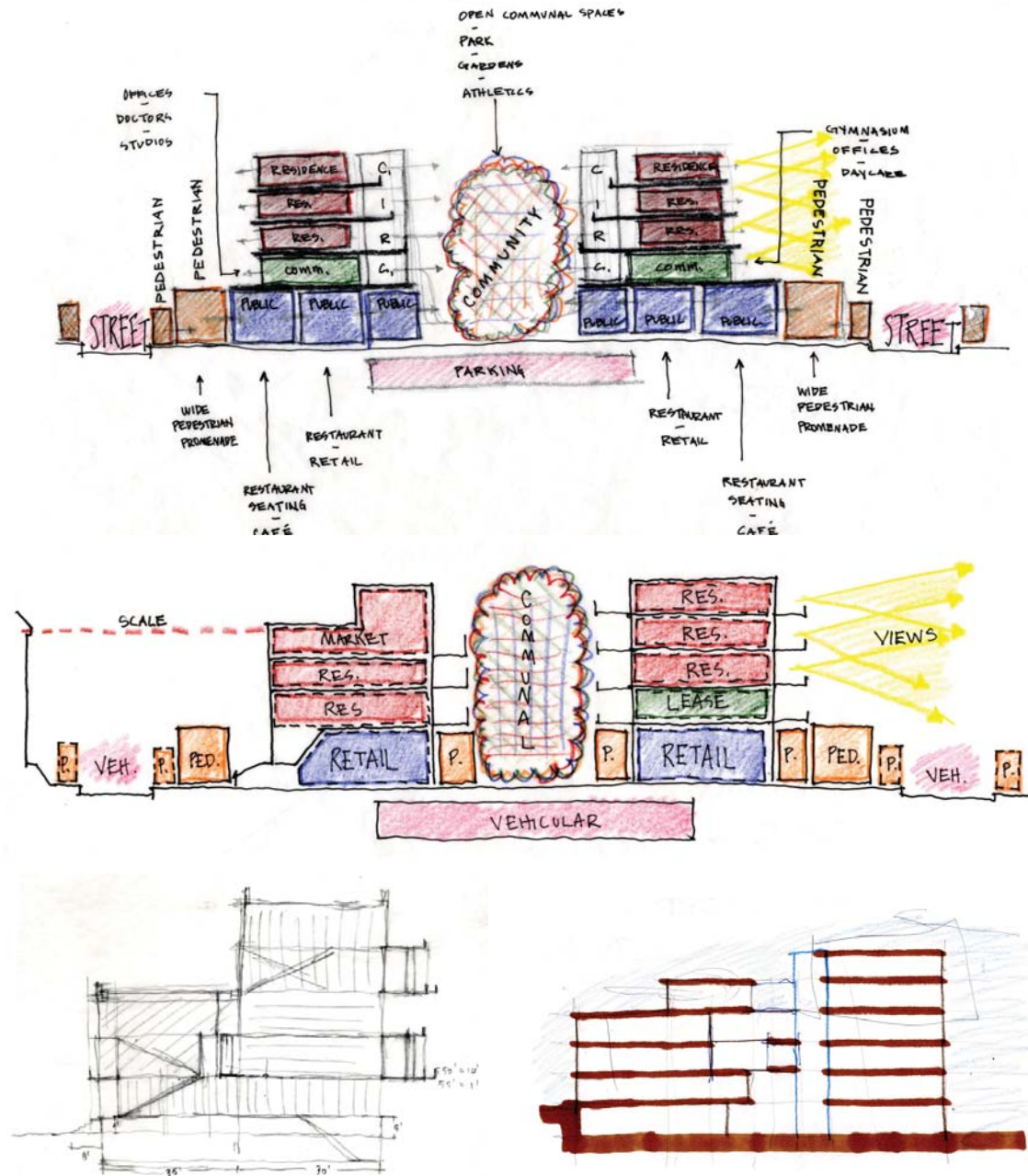
Exterior Bridging

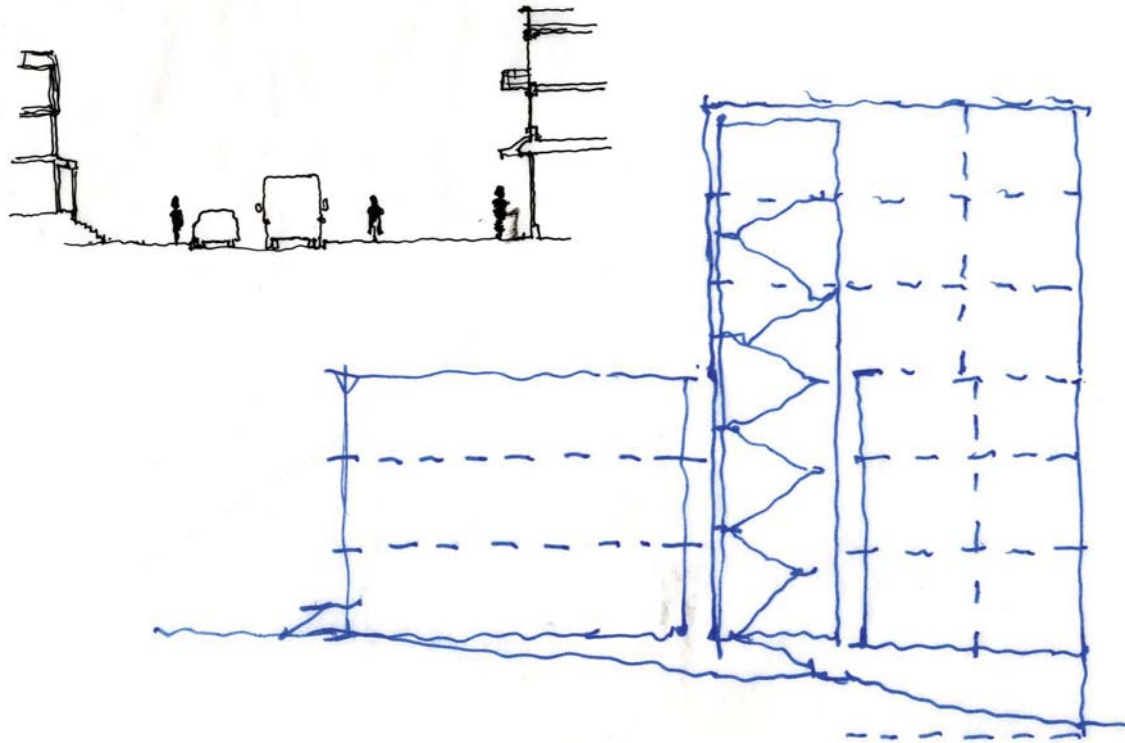
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As community was such an important design element, I wanted to develop a mode of circulation that drove this concept. During the development of the project many systems were tested, including exposed catwalks, hung truss systems, oversized stair towers, and louvered systems. Ultimately large stair towers were used, suspended over main entrances.

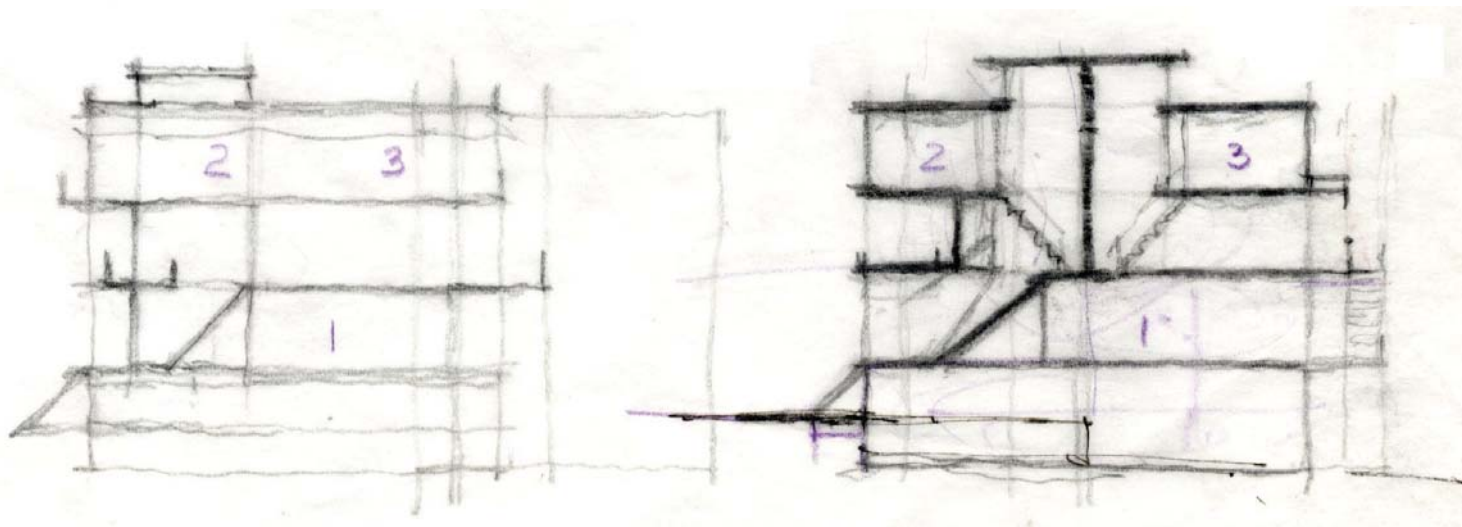


As initial sketches to the project, the two sectional diagrams were referenced throughout the duration of the project—the initial concept of widened pedestrian circulation, flanked by retail spaces at the ground level, with semi-public program at the first floor, and private program, i.e. housing above. Though this organization changed, slightly to have housing and retail spaces located in different blocks, the general sectional qualities of circulation, and adjacencies did not change. The idea that sectional development in the built environment would force human interaction was an idea that bridged the entire project.

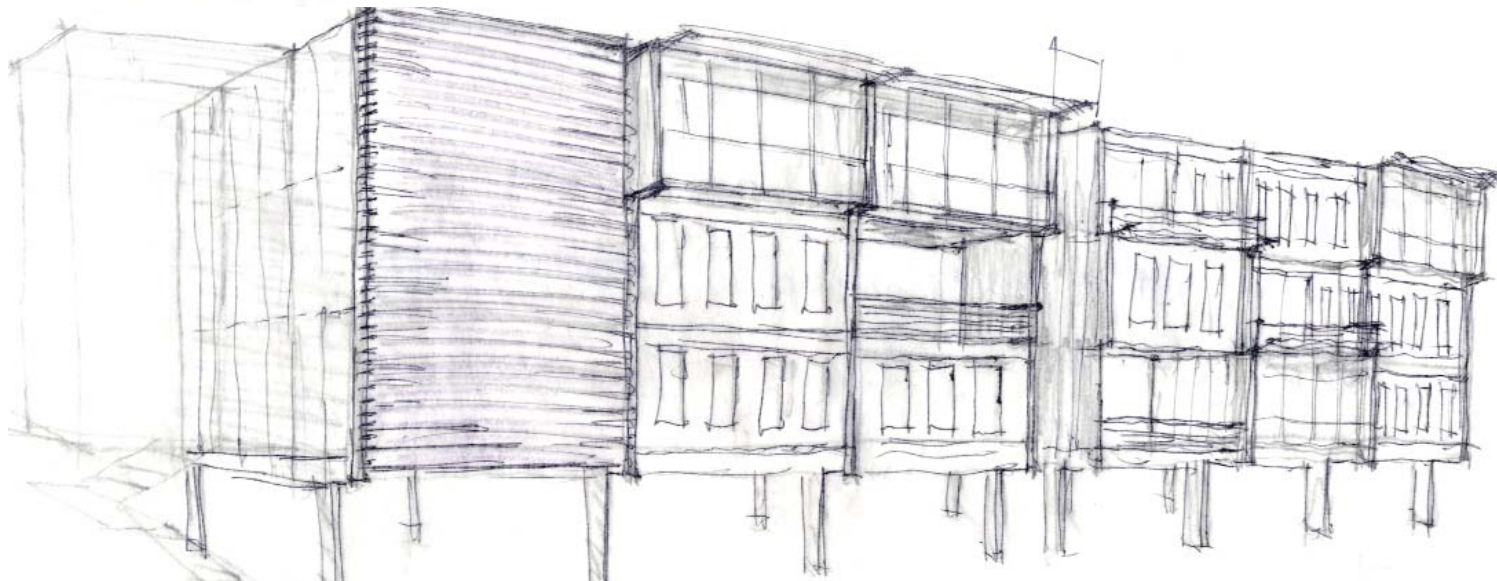
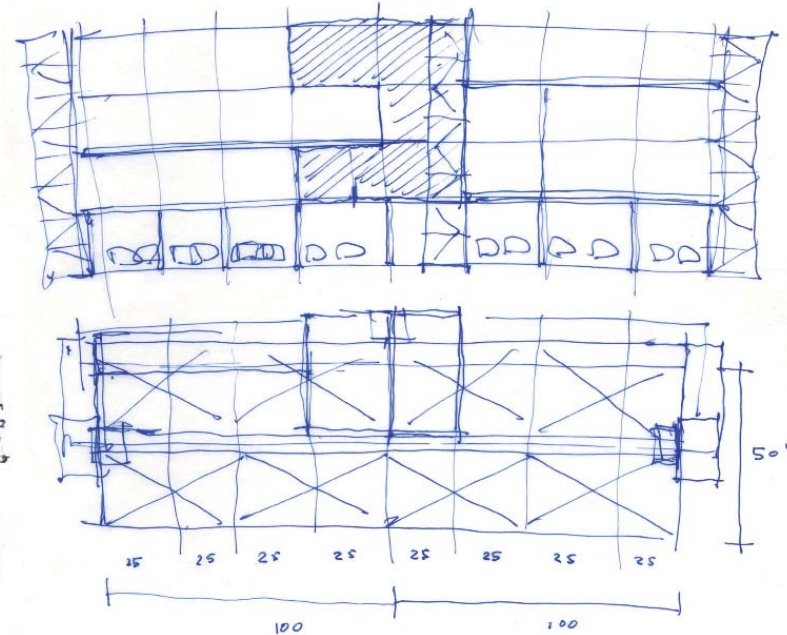
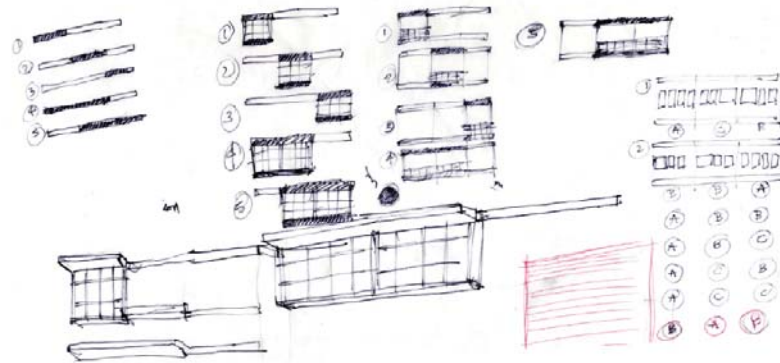


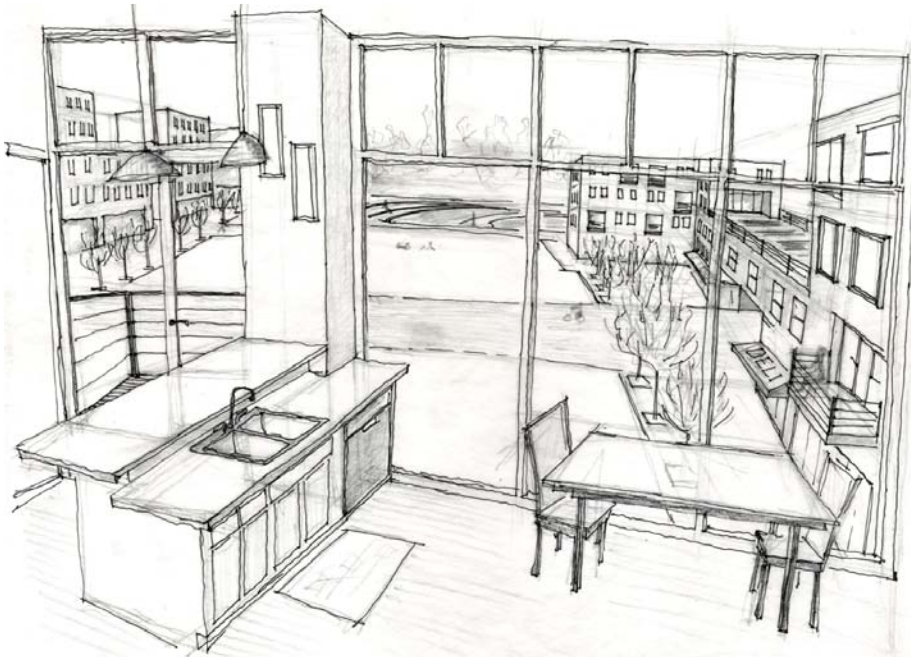
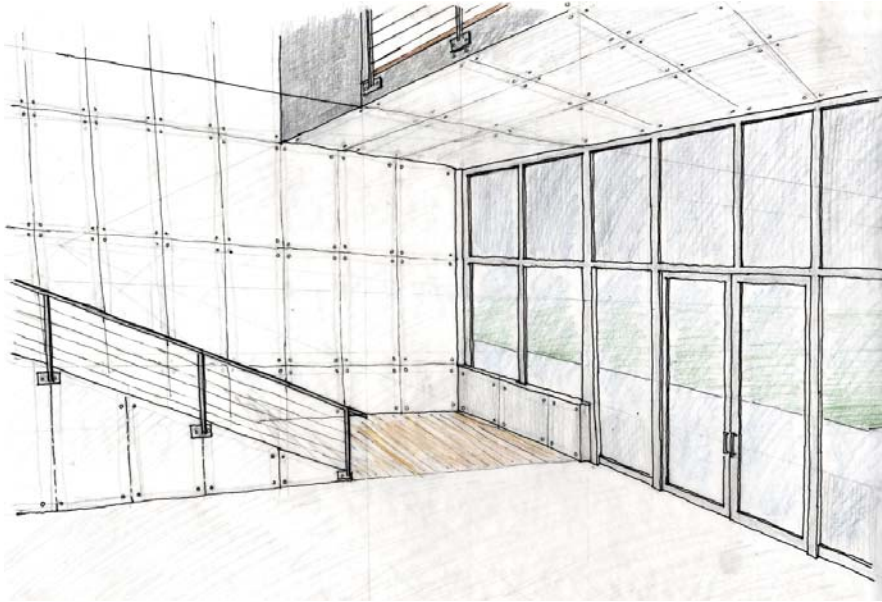


Sectional Sketches and Diagrams of streets, housing organization, and entire buildings. Each show their own idea or concept which was brought into the

