

## DEPARTMENT OF PLANNING AND DEVELOPMENT

CITY OF NEWTON

Massachusetts

**DATE:** June 17, 2021

**TO:** City Council

**FROM:** Barney S. Heath, Director of Planning and Development  
Neil Cronin, Chief Planner for Current Planning  
Katie Whewell, Senior Planner

**SUBJECT:** 60-64 Needham Street  
Second Call

---

This petition was placed on second call pending further information regarding the operations and site circulation associated with the proposed for-profit educational use. The petitioner submitted a narrative (**Attachment A**) explaining how they anticipate the site to function.

### ***Class Size***

The narrative clarifies the class sizes with an average of twenty students. On rare occasions, attendance has reached 40 students, with some scheduled classes with low attendance, or none. Classes take place weekday evenings from 4:00 PM – 7:00 PM and from 11:00 AM-5:00 PM on Saturdays. The petitioner stated that classes run for 45-50 minutes and generally have 15 minutes between classes. The petitioner also stated that students often come from the same family, or carpool with other students.

### ***Site Circulation***

The petitioner submitted graphics indicating the flow of traffic. For students getting dropped off by vehicle, they would enter the site from Needham Street at the right of the building to access the rear parking facility. The petitioner indicated there are 14 spaces designated in the rear for their use and the parking is flexible between the uses on site. Depending on the age of student, and mode of transportation, vehicles can park, and guardians guide the student to the building. The petitioner stated that students under 13 are required to be accompanied by a guardian from the vehicle to the building. When the guardian gets back into the vehicle they can continue through the site from south to north and can exit between 60-64 and 50 Needham Street or further down between 50 and 40 Needham Street, as the rear parking facilities are all connected.

Students will be able to access the space both from the front entrance on Needham Street and the rear entrance from the parking lot.

The parking requirement for the for-profit educational use's is treated as a school serving children under 14 years of age. This parking requirement for the use is one stall per employee not residing on the premises. Due to this, the parking requirement for the use is three stalls, however they have 14 dedicated parking stalls for their use, meeting the zoning requirement.

### Vehicular Traffic Pattern



### ***Bicycle Parking***

A member of the committee asked the petitioner whether the site could accommodate bike parking and whether installation of a bicycle rack is feasible. In conversations with Planning staff, the petitioner stated that conversations with the owner to incorporate a bike rack take place through the leasing agent, who was present at the June 8th hearing. Since the petitioner does not own the site, Planning staff recommend incorporating a condition that states the petitioner shall use best efforts to install a bike rack on site.

**Attachment A:** 64 Needham Street Narrative

**Attachment B:** Council Order

June 16, 2021

Dear Chairman and All Council Members,

The following is to provide follow up descriptions and further breakdown of explanations of “Cha’s Taekwon-do” plans for safety and operations in the use of the site 60-64 Needham Street, Newton, MA 02464 for “for-profit education” use.

### **Description**

Cha’s Taekwon-do owner and its current employees were previously managing, directing, and organizing the use of 281 Needham Street since 2000 under the name of Jae H. Kim Taekwon-do Institute.

Cha’s Taekwon-do plans to continue their operation of teaching wellness, discipline, and exercise to the residence to Newton and its surrounding communities from the ages of 5 years old and up.

Cha’s Taekwon-do classes sizes varies day to day throughout each season of the year with the largest class ever seen at forty (40) students (an exciting, yet exceedingly rare occasion), the average number of students per class is around twenty (20). It has been their experience that there have also been classes with the attendance of zero (0) students.

Cha’s Taekwon-do would like to express that the number of students that attend their classes poorly reflects the idea that many people have of the number of vehicles that would be entering the site, since majority of their students attend classes with siblings or friends who carpool together.

To provide a good idea of our class times, we have provided a class schedule under **Exhibit A** classes may be added, removed, or replaced if seen necessary.

### **Traffic Management**

We will breakdown Traffic management under two categories, “Vehicle Traffic” and “Foot Traffic” respectively.

