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James Freas  
Acting Director


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**PUBLIC HEARING MEMORANDUM**

Public Hearing Date: May 10, 2016  
Land Use Action Date: July 26, 2016  
Board of Aldermen Action Date: August 1, 2016  
90-Day Expiration Date: August 8, 2016

DATE: May 6, 2016

TO: City Council

FROM: James Freas, Acting Director of Planning and Development  
Alexandra Ananth, Chief Planner for Current Planning  
Neil Cronin, Senior Planner 

SUBJECT: **Petition #127-16**, for a SPECIAL PERMIT/SITE PLAN APPROVAL to waive parking and screening requirements for a day care center at **288 Walnut Street**, Ward 2, Newtonville, on land known as SBL 22 04 15, containing approximately 21,988 sq. ft. of land in a district zoned BUSINESS 1. Ref: 7.4.5, 7.3.3, 5.1.4, 5.1.3.D, 5.1.13, 6.3.4.B.3.a, 6.3.4.B.3.c.

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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.



**288 Walnut Street**

## EXECUTIVE SUMMARY

The property located at 288 Walnut Street consists of a 21,288 square foot lot improved with a 40,000 square foot former church building of masonry construction. The church was built in 1863 and was converted into office and restaurant space in the early 1980s. The property is located in the Business 1 zoning district, in the Newtonville commercial business district. The petitioners are proposing to lease 4,870 square feet within the building to use as a day care center for up to twelve (12) employees and sixty (60) children. The Planning Department notes that a day care center is allowed in all zoning districts. The petitioner is seeking the below special permits in conjunction to the application;

- §5.1.3.D, §5.1.4, and §5.1.13 to waive five (5) parking stalls for the proposed use as stipulated in the NZO;
- §6.3.4.B.3.a to waive the screening requirements for outdoor play areas; and
- §5.1.4 and §6.3.4.B.3.c to waive the on-site drop-off and pick-up parking requirement.

The Planning Department notes there is no outdoor play area on the submitted plans. If a outdoor play area is proposed, revised plans should be submitted prior to any scheduled meetings in the future.

Per §6.3.4.B.3.d, the petitioner has provided a parking study and a transportation management plan (**Attachment A**) which has been reviewed by the Planning Department. In sum, the parking study details that four (4) employees will be allowed to park onsite, four (4) employees will park in the lot behind 304 Walnut Street, and the remaining four (4) employees will park elsewhere. As part of the transportation demand management plan submitted with the parking study, the petitioner will investigate subsidizing the cost of MBTA passes for employees.

The study suggests the peak drop off and pick up times will coincide with the times of day when the parking meters immediately serving the site are underutilized. The study expects the parents/guardians to use the vacant metered stalls to drop-off and pick-up their children. In addition, the study expects 15-20% of the parents/guardians to walk to the site thereby decreasing the stress on the metered spaces serving the site and the congestion of the area overall. This percentage is an estimate based on the petitioner's experience at other locations. Referencing the transportation demand management plan, the petitioner will encourage carpooling for parents/guardians, and funnel all vehicular access to the site via Bowers Street. Planning staff has recommended that the petitioner install a bicycle rack to increase the options available to the parents/guardians.

The Planning Department has some concerns with the proposed parking waivers. First and foremost, the four (4) employees will be parking offsite on a daily basis and it can be assumed these employees will occupy metered spaces immediately serving the site, thereby taking four spaces away from the parents/guardians to drop-off and pick-up. Second, the study relies on the metered spaces immediately serving the site to be vacant. This may be true now, but is impossible to guarantee these spaces will continue to be underutilized going forward. Third, the

Planning Department is skeptical about 15-20% of the parent/guardians walking to drop-off and pick-up the children. Lastly, the day care can only encourage the parents/guardians to carpool, and it will be difficult to enforce all traffic accessing the center via Bowers Street and not Newtonville Avenue.