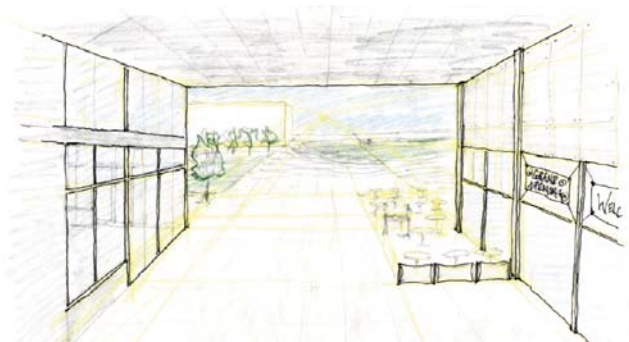


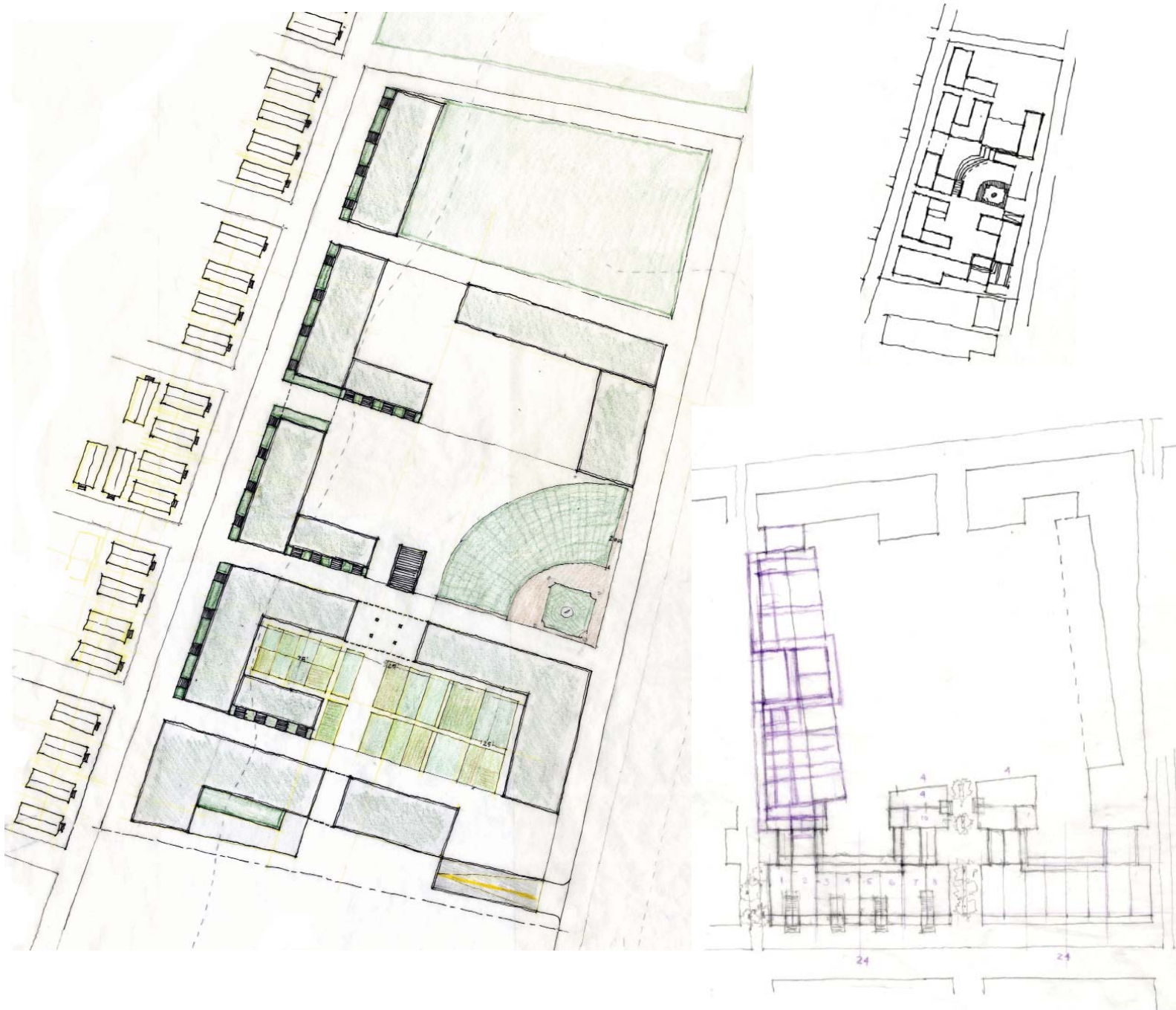
Developing a systematic approach applying an exterior detail to a particular interior program, was key in the organization of the buildings' facade layout.



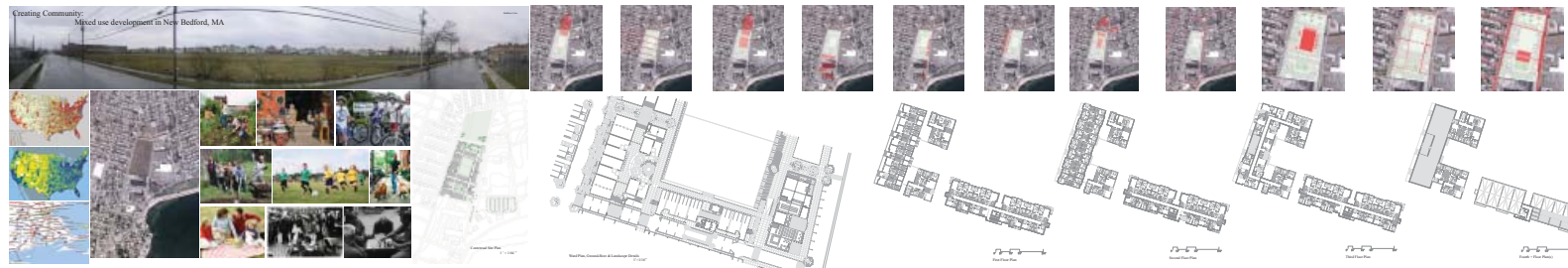


Sketches that gave insight toward the daily life in and around the site were key in developing a common feel for the project.







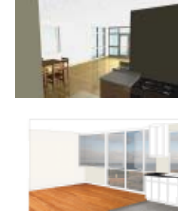
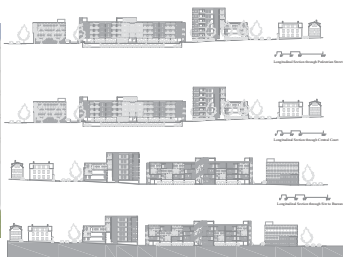




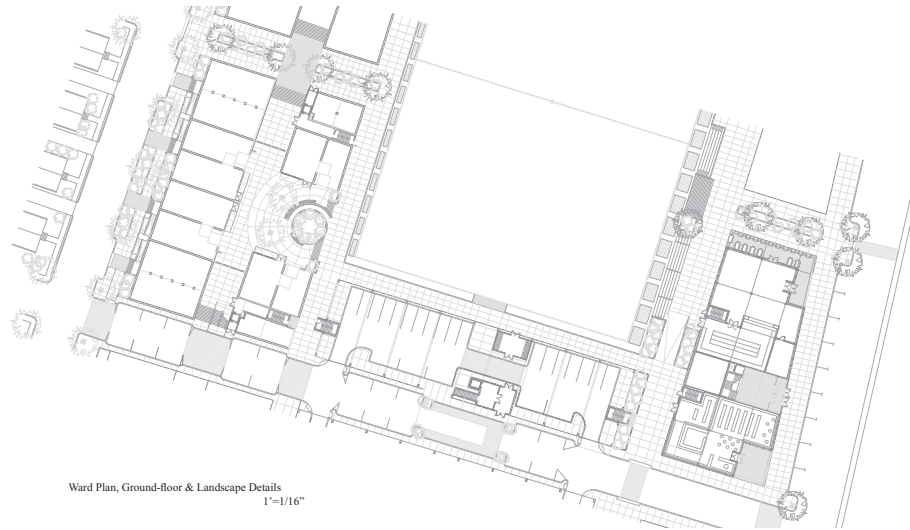
Exterior of New Bedford Community Center



Exterior of New Bedford Community Center







Ward Plan, Ground-floor & Landscape Details
1"=1/16"



0' 15' 30' 45' 60'
First Floor Plan



0' 10' 20' 30' 40' 50' 100'

Second Floor Plan



0' 10' 20' 30' 40' 50' 100'

Third Floor Plan



0' 10' 20' 30' 40' 50' 100'

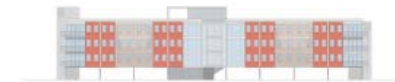
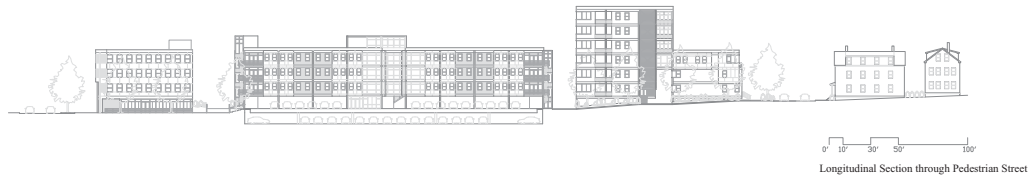
Fourth + Floor Plan(s)

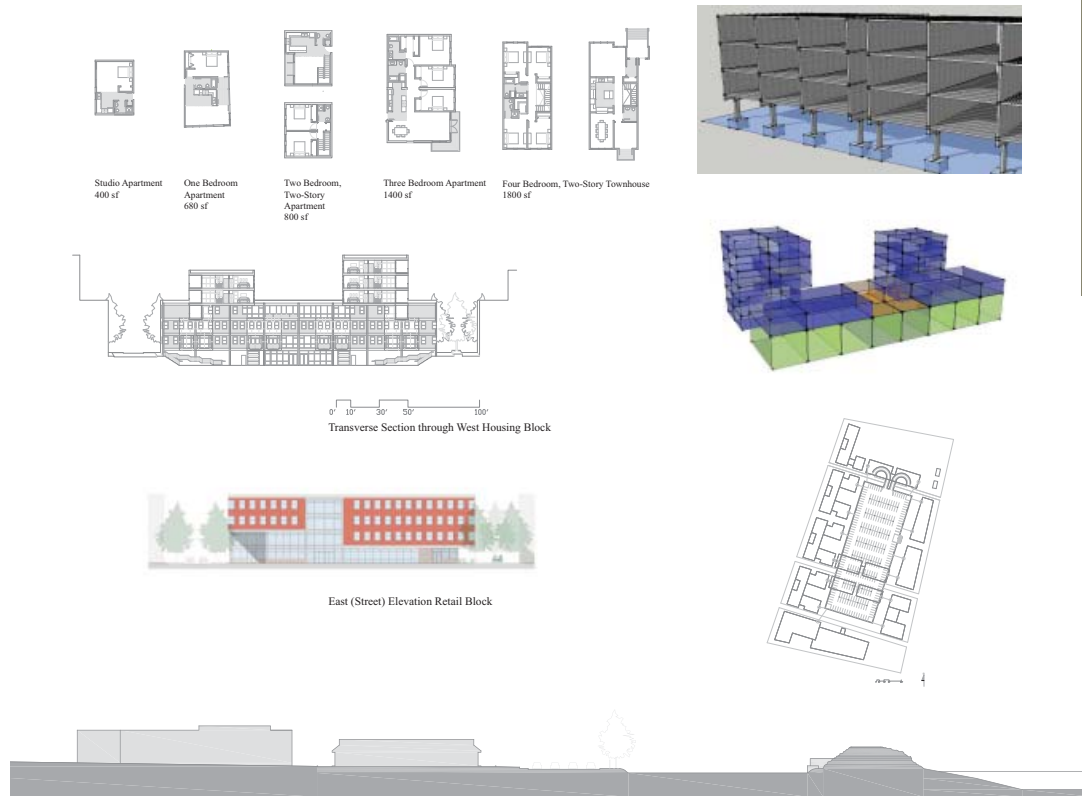


Perspective of Townhouses looking South-east



Perspective of Central Courtyard looking South







Connectivity to School



Historic Mill Typology



Intersecting Streets



Open Spaces



Parks & Common Spaces



Public Transit Routes



Views to Buzzards Bay



Retail Space



Residential Typology



Vehicular Circulation



Sport Field & Connectivity



Pedestrian Circulation

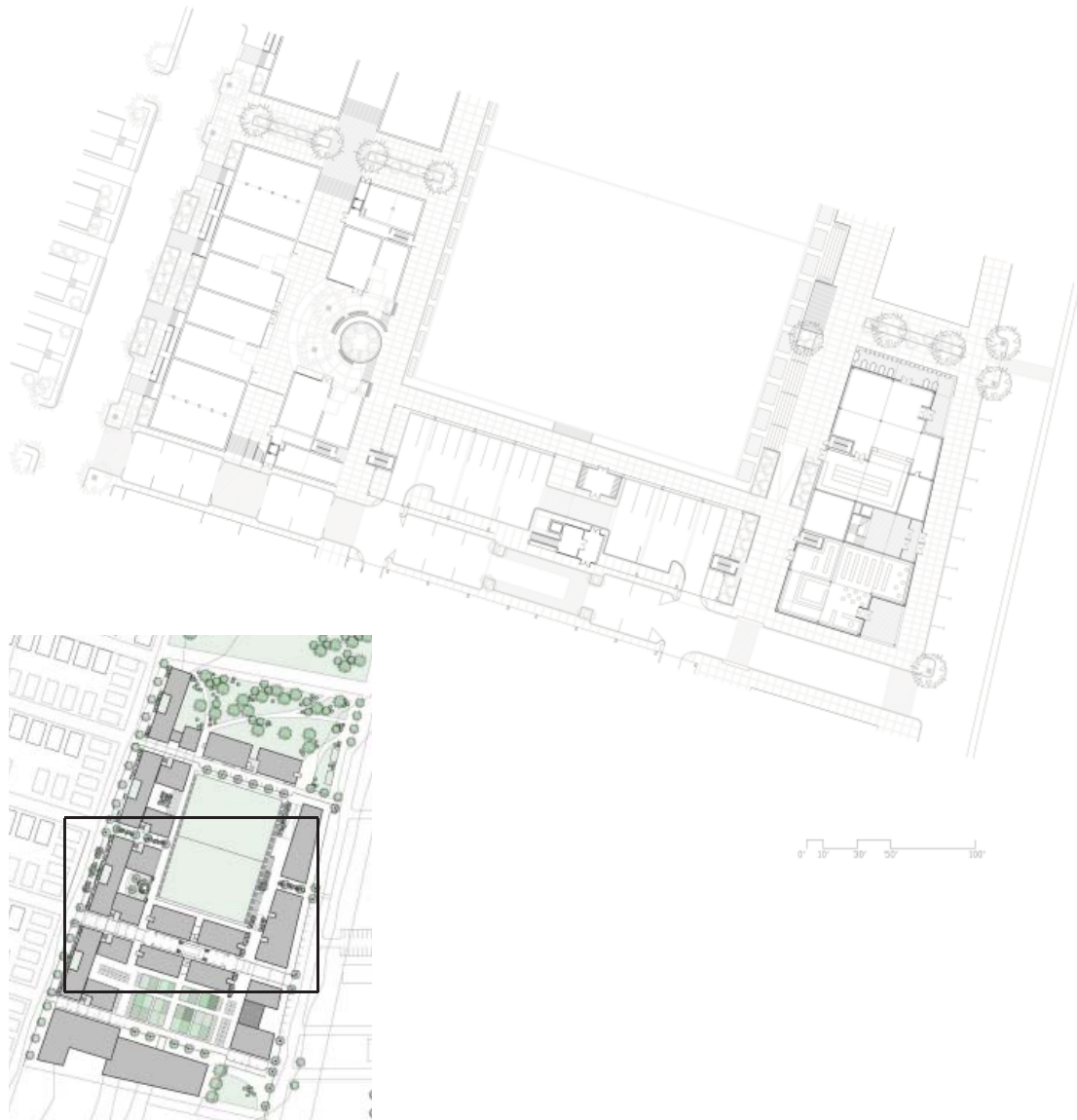
Located in close proximity to many of New Bedford's assets, the site will become a vibrant social gathering place. The site is adjacent to a public park, elementary school, a close-knit residential community, and within a five minute walk of Churches, grocery stores, and countless other small stores. Buzzard's Bay is within a five minute walk directly south of the site, while views of the water are maintained throughout the side development. The site is currently fully cut off from pedestrian use. Once developed it will act as not only as a connection between the surrounding community nodes, but will become a social hub itself. It will include community vegetable gardens, a farmers' market, a large multi-purpose athletic green, a shady park, bookstores, cafes and restaurants, office space, and artisan work spaces and storefronts.





- A. Community Vegetable Gardens
- B. Farmers' Market
- C. Multi-purpose Athletic Green
- D. Shady Park
- E. Bookstore
- F. Cafe and Restaurant(s)
- G. Office Space
- H. Artisan Work Spaces
- I. Storefront / Retail Space
- J. Below-grade Parking
- K. Public Transit / Bus Stop
- L. Res. Typ.- Townhouses
- M. Res. Typ.- Midrise(s)
- N. Res. Typ.- Flats / Apts.

Great attention was paid to the ground level of the site. Because this plane is the only true fully public element of the site, it is the one place that absolutely all users will be able to fully interact and communicate on a personal level. Approaching the site from the S/E one is pulled closer by the expansive glass, or even lack of solid elements at the eye level, showing clear views to the community created within. No space was left undeveloped, in an attempt to eliminate stagnant areas, with no user-surveillance. The internal streets were shrunk to slow vehicular thru-traffic and emphasize the human scale. Much of the site was developed as green space, both to help with heat-island effect, and to create pleasant and healthy common areas for all to enjoy. Incorporating artisan work spaces exterior seating, and community gardens into the courtyards will also be a great aspect of communal development and social interaction.



Creating residential entrances across the site brings those who live on the site down through all of the other uses of the site. This interaction is key for true integration of the site through out the day between the residential, commercial, and retail users.

