



Setti D. Warren  
Mayor

**City of Newton, Massachusetts**  
Department of Planning and Development  
1000 Commonwealth Avenue Newton, Massachusetts 02459

Telephone  
(617) 796-1120  
Telefax  
(617) 796-1142  
TDD/TTY  
(617) 796-1089  
www.newtonma.gov

Barney S. Heath  
Director

## ZONING REVIEW MEMORANDUM

Date: December 11, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Eui Choi, applicant  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

RE: **Special Permit to locate a for-profit educational use**

Applicant: 227 Washington Street	
Site: 227 Washington Street	SBL: 71007 0001
Zoning: Business 2	Lot Area: 5,553 square feet
Current use: Day care	Proposed use: For-profit learning center

### BACKGROUND:

The petitioner is proposing to locate a for-profit learning center at 227 Washington Street, a 5,553 square foot parcel located within the Business 2 district. The property is located at the intersection of Charlesbank Road and Washington Street, where the I-90 ramp meets Washington Street. The petitioner proposes a maximum of ten teachers and thirty students on weekday afternoons until 7:30 PM and weekends from noon to 5:00 PM. There are no exterior alterations to the building proposed, and the petitioner will be the only tenant in the building.

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

- Zoning Review Application, prepared by Eui Choi, dated 10/30/2017
- Existing Conditions Plan of Land, prepared by A.S. Elliot Associates, surveyor, dated 7/6/2015

**ADMINISTRATIVE DETERMINATIONS:**

---

1. The petitioner proposes to operate a for-profit learning center for individual, small group and classroom tutoring lasting one to two hours per session. Section 6.3.14 defines a for-profit educational use as any building or part of a building used a public or private educational institution containing one or more rooms, with provisions for two or more pupils. The proposed for-profit learning center meets the definition of a for-profit educational use and requires a special permit per section 4.4.1.
2. The petitioner proposes a maximum of ten teachers and one director working at any time. Section 5.1.4 requires that a school serving children under age 14 provide one on-site parking stall per each employee. There are seven existing parking stalls, and eleven stalls credited to the site from the previous day care use. The petitioner is required to provide eleven stalls, thus the credit satisfies the parking requirement.

<b>Zoning Relief Required</b>		
<b>Ordinance</b>		<b>Action Required</b>
§4.4.1	Request to allow a for-profit learning center	§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