**SIGNIFICANT ISSUES FOR CONSIDERATION:**

When reviewing this request, the Council should consider whether:

- Whether literal compliance of the number of parking stalls, vegetative buffer, and pick up/drop-off stall requirements are impractical due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot such that these exceptions will be in the public interest, or the interest of safety, or protection of environmental features (§5.1.13);
- There will be no nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3); and
- Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4).

**I. CHARACTERISTICS OF THE SITE AND NEIGHBORHOOD**

**A. Neighborhood and Zoning**

The subject property is located on Walnut Street in a Business 1 zoning district in the heart of the Newtonville commercial business district. The site is developed with an office building of masonry construction built as a church in 1863 which immediately abuts Interstate-90 to the south. To the east and west, are Multi-Residence 1 zoning districts, largely comprised of single and two-family residences, with some multi-family residences as well. Continuing south along Walnut Street are a number of different districts containing several different uses such as banks, restaurants, a senior center, and Newton North High School (**Attachments B & C**).

**B. Site**

The site is a large corner lot with frontages on Walnut Street, Newtonville Avenue, and Bowers Street. The property consists of 21,988 square feet of land, having been the site of a 42,000 square foot Methodist Episcopal Church which was converted into restaurant and office space in the early 1980s. Overall, the site is consistent with other lot sizes in the immediate area serving non-residential uses.

## II. PROJECT DESCRIPTION AND ANALYSIS

### A. Land Use

The principal use of the site will remain commercial. Day care is a use allowed in any zone.

### B. Building and Site Design

The petitioner is proposing to lease 4,870 square feet of space, formerly occupied by an office use, within the building as a day care. At full operation, the day care will enroll up to sixty (60) children requiring up to twelve (12) employees. There are no proposed changes to the footprint of the building, therefore the site is compliant with the dimensional regulations of the Business 1 zoning district.

### C. Traffic and Parking

In an effort to limit traffic on Newtonville Avenue, the transportation demand management plan encourages access to the site via Bowers and Harvard Streets. This will help create a circular flow, but will be difficult to enforce. In addition, the Planning Department has concerns with the waiver of the drop-off and pick-up parking requirement. First and foremost, based on the expected capacity of the use, four (4) employees will be without a spot on a regular basis as four (4) will park onsite and four (4) will park behind 304 Walnut Street. Second, the petitioner is relying on metered stalls on Bowers Street. If these stalls are occupied, the parents will be forced to park either further away or illegally on the streets. Since these drop-off and pick-up windows coincide with the morning and evening commutes, circling the area for parking may result in unnecessary congestion.

The Planning Department is concerned that no outdoor play area is proposed for the site. The Planning Department notes that play structures are not allowed in the setbacks and are concerned about the visual impact a play structure located on Walnut Street may have.

### D. Landscape, Lighting and Signage

A landscaping plan has not been submitted at this time. The Planning Department is concerned that no outdoor play area is proposed and has concerns with a play area on such a busy street. A landscape plan must be submitted prior to any scheduled meetings in the future.

## III. 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 D**). Based on the completed Zoning Review Memorandum,

the petitioner is seeking the following relief:

- §5.1.3.D, §5.1.4, and §5.1.13 to waive the parking requirement as stipulated in the NZO;

The previous use of the 4,870 square foot space required a total of nineteen (19) parking stalls, whereas the day care use requires twenty-four (24) stalls, the applicant requires a waiver of five (5) parking stalls per §5.1.3.D.

- §6.3.4.B.3.a to waive the screening requirements for outdoor play areas;  
Since an outdoor play area is not planned for the site, the petitioner is seeking relief from this requirement.
- §5.1.4 and §6.3.4.B.3.c to waive the on-site drop-off and pick-up parking requirement.

B. Engineering Review

As no changes are currently proposed to the site, this petition has not been routed to the Engineering Division to date.

IV. PETITIONER'S RESPONSIBILITIES

As of now, the following items are required per the NZO:

- §6.3.4.B.e trash location and screening plan; and
- Landscape plan showing any outdoor play area location, setbacks, and any proposed screening.