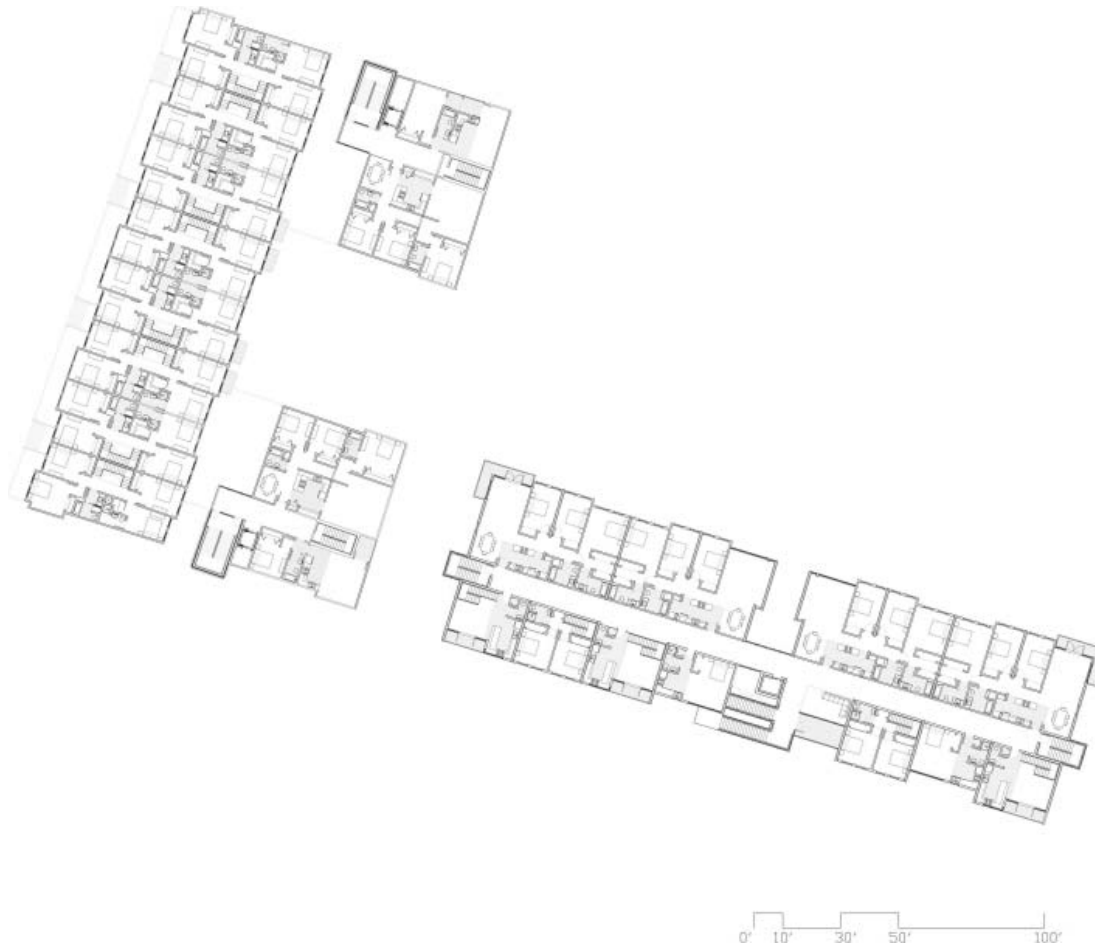
Surface parking is essential in creating that next level of interaction in the site. Though ample parking is available below grade, there must also be a certain amount of street and off street parking for both residential and commercial short-term parking needs. Street parking not only helps as a physical buffer between the pedestrian walk, and the vehicular street, but it also helps to slow traffic and reduce noise.

Each of the townhouses have their front entrance at the street level, distinguishing them from the community entrances the mid-rise and internal buildings. Townhouses are paired together, sharing a common entry stoop. The townhouses differ from most other living units in the community, not only by their entry sequence, but also living organization. The first level holds the living quarters of the townhouses, while all other housing units are mixed throughout the building's levels.

Each of the common-entry, vertical circulation towers, pulled from their respective buildings facades act as beacons. They act as bookends to the buildings, as lanterns at night, and invoke a sense of curiosity as the passer-by sees residents moving about from within.

Further detailing of the each housing unit to follow.





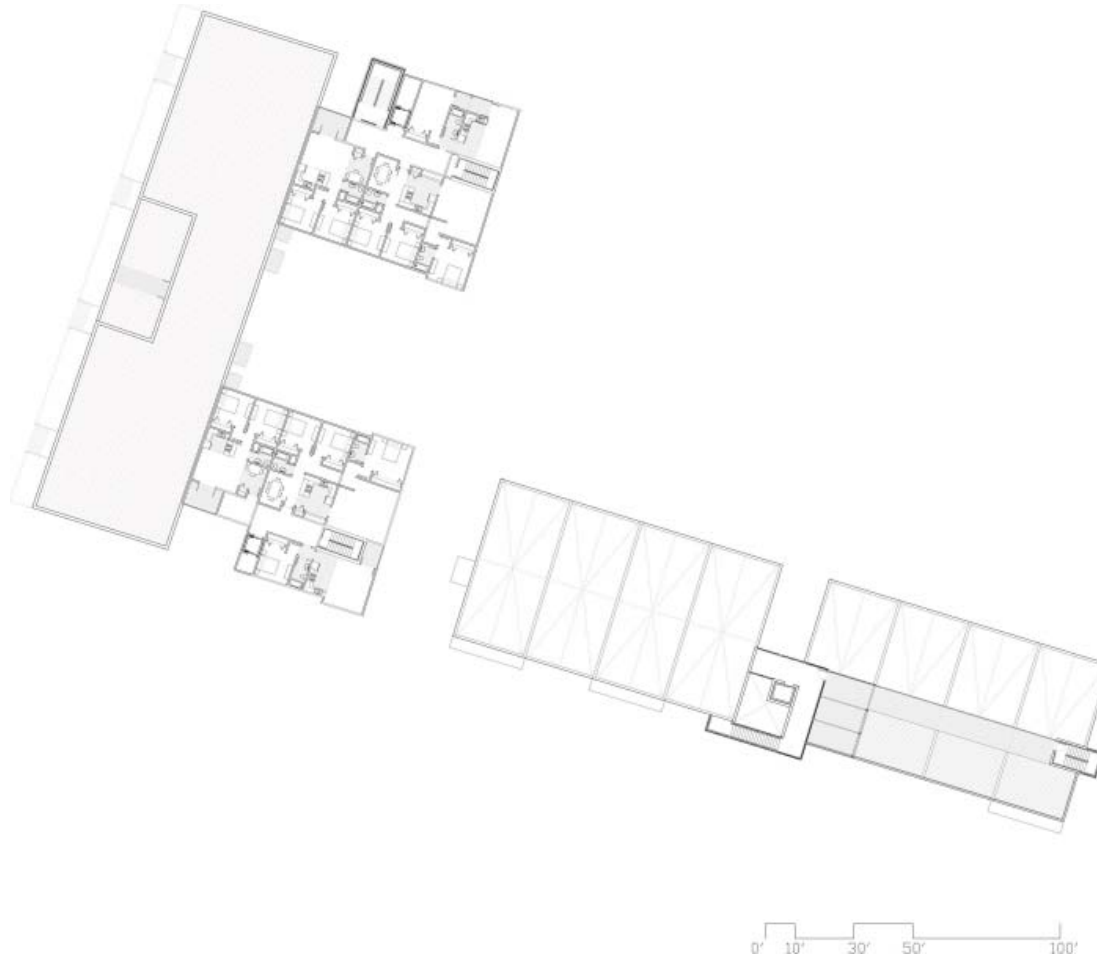
The second floor varies from the first in the townhouses, as the second level holds the private functions of the residences, i.e. four bedrooms and two baths. At this level the midrise structures remain unconnected to the townhouse bar. One accesses them from the street level, through the circulation towers, whether it be in the pedestrian or multipurpose streets.

The internal housing bar has a public element at the center of the building directly adjacent to the primary vertical circulation. These rooms can be used as either a place to sit and decompress, a place for resident children to play on a rainy day, or as a meeting place for any and all residents, acting as a physical and visual connection between the two sides of the building. This public element also grants the resident access to water views from the common rooftop terrace.

The third level is the first and only one in which the midrise tower connects with the townhouse building. Here the third floor of the townhouse has individual apartments ranging from one to two bedrooms. This floor also has a public element, for use by all residents. Because those living in the midrise buildings are slightly removed from the ground level, a secure place was created for parents to watch their children play outdoors, without having to go all the way to the ground floor. In fact, no residence is farther than three floors from a vegetated exterior setting. [Example shown at center of West side of adjacent building]. This public element also gives even those residents with views North or West, a view out over Buzzards Bay, from the comfort of their building.



0' 10' 30' 50' 100'



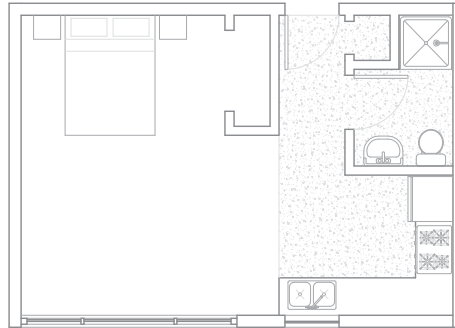
Floors four through seven only exist in the midrise structures. To reduce the heat island effect, and help with rain water retention, all roofs are constructed as green roofs. Because of the beautiful views south toward Buzzards Bay, the roof of the internal housing buildings will also have a partial roof terrace incorporated into the green roof systems. [Directly adjacent]. With this aspect of the design, full advantage can be taken of the spectacular views, by all residents, not only those who have units facing South or East. The midrise structures maintain two means of egress at all levels, including ADA access, with the primary stair tower and elevator, and a secondary fire stair at the buildings' East facade.

Individual housing units vary in size from studio apartments or one-bedroom flats to four-bedroom town houses. With the exception of the town houses, each which have shared street level entrances, each unit is entered off of a common interior hall, in both the apartment bar, and mid-rise structures.

Units are mixed amongst one another throughout the buildings to incorporate a sense of community through diversified typologies. e.g. a single resident, newly-wed couple, family of five and an elderly couple, become next door neighbors. This organization further emphasizes the sense of communal living inherent within the design.

The adjacent diagram references the location of the units, throughout the buildings.





Studio -

Area: +/- 400sf

A one-level unit, studio style apartment with all programs connected. The sleeping area is slightly removed from main- space by the placement of a partition wall.



One Bedroom -

Area: +/- 600sf

A one-level unit, larger than the studio apartment. Open floor plan with kitchen opening into living spaces. Large bedroom. Walk-out balcony connects the two areas.

Two Bedroom -

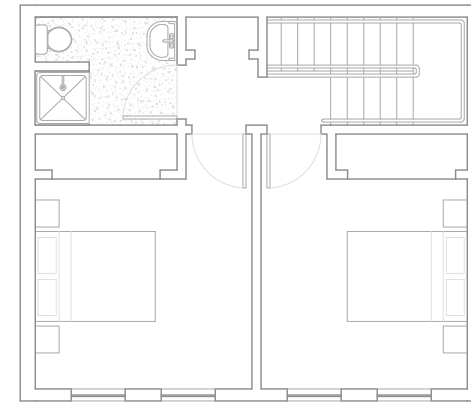
Area: +/- 800sf

A two-level living arrangement.

Public spaces on the first level, an open floor plan between kitchen, dining, and living. 1/2 Bath. Walk-out balcony to overlook pedestrian street. Second level holds two bedrooms and full bath.



Level 1

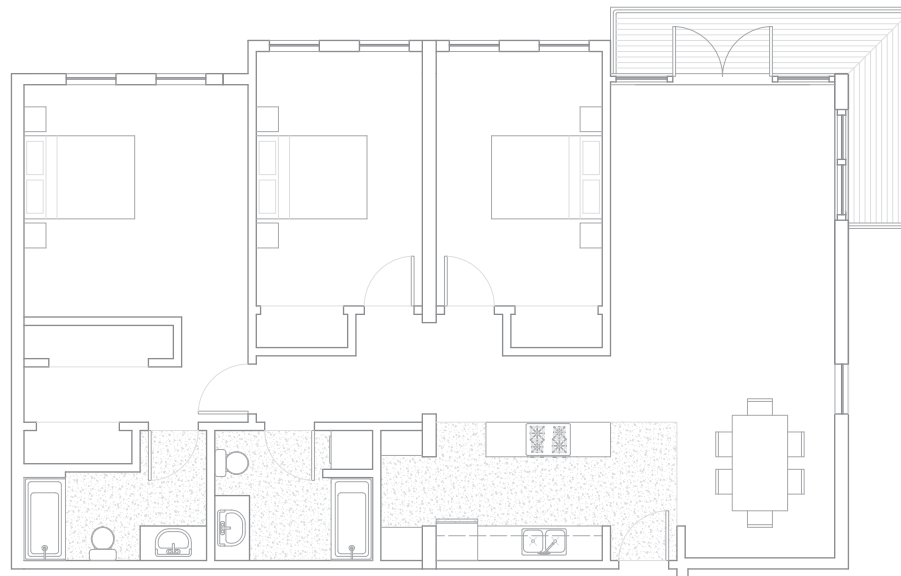


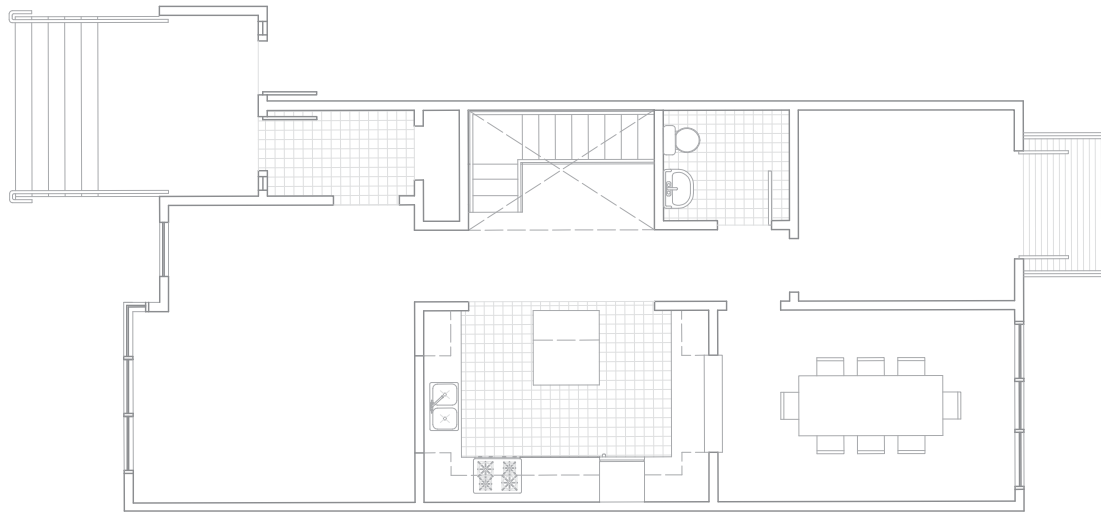
Level 2

Three Bedroom -

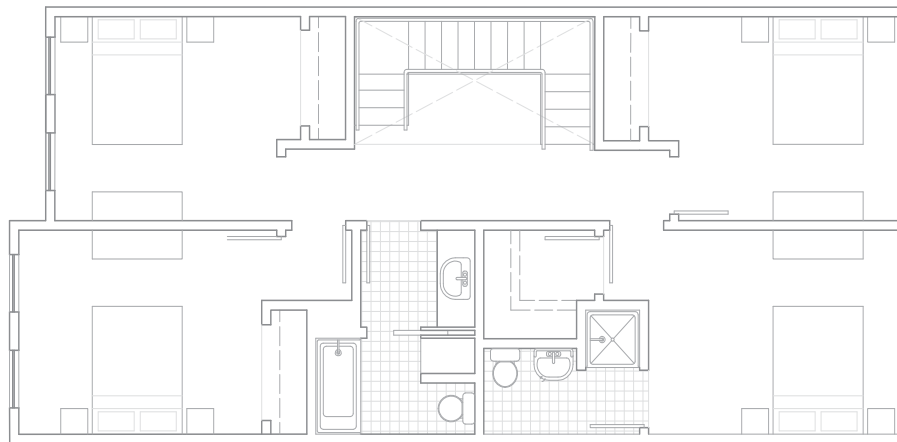
Area: +/- 1,200sf

A one-level unit. Family-style floor plan with master suite and two adjacent bedrooms. Open floor plan, island kitchen, walk out wrap-around balcony.





Level 1



Level 2

Four Bedroom -

Area: +/- 1,600sf

A two-level townhouse style-living arrangement. Street level entrance off shared stoop and street level garden. Public spaces on the first level include separate living room, island kitchen, dining room and secondary living / office with walk-out balcony, half-bath, and double-height stair well. Large openings in kitchen walls allow for views and natural light to fully penetrate throughout. The second level holds the master suite with full bath and walk-in closet, three bedrooms, and a third bath.

Here is a typical living space in the midrise structure. Fantastic views toward Buzzards Bay are had out the South and East walls of the units. Roof finishes are kept to a modest minimum with possibilities of personalization by the resident. Even the smaller units have an expansive feel through open floor plans.





The inward facing units of the internal housing bar are all three bedroom family units, here is a snapshot of a great room in one of these units. The kitchen, dining room and living room are visually connected while maintaining slight separation through different architectural interventions. Each living room steps out onto a wrap-around balcony facing the interior common green. Natural light is brought into the living spaces of the units through expansive floor-to-ceiling glass.