#### **Vehicle Traffic**

Cha’s Taekwon-do will be informing all current and future students and parents of students of the direction of traffic permitted by the Landlord and the site management company.

All incoming vehicles will be entering between Cha’s Taekwon-do and Landry’s and exiting through the side of Burn Boot Camp/Big Picture Frame or Farm Grill.

The allowance of parking is very flexible as parking from Cha’s Taekwon-do to Farm Grill will be available for use.

There will be no allowance of stopping on Needham Street or in the middle of the parking lot to drop off students.

Visual aid of Vehicle traffic and parking availability may be found under **Exhibit B**

## **Foot Traffic**

From the original proposal from the initial public hearing, Cha's Taekwon-do has decided to change their arrangements from allowing access to their business from only the parking lot entrance to either the front (Street Side) or back (Parking Lot Side) entrances to provide a high level of safety for any students who plan on biking or walking. Meaning both entrances will also be allowed to be used as exits from the building. This can be illustrated in **Exhibit C**.

They have mentioned that they have always held a policy of not allowing any students under the age of 13 to enter or exit the building alone. At all times, these students are to be accompanied by a parent, guardian upon entering and exiting the building.

For students who may travel by bicycle, Cha's Taekwon-do will be brainstorming of ways where their students may park their bikes indoors, to provide a level of peace of mind.

Parents or guardian dropping off their children will be allowed to enter from either the front or the back of the building whether they are travelling to the site by foot, bicycle or by vehicle. Any students under the age of 13 are not allowed to traverse the parking lot, walked/or bike to the site without adult supervision. This policy will be informed to all students and parents of student of current and future to ensure the safety of our community. If this policy is broken, Cha's Taekwon-do will sit down with anyone who breaks this policy to educate them of the policy and our protocols.

All students being picked up are to be accompanied by a parent of guardian when leaving the premises.

Exhibit A



# CLASS SCHEDULE



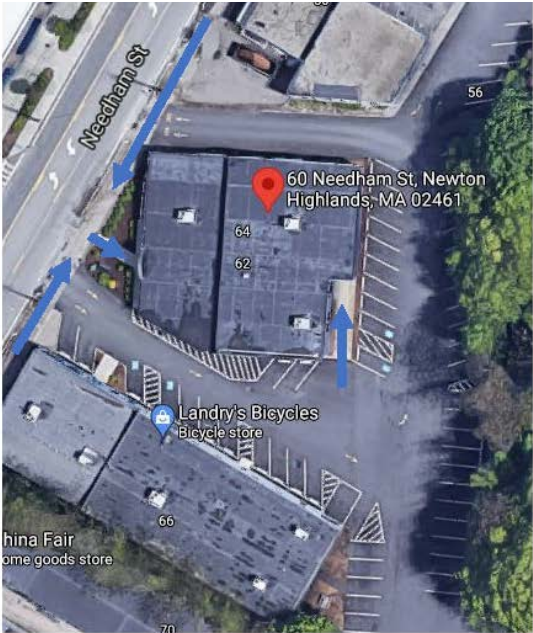
TIME	Monday	Tuesday	Wednesday	Thursday	Friday	TIME	Saturday
						11:00 PM	Children/Adult Advanced
4:00 PM	Children All Levels	Children Beginners	Children All Levels	Children Beginners	Children Test Review	12:00 PM	Family All Levels
5:00 PM	Children All Levels	Children Forms	Children All Levels	Children Test Review	Children All Levels		
6:00 PM	Family All Levels	Family All Levels	Family Forms	Family All Levels	Family All Levels	2:00 PM	Children/Adult Beginners
7:00 PM	Adult Forms	Adult Beginners	Adult Beginner	Adult All Levels	Adult Forms	3:00 PM	Test Review All Levels
						4:00 PM	*BBP Seminar
<p>Hours of Operation:                      Monday – Friday 3:30 PM – 8:00 PM • Saturday 10:30 AM – 5:00 PM • Schedule May Be Subject to Change                      *See Black Belt Program Schedule</p> <p> <span>◆ Beginners: Class for White Belts and Yellow Stripes Only</span> <span>◆ Forms: Class Dedicated for Learning and Practicing Forms</span>  <span>◆ Test Review: Class Dedicated for Preparations for Testing</span> <span>◆ All Levels: Class for General Training and Improving of Techniques</span>  <span>◆ Advanced: Classes for Green Belts and Above Only</span> </p>							