**ATTACHMENTS:**

- Attachment A:** Parking Study & Proposed Transportation Demand Management Plan  
**Attachment B:** Zoning Map  
**Attachment C:** Land-Use Map  
**Attachment D:** Zoning Review Memorandum, dated March 28, 2016

To: Land Use Committee of the City of Newton

From: Lou Mercuri, Planning Horizons

Re: 288 Walnut Street

Date: March 30, 2016

On behalf of the petitioner for this land use petition, Planning Horizons is submitting this report regarding the proposed daycare facility for 60 children at 288 Walnut Street in Newtonville.

### **Project Overview**

Tiny World Child Care Inc is proposing to locate a child care center for 60 children between the ages of 2 months and 5 years in the renovated space at 288 Walnut Street in Newtonville. The proposed 4,870 square foot space is presently vacant and is part of a larger group of office uses in the former church building at the intersection with Newtonville Avenue. Immediately abutting the site to the north is the Massachusetts Turnpike and the site is located at the edge of the Newtonville commercial area consisting of many retail and office uses. Per the site prepared plan by VTP Associates, there are 9 onsite parking spaces available and these spaces are shared by the office space occupants of the building. Four of these spaces would be assigned to the day care center. In addition, 4 leased spaces in the parking lot behind 304 Walnut Street, which is accessed from Newtonville Avenue directly across from the site, are available for the day care use and its employees.

The child care facility would operate from 7:00 AM to 6:00 PM Monday through Friday. The approximate age breakdown of the 60 children would be 1 infant, 18 toddlers, and 41 preschool children. Due to State Department of Early Education and Care staffing requirements for the various age groups, it is expected that 8 employees will be required at the 60-child capacity. Combining the parking space requirements for employees and the ratio for the number of children, a total of 24 parking spaces is required for this use. This total is confirmed in the zoning review memo from Jane Santosuosso dated March 28, 2016 and the letter confirms that a parking waiver of 5 spaces is needed as part of the Special Permit application.

Planning Horizons was asked to evaluate three aspects of this proposal to determine its potential impact in the area. First, the on-street parking in the area was evaluated for both availability to meet the parking demands for early morning drop-offs and late afternoon pickups. Second, it was essential to evaluate a similar capacity child care facility for expected drop off and pick up patterns and the results of this work are included in this report. Third, a Transportation Demand Management plan (TDM) was prepared and addresses the proposed measures the daycare center will employ to reduce vehicular trips and to improve communication and outreach to its employees and clients. The TDM plan is part of a separate report to the Land Use Committee.

**Existing Conditions**

The church building and current office space is situated on a 21,968 square foot parcel in Newtonville. At present, there are several office tenants in the building and the daycare center would become the largest tenant, occupying 4,870 square feet. The most prominent features in the area include the Massachusetts Turnpike which borders the property on its northerly edge, the vibrant Newtonville commercial area to the south and west, and the primarily residential area along Newtonville Avenue to the east. The site plan identifies 9 onsite parking spaces that are assigned to existing tenants. The closest on-street parking nearest the daycare center entrance exists along Bowers Street where 9 additional 2-hour metered spaces directly abut the site. As stated earlier, the center will have access to 4 leased spaces in the adjacent parking behind 304 Walnut Street which serves a variety of businesses in the area and is accessible from Newtonville Avenue.

**On-Street Parking Methodology and Survey Results**

The drop off and pick up plan for the child care center calls for primarily using the 9 metered spaces along Bowers Street in closest proximity to the main (rear) entrance to the center. These are 2-hour metered spaces which can serve any number of public purposes for businesses in the area. It is less than a 30-second walk from any of the 9 spaces to the entrance of the building.