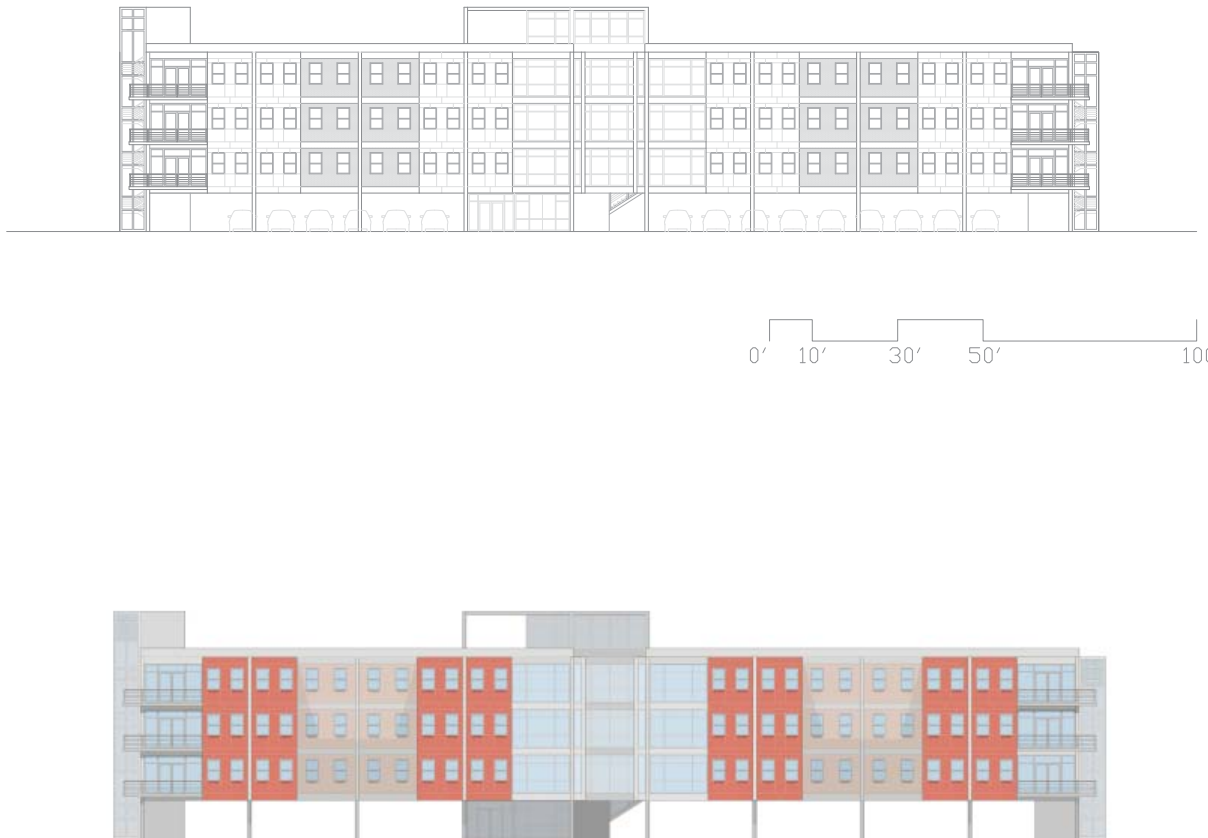
Housing Bar South Elevation -

The South elevation had to invoke a sense of community. The application of the facade system of organization: building program created an ordered randomness to the building enclosure that brings the living spaces to and through the facade toward the communal pedestrian spaces. The main stair tower was placed at the center of the building to help cut down on the length of the shared hall. By pulling the vertical circulation out from the building volume, the passer-by is connected back to the building every time someone is glimpsed walking through the louvers. Each two bedroom apartment is given an exterior patio which also adds to this connection, both between units, and down to the street level. By lifting the mass of the building above the pedestrian height, a visual connection is created from the street to the interior common, while parking is able to be located underneath, effectively reducing the site's heat-island effect.



Housing Bar North Elevation -

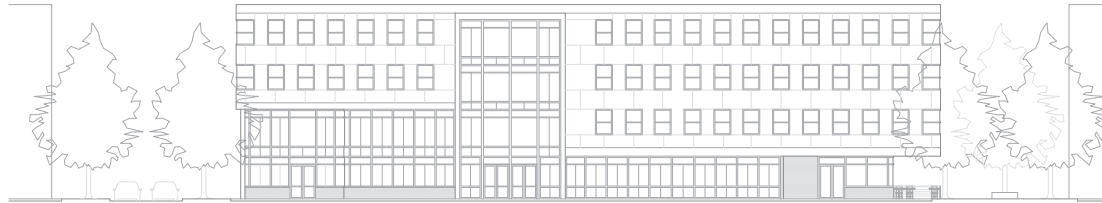
As the North face of a housing structure, light was an important factor in its design. The facade is broken up into vertical bars which correspond to the internal program. The curtain wall assembly; living space, brick; the master suite, and metal panel system; bedrooms. Privacy was attained by using a wrap-around balcony where all glass walls exist to obstruct sight lines from the ground plane. The porch is also a further connection between the internal and external realms. The ground level of the building has three entrances for the housing units. The central, most prominent of the three also has an enclosed bike storage room for resident use. The central part of the facade is a reveal which faces the interior hall of the building, which creates a sight line through the building to the southern side.



East Block:

Retail / Commercial Space -

The East block of the site is very important to the development's success; as it is programmatically the day-time life-center of the site. The entire street level is clad in glass creating a visual connection directly through the building to the interior green common. At the street level, the pedestrian is pulled inward with facilities such as bookstores, restaurants, cafes, and boutiques. The upper floors hold leasable office space, which can be personalized by any combination of users, whether it be medical, health, design, or any other. Both street facing corners of the building have been pulled inward to create not only public gathering spaces, but usable space as exterior dining, out of the elements.





West Block: Townhouses -

This was an important facade due to its proximity to the existing residential houses. While the building as a whole took its form from the adjacent mill structures, the detailing of the housing came from the adjacent homes, focusing on the human scale. The building takes all of its datum lines from the residences across the street.

Each unit has its own stoop which acts as both a connection and buffer to and from the public sidewalk. Each stoop has its own vehicular drop-off, and handicap ramp for full accessibility. Plantings and street trees line the entire street, shading the sidewalks. Living spaces extend outward from the facade to further connect the private and public realms. The Third floor holds an exterior green space for secure resident use away from the street level.

A. E/W Section through Community Green & Artisan Courtyard



B. E/W Section through Community Green & Pedestrian Street



C. W/E Section through Internal Street



D. S/N Section Mid rise Structures & Artisan Courtyard



A. Whether shopping or coming home at the end of a long day, the sub-grade parking is an easy and safe walk to all parts of the site. The Artisan Courtyard is a partially sunken area surrounded by housing for a more private feel.

B. A physical connection exists from one side of the site to the other. The exterior seating for the restaurant connects to the community green, and further up through the pedestrian street to the townhouses.

C. The internal street is brought to life through street level shopping, and countless residential balconies overlooking the sidewalk.

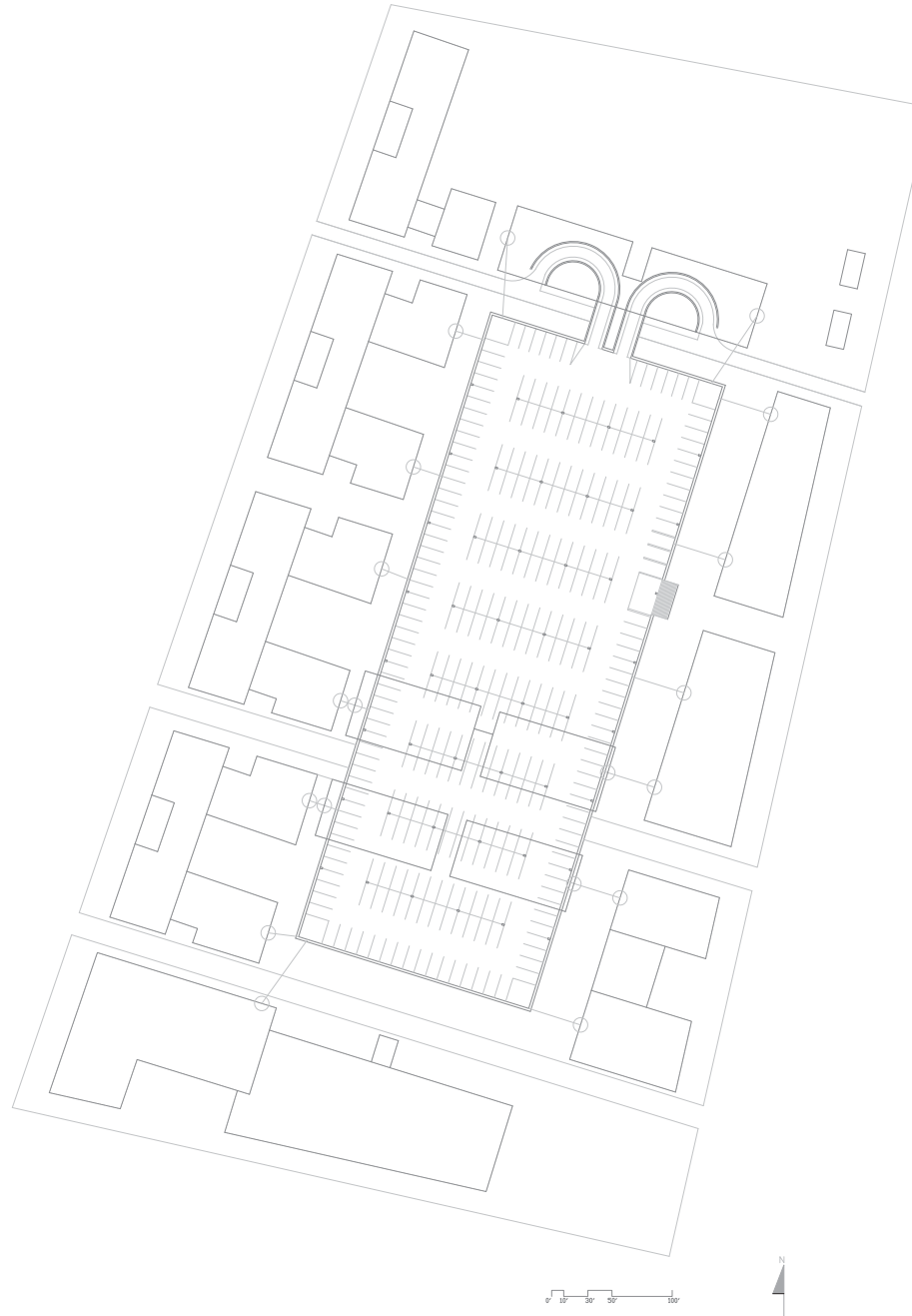
D. The Artisan Courtyard is slightly removed from the rest of the community spaces through a gradual sectional grade change of up to 7'. This also acts as an anchor and green space for the mid rise buildings and the townhouses.



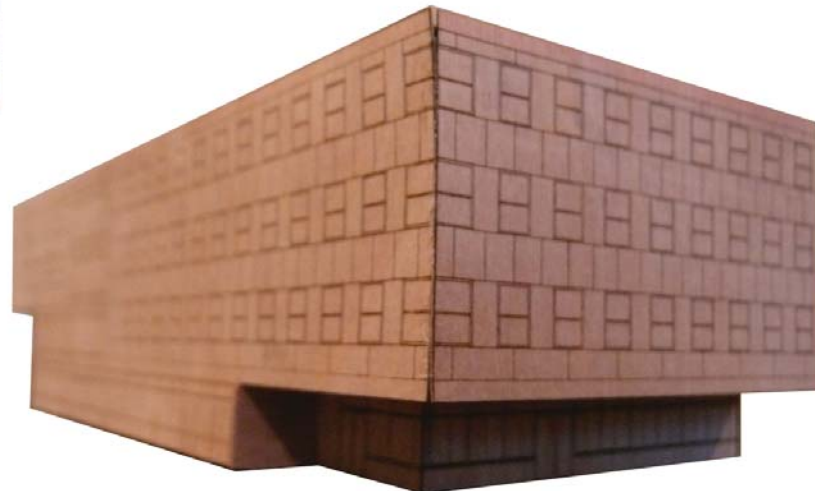
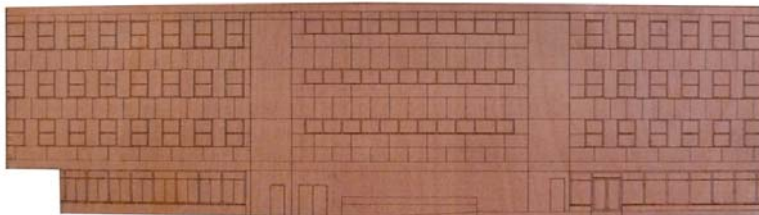
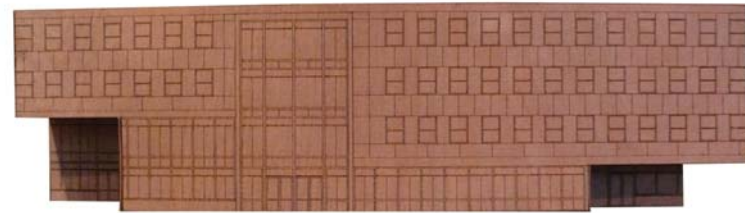
The west facade of the site connects back to the existing residential fabric. The tree-lined street and greened side walk act as a strong buffer between the vehicular traffic and the widened pedestrian side walk. The scale of the buildings is brought down to the existing building scale as the tallest homes facing this facade are at a maximum three-and-one-half stories. The stoops act as a prime location for end-of-day conversations between residents and their neighbors- further strengthening the sense of community.



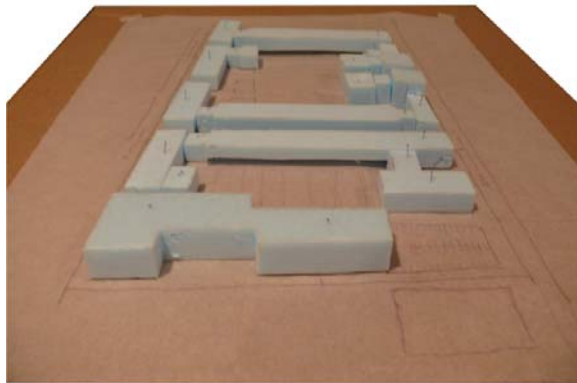
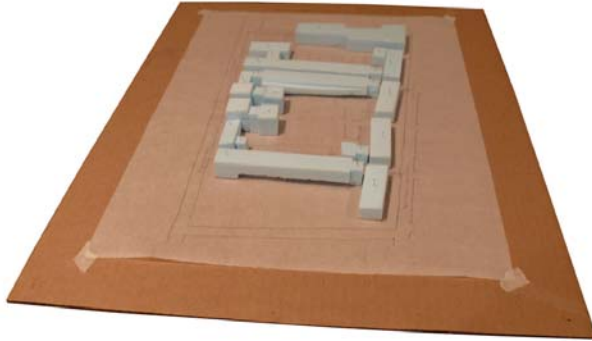
The internal common green is one of the most important aspects of the design. By creating a dense housing block, a space for recreation, relaxation, and community interaction was essential for the development's success. Pictured here is a snapshot of daily life in that public green—children playing, people walking pets, grilling food, and just relaxing. A connection exists between this larger space and the Artisan Courtyard, (seen in the background of the image), just a few steps below the grade of the field. Balconies dispersed along the building facades unify the residential environment and the ground level activities. From these, people can keep an eye on their kids, talk to neighbors, people watch, or just get some fresh air. This is also a strong factor in security throughout the site, as common surveillance is one of the most effective means of crime prevention.

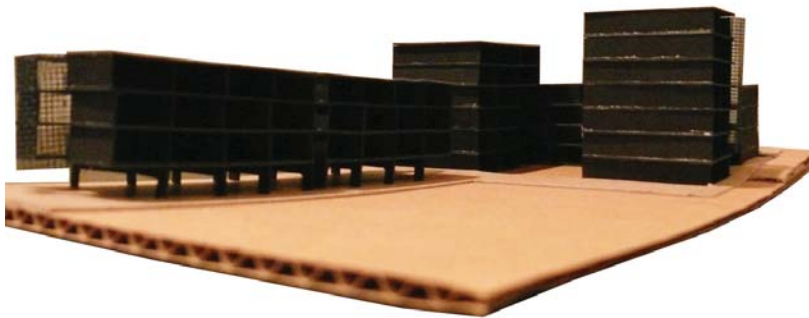
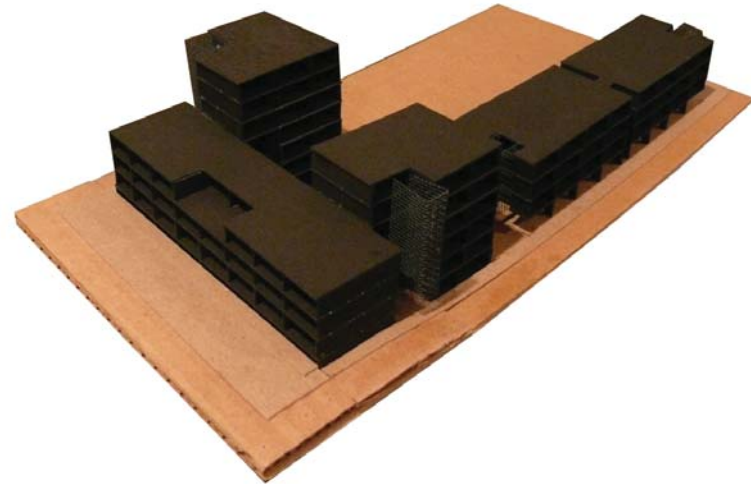
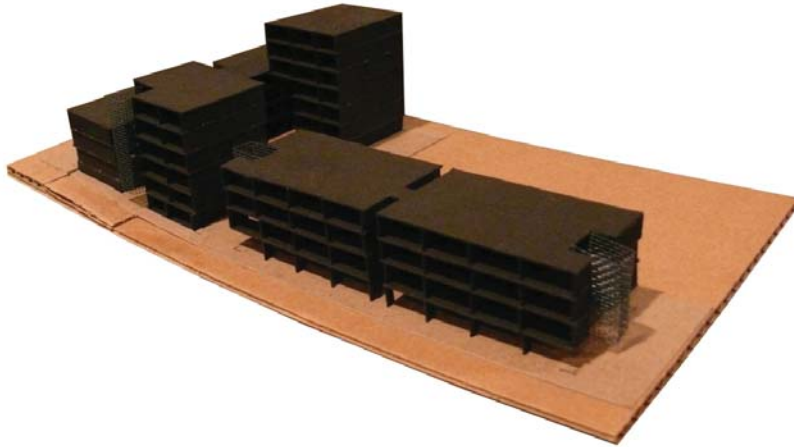


Creating enough parking for the site was a design challenge; to create a safe and secure element, connected to all programs of the site. A significant amount of parking exists at the surface level for short-term and handicap use only. Thus creative ideas were developed to reduce the amount needed for parking, looking at user loads varying throughout the day. For example, as the residents leave for work in the beginning of the day, the working community arrives, largely eliminating the need for enough parking for both user groups. Nonetheless, over four hundred spots were needed. Since visual continuity throughout the site was important, parking was placed below grade. Connections were kept from grade, to the parking level, through numerous vertical circulation stairs, and an expansive opening along the eastern side of the structure, providing both connection and natural ventilation.



