



Setti D. Warren
Mayor

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

Telephone
149-0364 (796) 1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: September 6, 2012

To: John Lojek, Commissioner of Inspectional Services

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

ET

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

RE: Request to allow a restaurant in a Mixed Use 1 District and waive 25 required parking stalls

Applicant: Bertucci's Restaurant Corp.	
Site: 300 Needham Street	SBL: 83030 0011
Zoning: MU1	Lot Area: 205,211 square feet
Current use: Vacant (retail) in mixed-use shopping center	Proposed use: Restaurant

BACKGROUND:

300 Needham Street consists of a 205,211-square foot lot improved with a mixed-use retail and personal storage building. The existing building and uses were approved by Special Permit in 2003 (B.O. #149-03). In 2006, the property owner obtained an amendment to the Special Permit and site plan to allow free-standing signs and oversize secondary signs. The current application proposes to locate a new restaurant in one of the retail spaces that has not been occupied since the building was originally constructed.

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

- Floor plan showing 100 seats, signed and stamped by Gary J. Sadler, architect, dated 8/25/12
- Site plan, signed and stamped by Gary J. Sadler, architect, dated 8/25/12
- Copy of Board Order #149-03, and associated Planning Department Memoranda
- Sign plans by National Sign Corporation, Deb Michaud, dated 8/8/12

Proposed	Parking Formula	Required Parking
Proposed parking demand (above)	n/a	225 (A)
Existing	Parking Formula	Parking Credits
Existing parking demand (above)	n/a	202 (B)
Approved off-street parking spaces	n/a	145 (C)
Total Parking Required:		168
Parking Provided		143
Parking Waivers Required		25
Calculation per §30-19(c)(2): A (225) – B (202) + C(145) = Required number of parking stalls (168)		

4. Due the presence of a free-standing sign on site, the applicant's sign plans must meet the requirements for secondary signs per Section 30-20(f)(2). The applicant's sign plans show two conforming secondary signs of less than 50 square feet each, one facing toward Needham Street and the other facing the parking lot to the north of the proposed restaurant. No zoning relief is required.
5. The City's current practice is to consolidate special permits on a given parcel. The applicant should work with the City and the property owner to integrate all approvals and conditions into a single special permit to govern the site going forward.
6. See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Relief</i>	<i>Action Required</i>
	Alter an approved site plan	Amend and consolidate existing special permits and site plans
§30-13(b)(5)	Allow a restaurant use in the MU1	S.P. per §30-24
§30-19(c), §30-19(d)(13), §30-19(m),	Waive 25 required parking stalls	S.P. per §30-24