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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: February 25, 2020

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Sasha Durand, Cordis Management
Liz Caan & Co., Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Associate City Solicitor

RE: Request to change from one nonconforming use to another

Applicant: Liz Cann & Co.	
Site: 632 Commonwealth Ave	SBL: 61001 0006
Zoning: MR1	Lot Area: 4,347square feet
Current use: Salon	Proposed use: Interior Designer

BACKGROUND:

The property located at 632 Commonwealth Avenue consists of a 4,347square foot lot improved with a multi-tenanted two-story commercial building constructed in 1920 in the Multi Residence 1 zoning district. There are several tenant spaces within the existing building, with a mix of office, retail and personal service uses. The petitioner seeks to allow the conversion of an existing 700 square foot salon into a library and samples showroom to be used by an interior designer with an office already within the building.

The following review is based on plans and materials submitted to date as noted below.

- Zoning Review Application, prepared by Sasha Durand, submitted 2/12/2020
- Title Survey, prepared by R.E. Cameron & Associates, Inc, dated 9/2010

ADMINISTRATIVE DETERMINATIONS:

1. The property is located in the Multi Residence 1 zoning district and has been used for commercial purposes continuously since as early as 1913. Per section 3.4.1, commercial uses are prohibited in the MR1 zoning district. As such, the proposed office use is not permitted in the district, and the existing salon use is legally nonconforming. A special permit per section 7.8.2.C.2 is required to change from one nonconforming use to another.

There have been multiple special permits issued to various tenants within the larger building for conversion of one nonconforming use to another, and several for signage, the bulk of which were issued between 1972 and 1974. There are no special permits relative to use for this particular space.

2. The existing salon requires one parking stall per every 300 square feet plus one stall per every three employees at the largest shift per section 5.1.4. With 700 square feet and up to six employees at the largest shift, the salon use provides a parking credit of four stalls. Per section 5.1.4 an office use requires one stall per every 250 square feet, producing a requirement of three stalls. The parking credit from the salon use satisfies the parking requirement for the proposed office use and no waiver is required.

See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Request to allow the conversion from one nonconforming use to another	S.P. per §7.3.3

Next Steps

Please contact a Planner by calling 617.796.1120 to obtain a copy of the Special Permit Application. If there have been any changes made to the plans since receipt of your Zoning Review Memorandum you must inform the Zoning Code Official to ensure additional relief is not required. You will need an appointment with a Planner to file your Special Permit Application. **Incomplete applications will not be accepted.**

The following must be included when filing a Special Permit Application:

3. Two (2) copies of the completed Special Permit Application (signed by property owner)
4. Filing Fee (see Special Permit Application)
5. Two (2) copies of the Zoning Review Memorandum
6. Plans (Thirteen sets signed and stamped by a design professional). Each set shall contain:
 - Site Plans showing existing and proposed conditions (including topography as applicable)
 - Architectural plans showing existing and proposed conditions (including façade materials)
 - Landscape plan (as applicable)
7. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
8. One (1) copy of any previous special permits or variances on the property (as applicable)
9. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
10. Two (2) electronic copies of the application with all above attachments (USB or CD)

Copies of all plans shall either be 8.5 x 11 or 11 x 17, except as requested by staff

Special Permit Sign (\$20 fee)

Incomplete applications will delay the intake and review of your project.

Depending on the complexity of the project additional information may be requested to facilitate a full review of the application.

Has the proposed project been presented to and discussed with abutting property owners? Y/N