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## ZONING REVIEW MEMORANDUM

Date: May 9, 2017

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Stephen J. Buchbinder, attorney  
Northland Oak Street, LLC/Northland Tower Road Investors, LLC  
Barney S. Heath, Director of Planning and Development  
Ouida Young, Associate City Solicitor

**RE: Request to allow off-site parking, non-accessory parking, waivers from the parking regulations, and to rezone the site to Business 4**

Applicant: Northland Oak Street, LLC/Northland Tower Road Investors, LLC	
<b>Site:</b> 156 Oak Street, 55 Tower Road, 275-281 Needham Street, 260 Needham Street, 160 Charlemont Street	<b>SBL:</b> 51028 0005, 51028 0005A, 51028 0006, 83030 0010, 83030 0012,
<b>Zoning:</b> MU1	<b>Lot Area:</b> 1,248,927 square feet (28.7 acres)
<b>Current use:</b> Commercial (mostly vacant) and parking	<b>Proposed use:</b> Offices, accessory and non-accessory parking

### BACKGROUND:

The project site is comprised of five parcels, all located in the Mixed Use 1 zoning district totaling 28.7 acres (1,248,927 square feet). The parcels have historically been used for manufacturing purposes and each contains buildings used for commercial purposes, as well as accessory parking. The five parcels that compose the site are 156 Oak Street (Parcel 1), 55 Tower Road (Parcel 2), 275-281 Needham Street (Parcel 3), 260 Needham Street (Parcel 4) and 160 Charlemont Street (Parcel 5). The applicants seek to rezone all five parcels to Business 4 in anticipation of a comprehensive redevelopment project.

The applicants intend to demolish two buildings and a concrete slab located on Parcel 2, and develop a portion of the parcel with a parking area, serving the existing 172,00 square foot office building on Parcel 1. This building is largely vacant but will be renovated for new office tenants. The applicants are seeking a special permit to locate non-accessory parking on Parcel 2.

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

- Zoning Review Application, prepared by Stephen J. Buchbinder, Attorney, dated 3/17/2017
- Plans, signed and stamped by Curtis R. Quitzau, engineer, VHB, dated 3/17/2017
  - Area Plan
  - Zone Change Plan
  - Site Plan
  - Demolition Plan
  - Existing Conditions Plan of Land (West)
  - Existing Conditions Plan of Land (East)

#### **ADMINISTRATIVE DETERMINATIONS:**

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1. The current zoning for the parcels included in the project site is Mixed Use 1. The applicant proposes a rezoning of all five parcels to Business 4. The total area of the five parcels is 1,248,927 square feet, or 28.7 acres. This zoning review memo presumes a zone change and will utilize the use and dimensional requirements for the BU4 zoning district.
2. For the purposes of this memo, 156 Oak Street is referred to as “Parcel 1.” This parcel contains 237,780 square feet and is improved with a 172,000 square foot office building, which is currently largely vacant. The applicant intends to renovate the existing building for new office tenants. To accommodate the parking for Parcel 1, the applicant intends to demolish two buildings and a concrete slab located at 55 Tower Road, known as “Parcel 2”, and develop a portion of the parcel with a parking area. Section 5.1.6.A requires that off-street parking facilities locate on the same lot as the principal use served. The applicant proposes to accommodate the parking for Parcel 1 in part with a parking area located on Parcel 2. To allow for the parking for Parcel 1 to be located on Parcel 2 requires a special permit per Section 5.1.6.B.
3. The redevelopment of Parcel 2 into a non-accessory parking facility for Parcel 1 in the BU4 zoning district requires a special permit per Section 4.4.1.
4. The proposed parking area includes a total of 453 parking stalls with 224 located on Parcel 1 and 229 on Parcel 2. Of those, 442 are standard parking stalls and 11 are accessible stalls. Parcel 1 is designated as “Accessory Parking”, as it is the location of the office use, and Parcel 2 as “Non-Accessory Parking.”