Planning Horizons surveyed these 9 parking spaces during peak morning and evening hours to assess their usage and the current demands for parking in the area. The counts were conducted between September and December 2015 and coincided with the times of day most likely to be used for drop off and pick up of children. In all, 7 counts were conducted during the morning peak hour and 5 counts were conducted during the evening peak hour. Weather conditions were favorable and a 10-minute window was observed to capture the peak number of cars parked along Bowers Street at any one time. The results of both the morning and afternoon peak hour observations follow:

**Bowers Street On-Street Parking Meter Counts – Morning Peak Hour**

<b>Date</b>	<b>Day</b>	<b>Time</b>	<b>Conditions</b>	<b># Parked</b>	<b># Vacant</b>
9/14	Monday	8:45 AM	65° Sunny	0	9
9/15	Tuesday	8:45 AM	65° Sunny	3	6
9/16	Wednesday	8:20 AM	70° Sunny	0	9
9/17	Thursday	8:45 AM	65° Sunny	2	7
9/18	Friday	8:45 AM	75° Sunny	2	7
9/24	Thursday	8:45 AM	65° Sunny	1	8
9/25	Friday	8:30 AM	60° Cloudy	1	8
<b>AVERAGE</b>				<b>1</b>	<b>8</b>

**Bowers Street On-Street Parking Meter Counts – Evening Peak Hour**

Date	Day	Time	Conditions	# Parked	# Vacant
9/17	Thursday	4:30 PM	65° Sunny	1	8
9/18	Friday	4:30 PM	65° Sunny	0	9
9/24	Thursday	5:15 PM	70° Sunny	2	7
9/25	Friday	4:45 PM	65° Sunny	3	6
12/10	Thursday	5:00 PM	75° Clear	2	7
12/18	Friday	5:00 PM	65° Cloudy	2	7
<b>AVERAGE</b>				<b>2</b>	<b>7</b>

The actual surveyed data reveals several points. First, most morning drop off will occur between 7:00 AM (when the center opens) and 9:00 AM. Our surveys were conducted between 8:20 and 8:45 AM when it is more likely that spaces on Bowers Street would be used by the business/retail office uses in the area that are open at that time. The evening surveys were conducted between 4:30 and 5:15 PM when those spaces would again be more likely to be used by the surrounding businesses. Although the peak hours for child care pick up are between 4:00 and 6:00 PM, it is expected that the preponderance of pickups occur after 5:00 PM when some of the surrounding businesses have closed.

Looking at the data, there were never more than 3 cars parked along Bowers Street at any of the 13 surveyed intervals. Therefore, there were always at least 6 available spaces in either the morning or evening peak hour. The key issue to consider is whether 6 available spaces would be sufficient to meet the demands of a drop off and pick up of a center that will accommodate 60 children per day as planned for this location.

**Comparison Study with Little Corner School House, Brookline, MA**

To better assess the expected drop off and pick up conditions at 288 Walnut Street, it was decided to compare a similar-sized child care center currently operating in the area. After some investigation of child care capacities, it was determined that the Little Corner School House at 110 Harvard Street in Brookline most closely mirrored the potential conditions at 288 Walnut Street. The Little Corner School House is also a licensed child care center for children between 2 months and 5 years old, and it is licensed to serve 63 children at its Brookline location. This number is almost identical to the 60 children that would be served at 288 Walnut Street by the petitioner. Conditions along Harvard Street in Brookline are somewhat analogous as parents drop off and pick up along Harvard Street (2-hour meters) and Harvard Avenue in close proximity or a short walk to the site. There is no onsite parking lot at this location so drop off and pick up occurs from the above-mentioned streets. Similar to 288 Walnut Street, the Harvard Street area is marked by a combination of residential, office, and retail uses. Some walking traffic occurs for drop off and pick up and this was noted in our surveys.



Two surveys were conducted at the Little Corner School House on Monday, December 20, 2015. One hour-long survey was undertaken between 8:00 and 9:00 AM, and a second survey was completed between 4:30 and 5:30 PM. Conducting both morning and afternoon peak hour surveys on the same day would balance the number of drop offs and pickups. Conditions were cloudy with a temperature range of between 40 and 55 degrees. The observations included the total number of children being dropped off or picked up, the number of adult drop offs and pickups, as well as the duration of time needed for drop off and pick up.

