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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: June 3, 2021

To: John Lojek, Commissioner of Inspectional Services

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

Cc: Terrence P. Morris, Attorney
John L. Mula, Applicant
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: **Request to amend Council Order #201-17 and to waive certain requirements of parking facilities containing more than five stalls**

Applicant: John L. Mula	
Site: 386-394 Watertown Street	SBL: 14014 0035, 14014 0037, 14014 0038
Zoning: BU1	Lot Area: 9,542 square feet
Current use: Vacant	Proposed use: Mixed use

BACKGROUND:

The subject site is comprised of 9,542 square feet in the BU1 zoning district. The site is currently vacant. The petitioner received a special permit in 2017 for a three-story mixed-use development with nine dwelling units and parking for 16 vehicles. The petitioner seeks to amend the special permit to utilize updated provisions to the Inclusionary Zoning section to allow for an additional dwelling unit and to reconfigure the parking onto two levels.

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

- Zoning Review Application, prepared by Terrence Morris, attorney, dated 3/9/2021
- Proposed Conditions Plan, signed and stamped by Verne T. Porter, surveyor and Ronald Jarek, architect, dated 3/4/2021
- Floor Plan and parking schedule, signed and stamped by Ronald Jarek, architect, dated 3/4/2021

ADMINISTRATIVE DETERMINATIONS:

1. The petitioner proposes to increase the number of dwelling units from nine to 10 and to reconfigure the parking into two levels. The proposed changes require an amendment to the Special Permit #201-17.
2. The special permit granted an increase in density by reducing the lot area per unit from 1,200 down to 900 square feet with the provision of an additional affordable unit utilizing then section 5.11.15.A. The petitioner was approved for a lot area per unit of 1,060 square feet, which provided for nine units total, of which two would be affordable. The Inclusionary Zoning section has been revised now provides a different formula for density bonuses. Section 5.11.4.C states that for every additional inclusionary unit the applicant agrees to provide, the development will be awarded two additional market rate units. The petitioner seeks to amend the special permit to increase the number of units from nine to 10, with two inclusionary units provided.
3. The special permit reduced the required parking for the residential units to 1.25 stalls per unit, therefore requiring 12 parking stalls for the nine residential units. The proposed commercial uses require nine stalls, for a total of 21 stalls required per section 5.1.4. The existing special permit utilized the A-B+C formula in section 5.1.3.B to determine that 16 parking stalls would be required for the nine residential units and the proposed commercial spaces. The increase to 10 units will increase the residential parking requirement to 13 stalls and the commercial requirement will continue to require nine stalls. A waiver of one stall for the additional stall required for the residential unit is required per section 5.1.4 and 5.1.13.
4. Section 5.1.8.B.6 requires that end stalls restricted on one or both sides must have a maneuvering space at the aisle end of at least five feet in depth and nine feet in width. Two of the stalls at the ground level are restricted by another stall and the bike parking, requiring a special permit.
5. Section 5.1.8.C.1 and 2 require that maneuvering aisles providing two-way traffic access to parking stalls at 90 degrees must be a minimum of 24 feet wide. The petitioner is proposing a maneuvering aisle in the basement level with a width of 20 feet, requiring a waiver per section 5.1.13.
6. Section 5.1.10.A requires that outdoor parking used at night be lit by a minimum intensity of one-foot candle over the entire surface. The petitioner seeks a waiver from this provision via a special permit.

7. See “Zoning Relief Summary” below:

Zoning Relief Required		
<i>Ordinance</i>	<i>Required Relief</i>	<i>Action Required</i>
	To amend Special Permit #201-17	S.P. per §7.3.3
§5.1.4 §5.1.13	Request to waive one parking stall	S.P. per §7.3.3
§5.1.8.B.6 §5.1.13	To allow restricted end parking stalls	S.P. per §7.3.3
§5.1.8.C.1 §5.1.8.C.2 §5.1.13	Request to reduce the maneuvering aisle width requirement	S.P. per §7.3.3
§5.1.10 §5.1.13	To waive the lighting requirements	S.P. per §7.3.3