Per Section 5.1.4, the parking requirement for a general office use is one stall per every 250 square feet for the first 20,000 square feet, and one stall per every 333 square feet for the additional square footage. The office building is 172,000 square feet. A total of 537 parking stalls are required for the office use, with 80 stalls required for the first 20,000 square feet, and 457 required for the remaining 152,000 square feet. With 453 stalls located on site (between the two parcels), a waiver of 84 stalls is requested to comply with the requirements of Section 5.1.4.

5. A total of 224 accessory parking stalls are proposed on Parcel 1. Of those stalls, 85 will be newly constructed and will comply with the Zoning Ordinance with respect to dimensional requirements. The remaining 139 accessory parking stalls are existing and nonconforming in several regards. These existing nonconforming stalls predate the current requirements and are considered

grandfathered, and therefore protected from meeting current dimensional standards. To the extent that the changes to the site trigger review and compliance, the applicant requests several waivers.

6. Several of the existing parking stalls on Parcel 1 are located within the side setback. Section 5.1.8.A.1 requires that no parking stall be located within any front or side setback distances. To the extent necessary for the pre-existing nonconforming parking, a waiver from this provision is required.
7. Section 5.1.8.B requires stalls have a minimum dimension of 9 feet wide by 19 feet deep. The existing stalls measure 8.5 feet by 18 feet. To the extent necessary, a waiver from the dimensional requirements of Section 5.1.8.B is required.
8. The existing driveway from Oak Street is 31.4 feet wide, where 25 feet is the maximum allowed in Section 5.1.8.D.2. To the extent that the existing nonconforming driveway width is not grandfathered, a waiver is required from Section 5.1.8.D.2.
9. Section 5.1.9.A requires outdoor parking facilities with more than five stalls to be screened from abutting streets and properties with a strip at least five feet high of densely planted shrubs or trees or a wall or fence. The applicant seeks a waiver from this provision.
10. Section 5.1.9.B requires interior landscaping for surface parking containing at least twenty stalls. The applicant requests a waiver from this section in its entirety pursuant to Section 5.1.13 to allow for a reduction in the interior landscaping requirements, including total percentage of planting area, tree caliper and bumper overhang areas.
11. All parking facilities which are used at night are required to have security lighting maintaining a minimum intensity of one-foot candle on the entire surface of the parking facility per Section 5.1.10.A.1. The applicant requests a waiver from this provision per Section 5.1.13.
12. Section 5.1.10.B.5 requires curbing, wheel stops, guard rails or bollards at the edges of surfaced areas to protect landscaping. The applicant requests a waiver from this provision per Section 5.1.13.

<b>Zoning Relief Required</b>		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
	Rezone the parcels to Business 4	
§5.1.4, §5.1.13	To allow a waiver of 84 parking stalls	S.P. per §7.3.3
§5.1.6.A, §5.1.6.B, §5.1.13	To allow parking on a lot separate from the principal use	S.P. per §7.3.3
§4.4.1	To allow a non-accessory single-level parking facility	S.P. per §7.3.3
§5.1.8.A.1, §5.1.13	To allow outside parking within setbacks	S.P. per §7.3.3
§5.1.8.B, §5.1.13	To waive the dimensional requirements for parking stalls	S.P. per §7.3.3
§5.1.8.D.2, §5.1.13	To waive the maximum width for entrance and exit drives	S.P. per §7.3.3
§5.1.9.A, §5.1.13	To waive perimeter screening requirements for parking facilities	S.P. per §7.3.3
§5.1.9.B, §5.1.13	To waive the interior landscaping requirements for parking facilities	S.P. per §7.3.3
§5.1.10.A.1, §5.1.13	To waive the lighting requirements for parking facilities	S.P. per §7.3.3
§5.1.10.B.5 §5.1.13	Waive the requirement for curbing, wheel stops, guard rails and bollards	S.P. per §7.3.3