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Barney S. Heath
Director

PUBLIC HEARING MEMORANDUM

Public Hearing Date: October 23, 2018
Land Use Action Date: December 11, 2018
City Council Action Date: January 7, 2019
90-Day Expiration Date: January 21, 2019

DATE: October 19, 2018

TO: City Council

FROM: Barney Heath, Director of Planning and Development
Jennifer Caira, Chief Planner for Current Planning
Michael Gleba, Senior Planner

SUBJECT: **Petition #482-18** for SPECIAL PERMIT/SITE PLAN APPROVAL to allow an increase in the number of teachers and children in the program by waiving 17 parking stalls at **2330 Washington Street**, Ward 4, Newton Lower Falls, on land known as Section 42 Block 31 Lot 18, containing approximately 27,277 sq. ft. of land in a district zoned BUSINESS USE 1. Ref: Sec. 7.3, 7.4, 5.1.4, 6.3.4.B.3.c of Chapter 30 of the City of Newton Rev Zoning Ord, 2017.

The purpose of this memorandum is to provide the City Council and the public with technical information and planning analysis conducted by the Planning Department. The Planning Department's intention is to provide a balanced review of the proposed project based on information it has at the time of the public hearing. Additional information about the project may be presented at or after the public hearing for consideration at a subsequent working session by the Land Use Committee of the City Council.



2330 Washington Street

Preserving the Past  Planning for the Future

Preserving the Past  Planning for the Future

EXECUTIVE SUMMARY

The subject property at 2330 Washington Street is a 28,277 square foot lot on the south side of Washington Street in a Business 1 zoning district. It is improved with a structure that was constructed in 1840 as a residential dwelling and is currently occupied by the Artisan Day Care Center. There are 24 parking stalls on the property, with five located at the front of the property for pick-up and drop-off. The property, which abuts the Charles River to the rear, is almost entirely located within a Rivers Protection Area and is subject to conservation restrictions.

The Artisan Child Care center opened in 2014, following an Administrative Site Plan Review by the Planning Department. Per sections 5.1.4 and 6.3.4.B.3.c of the NZO, a day care center use requires one parking stall for every five children and one for each employee, and the center's operations were (and are) restricted to an enrollment to 60 children and 11 staff members in accordance with the 24 existing parking stalls provided on site. The day care center is now seeking to use space on the basement and attic levels to increase enrollment to 106 children and staff to 20. This proposed change in enrollment and staff would increase the number of required stalls to 41 (21 for the children and 20 for the staff).

As the petitioner does not intend to increase the number of stalls (or alter the parking or site in any way), a waiver of 17 parking stalls is required.

I. SIGNIFICANT ISSUES FOR CONSIDERATION

When reviewing this request, the Council should consider whether:

- literal compliance with the provisions of NZO §5.1 requiring 17 additional parking stalls for the proposed expanded enrollment and staffing of the existing day care center is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§5.1.4)

II. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD

A. Neighborhood and Zoning

The site is located on the south side of Washington Street in Newton Lower Falls between Grove and Concord streets. The neighborhood features a mix of uses with the subject property bordered by a retail building and general office building to the east, a Postal service building to the west and open space to the rear. The areas to the north across Washington Street have a mix of single and multi-family dwellings as well as commercial and other uses (**Attachment A**). The surrounding area similarly features a wide mix of zoning designations, with Single and Multi-Residence (including SR2, SR3, MR1 and MR2 areas to the north), Business 1 (BU1) parcels (including the subject site) along Washington Street, and various Business (BU2 and BU5) as well Manufacturing (M), Open Space and Public Use (PU) properties interspersed throughout (**Attachment B**).

B. Site

The subject property consists of a 28,277 square foot lot on the south side of Washington Street improved with a structure that was constructed in 1840 as a residential dwelling and is currently occupied by the petitioner. There are 24 parking stalls on the property accessed by a driveway on the west side of the lot; five are located at the front of the property and used for pick-up and drop-off, 19 to the rear of the structure used for longer-term, including staff, parking.

The front portion of the lot is landscaped with young trees and the rear of the lot immediately adjacent to the building is covered by a pea stone parking area. The remaining portion of the rear lot is manicured lawn and trees, and slopes down to the Charles River which abuts the property to the rear. The area between the river and the parking area is occupied by play space and structures associated with the existing day care center. The lot is almost entirely located within a Rivers Protection Area and subject to conservation restrictions.

III. PROJECT DESCRIPTION AND ANALYSIS

A. Land Use

The principal use of the site will remain a day care center, however enrollment would increase from 60 to 106 children and staff would increase from 11 to 20 employees.