Exhibit B



- Legend:
-  : Vehicle Traffic
  -  : Allowed Parking
  -  : Additional Parking

Exhibit C



CITY OF NEWTON  
IN CITY COUNCIL

ORDERED:

That the City Council, finding that the public convenience and welfare will be substantially served by its action, that the use of the site will be in harmony with the conditions, safeguards and limitations set forth in the Zoning Ordinance, and that said action will be without substantial detriment to the public good, and without substantially derogating from the intent or purpose of the Zoning Ordinance, grants approval of the following SPECIAL PERMIT/SITE PLAN APPROVAL to allow a for profit educational use in the Mixed Use 2 zoning district, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Richard Lipof:

1. The specific site in a Mixed Use 2 zone (MU-2) is an appropriate location for the proposed for profit educational use because the site is located in the Needham Street mixed-use corridor (§7.3.3.C.1);
2. The proposed for profit educational use, as developed and operated, will not adversely affect the neighborhood given the mixed-use nature of the area and the site can accommodate the parking requirement (§7.3.3.C.2);
3. The proposed for profit educational use create a nuisance or serious hazard to vehicles or pedestrians because there is one way traffic pattern throughout the site and are implementing safety precautions for their students(§7.3.3.C.3); and
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved (§7.3.3.C.4).

PETITION NUMBER: #147-21

PETITIONER: Sullivan Realty Trust

LOCATION: 64 Needham Street, Section 83, Block 11, Lot 18, containing approximately 25,753 square feet

OWNERS: Sullivan Realty Trust

ADDRESS OF OWNERS: PO Box 122  
Newton, MA 02456

TO BE USED FOR: For Profit Educational Use

CONSTRUCTION: Interior fit out only

EXPLANATORY NOTES: To allow a for profit educational use (§4.4.1, §6.3.14.B.2)

ZONING: Mixed Use 2

***The prior special permit for this property is as follows: Council Order #231-17, which allowed a first-floor health club use, allowed the parking to locate off site, and consolidated special permits #437-03, 437-03 (2). The conditions set forth in Council Order #231-17 remain in full force and effect.***

Approved subject to the following conditions:

1. All buildings, parking areas, driveways, walkways, landscaping and other site features associated with this special permit/site plan approval shall be located and constructed consistent with:
  - a. "Parking Layout, 64 Needham Street" Prepared by UDA Architects, dated November 24, 2020
2. The petitioner shall operate the for-profit educational use in accordance with the letter dated June 16, 2021 on file with the City Clerk and the Department of Planning and Development.
3. The petitioner shall notify parents/guardians of the circulation pattern within the site and shall provide parents/guardians with the policies for pick-up and drop-off.
4. The petitioner shall use best efforts to install a bicycle rack on site.
5. No Building Permit shall be issued pursuant to this Special Permit/Site Plan Approval until the petitioner has:
  - a. Recorded a certified copy of this Council Order for the approved Special Permit/Site Plan Approval with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Filed a copy of such recorded Council Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development.
  - c. Obtained a written statement from the Department of Planning and Development that confirms plans submitted with any building permit are consistent with plans approved in Condition #1.
6. No Certificate of Occupancy/Final Inspection for the buildings and uses covered by this Special Permit/Site Plan Approval shall be issued until the petitioner has:
  - a. Filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement by a registered architect certifying substantial compliance with Condition #1.
  - b. Made best efforts to install a bicycle rack on site. The Petitioner shall provide the Planning Department with documentation of such efforts to install a bicycle rack on site.