The following charts provide the detail of the drop off and pick up activity. The charts are divided into 10-minute segments.

**Little Corner School House AM Drop Off Activity, December 20, 2015**

	<b># Children Entering Site</b>	<b># Parents Entering Site</b>
8:00-8:10 AM	2	2
8:10-8:20 AM	3	3
8:20-8:30 AM	5	5
8:30-8:40 AM	3	3
8:40-8:50 AM	4	3
8:50-9:00 AM	5	4
<b>TOTAL</b>	<b>22</b>	<b>20</b>

During the hour of observations, 13 of the 20 parents arriving to drop off children drove to the site and 7 walked to the facility. The length of drop off time was observed; it ranged from a minimum of 2 minutes to a maximum of 17 minutes. The average drop off time for all 20 drop offs was approximately 8 minutes.

Here is a chart that details the pickup activity also divided into 10-minute segments.

**Little Corner School House PM Pick Up Activity, December 20, 2015**

	<b># Children Entering Site</b>	<b># Parents Entering Site</b>
4:30-4:40 PM	6	4
4:40-4:50 PM	0	0
4:50-5:00 PM	7	5
5:00-5:10 PM	2	2
5:10-5:20 PM	1	1
5:20-5:30 PM	5	5
<b>TOTAL</b>	<b>21</b>	<b>17</b>

During the hour of observations, 15 of the 17 parents arriving to pick up children drove to the site and 2 others walked. The length of pick up time was also observed and ranged from a minimum of 2 minutes to a maximum of 13 minutes. The average pick up time for all 17 pickups was approximately 7 minutes.

Based on both the morning and afternoon peak hour study of the Little Corner School House, a number of similar expectations and conclusions can be drawn about the proposed Tiny World Child Care Center in Newton. The study reveals that for a center of approximately 60 children, no more than 5 parental drop offs or pickups occur within any 10-minute interval during peak times. The average drop off time was 8 minutes and the average pick up time was 7 minutes. Based on the current on-street availability of 7 – 8 parking spaces (out of 9) along Bowers Street at peak hours, it is expected that there will be more than an adequate amount of parking at all peak times in close proximity to the site entrance to allow for easy drop off and pick up access for parents. This conclusion is based on an assumption that 100% of parents will drive to the site, when in fact this is a neighborhood facility where 15-20% will likely walk to the site, further reducing demand for parking. In any event, the number of available parking spaces along Bowers Street exceeds the expected demand for those spaces based on both surveys described in this report.

### **Summary and Conclusion**

The proposed Tiny World Child Care Center at 288 Walnut Street will need to rely on several operational factors to allow for a smooth operation. First, the crucial drop off and pick up needs of parents in a safe, organized way needs to be accomplished. Based on current parking supply and demand along Bowers Street where 7 – 8 spaces are typically available at peak hours and the drop off and pick up patterns of a similar size facility in Brookline, we expect that there is enough capacity to meet the demands at both morning and evening peak hours. Second, parking for the maximum of 8 employees will be accomplished with 4 on-site spaces and through a leased arrangement with 4 additional spaces at 304 Walnut Street. Third, a Transportation Demand Management plan (TDM) is being prepared under separate cover that will create conditions that will allow for a safe operation and make clients and employees aware of options that will further reduce reliance on auto usage to the site. The requested parking waiver of 5 spaces is a theoretical number and the practical reality is that a child care center of this size can reasonably operate with access to 16 spaces, and that availability is well-demonstrated in this report.

March 2016

Transportation Demand Management Plan (TDM)  
 Proposed 60-child Day Care Center (Tiny World, Inc.)  
 288 Walnut Street  
 Newtonville, MA

This proposed Transportation Demand Management Plan (TDM) provides that the proposed 60-child day care at 288 Walnut Street, Newtonville, will include provisions to encourage carpooling, ridesharing, and MBTA usage and otherwise reduce the number of single-occupancy vehicles (SOVs) travelling to and from the site during times when onsite and on-street parking activities and traffic on the adjacent roadways are at their peak.

