



Setti D. Warren
Mayor

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

Telephone
423-13
(617) 796-1120
Telefax
(617) 796-1142
TDD/TTY
(617) 796-1089
www.newtonma.gov

Candace Havens
Director

ZONING REVIEW MEMORANDUM

Date: December 2, 2013

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Eric Bratzler
Candace Havens, Director of Planning and Development
Ouida Young, Associate City Solicitor

RE: Request to locate a veterinary hospital in a retail store

Applicant: PetSmart	
Site: 215 Needham Street (aka 225 Needham St)	SBL: 51028 0008G
Zoning: MU1	Lot Area: 70,847 square feet
Current use: Vacant (previously used for retail)	Proposed use: Retail with accessory veterinary hospital

BACKGROUND:

The property at 215 Needham Street consists of a 70,847 square foot lot improved with an existing multi-tenanted building constructed in 1940. The applicant is proposing to occupy a now vacant portion of the building formerly occupied by Filene's Basement with a PetSmart retail store with an associated full-service veterinary hospital operated by Banfield Pet Hospital. A special permit (Board Order #610-89) was issued in 1990 allowing retail use of the property, however the associated veterinary hospital requires a special permit in the MU1 district.

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

- Zoning Review Application, prepared by Eric Bratzler, project manager, submitted 11/25/13
- Fit-out Plans, submitted by Barry Jay Greenberg, Architect, dated 10/29/13

ADMINISTRATIVE DETERMINATIONS:

1. Board Order #610-89 dated April 17, 1990 allowed retail, accessory office and storage, manufacturing, the construction of a three-level parking facility, and a 90-seat restaurant. The board order allows for the proposed use of the site for the PetSmart retail store, but a special permit is required for the associated veterinary hospital, per Section 30-13(b)(14) of the Newton Zoning Ordinance.
2. A veterinary hospital is classified as a service establishment for the purposes of a calculating the parking requirement. Service and retail uses have the same requirement of one stall per each 300 square feet, as well as one stall per each three employees on the highest shift, per section 30-19(d)(10). The property has 138 parking stalls. The hospital is proposed within the existing retail space, and therefore no additional parking is required.

Zone MU1	Required	Existing	Proposed
Lot Size	40,000 square feet	70,847 square feet	No change
Setbacks for existing structure <ul style="list-style-type: none"> • Front • Side • Rear 	15 feet 7.5 feet 7.5 feet	NA	No change
Maximum Building Height	36 feet		No change

3. See "Zoning Relief Summary" below:

Zoning Relief Required		
Ordinance		Action Required
§30-13(b)(14)	Allow a Veterinary Hospital in MU1 Zone	S.P. per §30-24