Site Development /
Master Planning



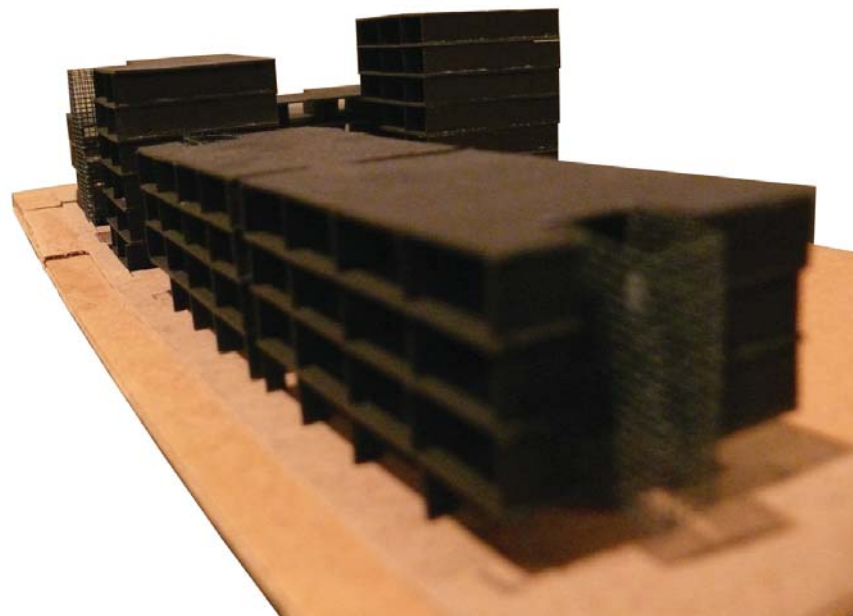
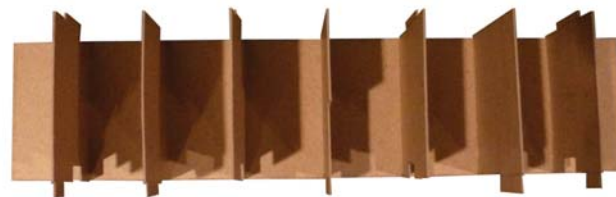
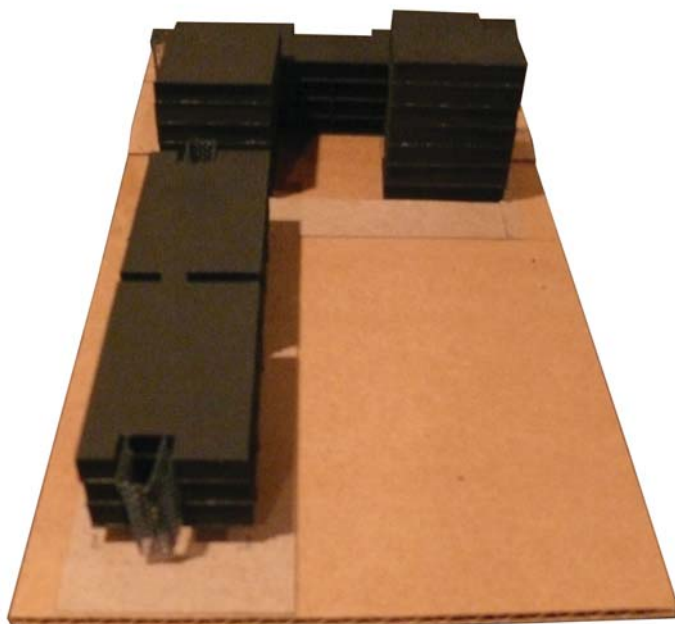


FINAL DOCUMENTATION

Models

93

Residential Block



FINAL DOCUMENTATION

Models

Townhouse Detailing

95



CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

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REGULATORY ENVIRONMENT SUMMARY

97



CREATING COMMUNITY

MIXED USE DEVELOPMENT IN NEW BEDFORD, MA

SECTION 1000. PURPOSE, AUTHORITY, AND DEFINITIONS.**1100. PURPOSE AND AUTHORITY.**

These regulations are enacted to promote the general welfare of the City of New Bedford, to protect the health and safety of its inhabitants, to encourage the most appropriate use of land throughout the City, to preserve the cultural, historical, and natural resources of the community, to increase the amenities of the City, and to reduce the hazard from fire by regulating the location and use of buildings in the area of open space around them, all as authorized by, but not limited to, the provisions of the Zoning Act as amended, Section 2A of 1975 Mass. Acts 808, and by Article 89 of the Amendments to the Constitution of the Commonwealth of Massachusetts.

(Ord. of 12-23-03, § 1)

1200. DEFINITIONS.

In this Ordinance, the following terms and constructions shall apply unless a contrary meaning is required specifically prescribed in the text of the ordinance. Words used in the present tense include the future. The singular and the plural includes the singular. The word "shall" is mandatory and "may" is permissive or discretionary. The word "or" unless the contrary is evident from the text. The word "includes" or "including" shall not limit a term to specified instances, circumstances, or items of like character or kind. The word "used" or "occupied" shall be considered as though followed by the words "or intended, arranged, or designed to be used or occupied". The words "building," "structure," "lot," or "parcel," shall be construed as being followed by the words "and the land thereof." The word "person" includes a firm, association, organization, partnership, company, or corporation, as well as an individual. Terms and words not defined herein but defined in the Commonwealth of Massachusetts state building code shall apply given therein unless a contrary intention is clearly evident in this Ordinance.

Accessory building: A subordinate building located on the same lot as the main, or principal building or part thereof which is customarily incidental to that of the principal building or use of the land.

Accessory dwelling unit: A dwelling unit, subordinate to the dwelling unit in a single-family structure, whether attached to the principal structure or in a detached structure on the property.

Accessory use: A use customarily incidental to that of the main or principal building or use of the land, and located on the same lot as the main or principal building or use of the land.

Adult day care facility: A social day care or adult day health facility, as those terms are defined by the Commonwealth of Massachusetts, Chapter 120B, § 1.

Agricultural use, nonexempt: Agricultural use of property not exempted by M.G.L.A. c. 40A, § 3.

Alterations: As applied to a building or structure, a change or rearrangement in the structural parts or in the enlargement whether by extending on a side or by increasing in height, or the moving from one location or position to another.

Alternative tower structure: Man-made trees, clock facilities, bell steeples, light poles and similar alternative-design structures that camouflage or conceal the presence of antennas or wireless telecommunications facilities.

Antenna: Any exterior transmitting or receiving device mounted on a wireless telecommunications facility, but not including a radio frequency (RF) antenna used in communications that radiate or capture electromagnetic waves, digital signals, analog signals, radio frequency (RF) signals, wireless telecommunications signals or other communication signals. This definition includes any device used for the purpose of transmitting or receiving signals.

Aquaculture: The cultivation of fish or shellfish for food.

Assisted living community: A structure or structures used for the multifamily residence of persons that: (i) Provides, directly by employees of the entity or through arrangements with another organization which is not controlled or owned by the entity, assistance with activities of daily living (defined as physical support, aid or assistance with dressing/grooming, ambulation, eating, toileting, or other similar tasks) for three (3) or more adult residents who are not related by consanguinity or affinity to their care provider; and (iii) Collects payments or third party reimbursement from or on behalf of the residents for the provision of assistance with the activities of daily living or arrangements from the same, or as otherwise provided in the regulations, Chapter 19D, § 1, as amended from time to time.

Attic: The space between the ceiling beams of the top story and the roof rafters.

Awning: A detachable or permanent shade of cloth, canvas or a light-weight metal, such as aluminum, which is supported by a structure and may be readily rolled up or retracted while still attached to a building.

Bank: A financial institution regulated by the Commissioner of Banking for the Commonwealth of Massachusetts.

Batch asphalt plant: A facility for the manufacture of asphalt products.

Building: A structure enclosed within exterior walls or firewalls, built, erected, and framed of a combination of a roof to form a structure for the shelter of persons, animals, or property. For the purposes of this definition, "building" shall not include a structure used for the storage of materials or equipment.

Business or professional office: A building or part thereof, for the transaction of business or the provision of the receipt, sale, storage, or processing of merchandise.

Change of use: Any use that substantially differs from the previous use of a building or land.

Child care facility: A child care facility defined in M.G.L.A. c. 28A, § 9.

Commercial recreation, indoors: A structure for recreational, social or amusement purposes, which may include the consumption of food and drink, including all connected rooms or space with a common means of egress of assembly shall include theaters, concert halls, dance halls, skating rinks, bowling alleys, health clubs, and commercial recreational centers conducted for or not for profit.

Commercial recreation, outdoors: Drive-in theater, golf course/driving range, bathing beach, sports club, horse boathouse, game preserve, marina or other commercial recreation carried on in whole or in part outdoors, except specifically designated in this Ordinance.

Condominium: A building, or group of buildings, in which dwelling units, offices, or floor area are owned structure, common areas, and facilities are owned by all the owners on a proportional, undivided basis.

Corner lot: A lot bounded by more than one street.

Court: An unoccupied space other than a yard, open to the sky, and wholly or partly enclosed by the walls of a building on the same lot.

An "outer court" is a court which extends for its full required width to a street or yard.

An "inner court" is a court not thus extending.

"Width" as applied to an outer court is the horizontal dimension of the open side of the court.

"Depth" as applied to an outer court is the dimension measured at right angles to the width of the same.

"Width" as applied to an inner court is the lesser dimension, and "length" is the greater dimension.

Driveway: A graded area, covered with an impervious surface or crushed stone used to access the principal use of a building from a public or public way.

Dwelling: A building designed and occupied as the living quarters of one family. Single- and two-family dwelling; and occupied by not more than one or two (2) families, respectively. A multifamily dwelling shall be one designed for three (3) or more families.

Dwelling unit: One or more rooms providing complete living facilities for one family including equipment for cooking, the same and including room or rooms for living, sleeping and eating.

Earth removal: Extraction of sand, gravel, top soil, or other earth for sale or for use at a site removed from a lot exclusive of the grading of a lot preparatory to the construction of a building for which a building permit has been of streets in accordance with an approved definitive plan.

Education[al] use, exempt: Educational facilities exempted from regulation by M.G.L.A. c. 40A, § 3.

Educational use, nonexempt: Educational facilities not exempted from regulation by M.G.L.A. c. 40A, § 3.

Erect: To build, construct, reconstruct, move upon, or conduct any physical development of the premises requiring excavation, fill, drain, and the like preparation for building shall also be considered to erect.

Essential services: Services provided by a public service corporation or by governmental agencies through alteration, or maintenance of gas, electrical, steam, or water transmission or distribution systems and collection supply, or disposal systems whether underground or overhead, but not including wireless communication necessary for the provision of essential services include poles, wires, drains, sewers, pipes, conduits, cables, fire alarm boxes, traffic signals, hydrants and other similar equipment in connection therewith.

Family: One or more persons related by blood, adoption, or marriage, living and cooking together as a single unit exclusive of household servants. A number of persons but not exceeding two (2) living and cooking together as a unit though not related by blood, adoption, or marriage shall be deemed to constitute a family.

Family day care: Any private residence which on a regular basis receives for temporary custody and care during children under seven (7) years of age or children under sixteen (16) years of age if such children have special needs; however, in either case, that the total number of children shall not exceed more than ten (10), excluding participants in the residence.

Farm stand, exempt: Facility for the sale of produce, wine and dairy products on property exempted by M.G.L.A. c. 131B, § 1.

Farm stand, nonexempt: Facility for the sale of produce, wine and dairy products on property not exempted by adjacent to rivers, streams and other water courses in the City which experience regular of periodic flooding.

Garden apartment: One or more two- or three-story, multifamily structures, generally built as at a gross density of (15) dwelling units per acre, with each structure containing eight (8) to twenty (20) dwelling units and including parking, open space, and recreation.

Green space: That certain portion of a parcel of land which may not be improved with a structure or pavement.

Gross floor area: The sum of all floor areas of a building or group of buildings on a lot as measured from the walls. In the case of dwellings, cellars, unenclosed porches, or attics not used for human occupancy shall not be included in the gross floor area. In the case of commercial buildings, the gross floor area shall include the area of the building intended or designed for the parking of motor vehicles or for the housing of heating and ventilation equipment.

Lot: Any lot or plot, in one ownership and not divided by a street and not within the limits of a public or private abutment, occupied by one building and its accessory buildings and uses and including such open space: Ordinance.

Area: The horizontal area of the lot exclusive of any area in a street or recorded way open to public use. At the lot area required for zoning compliance shall be contiguous land other than that under any water body, marsh, or other wetland, as defined in M.G.L.A. c. 131, § 40, as amended.

Corner: A lot with two (2) adjacent sides abutting upon streets or other public spaces.

Depth of: The mean distance from a street line of the lot to its opposite rear line, measured in the mean grid lines of the lot.

Frontage of: A lot line coinciding with the sideline of a street which provides both legal rights of vehicular and vehicular access to the lot, said line to be measured continuously along a single street for the entire width of the lot. A building site on the lot shall be exclusively through the legal frontage of the lot.

Line: The dividing line between lots. A rear lot line is the lot line opposite to the street line, or in the case elected by the owner, provided that it be indicated on the plans filed with the Inspector of Buildings as provided for the lot, only one line can be considered a street line; all other lines shall be considered side lines.

Width of: The horizontal distance between side lot lines, measured parallel to the lot frontage at the front yard line. **M.G.L.A.:** The General Laws of the Commonwealth of Massachusetts, as amended from time to time.

Medical center or clinic: A building designed and used for the diagnosis and treatment of human patients and overnight care facilities.

Motor vehicle: An automobile, truck, motorcycle, or other trackless, self-propelled vehicle designed primarily for use on property over public streets and highways.

Municipal facilities: Facilities owned or operated by the City of New Bedford.

Place of assembly: A facility as defined in the State Building Code, 780 CMR 1.00 et seq.

Private garage: A garage for private use, whether as a principal or accessory use of a lot, provided that the use is not connected directly or indirectly with motor vehicles is carried on, and provided that such garage shall not contain more than one motor vehicle for the first one thousand (1,000) square feet of lot area, and one additional motor vehicle for each additional two thousand (2,000) square feet of lot area, but in no event shall said garage contain space for more than one commercial vehicle of one and one-half (1 1/2) tons capacity or less may be stored by its owner. One commercial vehicle of one and one-half (1 1/2) tons capacity or less may be stored by its owner in a garage, but space shall not be leased for a commercial vehicle.

Restaurant: A building, or portion thereof, containing tables and/or booths for at least two-thirds (2/3) of the area designed, intended and used for the indoor sales and consumption of food prepared on the premises, consumed outdoors in landscaped terraces, designed for dining purposes, which are adjuncts to the main incinerator term "restaurant" shall not include "fast food establishments."

Story: That part of a building between the top of a finished floor and the top of the finished floor or roof next to the ground. A "ground story" or "first story" is the lowest story entirely above the mean grade of the adjoining ground.

An "upper story" is a story above the first story.

A "mezzanine story" is a full story wherever it occupies more than one-third (1/3) of the area of the story in which it is located.

An "attic" is the space between the top story and a pitched roof.

Street: An accepted City way, or a way established by or maintained under county, state, or federal authority, which is shown on a subdivision plan approved in accordance with the subdivision control law actually constructed to specifications and for which a security exists to construct such way.

Street line: The dividing line between a street and a lot.

Structure: A combination of materials assembled at a fixed location to give support or shelter, such as a building, wall, tent, reviewing stand, platform, bin, fence, sign, flagpole, recreational tramway, mast for radio antenna or other structure.

Transport terminal: Terminal facilities for handling freight with or without maintenance facilities.

Yard: A space open to the sky, located between a building or structure and a lot line, unoccupied except for paving, and other customary yard accessories.

A "front yard" is a required open unoccupied space, within and extending the full width of the lot, between the building and the street line.

A "side yard" is a required open unoccupied space within the lot between a side lot line, not a street line, and the nearest to such lot line. Such a side yard shall extend for its required width from the street line or the front yard line or to another street.

A "rear yard" is a required open unoccupied space, the full width of the lot, lying between the extreme rear lot line of the lot or the middle line of a public street or private way in case the lot borders on such street or private way. In the case of a triangular lot with only one side fronting on a street, the rear yard is the open unoccupied space between the side lot line and the rear lot line.

2200. USE REGULATIONS.

2210. General. No structure shall be erected or used or land used except as set forth in Section 2230, "Table of Use Regulations," unless otherwise provided by this Ordinance or by statute. Uses not expressly provided for herein are prohibited. Only one principal structure shall be placed on a lot, except in accordance with Section 2330.

Symbols employed below shall mean the following:

Y - A permitted use.

N - An excluded or prohibited use.

BA - A use authorized under special permit from the Board of Appeals as provided under Section 5300.

CC - A use authorized under special permit from the City Council as provided under Section 5300.

PB - A use authorized under special permit from the Planning Board as provided under Section 5300.

2220. Applicability. When an activity might be classified under more than one of the following uses, the more specific shall govern; if equally specific, the more restrictive shall govern.

2230. Table of Use Regulations. See Appendix A.

(Ord. of 12-23-03, § 1)

2700. DIMENSIONAL REGULATIONS.

2710. General. No structure shall be erected or used, premises used, or lot changed in size or shape except requirements of this Section, unless exempted by this Ordinance or by statute.

2711. Lot change. No existing conforming or nonconforming lot shall be changed in size or shape except through donation for road widening, drainage, utility improvements or except where otherwise permitted herein, provisions of this Ordinance with respect to the size of lots or yards or to create a nonconformity or nonconformity that presently exists.

2712. Merger of lots. Adjacent lots held in common ownership on or after the effective date of this Section shall lot for zoning purposes so as to minimize nonconformities with the dimensional requirements of this Ordinance previous sentence, adjacent lots in common ownership may be treated as separate lots for zoning purposes zoning enforcement officer that the owner of said lots has expressly exhibited the intent to maintain the lots as finding the zoning enforcement officer shall rely on the following factors:

2712.a. The existence and maintenance of walls or fences along the original lot lines;

2712.b. The fact that the lots are separately assessed for tax purposes;

2712.c. The placement of structures on the various lots.

The manner in which said lots were acquired or the fact that said lots were separately described on a deed shall the zoning enforcement officer in making said finding.

2713. Recorded Lots. A lot or parcel of land having an area or frontage of lesser amounts than required in the dimensional requirements may be considered as satisfying the area and frontage requirements of this Section parcel of land was shown on a plan or described in a duly recorded deed or registered at the time of adoption of t not at the time of adoptions of adjoin other land of the same owner available for use in connection with such lot or (Ord. of 12-23-03, § 1)

2720. Table of Dimensional Requirements. See Appendix B.

(Ord. of 12-23-03, § 1)

2730. Dimensional Variation. The Board of Appeals may vary otherwise applicable dimensional requirements per area, building height and sidelines upon finding that owing to circumstances relating to the soil conditions, sh such land or structures and especially affecting such land or structures but not affecting generally the zoning located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, fin the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the put nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.

(Ord. of 12-23-03, § 1)

2740. Vision Clearance on Corner Lots in Residence Districts. On a corner lot no fence, wall or structure more th (3 1/2) feet high above the plane of the established grades of the streets shall be erected on a front or side y; which is included within the street lines of the intersecting streets and a straight line connecting said street line twenty (20) feet distant from their point of intersection, measured along said street line, and no trees or hedge obstruct the view of a driver of a vehicle approaching the street intersection shall be placed or maintained within s (Ord. of 12-23-03, § 1)

2750. Yards in Residence Districts.

2751. Front Yards. No story or part of any building except projecting eaves or uncovered steps shall be erected n of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildin (200) feet on each side of the lot and within the same block and district. Where there is a building on one or bot the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoini building shall be counted as having a front yard of the depth required by this Ordinance. If there are no existing side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on ea opposite the lot shall govern. Nothing in this Ordinance shall require any story or part of a building to set back feet from any street line. One street frontage of a corner lot shall be exempt from these provisions as provided in front yard of a lot shall remain clear of debris and junk.

