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Director

ZONING REVIEW MEMORANDUM

Date: March 17, 2021

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Neil Cronin, Chief Planner for Current Planning

Cc: Kenmore Realty Corporation, Applicant
Laurance Lee, Attorney
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to amend Special Permits #18-98 and #18-98(2) and to waive five parking stalls

Applicant: Kenmore Realty Corporation	
Site: 527 Waltham Street (aka 1293-1297 Washington St)	SBL: 33011 0013 and 33011 0012
Zoning: BU1	Lot Area: 17,867 square feet
Current use: Restaurant	Proposed use: No change

BACKGROUND:

The property at 527 Waltham Street consists of 12,047 square feet and an adjacent 5,820 square foot parcel used for parking in the BU1 zoning district. The site is improved with a single-story commercial building with various commercial uses. The subject of this application is the space with the address of 1293-1297 Washington Street, formerly occupied by Lumiere Restaurant and currently occupied by Bluebird Bar & Wood-Fired Grill. The petitioner seeks to amend conditions to special permits granted in 1998 and 2010 to Lumiere.

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

- Zoning Review Application, prepared by Laurance Lee, Attorney, dated 2/10/2021
- Special Permits #18-98 and #18-98(2)

ADMINISTRATIVE DETERMINATIONS:

1. Special Permit #18-98 was granted in 1998 to allow for a restaurant with 65 seats and a waiver of 18 parking stalls. The special permit was amended with Special Permit # 18-98(2) in 2010 to expand the restaurant into an adjacent space, increasing the number of seats to 88 and to lease up to five parking stalls on a neighboring parcel. In both the 1998 and 2010 special permits, there contained a condition (Condition #6) limiting the restaurant to 32 seats before 5:30 PM, and to 88 seats after 5:30 PM. The petitioner seeks to eliminate the limitation on the number of seats before 5:30 PM, allowing for the use of all 88 seats during all hours of operation.
2. Special Permit 18-98(2) also required that the restaurant lease five parking stalls from property at 498 Waltham Street for use by employees of the restaurant in the evenings. The petitioner requests to amend the special permit to eliminate conditions #2, 3, 4 and 5 relative to the leasing of the five off-site parking stalls, and instead requests a waiver of those five stalls per section 5.1.4 and 5.1.13.

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
	Amend Special Permits #18-98 and #18-98(2)	
§5.1.4 §5.1.13	To waive five parking stalls	S.P. per §7.3.3