To achieve this objective, Tiny World, Inc. proposes the following measures:

Tiny World will assign a TDM coordinator who will be the contact and staff person responsible for implementing each of the following measures:










1. To maintain an updated on-site kiosk or bulletin board with information related to prospective ridesharing or carpooling arrangements for parents and staff.
2. To maintain and update the Tiny World website with a separate, easy-to-locate web page that will allow parents to post and seek out potential ridesharing and carpooling opportunities.
3. To promote the ridesharing and carpooling program in the Tiny World marketing literature and through announcements of day care activities sent to parents of the general day care population.
4. To include an invitation of solicitation for parents to consider ridesharing and carpooling as part of the official course registration application used to enroll children.
5. To provide on-site, readily-available MBTA commuter rail and bus schedules and monthly pass information for employees and parents.
6. The coordinator will provide a parking and access plan to all employees and parents that will identify at a minimum the following:
  - a. That all parental vehicular access will occur along Bowers Street headed westbound using Harvard Street from Newtonville Avenue in a one-way traffic flow. Direct access from Newtonville Avenue to Bowers Street headed north will be prohibited.
  - b. The location of the designated drop off and pick up parking spaces along Bowers Street
  - c. The designated locations for employee parking
  - d. That the TDM coordinator will be available to assist with the drop off and pick up of children from the Bowers Street parking spaces in both the morning and afternoon peak hours on a continuing basis

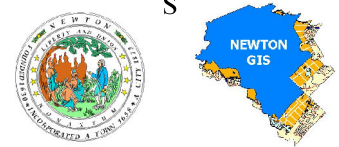
7. Tiny World agrees to help subsidize the cost of monthly employee MBTA passes to further reduce vehicular access to the site, subject to the terms and conditions of the special permit approval process.
8. The TDM coordinator will further maintain an ongoing record of successful ridesharing and carpool matches and record all other outreach efforts including any subsidies of MBTA passes to demonstrate compliance with the TDM plan.

# Attachment B Zoning Map 288 Walnut St.

*City of Newton,  
Massachusetts*

**Legend**

-  Multi-Residence 1
-  Multi-Residence 3
-  Business 1
-  Business 2
-  Business 5
-  Mixed Use 4
-  Open Space/Recreation
-  Building Outlines
-  Property Boundaries