2752. Where the alignment of a building is not controlled by subsection 2751, between every building and the l which it fronts there shall be a front yard of a clear depth of fifteen (15) feet, except that on one side of a corne depth of not less than ten (10) feet shall be provided, in which case this distance shall not be considered in dete depths on such street.

2753. Rear Yards. There shall be a rear yard on every lot and it shall be at least thirty (30) feet deep behind a c ground story deck or porch, without a permanent roof, a patio, or a pool (including any projections therefrom) may of a rear lot line. An unattached private garage or shed may extend to four feet of a rear yard. Unless reference may be placed or constructed in or upon the ground within six (6) feet of a rear lot line. Notwithstanding the previ may be constructed near or along a rear lot line and vegetation may also be planted within six (6) feet of a rear lot

2761. A cornice shall not project more than one-third ($\frac{1}{3}$) of the width of a required open space.

2762. A belt course or other ornamental feature shall not project more than nine (9) inches into a required open space.
(Ord. of 12-23-03, § 1)

2770. Courts.

2771. If any part of a story of a nonresidence building is used for offices, studios or workshops which are not the rear yard, there shall be a court starting not more than fifty (50) feet from the main exterior walls of that story.

2772. If any part of a story is used for living or sleeping rooms which are not lighted from the street or the rear yard, there shall be a court starting not more than two (2) rooms or thirty-five (35) feet from the main exterior walls of that story.

2773. An inner court shall be at least one-third ($\frac{1}{3}$) as wide as it is high, measured from the sills of the lowest windows to the average level of the tops of the enclosing walls, and shall be at least twice as long as its required width or depth. No court shall be less than ten (10) feet in width.

2774. The minimum width of an outer court shall be double that required in this Section for an inner court.

2775. A cornice or belt course shall not project more than six (6) inches into any inner court.

(Ord. of 12-23-03, § 1)

2780. Height of Buildings. The provisions governing the height of buildings in Appendix B shall apply to chimneys, flagpoles, elevator bulkheads, skylights, ventilators, and other necessary appurtenant features usually carried by the building. Stacks or spires and also to wireless communications facilities.

(Ord. of 12-23-03, § 1)

3300. SCREENING AND LANDSCAPING.

3310. Purpose. This section is designed to accomplish the following objectives:

3311. To provide a suitable boundary or buffer between residential uses and districts and abutting nonresidential

3312. To separate different and otherwise incompatible land uses from each other in order to partially or completely eliminate potential nuisances such as dirt, dust, litter, noise, glare from motor vehicle headlights, intrusion from artificial light (glare), or view of signs, unsightly buildings or parking lots;

3313. To provide visual relief to parking lots and protection from wind in open areas;

3314. To preserve or improve the visual and environmental character of New Bedford, as generally viewed from accessible locations; and

3315. To offer residential property owners protection against diminution of property values due to adjacent nonresidential uses. (Ord. of 12-23-03, § 1)

3320. Applicability. The requirements of this Section shall apply to:

3321. Any nonresidential use which adjoins or abuts any residential use or residential district or street;

3322. Any nonresidential use which adjoins or abuts any educational use;

3323. Any nonresidential or multifamily parking facility of five (5) spaces or more which adjoins or abuts any residential district;

3324. Any nonresidential or multifamily area used for loading or storage of new or discarded materials, products or containers, in open-air or unenclosed structures.

(Ord. of 12-23-03, § 1)

3330. Requirements. The street or property line(s) separating residential uses or districts from adjoining or abutting nonresidential uses shall be screened from the uses specified herein by means of vegetation, plantings, or fencing, to be provided by the owner of the property used for nonresidential or multifamily purposes. Fencing shall be of a type approved by the Planning Board.

3331. A screen may consist of plant materials, at least three (3) feet in height at the time of planting which will form a dense form year-round and will reach a height at maturity of at least six (6) feet or a masonry wall or wooden fence in an attractive manner to visually obscure.

3332. A screen shall occupy a strip of land at least five (5) feet in width along a property line or along the perimeter of the lot. Where a screen consists of a masonry wall, wooden fence or a vinyl fence produced to resemble a classic picket fence, the remainder of the required five-foot strip shall be landscaped with trees and shrubs. Lawn or bark mulch may be used in conjunction with such trees and shrubs. The schedule and amount of plantings will be determined subject to the approval of the Planning Board and shall be reviewed during the site plan review process described in Section 5400 of this Code.

3333. A screen other than of plant materials, shall be at least six (6) feet in height above the ground elevation of the lot. Where a screen is required to visually obscure a storage area, the height of such screen shall not be less than six (6) feet and shall be constructed of materials stored above six (6) feet, but in no instance shall the materials to be screened be in excess of ten (10) feet above the ground.

3334. Except for on-premises directional signs not in excess of six (6) square feet in area, no sign shall be attached to or displayed from a screen.

(Ord. of 12-23-03, § 1)

3340. Special Permit. Any screening or landscaping requirement set forth herein may be reduced upon the issuance of a Special Permit by the Planning Board if the Board finds that the reduction is not inconsistent with public health and safety, and promotes a public benefit.

(Ord. of 12-23-03, § 1)

3350. Coordination with Site Plan Approval. The Planning Board shall not approve a site plan unless said plan complies with the requirements of section 3300.

(Ord. of 12-23-03, § 1)

3360. Maintenance. The owner of the property used for nonresidential or multifamily purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this Section. All plantings by this Ordinance shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Materials shall be maintained so as to control weed growth. Dead plantings shall be replaced with new live plantings at the appropriate season. Fences or walls shall be maintained in good repair and presentable appearance, or shall be replaced when necessary.

(Ord. of 12-23-03, § 1)

(Ord. of 12-23-03, § 1)

3360. Coordination with Site Plan Approval. The Planning Board shall not approve a site plan unless said plan complies in all pertinent respects with the requirements of section 3300.

(Ord. of 12-23-03, § 1)

3360. Maintenance. The owner of the property used for nonresidential or multifamily purposes shall be responsible for the maintenance, repair and replacement of all landscaping materials installed in accordance with this Section. All plant materials required by this Ordinance shall be maintained in a healthful condition. Dead limbs, refuse and debris shall be promptly removed. Ground cover materials shall be maintained so as to control weed growth. Dead plantings shall be replaced with new live plantings at the earliest appropriate season. Fences or walls shall be maintained in good repair and presentable appearance, or shall be replaced forthwith.

(Ord. of 12-23-03, § 1)

Section 4300A. Cove Street Mill Overlay District (COSMOD).

4310A. Purpose. The purpose of the COSMOD is to provide adequate minimum standards and procedures for the housing facilities and rehabilitation of existing structures so as to promote economic and cultural development in the area.

4320A. Location. The COSMOD is hereby established as an overlay district comprised of the area bounded northerly by the line of Gifford Street from its intersection with the easterly line of Morton Court to the Acushnet River; bounded southerly by the northerly line of Cove Street from the Acushnet River to its intersection with the easterly line of Morton Court; and bounded westerly by the easterly line of Morton Court. The COSMOD is hereby designated on the Bedford Zoning Map, as may be subsequently amended, on file in the Office of the City Clerk.

4330A. Definitions. Within this Section 4300A, the following terms shall have the following meanings:

4331A. Applicant: The person or persons, including a corporation or other legal entity, who applies for issuance of a special permit hereunder. The Applicant must own, or be the beneficial owner of, all the land included in the proposed site, or the owner(s) to act for him/her/it/them or hold an option or contract duly executed by the owner(s) and the Applicant, the right to acquire the land to be included in the site.

4332A. Dwelling Unit: A functioning room or group of rooms capable of being used as a residence (including a bedroom). A residence shall contain a living area, bathroom and, except in studio units, one or more bedrooms, and may contain a combination kitchen/living area.

4333A. Proposed Project: The project proposed by the Applicant for which a special permit hereunder is being sought.

4334A. Proposed Project Site: The parcel of land, with buildings thereon on which the Proposed Project is located.

4335A. Regulations: The rules and regulations of the Planning Board.

4336A. Upper Level Floors: Any floor of a building that is located above the street level floor. In the event that a portion of the same building is level to a street or streets, neither of said two (2) floors shall be considered upper level floors. If the Planning Board determines that the majority or an equal amount of the area of the building is through the lower of the two (2) floors level to a street or streets, the higher of the two (2) floors level to a street shall be deemed an upper level floor.

4340A. Front Yard.

4341A. No story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within ten feet on each side of the lot containing the Proposed Project and within the same block and district. Where there are both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard of the adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this Ordinance. Existing buildings on the same side of the street, the average setback alignment of corresponding stories within ten feet on each side of and directly opposite the lot shall govern.

4342A. Notwithstanding the previous paragraph, no building constructed within the COSMOD shall have a front yard less than ten (10) feet.

4343A. Where the alignment of a building is not controlled by subsection 4341A., between every building and the street upon which it fronts there shall be a front yard of a clear depth of not more than ten (10) feet.

(Ord. of 4-14-08, § 1)

4350A. Special Permit. Pursuant to the requirements of this Section 4300A, the following may be permitted upon issuance of a special permit by the Zoning Board of Appeals:

4351A. Residential Dwelling Units on all floors of pre-existing structures.

4351B. Reserved.

4352A. Reductions in setbacks, density, green space and parking requirements to allow for the development of new floors of pre-existing structures.

4353A. Reductions in parking requirements for commercial use of pre-existing or new structures.

(Ord. of 4-14-08, §§ 2--4)

4360A. Special Permit Application. An application for a special permit shall be submitted to the Zoning Board of Appeals therefrom furnished. Applicants are encouraged to rehabilitate existing structures and to permit reuses which are in character of the neighborhood and which take into consideration the interests of abutters, neighbors and the public. The site abuts a residential area or the building(s) merit preservation.

In addition, the Applicant shall submit:

4361A. The following plans:

4361A(i). A copy of the site plan approved by the Planning Board, if required pursuant to Section 5400 et seq. of the previous sentence, the Applicant may choose to seek site plan approval from the Planning Board at the same time.

- (3) Copies of all proposed covenants, easements, and other restrictions which the Applicant proposes to Conservation Commission, utility companies, any condominium organization and the owners thereof, including they are intended to apply, for approval as to form by the City Solicitor;
- (4) Any and all other information that the Zoning Board may reasonably require in a form acceptable to it to whether the Applicant's proposed development plan meets the objectives of this Section.
- (5) New Bedford Historic Commission approval, if applicable.
- 4370A. Action by the Zoning Board of Appeals. The Board may grant a special permit where it makes the following:
- 4371A. The Proposed Project complies with the requirements of this Section;
- 4372A. The Proposed Project does not cause substantial detriment to the neighborhood after considering the consequences:
- 4372A(i). noise, during the construction and operational phases;
- 4372A(ii). pedestrian and vehicular traffic;
- 4372A(iii). environmental harm;
- 4372A(iv). visual impact caused by the character and scale of the proposed structure(s).
- 4372A(v). where relief to parking requirement has been sought, applicant has demonstrated that reasonable effort to comply with parking requirements.
- 4372A(vi). for conversions of existing structures, the Zoning Board of Appeals must find that the Proposed Project does not diminish the historic, traditional or significant uses, structures or architectural heritage by minimizing removal or disruption of historic, traditional or significant uses, structures or architectural heritage that exist on the site or on adjacent properties. If the building is a municipally owned building, the proposed use must be consistent with any conditions imposed by the Planning Board on the sale, lease, or transfer of the site.
- (Ord. of 9-13-05, § 1)

APPENDIX B TABLE OF DIMENSIONAL REGULATIONS

Section 2.02 DISTRICTS

TABLE INSET:

REQUIREMENT	RA	RB	RC	RAA	MUB	PB	IA
Minimum Lot Size (sq. ft.)	8,000	8,000 for uses allowed in RA; 10,000 for two-family units	8,000 for uses allowed in RA; 10,000 for two-family units; 15,000 for 3 or more family units	16,000	8,000 for uses allowed in residence A; 10,000 for two-family units; 15,000 for 3 or more family units	0	0
Density of Dwelling Units per Lot	1 per 10,000 sq. ft.	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family; 1 per 1,000 sq. feet for three or more family	1 per 16,000 sq. ft.	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family; 1 per 1,000 sq. feet for three or more family	N/A	N/A
Lot Frontage (ft.)	75	75 for uses allowed in RA; 100 for two-family	75 for uses allowed in RA; 100 for two-family; 150 for 3 or	150	75 for uses allowed in RA; 100 for two-family; 150 for 3 or more family; 0 for other	0	0

APPENDIX B
TABLE OF DIMENSIONAL REGULATIONS

Section 2.02 DISTRICTS

TABLE INSET:

REQUIREMENT	RA	RB	RC	RAA	MUB	PB	IA
Minimum Lot Size (sq. ft.)	8,000	8,000 for uses allowed in RA; 10,000 for two-family units	8,000 for uses allowed in RA; 10,000 for two-family units; 15,000 for 3 or more family units	16,000	8,000 for uses allowed in residence A; 10,000 for two-family units; 15,000 for 3 or more family units	0	0
Density of Dwelling Units per Lot	1 per 10,000 sq. ft.	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family; 1 per 1,000 sq. feet for three or more family	1 per 16,000 sq. ft.	1 per 10,000 sq. ft. for single-family; 1 per 5,000 sq. feet for two-family; 1 per 1,000 sq. feet for three or more family	N/A	N/A
Lot Frontage (ft.)	75	75 for uses allowed in RA; 100 for two-family	75 for uses allowed in RA; 100 for two-family; 150 for 3 or	150	75 for uses allowed in RA; 100 for two-family; 150 for 3 or more family; 0 for other	0	0

Rear Yard (ft.)	30	30	30	30	30 for uses allowed in residential district; for other uses, 10 for 1-2 story buildings; 20 feet for 3 or more stories	25	25
Lot Coverage by Buildings (%)	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots	30; 40 on corner lots for uses allowed in residential district; 0 for other uses	50	50
Green Space	35%	35%	35%	35%	35% for uses allowed in residential districts; 0 for other uses	20%	20%

1. Provided, however, that no part of any building shall be erected to a height in excess of 1- 3/4 times the horizontal distance from its face to the opposite street line.

2. Provided, however, that no story or part of any building except projecting eaves or uncovered steps shall be erected nearer to the street line of any street on which it fronts than the average alignment of the corresponding stories or parts of existing buildings within two hundred (200) feet on each side of the lot and within the same block and district. Where there is a building on one or both of the adjoining lots, the front yard for a building shall have a depth equal to the average of the front yard depths of the two (2) adjoining lots. A lot without a building shall be counted as having a front yard of the depth required by this chapter. If there are no existing buildings on the same side of the street, the average setback alignment of corresponding stories within two hundred (200) feet on each side of and directly opposite the lot shall govern. One street frontage of a corner lot shall have a clear depth of no less than ten (10) feet, in which case this distance shall not be considered in determining the front yard depths on such street. Nothing in this chapter shall require any building hereafter erected between two (2) existing buildings or immediately adjacent lots to set back from the street a greater distance than that one of such two (2) existing buildings which is farther from the street line.

(Ord. of 12-23-03, § 1)

Chapter 13 HOUSING*

*State law references: As to building standards, see M.G.L.A. c. 23B, § 1 et seq.

Sec. 13-1. Housing authority--Composition; appointment; term; residence.

The local housing authority shall consist of five (5) members, of whom four (4) shall be appointed by the mayor subject to confirmation by the city council and the fifth member shall be appointed by the Massachusetts Department of Community Affairs. As the term of each member expires, a successor shall be appointed in the same manner and by the same body for the term of five (5) years. Every member, unless sooner removed, shall serve until the qualification of a successor.

Membership in the housing authority shall be restricted to residents of the city.

(Code 1963, § 1-1301; Ord. of 5-27-76)

Note: Local authority created by order of city council on November 23, 1937.

State law references: Created by statute, M.G.L.A. c. 121B, § 3.

Sec. 13-2. Same--Removal of members.

The mayor with the approval of the city council may receive written charges against, and may after hearing remove because of inefficiency, neglect of duty and misconduct in office, or any of such causes, a member of a housing authority appointed by the mayor and confirmed by the city council.

Pending final action upon such charges, the mayor with the approval of the city council may temporarily suspend such member. In case of any such removal the removing authority shall deliver forthwith to the city clerk, for filing, attested copies of such charges and of its findings thereon.

(Code 1963, § 1-1302)

State law references: Similar provisions, M.G.L.A. c. 121B, § 6.

Sec. 13-3. Same--Officers and employees.

The housing authority shall elect from among its members a chairperson and a vice-chairperson, and may employ counsel, an executive director who shall be ex officio secretary of the housing authority, a treasurer who may be a member of the authority and such other officers, agents and employees as it deems necessary or proper and shall determine their qualifications, duties and compensation, and may delegate to one or more of its members, agents or employees such powers and duties as it deems necessary or proper for the carrying out of any action determined upon by it. So far as practicable the housing authority shall make use of the services of the agencies, officers and employees of the city and the city shall, if requested, make available such services.

(Code 1963, § 1-1303)

State law references: Similar provisions, M.G.L.A. c. 121B, § 7.

Sec. 13-4. Same--Powers generally.

The housing authority shall have all the powers necessary or convenient to effectuate the purposes and provisions of the housing authority law, including clearing substandard or decadent or blighted open areas, engaging in land assembly and redevelopment projects and providing housing for families of low income.

(Code 1963, § 1-1304)

State law references: Powers, M.G.L.A. c. 121B, § 8.

Sec. 13-5. Condominium conversion; removal of rental units from the market; definitions; notice; eviction; purchase; benefits; assistance and punishment; condominium review board.

(a) *Preamble.*

Whereas, a serious public emergency exists with respect to the housing of a substantial number of citizens of New Bedford; and

Whereas, the deterioration and demolition of existing housing and an insufficient supply of new rental housing have resulted in a substantial and critical shortage of safe, decent, and reasonable priced rental housing accommodations; and

Whereas, the prolonged increases in housing costs at a rate substantially exceeding increases in personal income, the increased costs of new housing construction and the conversion of multiple unit rental housing accommodations occupied by tenants to condominium units and cooperatives has resulted in a substantial and critical shortage of safe, decent, and reasonably priced housing accommodations; and

Whereas, home ownership creates an interest in real estate which tends to contribute to the maintenance and preservation of housing and to an increase in real estate taxes which has a salutary effect on the city and its people, and the city council should, therefore, encourage an increase in such ownership or at least should avoid discouraging it; and

Whereas, at present in the city there is a great interest in and a significant amount of conversions of multiple unit rental housing occupied by tenants to condominium units or cooperatives occupied by individual owners thereof; and

Whereas, notwithstanding the general good accomplished by such increase in home ownership, many people of limited means, particularly the elderly, the handicapped, and persons and families of low and moderate income, are suffering thereby in that they have difficulty in obtaining alternative rental housing at prices which they can afford when evicted for condominium conversion; and

Whereas, the untoward effects of condominium conversion evictions on tenants can be adequately dealt with by providing potentially displaced tenants with sufficient time to examine the housing market, evaluate available housing alternatives, formulate future housing plans, secure any necessary financing and decide whether to purchase the condominium unit or relocate; and

Whereas, this emergency cannot be dealt with solely by the operation of the private rental housing market, and unless evictions for condominium conversions and cooperatives are regulated and controlled, such emergency and the inflationary pressures and displacement resulting therefrom will produce serious threats to the public health, safety, and general welfare of the citizens of New Bedford;

Now, therefore, pursuant to the authority vested in it by law, including without limitation, Chapter 527 of the Acts of 1983, as amended by Chapter 170 of the Acts of 1984, be it ordained by the City Council of the City of New Bedford as follows:

(b) *Definitions.* As used in this section, the following words shall, unless the context clearly requires otherwise, have the following meanings:

Condominium unit. A unit in a housing condominium as that term is defined in M.G.L.A. c. 183A.

