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Director

ZONING REVIEW MEMORANDUM

Date: October 8, 2019

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Jennifer Caira, Chief Planner for Current Planning

Cc: First General Realty Group, Petitioner
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request for a comprehensive parking waiver and to allow restaurants with more than 50 seats**

Applicant: First General Realty Group	
Site: 49-63 Union Street, 93-105 Union Street, 1280 Centre Street, 47-61 Langley Road, 790-794 Beacon Street	SBL: 610360007, 610360009, 610350005, 610360006, 610360003
Zoning: BU1	Lot Area: 8,735 square feet, 31,455 square feet, 27,560 square feet, 10,037square feet, 7,400 square feet
Current use: Mixed-Use Commercial	Proposed use: No change

Background:

The subject properties are located in the historic shopping district known as "Piccadilly Square", at the intersections of Centre Street, Herrick Road, Beacon Street, Langley Road and Union Street in the Business 1 zoning district. There are currently 109 commercial spaces in Piccadilly Square, occupied by a mix of restaurants, retail and personal services, a health club and office space. The Piccadilly Square businesses generally use on-street parking and the City of Newton public parking lots located Cypress Street and Beacon Street, as well as 32 off-street stalls located at 1280 Centre Street. As there are only 32 off-street parking stalls are available to the Piccadilly businesses, the petitioner seeks a comprehensive parking waiver for the properties located within Piccadilly Square to accommodate for future tenant changes.

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

- Zoning Review Application, prepared by Jodie Zussman, First General Realty Group, petitioner, dated 8/31/2019

ADMINISTRATIVE DETERMINATIONS:

1. The subject property consists of five separate lots with six separate buildings housing a mix of commercial uses including restaurants, retail, personal services, health club and both business and medical offices in 109 individual spaces. As parking is so limited on the private properties that comprise Piccadilly Square, the petitioner has had difficulty renting spaces, as special permits are often required to waive parking. Based on current uses and real estate trends, the petitioner anticipates the following uses and their parking requirements per section 5.1.4.A:

Existing/Anticipated Use	Parking Requirement	Stall Required
Restaurant 700 seats 125 employees	1/3 seats 1/3 employees	275
Retail 6,420 sf 24 employees	1/300 sf 1/3 employees	29
Personal Service 2,420 sf 12 employees	1/300 sf 1/3 employees	12
Business Office 9,250 sf	1/250 sf	37
Medical Office 28,410 sf	1/200 sf	142
Health Club – 2,000 sf 6 employees	1/150 sf 1/3 employees	15
TOTAL		510

There are 32 parking stalls available within Piccadilly Square to be shared by the employees and patrons of the 109 business spaces. With an anticipated parking requirement of 510 stalls, the petitioner requires a waiver of 478 stalls per section 5.1.13.

The Ordinance allows for parking credits when there is a change in a particular tenant space. A waiver granted by the proposed special permit would eliminate any existing credits, and a maximum parking demand would be applied.

A number of special permits have been granted within Piccadilly Square waiving parking requirements for individual tenant spaces. The special permit proposed by this application is intended to supersede all other existing special permits relative to parking.

2. The petitioner anticipates that tenant turnover will likely increase the number of restaurants within the Square. Per sections 4.4.1 and 6.4.29, a restaurant with more than 50 seats requires a special permit. Special permits have been granted for individual tenant spaces to allow for a restaurant with more than 50 seats, however the petitioner seeks a special permit to allow them generally within the parcels subject to this special permit to eliminate the need for further amendments to the proposed parking waiver.

3. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§5.1.4.A §5.1.13	To waive 478 parking stalls	S.P. per §7.3.3
§4.4.1 §6.4.29	To allow restaurants with more than 50 seats	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:

1. Two (2) copies of the completed Special Permit Application (signed by property owner)
2. Filing Fee (see Special Permit Application)
3. Two (2) copies of the Zoning Review Memorandum
4. 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)
5. One (1) Floor Area Ratio (FAR) Worksheet, (signed and stamped by a design professional)
6. One (1) copy of any previous special permits or variances on the property (as applicable)
7. One (1) copy of any other review/sign-off (Historic, Conservation, Tree Removal, etc. as applicable)
8. 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