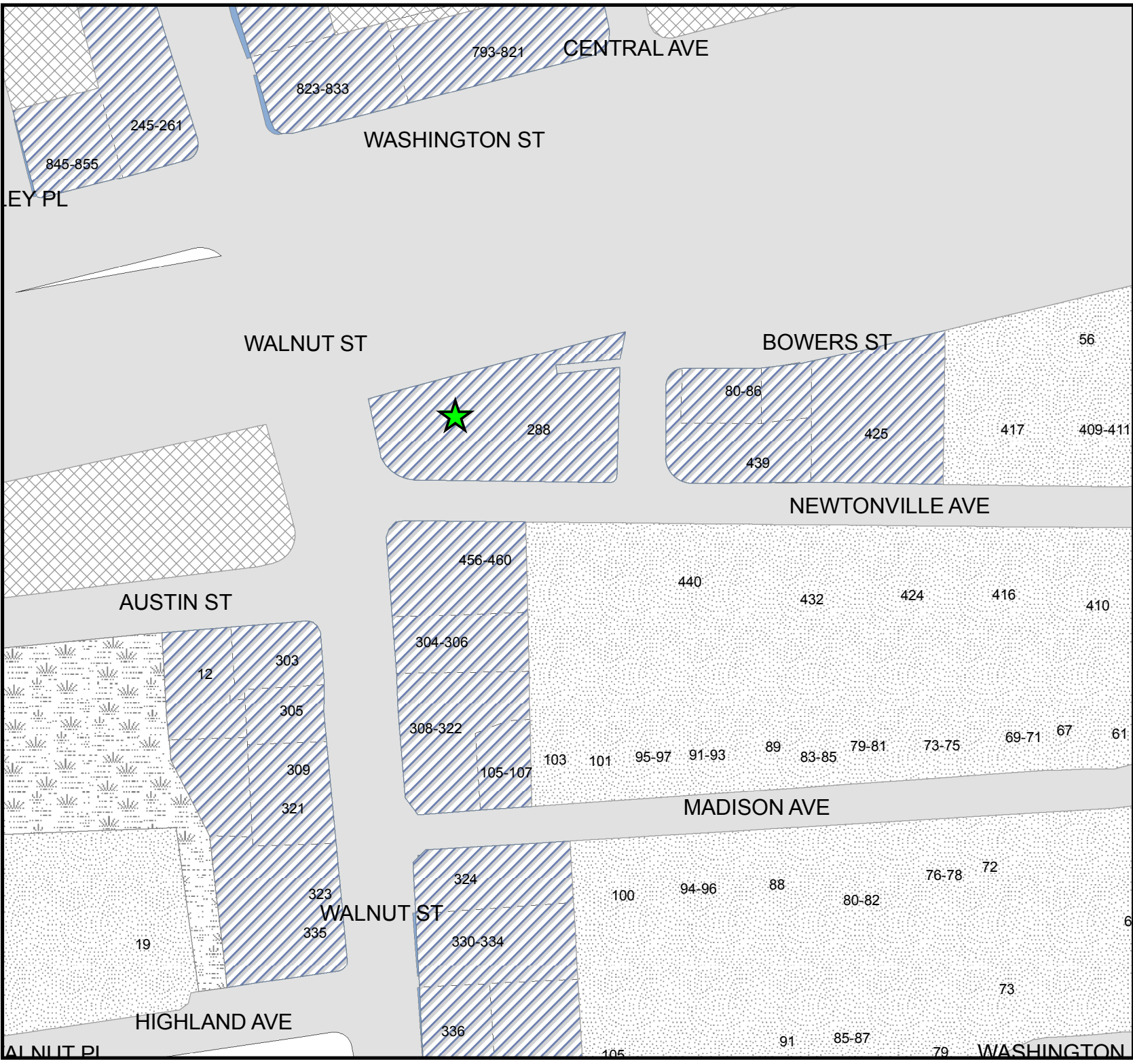


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CITY OF NEWTON, MASSACHUSETTS  
Mayor - Setti D. Warren  
GIS Administrator - Douglas Greenfield



Map Date: May 06, 2016



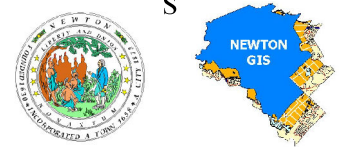
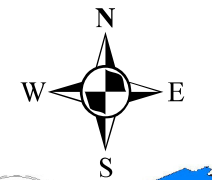
# Attachment C Zoning Map 288 Walnut St.



**Legend**

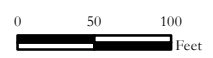
**Land Use**

- Single Family Residential
- Multi-Family Residential
- Commercial
- Industrial
- Mixed Use
- Open Space
- Nonprofit Organizations
- Vacant Land
- Tax Exempt
- Building Outlines
- Property Boundaries



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CITY OF NEWTON, MASSACHUSETTS  
Mayor - Setti D. Warren  
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Map Date: May 06, 2016



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James Freas  
Acting Director

**ZONING REVIEW MEMORANDUM**  
**Administrative Site Plan Review**

Date: March 28, 2016

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terry Morris, attorney  
James Freas, Acting Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Site Plan Review to locate a day care at 227 Washington Street, special permit to waive five parking stalls**

Applicant: 288 Walnut Street Realty Trust	
Site: 288 Walnut Street/ 449 Newtonville Ave	SBL: 22004 0015
Zoning: Business 1	Lot Area: 21,288 square feet
Current use: Vacant (formerly office space)	Proposed use: For-profit day care center

**BACKGROUND:**

The applicant is proposing to locate a day care center at 288 Walnut Street, a 21,288 square foot parcel located within the Business 1 district. The property is an island created by I-90, Walnut Street, Newtonville Avenue and Bowers Street. The building at 288 Walnut Street was originally constructed as the Methodist Episcopal Church in 1863, and converted into office and restaurant space in the early 1980s.