Condominium or cooperative conversion eviction. An eviction of a tenant for the purpose of removing such tenant from a housing accommodation in order to facilitate the initial sale and transfer of legal title to that housing accommodation as a condominium or cooperative unit to a prospective purchaser or an eviction of a tenant by any other person who has purchased a housing accommodation as a condominium or cooperative unit when the tenant whose eviction is sought was a resident of the housing accommodation at the time the notice of intent to convert is given to convert the building or buildings to the condominium or cooperative form of ownership pursuant to this section provided, however, that the eviction of a tenant for nonpayment of rent or other violation of a rental agreement shall in no event be deemed a condominium or cooperative conversion eviction.

Elderly tenant. A tenant who is a person or group of persons residing in the same housing accommodation any of whom has reached the age of fifty-nine (59) years or over as of the date of receipt of the notice provided for hereunder.

Handicapped tenant. A person who is physically handicapped as defined in M.G.L.A. c. 239, § 9, as of the date of receipt of the notice provided for hereunder.

Housing accommodation. Any building, structure, or part thereof or land appurtenant thereto, or any other real or personal property rented or offered for rent for living or dwelling purposes, together with all services connected with the use or occupancy of such property, but not including the following:

- (1) Housing accommodations which the United States or the commonwealth or any authority created under the laws thereof either owns or operates;
- (2) Housing accommodations in any hospital, convent, monastery, asylum, public institution or college or school dormitory operated exclusively for charitable or educational purposes or in any nursing or rest home for the aged;
- (3) Buildings containing fewer than three (3) housing accommodations;
- (4) Housing accommodation in hotels, motels, inns, tourist homes, and rooming and boarding houses which are occupied by transient guests staying for a period of fewer than fourteen (14) consecutive calendar days.

Interest subsidy. Any payment made by the federal or state government to reduce the effective interest rate payable by the mortgagor.

Low or moderate income tenant. A tenant who is a person or group of persons residing in the same housing accommodation so long as the total income for all such tenants for the twelve (12) months immediately preceding the date of notice provided for hereunder is less than the income eligibility levels as set forth in regulations promulgated from time to time by the department of housing and urban development regulating the Section 8 Rental Subsidy Program, and calculated pursuant to said regulations.

Tenant. A person or group of persons collectively entitled to occupy a housing accommodation pursuant to a rental agreement written or implied.

Tenant subsidy. Any payment made by the federal or state government for or on behalf of any tenant to be applied toward the reduction of the tenant's rental payment.

(c) *Conversion, notice, eviction, purchase, benefits and assistance.*

(1) If a building submitted to the provisions of M.G.L.A. c. 183A, c. 156B, c. 157, c. 157B or any provisions of the Massachusetts General laws governing the cooperative form of ownership has been used in whole or in part for residential purposes within one year prior to the recording of a master deed creating a condominium or the filing of the articles of organization creating a housing cooperative, the owner thereof shall give each tenant of all housing accommodations in such building or buildings notice of intent to convert the building or buildings to the condominium or cooperative form of ownership. Such notice shall state in clear and conspicuous language the following in English, Spanish, and Portuguese:

a. That the owner has filed or intends to file a master deed at the registry of deeds whose location is stated in the notice or has filed or intends to file articles of organization with the secretary of the commonwealth;

b. That any tenant residing on the date the notice of intent is given in the building or buildings converted or to be converted to the condominium or cooperative forms of ownership shall have a period of time which shall be stated in the notice, from the date of receipt of such notice, as authorized by this act, before the tenant shall be required to vacate the housing accommodation occupied on the date the notice is received;

c. That any tenant residing on the date the notice of intent was given in the building or buildings to be converted shall have a period of time, which shall be stated in the notice, from the date of receipt of such notice, as authorized by this section, to purchase the unit occupied by the tenant on the date the notice is received on terms and conditions which are substantially the same as or more favorable than those which the owner extends to the public generally for the ninety (90) days following the expiration of said tenants right to purchase as may be required by paragraph (2).

All notices required under this section shall be deemed to have been given when a written notice is delivered in person or mailed by certified or registered mail, return receipt requested, to the party to whom the notice is being given.

Whenever an owner is required to give notice of intent provided for in this section the period of notice shall not be less than the expiration of any written agreement between the owner and the tenant of the housing accommodation which governs the use and occupancy of said housing accommodation or one year from the date the tenant of such housing accommodation is given said notice of intent, whichever is greater; provided, however, that in the case of a housing accommodation occupied in whole or in part by a handicapped tenant or occupied by an elderly or low or moderate income tenant the period of notice shall not be less than two (2) years from the date the tenant of such housing accommodation received said notice of intent.

No person shall bring any action seeking a condominium or cooperative eviction until the expiration of the periods of time for notice to tenants specified in this section.

The burden of proving qualifications with respect to age, handicap, and income shall rest with the tenant.

(2) Any owner of residential property who converts such property to the condominium or cooperative form of ownership shall give to any tenant who is entitled to receive notice pursuant to this section the right to purchase the housing accommodation occupied by such tenant at the time such notice is delivered on terms and conditions which are substantially the same as or more favorable than those which the owner extends to the

public generally for the ninety (90) days following the expiration of said tenant's right to purchase. Such tenant may exercise a right to purchase such housing accommodations by executing a purchase and sale agreement prior to the expiration of ninety (90) days after the date of receiving a copy of the purchase and sale agreement properly executed by the person offering the housing accommodation for sale.

(3) The owner of residential property converted to the condominium or cooperative form of ownership shall pay to any tenant who is entitled to receive a notice pursuant to this section and who does not purchase the housing accommodation which he occupies or another housing accommodation in the same building or buildings relocation benefits for the actual, documented costs of moving, not to exceed seven hundred fifty dollars (\$750.00) per housing accommodation; provided, that if such housing accommodation is occupied in whole or in part by a handicapped tenant or is occupied by an elderly or low or moderate income tenant the maximum relocation benefit shall not exceed one thousand dollars (\$1,000.00) per housing accommodation. Such relocation benefits shall be payable within ten (10) days after the date on which the tenant vacates the housing accommodation occupied by him; provided, however, that no tenant shall be eligible for such relocation benefits unless all rent due and payable for said unit under the rental agreement or extension of such agreement, if any, has been paid by the tenant prior to the date on which the housing accommodation is vacated and only as long as the tenant voluntarily vacates the housing accommodation for which recovery of possession is sought on or before the expiration of the notice period.

(4) Any owner of residential property converted to the condominium or cooperative form of ownership shall assist elderly, handicapped and low or moderate income tenants who qualified as such as of the date of receipt of the notice authorized pursuant to this section locating, within the period of the notice to such tenants, comparable rental housing within the same city or town in which such tenant resides which rents for a sum which is equal to or less than the sum which such tenant had been paying for the housing accommodation occupied at the time of receipt of the notice authorized by this section. The failure of the owner of such residential property to find such substitute housing accommodation shall extend the period of notice for up to an additional two (2) years.

(5) Any owner of residential property converted to the condominium or cooperative form of ownership shall give to any tenant who is entitled to receive a notice pursuant to this section an extension of the rental agreement at the expiration thereof. Such extension, where required, shall be for such period or periods of one year or such fraction thereof as shall equal the period of notice to which such tenant is entitled pursuant to the provisions of this section. The provisions of such rental agreement may not otherwise be modified by the property owner except with respect to the amount of annual rent, any increase in which shall not exceed an amount equal to the sum which would result by multiplying said rent by the percentage increase in the consumer price index for all urban consumers as published by the United States Department of Labor, Bureau of Labor Statistics, during the calendar year immediately preceding the date upon which such rental agreement is commenced, or ten (10) percent, whichever is less; provided, however, nothing herein shall limit the right of a property owner to any amounts which may be due under a valid tax escalation clause.

(d) *Punishment, enforcement.* In accordance with the Acts of 1983, Chapter 527, Section 5, any owner who converts residential property in violation of any provisions of the ordinance, adopted pursuant to the Acts of 1983, Chapter 527, shall be punished by a fine of not less than one thousand dollars (\$1,000.00), or by imprisonment of not less than sixty (60) days. Each unit covered in violation of this section constitutes a separate offense.

Any violation of this section adopted pursuant to the Acts of 1983, Chapter 527, by an owner of residential property shall not affect the validity of a conveyance of a condominium unit or an interest in

a housing cooperative to a purchaser for value who has no knowledge of the violation.

The district and superior courts, in the City of New Bedford and Bristol County, shall have jurisdiction over any action arising from any violation of this section adopted pursuant to the Acts of 1983, Chapter 527, and shall have jurisdiction in equity to restrain any such violation.

(e) *Condominium review board.*

(1) There is hereby established a condominium review board, hereinafter called the "board," which shall consist of five (5) members, each of whom shall be residents of the City of New Bedford as a condition of their appointment and continued service as a member of the board. Board members shall serve without compensation and shall be appointed by the mayor and confirmed by the city council, except that one member shall be a member of the city council appointed annually in January by the president of the city council, and one member shall be familiar with the housing needs and issues of the City of New Bedford. Of the four (4) members originally appointed by the mayor one shall be appointed for a term of one year, one shall be appointed for a term of two (2) years and two (2) shall be appointed for a term of three (3) years. Thereafter, as the terms of the original members expire, their successors shall be appointed for a term of three (3) years. In the event of a vacancy on the board, a successor may be appointed to serve the unexpired term of the member.

(2) The members of the board shall meet, organize, elect such officers as it may deem necessary and adopt, alter or amend such rules and regulations of organization or procedure consistent with the city ordinances and the Massachusetts General Laws. The board shall keep written records of its proceedings, which shall be open to public inspection. All meetings of the board shall be held in the Municipal Building at 133 Williams Street, New Bedford. The board shall also make an annual report to the mayor and city council and such other reports as the mayor and city council may, from time to time, request.

(3) The powers and duties of the board shall be as follows:

- (i) It shall monitor all condominium conversion with the City of New Bedford to insure that all applicable regulations, ordinances and laws are enforced;
- (ii) It shall verify low-income, handicap or elderly status of tenants affected by condominium conversion;
- (iii) It shall issue condominium conversion permits to owners who comply with the provisions of this section;
- (iv) It shall hear complaints alleging violations of this section on behalf of tenants or owners;
- (v) It shall assist in public awareness programs through participation in public and media events;
- (vi) It shall, from time to time, establish fees, with the approval of the mayor and city council, for the issuing of permits;
- (vii) It shall acquire, analyze, use and maintain related statistics and data for planning, evaluation and to assist it in enforcing this section;
- (viii) The municipal departments and other agencies and the board shall cooperate to further the objectives and purposes of this section;
- (ix) It shall exercise such other powers and duties as, from time to time, may be granted by the mayor and city council;
- (x) It shall not issue a permit to any owner who has taken any action within twelve (12) months prior to the application for the permit to circumvent the

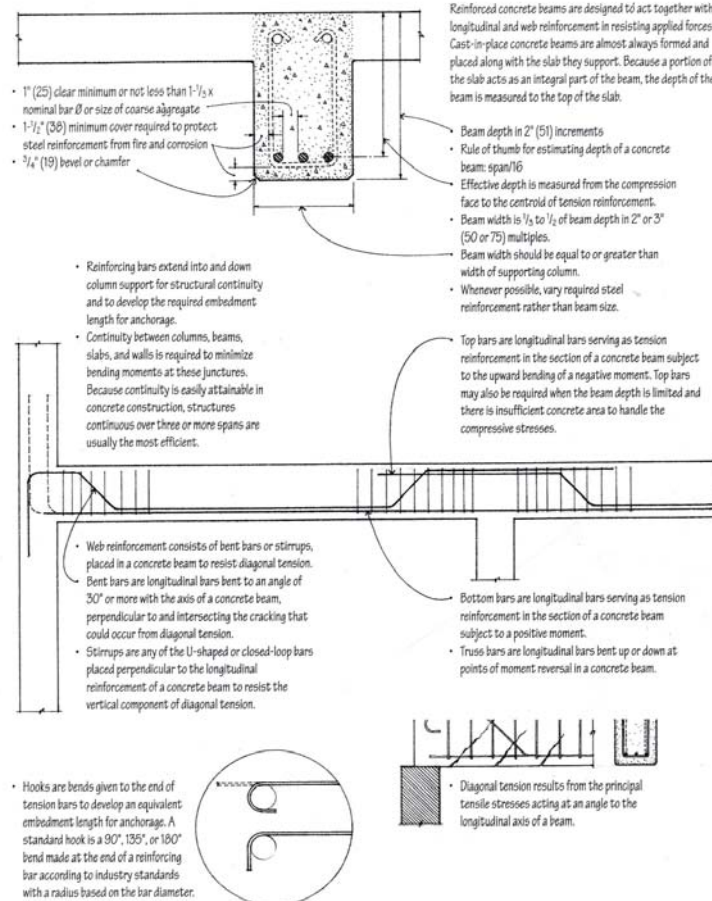
provisions of M.G.L.A. c. 527 or of this section, including: Unreasonable rent increases, reduction or elimination of services, termination of any tenancy without cause, or the imposition of new conditions of the tenancy.

(f) *Severability.* The provisions of the section are severable, and if any of its provisions shall be held unconstitutional or otherwise invalid by any court of competent jurisdiction, the decision of such court shall not affect or impair any of the remaining provisions.

(Ord. of 1-14-88, § 1)



4.04 CONCRETE BEAMS

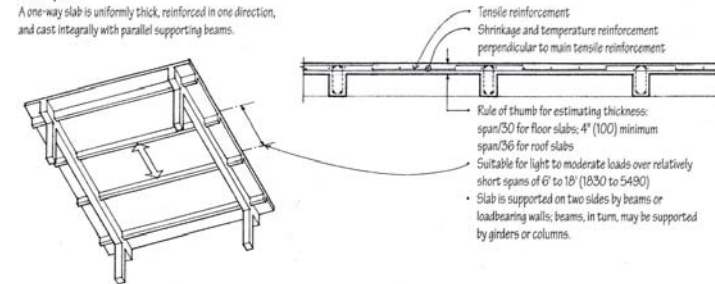


CONCRETE SLABS 4.05

Concrete slabs are plate structures that are reinforced to span either one or both directions of a structural bay. Consult a structural engineer and the building code for the required size, spacing, and placement of all reinforcement.

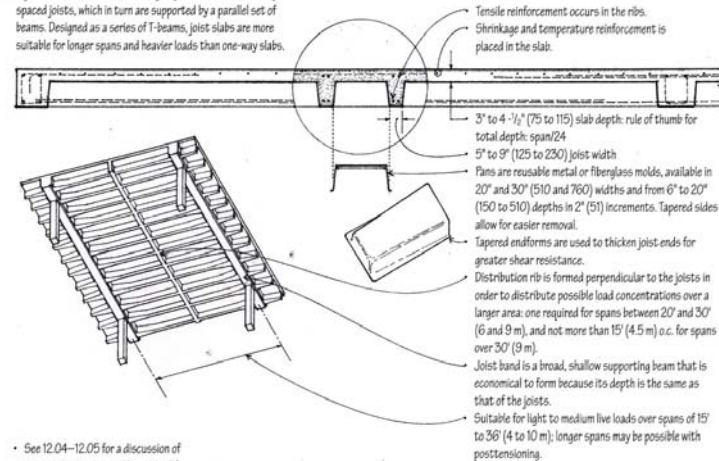
One-Way Slab

A one-way slab is uniformly thick, reinforced in one direction, and cast integrally with parallel supporting beams.



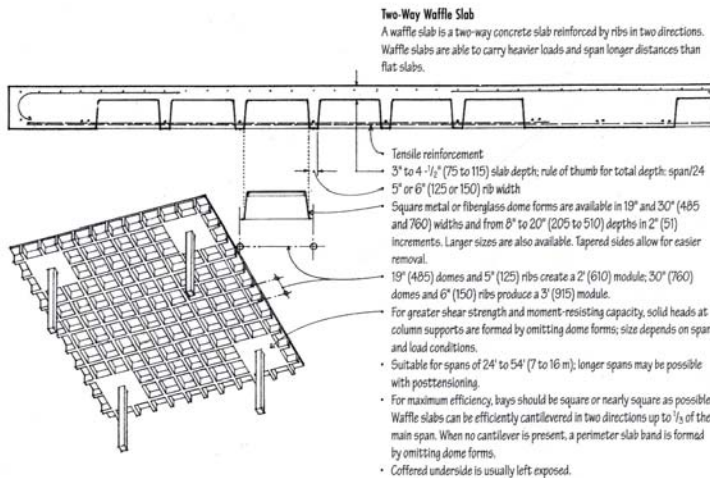
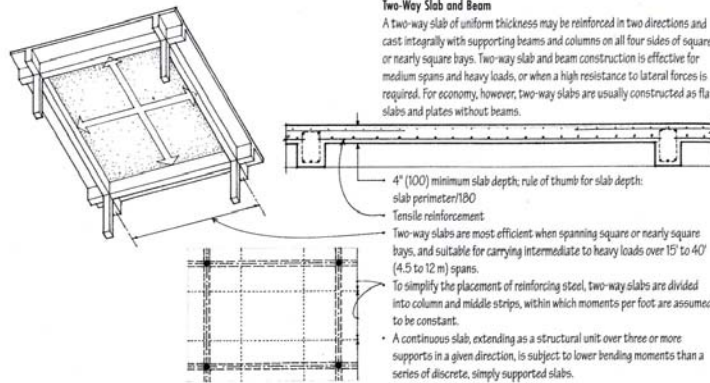
One-Way Joist Slab

A joist or ribbed slab is cast integrally with a series of closely spaced joists, which in turn are supported by a parallel set of beams. Designed as a series of T-beams, joist slabs are more suitable for longer spans and heavier loads than one-way slabs.

