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Barney S. Heath
Director

ZONING REVIEW MEMORANDUM

Date: September 13, 2022

To: John Lojek, Commissioner of Inspectional Services

From: Jane Santosuosso, Chief Zoning Code Official
Katie Whewell, Chief Planner for Current Planning

Cc: Alice Speck, Applicant
624 Comm Ave Realty Trust
Barney S. Heath, Director of Planning and Development
Jonah Temple, Assistant City Solicitor

RE: Request to change from a nonconforming personal service use (spa) to a different nonconforming personal service use (commercial prep kitchen)

Applicant: Alice Speck	
Site: 624-628 Commonwealth Ave	SBL: 61001 0005
Zoning: MR1	Lot Area: 3,164 square feet
Current use: Spa	Proposed use: Commercial prep kitchen

BACKGROUND:

The property located at 624-628 Commonwealth Avenue consists of a 3,164 square foot lot improved with a multi-tenanted commercial building constructed circa 1930 in the Multi Residence 1 zoning district. The petitioner seeks to allow the conversion of an existing spa to a commercial prep kitchen.

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

- Zoning Review Application, prepared by Alice Speck, submitted 8/25/2022
- Floor plan, submitted 8/25/2022

ADMINISTRATIVE DETERMINATIONS:

1. The property is located in the Multi-Residence 1 zoning district, which prohibits commercial uses per section 3.4.1. The building has been used for commercial purposes since its construction around 1930 and the uses are legally nonconforming. The petitioner seeks to convert space currently used as a spa to a prep kitchen for a mobile bar business. To change from one nonconforming use to another requires a special permit per section 7.8.2.C.2.
2. The previous spa use was classified as a personal service use and required one parking stall per every 300 square feet plus one stall per every three employees at the largest shift per section 5.4.1. The spa use in the 700 square foot space had a parking requirement of four stalls. The proposed prep kitchen has been classified as a personal service use for the purpose of determining the parking requirement. As the use is determined to be the same, the parking requirement does not change and no relief is necessary.

See "Zoning Relief Summary" below:

Zoning Relief Required		
<i>Ordinance</i>		<i>Action Required</i>
§3.4.1 §7.8.2.C.2	Request to allow the conversion from one nonconforming personal service use to a different nonconforming personal service use	S.P. per §7.3.3