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James Freas
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ZONING REVIEW MEMORANDUM

Date: August 28, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Jamie McManus, Fox and Hounds Realty Trust
James Freas, Acting Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request for a special permit for a building in excess of 20,000 square feet, to allow inside motor vehicle servicing (detailing and washing), and to amend Board Order #91-91

Applicant: Fox and Hounds Realty Trust	
Site: 230 Needham Street	SBL: 83028 0078
Zoning: MU1	Lot Area: 88,742 square feet
Current use: Retail/Restaurant/Service	Proposed use: Same

BACKGROUND:

The property at 230 Needham Street consists of an 88,742 square foot lot improved with a 33,900 square foot commercial building and a surface parking area. The applicant also owns the adjacent 74,927 square foot parcel at 244 Needham Street, which is improved with two multi-tenanted commercial buildings. The two lots are contiguous and share 223 parking stalls. The applicant is requesting a special permit to construct an 840 square foot addition to the rear of the property to be used for an auto detailing business. The addition will have four bays, and will be located on what is currently a landscaped area. The applicant intends to re-grade the sidewalk so as to maintain the parking stalls in front of the proposed building.

Board Order #91-91, issued May 6, 1991, authorized the conversion of 22,182 square feet of existing warehouse and gymnastics space to retail, which was consistent with other existing nonconforming retail uses on site. The bulk of the conditions of that special permit dealt with site improvements, especially relating to parking areas and driveway aisles. The special permit required that the owner of the property receive a license from the City to utilize portions of the area within Charlemont Street for

parking, as several of the parking stalls are half into the public way. This license has been in place since 1993.

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

- Zoning Review Application, prepared James H. McManus III, Fox and Hounds Properties, dated 7/16/2014
- Parking Calculation
- Plans and Elevations, DSH Design Group, date 7/10/2014
- Land Title Survey, signed and stamped by Stephen P. Dyer, surveyor, dated 10/11/2005
- Plans and Elevations, prepared by DSH Design Group, dated 7/10/2014
- Agreement relative to parking on a portion of Charlemont Street, dated 1/8/1993
- Board Order #91-91, dated 5/6/1991

ADMINISTRATIVE DETERMINATIONS:

1. The applicant is proposing to construct an 840 square foot addition to the rear of the existing 33,900 square foot building. Section 30-24(d)(5) requires a special permit for commercial developments in excess of 20,000 square feet of gross floor area.
2. The applicant intends to use the additional space to house an automotive detailing shop. Pursuant to Section 30-13(b)(6), inside service of motor vehicles requires a special permit.
3. There are 223 existing parking stalls on site, serving the businesses on the two lots. Per Section 30-19(d), the applicant requires 213 parking stalls for the existing businesses. The 840 square foot addition for the car detailing business will require an additional four parking stalls; one stall per each 300 square feet, plus one stall per each three employees at the busiest shift, per Section 30-19(d)(10). With the new requirement of 217 stalls to service the businesses on site, the applicant’s existing 223 stalls satisfy the requirement and no action by the Board is required.
4. A condition of Board Order #91-91 required that the applicant seek a license from the City of Newton to use portions of Charlemont St for parking, as the lot line bisects most of the stalls along Charlemont. This agreement was executed on January 15, 1993 and remains active.

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
§30-24(d)(5)	For commercial developments in excess of 20,000 gfa	S.P. per §30-24
§30-13(b)(6)	To allow inside service of motor vehicles Mixed Use 1 District	S.P. per §30-24