The applicant is proposing to lease 4,870 square feet of space within the building for use as a day care center in space formerly occupied by an office use. The day care will be staffed by 12 employees and enroll 60 children.

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

- Zoning Review Application, prepared by Terrence P Morris, dated 2/6/2016
- Topographic Site Plan, prepared by VTP Associates, Inc, surveyor, dated 10/12/2015

## **ADMINISTRATIVE DETERMINATIONS:**

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1. The proposed day care center is subject to the administrative site plan review procedure per Section 7.4.5 and the standards for day care centers found in Section 6.3.4.3 of the Newton Zoning Ordinance. These procedures govern the review of uses protected under MGL Chapter 40A, section 3, also known as the “Dover Amendment”.
2. The subject site is located in the Business 1 zoning district and must comply with the dimensional standards of Section 4.1.3. As no changes are proposed to the footprint of the building, there are no issues with regard to dimensional controls for the building.
3. The applicant is proposing 60 students and 12 staff members for the day care facility. Section 5.1.4 of the Ordinance requires that a day care center provide one on-site parking stall per each five students for drop-off, and one stall per each employee. Per the Ordinance, the applicant is required to provide 12 stalls for drop-off and 12 stalls for employees, for a total of 24 stalls. There are six stalls on the site shared among all of the tenants of the 40,000 square foot building.

The previous use of the 4,870 square foot space for office use required a total of 19 parking stalls per Section 5.1.4. The proposed use of the space as a day care requires 24 stalls. The applicant requires a waiver of five parking stalls per Section 5.1.3.D.

The applicant must provide one accessible parking stall with an 8 foot wide access aisle on the property, or seek a variance from the Architectural Access Board.

4. Section 6.3.4.B.3.a requires a year-round vegetative buffer at least four feet wide and six feet high along the perimeter of any outdoor play area. No outdoor play space is shown on the proposed plans, however any proposed outdoor play space must either meet these requirements or seek a Dover waiver.
5. Section 6.3.4.B.3.c states that in addition to meeting the parking requirements of Section 5.1, a day care center shall provide for drop-off and pick-up at least one on-site parking space for each five children. The parking stalls must comply with the applicable parking standards. As the applicant is seeking a waiver from the requirements for the number of stalls needed to meet Section 5.1.4, it is assumed that no parking stalls are dedicated on site for drop-off and pick-up. The City Council should make the determination that the requested waiver of the requirements of Section 6.3.4.B.3.c are satisfied by the requested special permit to meet the parking requirements of Section 5.1.4.
6. Per Section 6.3.4.B.3.d, the operator of a day care center must submit to the Director of Planning and Development a parking and drop-off management plan addressing employee parking, as well as alleviation of congestion during peak hours.
7. The operator of a day care must also submit to the Director of Planning and Development a trash location and screening plan per Section 6.3.4.B.3.e.



8. Before the issuance of a final Occupancy Permit, the operator of a day care shall provide to the Director of Planning and Development a current valid license by the Office of Child Care Services per Section 6.3.4.B.3.f.

<b>Administrative Site Plan Review</b>		
<b>Ordinance</b>		<b>Action Required</b>
§7.4.5 §6.3.4.3	Administrative Site Plan Review for a day care use	A.S.P.R. per §7.4.5
§5.1.4 §5.1.3.D §5.1.13	To waive five parking stalls	S.P. per §7.3.3
§6.3.4.B.3.a	To waive the screening requirements for outdoor play areas	Dover Waiver
§5.1.4 §6.3.4.B.3.c	To waive on-site drop-off and pick-up parking requirement	S.P. per §7.3.3