B. Building and Site Design

No changes to the structure or site are proposed.

C. Parking, Circulation and Traffic

In its 2014 Administrative Site Plan Review memorandum on the Planning Department specifically recommended that, given the number of available parking spaces, the operation be limited to 60 students and 11 employees.

The Planning Department notes that as the petitioners have not proposed any alterations to the site, parking, or access, any increased demand for parking associated with increased enrollment or staffing would need to be handled via modified operations. The practices suggested as possible mitigation by the petitioner include staff assistance at drop-off and pick-up times, "active management" of parking spaces, and monitoring at the 85 and 106 child enrollment levels. The petitioner has proposed that in the event the present petition was granted and the existing 24 spaces proved to be "not adequate," it would incentivize ridesharing by employees and "require certain staff not to park at the site."

The petitioner has detailed these proposed approaches in a submitted Parking Management Plan (**Attachment D**) and a "transportation analysis" (dated September 6, 2018) which were forwarded to the Transportation Division for its review. At the time of the writing of this memorandum the Planning Department is awaiting its response and will be prepared to discuss any comments received from the Transportation Division in advance of the public hearing.

D. Landscape, Lighting and Signage

No changes are proposed.

IV. TECHNICAL REVIEW

A. Technical Considerations (Chapter 30, Newton Zoning Ordinance):

The Zoning Review Memorandum provides an analysis of the proposal with regard to zoning (**Attachment C**). Based on the completed Zoning Review Memorandum, the petitioner is seeking the following relief:

- Special Permit per §7.3.3 to waive 17 required parking stalls (§5.1.4, §6.3.4.B.3.c)

V. PETITIONER'S RESPONSIBILITIES

While the petition is considered complete at this time, additional information might be required pursuant to the Transportation Division's review of the submitted materials.

ATTACHMENTS:

- Attachment A:** Land Use Map
Attachment B: Zoning Map
Attachment C: Zoning Review Memorandum
Attachment D: Parking Management Plan

ATTACHMENT A

Land Use

2330 Washington St.

City of Newton,
Massachusetts

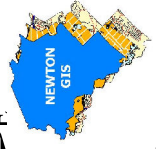
Legend

Land Use

Land Use

- Single Family Residential
- Multi-Family Residential
- Commercial
- Open Space
- Private Educational
- Nonprofit Organizations

