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Director

ZONING REVIEW MEMORANDUM

Date: March 12, 2018

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Andrian Shapiro, Manager, Wells Avenue Business center LLC
Terrence P. Morris, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Acting City Solicitor

RE: **Request to amend Special permit #257-13(4)**

Applicant: Wells Avenue Business Center LLC	
Site: 145 Wells Ave	SBL: 84034 0002G
Zoning: Limited Manufacturing	Lot Area: 86,256 square feet
Current use: Day care and amusement	Proposed use: No change

BACKGROUND:

The property at 145 Wells Ave consists of an 86,256 square foot lot in the Limited Manufacturing District in the Wells Ave Office Park. The site is improved with 45 surface parking stalls and a two-story commercial building with a day care center that received administrative site plan approval in 2013 and an indoor amusement center which received a special permit in 2014. The deed restriction which limits the uses on Wells Ave was amended in both cases to permit the uses.

Special permit #257-13(4) permitted the use of the site for Jump'n'Slide Amusement Center, however several conditions within the permit limit the hours of operation, number of patrons and regulates the scheduling of parties. The petitioners request an amendment to these conditions to increase the hours of operation and number of patrons and parties. No changes are proposed for the site.

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

- Zoning Review Application, prepared by Terrence P. Morris, attorney, dated 1/22/2018
- Site Survey, prepared by Verne T. Porter, surveyor, dated 8/2/2016
- Special Permit #257-13(4), dated 10/6/2014

ADMINISTRATIVE DETERMINATIONS:

1. Special Permit #257-13(4) authorized the use of the property for a place of amusement (an indoor bouncy house) and a day care, with an associated waiver of seven parking stalls. Condition #4 of the special permit limited the number of staff at the amusement center to three, and the number of children/customers to 30 at any one time. Condition #6 requires that there may not be more than two concurrent events or parties at the bouncy house, and that the event start times are staggered by 15 minutes.
2. Condition #5 limits the hours of operation for the bouncy house to 6:00 p.m. to 9:00 p.m. on weekdays and from 9:00 a.m. to 7:00 p.m. on weekends. It also states that the bouncy house and day care uses may not be open to users at the same time. The condition does not accommodate for holidays when the day care would not typically be open. The petitioner requests an amendment to Condition #5 to allow the hours of operation to increase to weekdays from 10:30 a.m. to 9:00 p.m. and to 9:00 a.m. to 9:00 p.m. weekends and holidays. This amendment would also require that the condition that the two uses not operate concurrently be eliminated.
3. There are 45 surface parking stalls on the property. The original proposal for the bouncy house was for a maximum of 30 children (seats) and three employees at any given time, requiring a total of 11 parking stalls. The day care use was permitted with up to 120 children and 17 teachers, requiring 41, for a total of 52 stalls required for the combined uses (at the time of the most recent special permit, the day care had a projected start-up operation with 70 children and 12 employees, requiring 26 stalls). The petitioner received a parking waiver of seven stalls for the uses in 2014.

1. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
	Request to amend Special Permits #257-13(4)	