



Setti D. Warren
Mayor

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

170-12
Telephone
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: June 7, 2012

To: John Lojek, Commissioner of Inspectional Services

From: Seth Zeren, Chief Zoning Code Official
Eve Tapper, Chief Planner for Current Planning ET

Cc: Frank Stearns, attorney representing applicant
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request for site plan review to allow a building of 13,690 square feet in a Business 2 District

Applicant: Walgreen's Real Estate	
Site: 1099 Beacon Street, 875 Walnut Street, and 871 Walnut Street	SBL: 64003 0012, 64003 0011, and 64003 0010
Zoning: BU2	Lot Area: 43,922 square feet
Current use: 9,963 square foot retail building with 54 parking stalls	Proposed use: 13,690 square foot retail building with 43 parking stalls

BACKGROUND:

The properties at 1099 Beacon Street, 875 Walnut Street and 871 Walnut Street have been jointly developed as a 43,922 square foot lot improved with a retail building, occupied by a Walgreens Pharmacy, and an associated surface parking lot. The applicant proposes to expand the retail building to the north, replacing a portion of the parking lot.

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

- Architectural floor plans, elevations, and signage details (3 sheets), signed and stamped by F. Paul Frederick, Architect, dated 2/29/12
- Site plans, signed and stamped, by Benjamin C. Osgood, Jr. Civil Engineer, dated 4/26/12
 - Existing conditions plan, Layout and materials plan, Demolition plan, Photometric plan, Truck turnaround plan, Landscape and lighting plan
- Letter on behalf of the Urban Design Commission recommending approval of proposed signage, dated 4/19/12
- Parking calculations, by Frank Stearns, dated 4/27/12, amended by phone

- 6. The applicant also proposes to install secondary signage. Per Section 30-20(f)(2), secondary signs are not permitted on the same frontage as a principal sign. The proposed plans show one secondary sign on the Beacon Street frontage on the same wall as the principal sign and the same configuration on the Walnut Street frontage. In order to construct these signs as proposed, the applicant must obtain a special permit from the Board of Aldermen per Section 30-20(l).
- 7. The applicant's plans show a fenced trash enclosure located approximately four feet from the north property line. The Commissioner of Inspectional Services has determined that the proposed fence does not require additional zoning relief.
- 8. The applicant's plans show an existing 54-stall parking lot. The applicant proposes to reduce the size of the parking lot to 43 stalls to make room for the proposed addition. The applicant must comply with the parking regulations of Section 30-19(c), (d)(10), and (d)(15), per the table below. The number of required parking stalls for the proposed uses is 43, the same as the number proposed; therefore no additional zoning relief is required.

Proposed	Parking Formula	Required Parking
12,000 square feet retail	1 stall per 300 square feet	40 (A)
1,690 square feet storage	1 stall per 2,500 square feet	1 (A)
6 employees on the largest shift	1 stall per 3 employees	2 (A)

- 9. The applicant's proposed parking lot conforms to the design requirements of Section 30-19(h) for setbacks, stall dimensions, handicapped stalls, maneuvering aisle width, and entry and exit driveways. No additional zoning relief is required.
- 10. Sections 30-19(i)(1) and (i)(2) require screening and interior landscaping for parking facilities of greater than 20 stalls. The proposed plans appear to meet these requirements; therefore no additional zoning relief is required.
- 11. Section 30-19(j) requires adequate lighting, surfacing, and maintenance of parking facilities. The applicant's plans note compliance with the lighting requirement, 30-19(j)(1). The applicant must also comply with the surfacing and maintenance requirements of Sections 30-19(j)(2) and (j)(3) or obtain a special permit from the Board of Aldermen to waive these requirements.
- 12. Section 30-19(l) requires the provision of off-street loading facilities. The applicant's plans indicate a loading dock that conforms to the requirements of Section 30-19(l). Therefore, no additional zoning relief is required.
- 13. The applicant's plans show a number of trees to be removed to make room for the addition. The applicant must comply with Chapter 20, Sections 31-39 of the City Ordinances.

14. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Relief</i>	<i>Action Required</i>
	Construct a structure across a lot line	Merge the parcels and record a new deed
§30-11(j)(3)	Allow a building of 13,690 square feet of gross floor area in a Business 2 District	Site Plan Approval per §30-23
§30-19(j)(2) and (j)(3)	Meet required surfacing and maintenance requirements or obtain a special permit waiver	Certify compliance with requirements or S.P. per §30-24
§30-20(f)(1), 30-20(f)(2), 30-20(l)	Allow principal signs totaling greater than 100 square feet and secondary signs on the same wall as principal signs	Special Permit per §30-24
§20-31 through 39	Remove existing trees	Comply with §20-31 through 39