- Vacant Land
- Tax Exempt

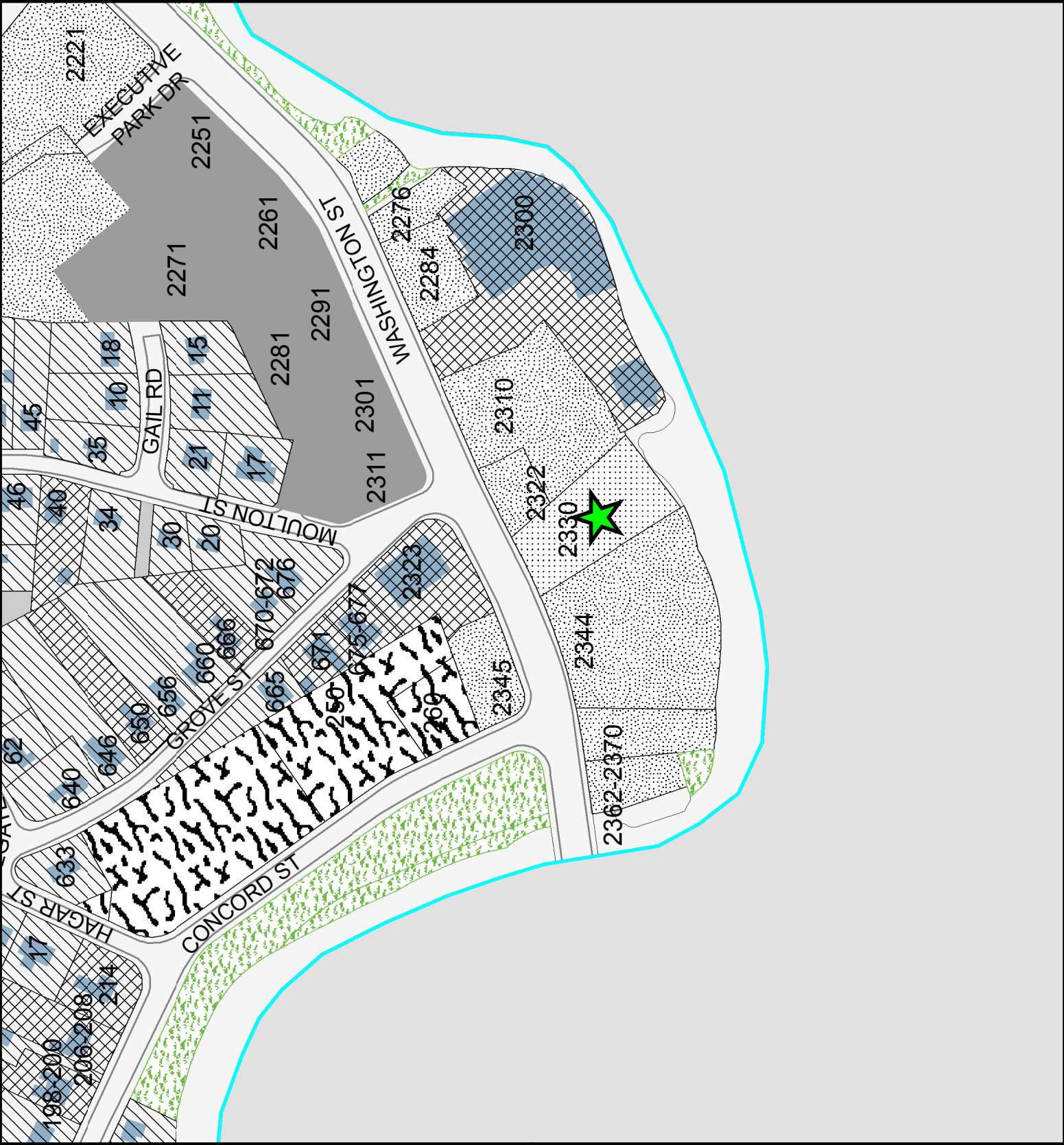


The information on this map is provided by the City of Newton Geographic Information System (GIS). The City of Newton cannot guarantee the accuracy of this information. Each user of this map is responsible for determining its suitability for his or her intended purpose. City departments will not necessarily approve applications based solely on GIS data.

CITY OF NEWTON, MASSACHUSETTS
Mayor - Ruthanne Fuller
GIS Administrator - Douglas Greenfield

012.95 50 75 100 125 150 175 200 225 250 275 Feet

Map Date: October 15, 2018













ATTACHMENT B

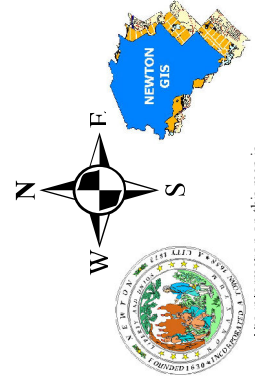
Zoning

2330 Washington St.

City of Newton,
Massachusetts

Legend

-  Single Residence 2
-  Single Residence 3
-  Multi-Residence 1
-  Multi-Residence 2
-  Business 1
-  Business 2
-  Business 5
-  Manufacturing
-  Open Space/Recreation
-  Public Use

