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ZONING REVIEW MEMORANDUM

Date: July 28, 2014

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Alexandra Ananth, Chief Planner for Current Planning

Cc: Adrian Shapiro, Manager, Wells Ave Business Center LLC
Terrence Morris, Attorney
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Special permit to allow indoor place of amusement and associated parking waiver

Applicant: Adrian Shapiro, Wells Ave Business Center, LLC	
Site: 145 Wells Ave	SBL: 84 34 2G
Zoning: Limited Manufacturing	Lot Area: 86,256 square feet
Current use: Day care	Proposed use: Day care and indoor amusement

BACKGROUND:

The applicant is proposing to locate an indoor bouncy house business in a building housing a day care center at 145 Wells Ave, a 1.98 acre parcel located within the Limited Manufacturing district bound by Wells Avenue and Nahanton Street. There are no planned physical changes to, or expansion of, the existing building necessary to accommodate the two uses. However there are proposed changes to the design of the parking lot and to increase parking capacity from 30 to 45 stalls.

The Limited Manufacturing zoning district requires a special permit for a place of amusement. Further, the Deed Restriction for Wells Ave will need to be amended to allow a portion of the building to be used for amusement.

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

- Zoning Review Application, prepared by Terrence Morris, Attorney, dated 5/21/2014
- Existing conditions parking plan, prepared by Verne T. Porter, dated 5/2/2013
- Proposed conditions parking plan, prepared by Verne T. Porter, dated 11/12/2013

- Zoning Table & Parking Calculation, prepared by Terrence Morris, Attorney, dated 9/19/2013

ADMINISTRATIVE DETERMINATIONS:

1. The proposed use of the property for an indoor bouncy house space would be considered a place of amusement. Per section 30-12(e)(8), a special permit is required for a place of amusement in the Limited Manufacturing district.
2. The Deed Restriction for Wells Ave does not allow for amusement uses. An amendment to the Restriction is required to allow for this use.
3. The proposed amusement use requires one parking stall per each three employees at the highest shift, one stall per each three seats, plus one stall per each 45 square feet of space used concurrently with seating space per section 30-19(d)(13). The applicant is proposing capacity for two parties at any one time with a maximum of 15 children each. The children will be in either the play space or the party room, so the spaces will not be used at the same time. The applicant proposes 30 seats and 3 employees, requiring a total of 11 parking stalls. Given that the play space and the party space will not be used concurrently, no additional parking is required.

The parking requirement of 26 stalls for the day care is based on the start-up capacity of 70 children and twelve employees for the facility. The intention is for the day care to expand to a maximum capacity of 120 children and 17 employees, which would increase the parking demand to 41 stalls, per sections 30-5(a)(3)(d)iii and 30-19(d)(16).

There are currently 30 parking stalls on site. The applicant proposes to add an additional 15 stalls, creating 45 stalls total. The amusement space requirement of 11 stalls plus the day care requirement of 41 stalls at its maximum creates a total parking demand of 52 stalls. A waiver of seven stalls is required per section 30-19(m).

4. The existing parking stalls are dimensionally compliant at 9 feet by 19 feet. The applicant is proposing to create a 12 foot wide one-way drive with a center island to facilitate safer drop-off to the building. The new drive will shorten 12 of the existing parking stalls along it by two feet. Section 30-19(h)(2)d) allows for a stall length reduction of two feet provided there is a bumper overhang. These twelve stalls nose in to a vegetated open area where the two foot overhang is available. No waiver is required.
5. Section 30-19(h)(3)a) requires a minimum aisle width of 24 feet for one-way aisles providing access to stalls perpendicular to the aisle. The proposed aisle is 12 feet with stalls. A waiver is required to allow for a 12 foot access aisle per section 30-19(m).
6. Section 30-19(i)(2) requires interior landscaping for parking facilities with more than twenty stalls. It is unclear from the submitted plans of what the proposed interior island of the one-drive will consist. It appears no interior landscaping has been proposed. A waiver from this section is required per 30-19(m).

7. While the applicant has not indicated any signs, all signs are subject to the permitting requirements established in Section 30-20.

Zone Limited Manufacturing	Required	Existing	Proposed
Lot Size	N/A	86,256 square feet	No change
Setbacks			
• Front	25 feet	25 feet	No change
• Side	20 feet	20 feet	No change
• Rear	40 feet	154 feet	No change
Building Height	36 feet	N/A	No change
Max number of stories	3	1.5	No change
Max building lot coverage	25%	19.58%	No change
Minimum open space	40%	56.32	58.05
Parking stalls	52	30	45

*Many of the required dimensional controls fall under the provisions of the Deed Restriction

8. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-12(e)(8)	To allow an indoor place of amusement	§30-24
§30-19(d)(13) §30-5(a)(3)(d)iii §30-19(d)(16) §30-19(m)	Waive requirement for seven parking stalls	§30-24
§30-19(h)(3)a §30-19(m)	Reduce minimum aisle width for one-way traffic	§30-24
§30-19(i)(2) §30-19(m)	Waive interior landscaping requirements	§30-24
	Amend Wells Ave Deed Restriction	