

City of Newton Planning and Development

Petition: #143-23

Special Permit/Site Plan Approval to amend Special Permit #276-08 to allow the conversion of an existing personal training facility to a physical therapy office in the space at 552-564 Commonwealth Avenue

May 16, 2023



552-564 Commonwealth Avenue

Zoning Relief

Zoning Relief Required		
Ordinance		Action Required
	Amend Special Permit #276-08	
§3.4.1 §7.8.2.C.2	Request to allow the conversion from one nonconforming use to a different nonconforming use	S.P. per §7.3.3

Criteria to Consider

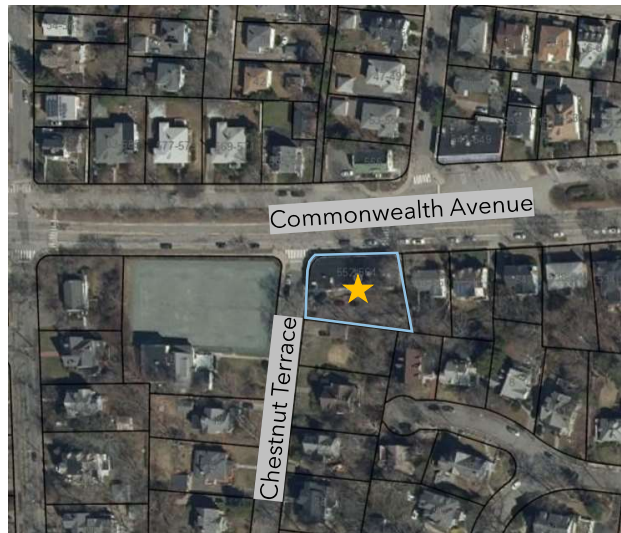
When reviewing this request, the Council should consider:

- The site in MR-1 is an appropriate location for the requested use (§7.3.3.C.1)
- The requested use will not adversely affect the neighborhood (§7.3.3.C.2)
- The requested use will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- The proposed change from one nonconforming use to another is not substantially more detrimental than the previous nonconforming use is to the neighborhood (§3.1.3 and §7.8.2.C.2)

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Aerial Map



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Operations & Parking

- Office will provide orthopedic physical therapy, women's health treatments, and running programs
- Client visits will be by appointment only
- Maximum of six people in the space at a time (up to two physical therapists and four clients)
- The amount of parking required (four stalls) is the same as existing use - no relief is required

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Proposed findings

1. The site in a Multi Residence 1 (MR-1) district is an appropriate location for the proposed use as a physical therapy office because the building already features existing nonconforming commercial uses, and the site is in close proximity to Newton Centre. (§7.3.3.C.1)
2. The proposed physical therapy office as developed and operated will not adversely affect the neighborhood because the project complies with the parking requirement, and street parking is available. (§7.3.3.C.2)
3. The proposed physical therapy office will not create a nuisance or serious hazard to vehicles or pedestrians because the use does not require any alterations to the site. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. The proposed change from one nonconforming use to another is not substantially more detrimental than the previous nonconforming use is to the neighborhood because they are both considered personal service uses and operate similarly. (§3.4.1 and §7.8.2.C.2)

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Proposed conditions

1. Plan Referencing
2. The proposed tenant shall keep the rear door to the facility shut in order to prevent any noise from disturbing abutters
3. Standard conditions for building permit and occupancy