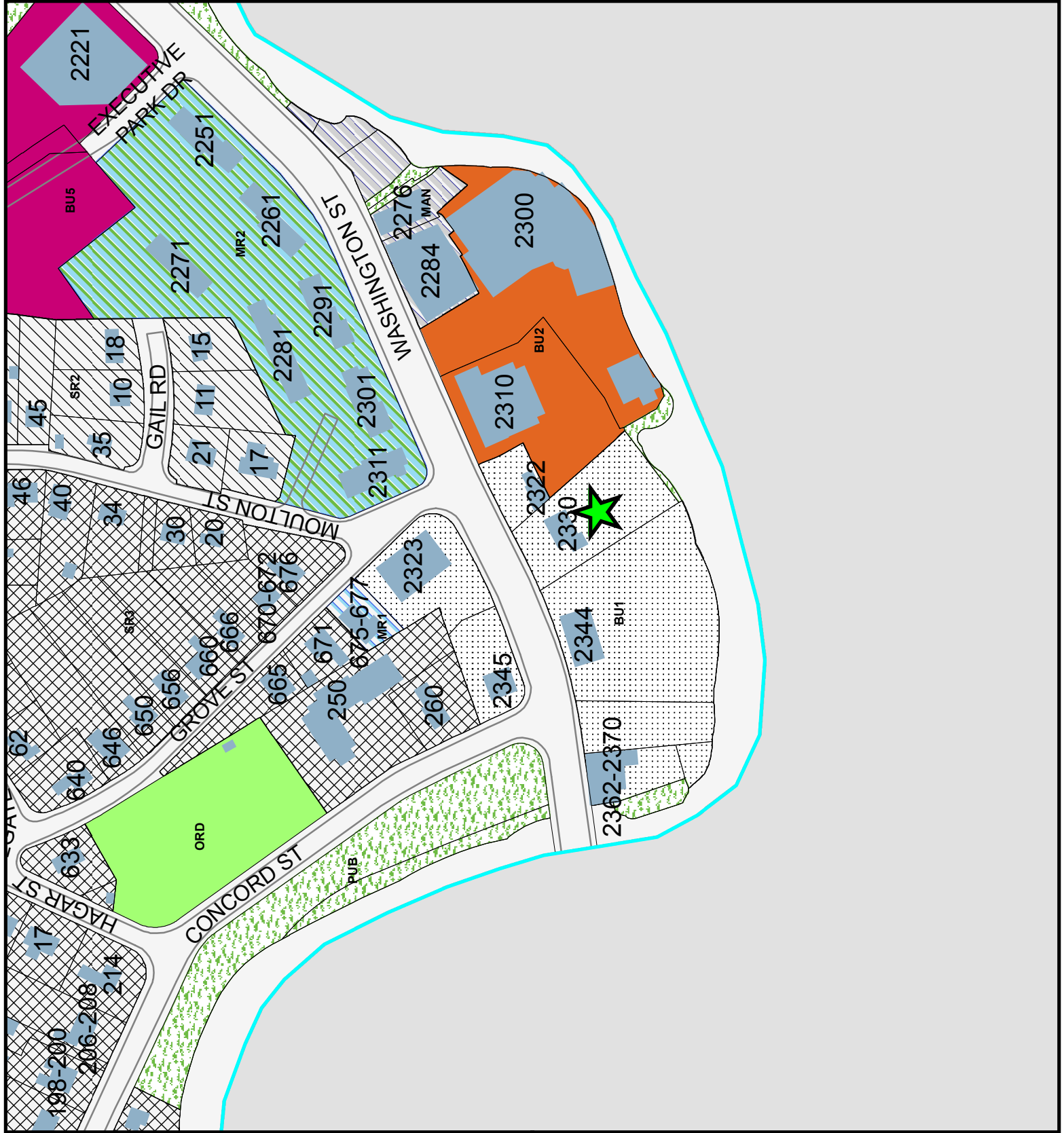


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ATTACHMENT C

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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 4, 2018

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Curtis House LLC, Owner
Artisan Child Care, Applicant
Frank Stearns, Attorney
Barney S. Heath, Director of Planning and Development
Ouida Young, Acting City Solicitor

RE: Request to to waive 17 parking stalls

Applicant: Curtis House LLC	
Site: 2330 Washington Street	SBL: 42031 0018
Zoning: BU1	Lot Area: 28,277 square feet
Current use: Day Care Center	Proposed use: No change

BACKGROUND:

The property 2330 Washington Street is comprised of 28,277 square feet in the Business 1 zoning district abutting the Charles River to the rear. The commercial building was constructed in 1840 as a residential dwelling and has been occupied by the Artisan Day Care Center since 2014. There are 24 parking stalls on the property, with five located at the front of the property for pick-up and drop-off. The property is almost entirely located within the Rivers Protection area and conservation restrictions. The day care center is seeking to increase the number of children and teachers in the program, requiring a waiver from parking requirements.

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

- Zoning Review Application, prepared by Frank Stearns, attorney, dated 8/9/2018
- As-Built Site Plan, signed and stamped by Paul S. Campbell, surveyor/engineer, dated 7/30/2018
- Parking Management Plan, dated 6/21/2018

ADMINISTRATIVE DETERMINATIONS:

1. The Artisan Child Care center opened in 2014 following an administrative site plan review by the Planning Department. At that time, the center restricted its enrollment to 60-65 children and 11 staff in accordance with the 24 existing parking stalls. The building has underutilized space and the center would like to expand to up to 106 children and 20 staff.

Per sections 5.1.4 and 6.3.4.B.3.c, a day care center use requires one stall per every five children, and one stall per each employee. The existing enrollment and staff require 24 stalls, which are currently provided on site. The increase in enrollment and staff increases this requirement to 41 stalls (21 for the children and 20 for the staff).

There are 24 parking stalls available on the property. Per section 5.1.4 and 6.3.4.B.3.c, the petitioner requires a waiver of 17 parking stalls to increase enrollment to 106 children and staff to 20.

