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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: May 5, 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
Needham Chestnut Realty, LLC
Barney S. Heath, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to allow a bank and to amend Board Order #229-13

Applicant: Needham Chestnut Realty LLC	
Site: 170 Needham Street	SBL: 83028 0002
Zoning: MU1	Lot Area: 27,178 square feet
Current use: Vacant	Proposed use: Bank

BACKGROUND:

The property at 170 Needham Street consists 27,178 square feet improved with a newly constructed 7,140 square foot single-story building and accessory parking allowed by Board Order #229-13. There are three commercial spaces in the building; one is currently occupied by The Vitamin Shoppe, a retail store, a second by Jimmy Johns, a sandwich shop. A third space is vacant and the applicant requests an amendment to the special permit to allow for its occupancy by a bank.

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 3/24/2017
- Board Order #229-13
- Zoning Review Memo, prepared by Jane Santosuosso, Chief Zoning Code Official, dated 6/17/2013
- As-Built Site Plan, signed and stamped by Steven M. Horsfall, surveyor, dated 9/9/2016
- Proposed Floor Plan, prepared by DRL Architects, dated 3/20/2017

ADMINISTRATIVE DETERMINATIONS:

1. The applicant proposes to introduce a bank use (Rockland Trust) to the third commercial space on site. Per Section 4.4.1, a special permit is required to allow a bank use in the Mixed Use 1 zoning district.
2. There are 33 parking stalls on site to accommodate the three commercial spaces. The 2013 zoning review memo determined that 39 stalls were required for the anticipated uses on site, assuming 5,000 square feet of retail and 2,140 square feet for a restaurant. According to the memo, the previous use of the property required 48 stalls, where 23 stalls were actually provided on site. Using the A-B+C formula of then Section 30-19(c)(2), which is now Section 5.1.3.B, where “A” was the number of parking stalls required for the proposed use, “B” was the number of stalls required by the previous use, and “C” was the number of stalls located on the premises, it was determined 14 stalls were required ($39-48+23=14$ parking stalls required). The petitioner provided 33 stalls on site, so no waiver was required.

The retail use (the Vitamin Shoppe) occupies 3,000 square feet and has 3 employees at the busiest shift, requiring 11 stalls. Jimmy Johns has 37 seats (which may be increased to 50 under their lease) and has a maximum of 4 employees at the busiest shift, requiring 15 stalls. Rockland Trust intends to rent 2,513 square feet and will have no more than six employees at the largest shift. Per Section 5.1.4, a bank requires one stall per each 300 square feet, and one stall for every three employees at the largest shift. The proposed bank use requires 11 parking stalls. In total, the three uses will require 37 parking stalls, which is less than the 39 anticipated by the 2013 special permit. No parking waiver is required.

Additionally, if Jimmy Johns ultimately increases their seating to the max of 50, this will raise the parking requirement to 41 stalls. Under a revised A-B+C calculation (using 41 instead of 39 for the “A” value), 16 parking stalls would have been required instead of 14. As 33 are provided on site, no parking waiver should be necessary in the event the seating is increased.

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
	Amend Board Order #229-13	
§4.4.1	To allow a bank	S.P. per §7.3.3