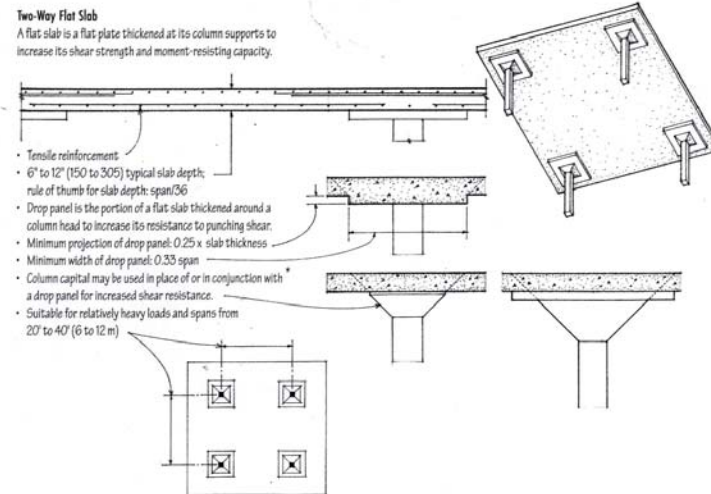
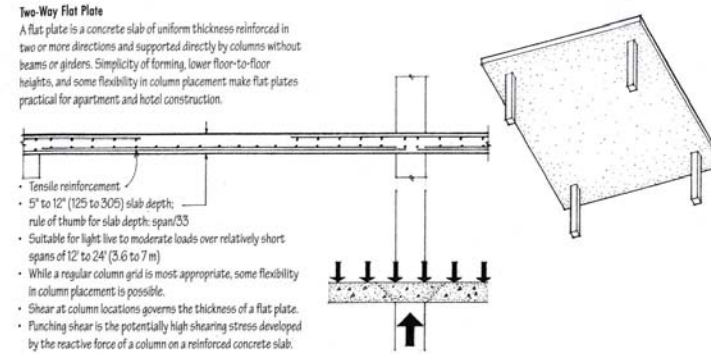


• See 12.04–12.05 for a discussion of concrete as a construction material.

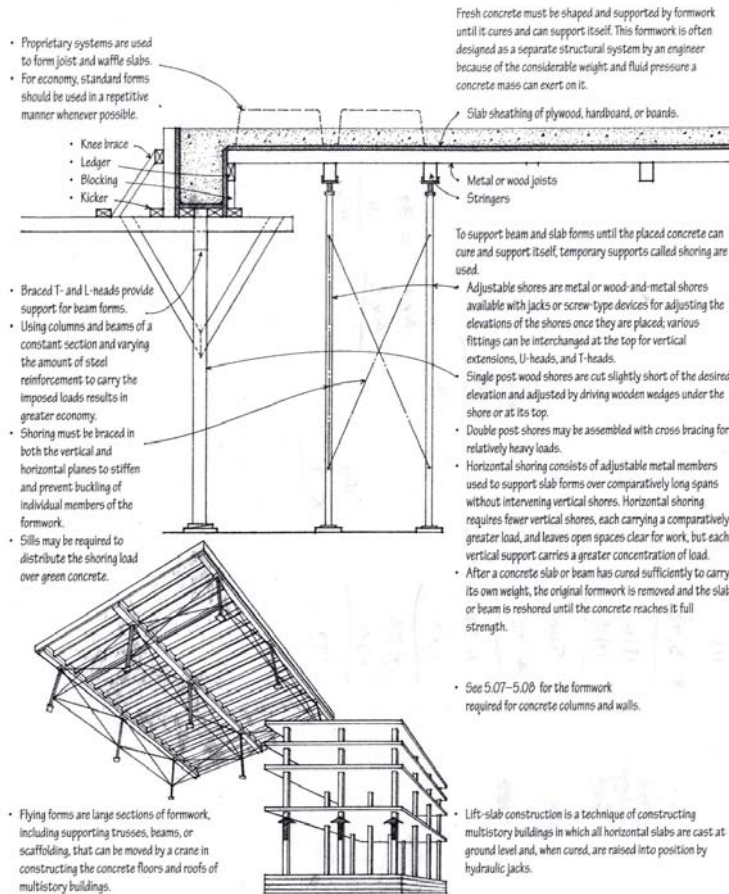
4.06 CONCRETE SLABS



CONCRETE SLABS 4.07



4.10 CONCRETE FORMWORK & SHORING



CSI 03100 Concrete Formwork

PRECAST CONCRETE FLOOR SYSTEMS 4.11

Precast concrete slabs, beams, and structural tees are one-way spanning units that may be supported by sitecast concrete, precast concrete, or masonry bearing walls, or by steel, sitecast concrete, or precast concrete frames. The precast units are manufactured with normal-density or structural lightweight concrete and prestressed for greater structural efficiency, which results in less depth, reduced weight, and longer spans.

The units are cast and steam-cured in a plant off-site, transported to the construction site, and set in place as rigid components with cranes. The size and proportion of the units may be limited by the means of transportation. Fabrication in a factory environment enables the units to have a consistent quality of strength, durability, and finish, and eliminates the need for on-site formwork. The modular nature of the standard-sized units, however, may not be suitable for irregular building shapes.

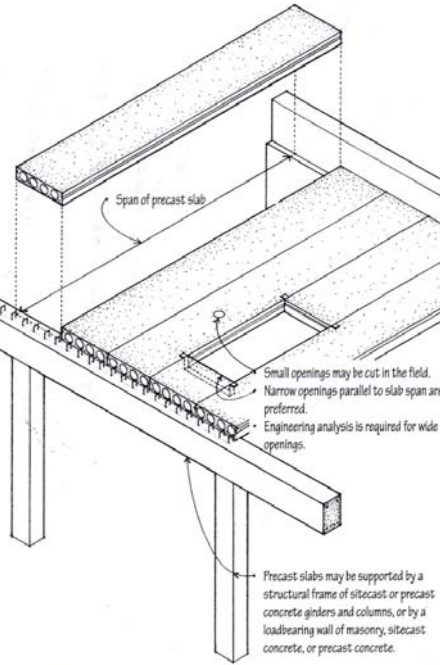
- A 2" to 3-1/4" (51 to 90) concrete topping reinforced with steel fabric or reinforcing bars bonds with the precast units to form a composite structural unit.
- Grout key



- The topping also conceals any surface irregularities, increases the fire-resistance rating of the slab, and accommodates underfloor conduit for wiring.
- When the flooring is to be pad and carpet, the topping may be omitted if smooth-surface units are used.



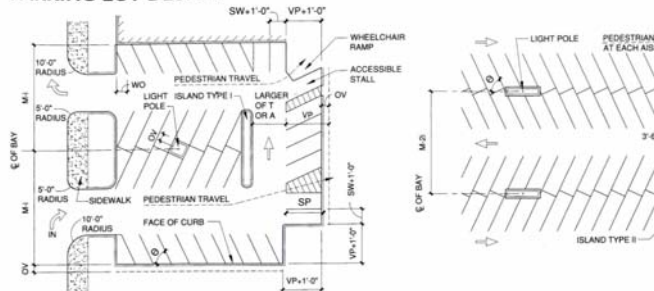
- If the floor is to serve as a horizontal diaphragm and transfer lateral forces to shear walls, steel reinforcement must tie the precast slab units to each other over their supports and at their end bearings.



CSI 03400 Precast Concrete
CSI 03500 Cementitious Decks & Toppings

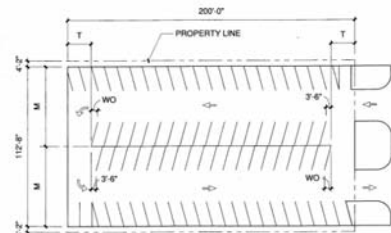
256 Parking Lot Design

PARKING LOT DESIGN



SMALL LOT WITH ONE-WAY TRAVEL

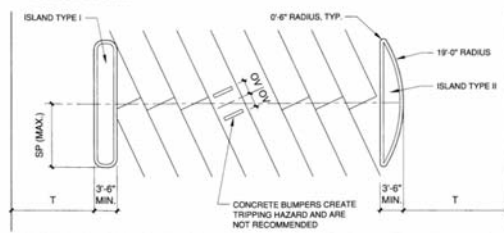
LOT DESIGNS WITH ISLANDS



ANGLED PARKING

1. GPA = 200 ft x 56.33 ft x 2 = 22,532 sq ft
2. Capacity = 80 vehicles
3. Efficiency = 22,532 sq ft/80 vehicles = 281.7 sq ft/vehicle

SMALL LOT DESIGNS



TYPICAL PARKING BAY WITH ISLAND TYPES

Mary S. Smith, PE, Walker Parking Consultants/Engineers, Inc., Indianapolis, Indiana

ACCESSIBLE PARKING

GENERAL

The information on this page conforms to the Americans with Disabilities Act Accessibility Guidelines for Buildings and Facilities (50 CFR 1191, July 26, 1993) also known as ADAAG, and Bulletin No. 6 Parking (February 1994), both issued by the Architectural and Transportation Barriers Compliance Board. State and local requirements may differ, but ADA requires that designs conform to the higher requirement.

• Accessible parking stalls should be 8 ft wide with an adjacent 5-ft access aisle. No special clearance is required for these stalls.

• Van-accessible stalls should be 8 ft wide with an adjacent 8-ft access aisle accessible from the passenger side of the vehicle. (Backing into 90° stalls from a two-way aisle is an acceptable method of achieving this.) Vehicular clearance along the path of travel to and from a van-accessible stall should be 8 ft 2 in. In parking structures, van-accessible stalls may be grouped on a single level.

• It is permissible for all required accessible stalls to conform with Universal Parking Design guidelines. Since vans may use any accessible stall in this arrangement, universal stalls must have 8 ft 2 in. vehicle clearance.

• Access aisles should be delineated separately from parking spaces. Access aisles must be at the same level as parking stalls (not above, at sidewalk height). Required curb ramps cannot be located in access aisles. Two spaces may share a single access aisle (except when van stalls require passenger-side access in one-way designs).

• Parking spaces and access aisles should be level with surface slopes not exceeding 1:50 (2 percent) in any direction.

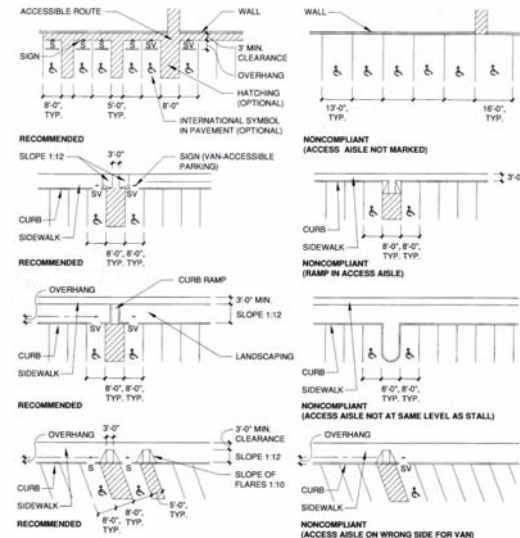
• The stalls required for a specific facility may be relocated to another location if equivalent or greater accessibility in terms of distance, cost, and convenience is ensured.

REQUIRED MINIMUM NUMBER OF ACCESSIBLE PARKING SPACES

TOTAL PARKING IN LOT	VANS	CARS	TOTAL
1-25	1	0	1
26-50	1	1	2
51-75	1	2	3
76-100	1	3	4
101-150	1	4	5
151-200	1	5	6
201-250	1	6	7
251-300	1	7	8
301-400	2	7	9
401-500	2	2% min, less 2	2% min
501-600	3	2% min, less 2	2% min
601-700	3	17+1 for each 20+1 for each 100 over 1000	17+1 for each 20+1 for each 100 over 1000
701-800	3	17+1 for each 20+1 for each 100 over 1000	17+1 for each 20+1 for each 100 over 1000
801-900	3	17+1 for each 20+1 for each 100 over 1000	17+1 for each 20+1 for each 100 over 1000
901-1000	3	17+1 for each 20+1 for each 100 over 1000	17+1 for each 20+1 for each 100 over 1000
1001 and more	12.5% of total	12.5% of total	12.5% of total

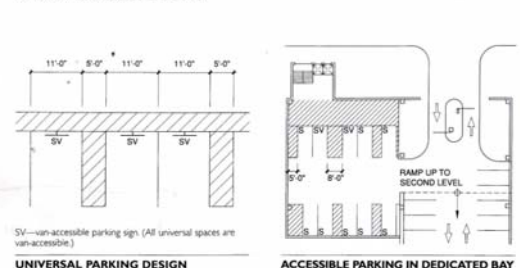
KEY TO DRAWINGS

ABBREVIATION	TERM
8	Angle of park
A	Aisle width
I	Interlock reduction
GPA	Gross parking area
M	Module
OV	Overhang
R	Radius
SP	Single protection
SW	Stall width
T	Turning bay
VP	Vehicle protection
WO	Wall offset



S—accessible parking sign; SV—van-accessible parking sign

ACCESSIBLE PARKING LAYOUTS

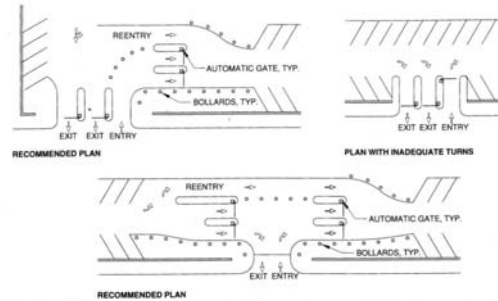


SV—van-accessible parking sign (All universal spaces are van-accessible.)

UNIVERSAL PARKING DESIGN

ACCESSIBLE PARKING IN DEDICATED BAY

254 Parking Lot Entry and Exit Design



PARKING LOT ENTRY CONFIGURATIONS

PARKING SPACE DIMENSIONS

GENERAL

- Parking stalls for a design vehicle 6 ft 4 in. wide and 16 ft 9 in. long should have a stripe projection and 16 ft 9 in. and parallel stall length of 20 ft 9 in. at 90°.
- Single-car-only stalls (7 ft 5 in. wide by 15 ft 9 in. long) should only be used at constrained locations or in situations where the number of these stalls should not exceed 10% of total parking capacity at a site.
- Angles between 76° and 89° are not recommended for parking design because these angles permit drivers of smaller cars to back out and exit the wrong way.
- Angled parking is not recommended for use with two-way aisles as drivers often attempt to make a U-turn into stalls on the other side of the aisle.
- Add 1 ft to the module for surface parking bays without curbs or other parking guides (frequent poles or columns or walls) in areas with frequent heavy snowfall.
- To maintain the same level of service (LOS), reduce the module (M) by 3 in. for each additional inch in

stall width (SW) while maintaining minimum aisle width (see footnotes 2 and 3 to accompanying chart). For example:

8 ft 9 in. @ 90° on 61-ft module = LOS A
9 ft 0 in. @ 90° on 60-ft 3-in. module = LOS A

- Columns and light poles may protrude into a parking module a combined maximum of 2 ft as long as they do not affect more than 25% of the stalls in that bay. For example, a 2-ft encroachment by a column on one side of the aisle or 1 ft each from columns on both sides is permissible.

PARKING SPACE DIMENSIONS (FT-IN.)¹

ALL LEVELS OF SERVICE

ANGLE OF PARK	VEHICLE PROJECTION	WALL OFFSET	OVERHANG	STRIPE OFFSET
45	17.1	10.7	1.9	16.3
50	17.8	9.4	1.1	13.8
55	18.1	8.2	2.2	11.5
60	18.5	7.1	2.2	9.5
65	18.7	6.0	2.3	7.7
70	18.8	4.1	2.4	5.1
75	18.7	3.10	2.5	4.4
90	17.6	1.0	2.4	0.0

LEVEL OF SERVICE A

ANGLE OF PARK	STALL PROJECTION	MODULE	AISLE	INTERLOCK
0	8.9	31.6	14.0 ²	0.0
45	12.4	49.0	25.0 ²	0.0
50	11.5	50.6	15.2	2.10
55	10.8	51.9	15.7	2.4
60	10.1	53.4	16.6	2.7
65	9.8	54.6	17.4	1.10
70	9.4	55.9	18.5	1.6
75	9.1	57.0	19.10	1.2
90	8.9	61.0	26.0	0.0

LEVEL OF SERVICE B

ANGLE OF PARK	STALL PROJECTION	MODULE	AISLE	INTERLOCK
0	8.6	30.0	13.0 ²	0.0
45	12.0	48.0	23.0 ²	0.0
50	11.1	49.6	14.2	2.9
55	10.5	50.7	14.7	2.5
60	9.10	52.4	15.6	2.2
65	9.5	53.6	16.4	1.10
70	9.1	54.9	17.5	1.5
75	8.10	56.0	18.10	1.1
90	8.6	60.0	25.0	0.0

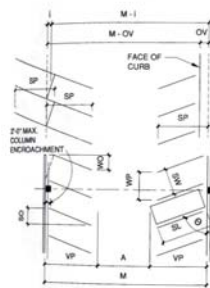
LEVEL OF SERVICE C

ANGLE OF PARK	STALL PROJECTION	MODULE	AISLE	INTERLOCK
0	8.3	28.6	12.0 ²	0.0
45	11.8	47.0	21.0 ²	0.0
50	10.9	48.6	13.2	2.8
55	10.1	49.9	13.7	2.4
60	9.6	51.4	14.6	2.1
65	9.1	52.6	15.4	1.9
70	8.9	53.9	16.5	1.5
75	8.6	55.0	17.10	1.1
90	8.3	59.0	24.0	0.0

LEVEL OF SERVICE D

ANGLE OF PARK	STALL PROJECTION	MODULE	AISLE	INTERLOCK
0	8.0	27.0	11.0 ²	0.0
45	11.4	46.0	19.0 ²	0.0
50	10.5	47.6	11.10	2.10
55	9.9	48.9	12.2	2.7
60	9.3	50.4	13.2	2.4
65	8.10	51.6	14.4	1.8
70	8.6	52.9	15.1	1.4
75	8.3	54.0	16.10	1.0
90	8.0	58.0	21.6	0.0

¹ All dimensions are rounded to the nearest inch.
² These are minimum aisle widths for one-way traffic at each level of service.
³ Figures given are widths for two-way traffic.



KEY
R = angle of park
A = site width
I = interlock reduction
OV = overhang
M = module
SL = stall length
SO = stripe offset
SP = stripe projection
SW = stall width
VP = vehicle projection
WO = wall offset
WP = stall projection

BASIC LAYOUT DIMENSIONS



Stalls adjacent to columns must be wider to provide the same level of service of turn.

SHORT SPAN CONSTRUCTION DETAILS

Ray L. Smith, P.E., Walker Parking Consultants/Engineers, Inc., Indianapolis, Indiana

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