2. The petitioners do not intend to alter the parking or site in any way. No further relief is required.
3. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§5.1.4 §6.3.4.B.3.c	Request to waive 17 required parking stalls	S.P. per §7.3.3

ATTACHMENT D



Parking Management Plan

2330 Washington Street, Newton, MA

June 21, 2018

BACKGROUND

In 2014, Artisan Child Care opened at this location following an administrative site plan review with the city of Newton Planning Department. At that time Artisan restricted enrollment and staff. Artisan has operated the program for four years now with utilizing a combination of nineteen (19) striped parking stalls in the rear of the building and five (5) striped “drop off / pick up” stalls in the front of the building. Artisan operates presently with a maximum of sixty-five (65) children and eleven (11) staff.

The building has four (4) empty classrooms available to be used as part of the child care operation. This would allow Artisan to expand enrollment up to one hundred six (106) children and up to twenty (20) staff.¹

PURPOSE OF PLAN

The purpose of this Parking Management Plan is to support the growth of the program to accommodate the child care needs of the public and to encourage safe access and egress and to minimize potential congestion at drop-off and pick-up times. The Plan is designed to support an update to the Site Plan review conducted in 2014 associated with the desired growth in enrollment within the existing building and site.

1. Description of how Artisan currently and successfully operates pickup and drop off area
 - a. Signage: Artisan has installed “parking for Artisan families only” for the 5 parking spaces in the front of the building. These are not the only spaces available to parents, but these are designated as parent-only spaces, not to be used by staff or customers of other local businesses.
 - b. Staffing: Artisan maintains 4 shifts for both full and part time staff members. These shifts help manage onsite parking by staff as the arrival and departure times of these shifts vary. See the chart below:

¹ The proposed maximum enrollment of 106 children is based upon the capacity of the facility as determined by the Commonwealth of Massachusetts Executive Office of Education, Department of Early Education and Care.

- c. Parental Education/Usage: as previously stated, the 5 existing parking spaces in the front of the building are reserved for parents only to be used exclusively for drop off and pickup. Artisan has many families with multiple children enrolled. Currently, this number is 14 families, which is consistent with past averages. This effectively reduces the number of cars entering/exiting by 7 each day. The remaining spaces at Artisan can also be used by parents as well as staff. Due to the quick turnover time for drop off and pickup (about 10 minutes per family), spaces are only occupied for a brief time by each family.

Client Drop Off	
Time	# of cars
730am	12
800am	11
830am	11
900am	11
930am	11
Client Pick Up	
Time	# of cars
330pm	10
400pm	10
430pm	10
500pm	13
530pm	13

- d. Enhancements due to expansion: Although we have not needed to thus far, Artisan will assign staff (as needed) each day at drop off and pick up time to assist parents with these duties and to manage on-site parking activity. This would further expedite the already quick process of drop off and pick up.
- e. Artisan will identify off-site parking options for special event programs when parking demand is expected to be higher than normal day to day utilization.

2. Description of different arrival/departure times for full and part time employees

- a. Below is a chart indicating the various shift start/end times and the associated approximate car count while these teachers are at Artisan:

Staff Arrivals	
Time	# of cars
700am	3
730am	3
800am	3
930am	3
230pm	3

Staff Departures	
Time	# of cars
230pm	3
330pm	3
400pm	3
530pm	3
600pm	3

PLAN IMPLEMENTATION

Artisan proposes to increase enrollment and related staffing in a gradual, phased manner in order to assure that the purposes of this plan can be met. At each phase of the increase in enrollment, Artisan will monitor on-site parking utilization and the effectiveness and efficiency of the pick-up/ drop off area. Artisan’s goal is to encourage parents to use the pick-up /drop off function in front of the site so that the majority of the parking stalls in the rear of the building will be used by staff. Artisan believes that with active staffing of the pick-up / drop off function, the time that parents take up a pick up / drop off space can be reduced thereby freeing up those spaces for other users more frequently.

If it is determined that the combination of the active pick up / drop off area in front and the nineteen (19) parking stalls in the rear are not adequate to meet the needs of growing enrollment, Artisan will implement the mitigation measures below.

PARKING MITIGATION MEASURES

- a. Artisan will incentivize employees to ride share or use public transportation through subsidy of transit passes or other means.
- b. Artisan will require certain staff not to park at the site.

Artisan staff would have at least two options for offsite parking: On-street parking on Concord Street, which has shown ample availability for our earliest morning shifts. The second option is the Woodland T Station parking lot. This lot offers a shuttle regularly that passes by Artisan, is walking distance from Artisan and allows for staff members to carpool to the center as needed.

PLAN REVIEW AND CONSULTATION WITH CITY PLANNING DEPARTMENT

Following the first phase of the expanded enrollment, and prior to further enrollment expansion up to a maximum of 106 children, Artisan will consult with the city of Newton Planning Department to review the results of the monitoring of the Parking Plan.