

City of Newton Planning and Development

Petition: #201-23

Special Permit/Site Plan Approval to convert space for use as a church with classroom space, as well as a 72-seat café which will be open to the public, and a waiver of 64 parking stalls



1173-1177 Walnut Street

June 13, 2023

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Zoning Relief

| Zoning Relief | | |
|------------------|---|------------------------|
| <i>Ordinance</i> | | <i>Action Required</i> |
| §6.3.12.B.1 | Administrative Site Plan Review for a religious institution | A.S.P.R. per §7.5.2 |
| §4.4.1 | | |
| §6.4.29.C.1 | Request to allow a restaurant with more than 50 seats | S.P. per §7.3.3 |
| §5.1.4 | | |
| §5.1.13 | Request to waive 64 parking stalls | S.P. per §7.3.3 |

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Criteria to Consider

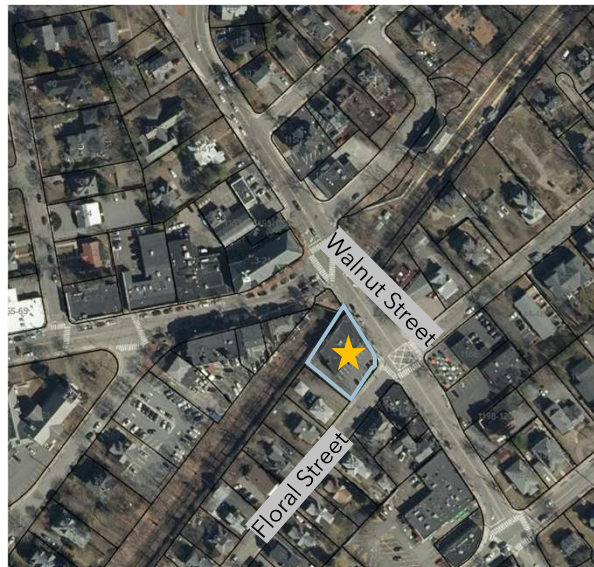
When reviewing this request, the Council should consider:

- The site in BU-1 is an appropriate location for the requested parking waivers and restaurant with more than 50 seats (§7.3.3.C.1)
- The requested parking waivers will not adversely affect the neighborhood (7.3.3.C.2)
- The requested parking waivers will not create a nuisance or serious hazard to vehicles or pedestrians (§7.3.3.C.3)
- Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
- Literal compliance with the required amount of parking is impracticable due to the nature of the use, or the location, size, width, depth, shape, or grade of the lot, or that such exceptions would be in the public interest, or in the interest of safety, or protection of environmental features (§5.1.13)

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Aerial Map

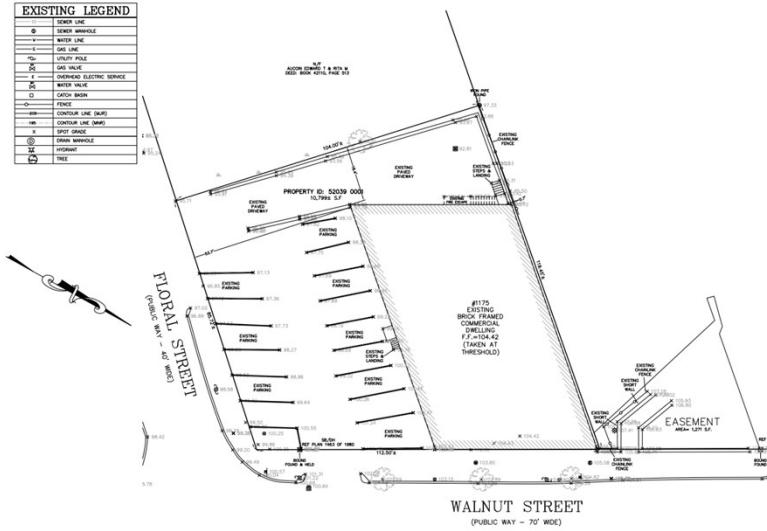


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Site Plan

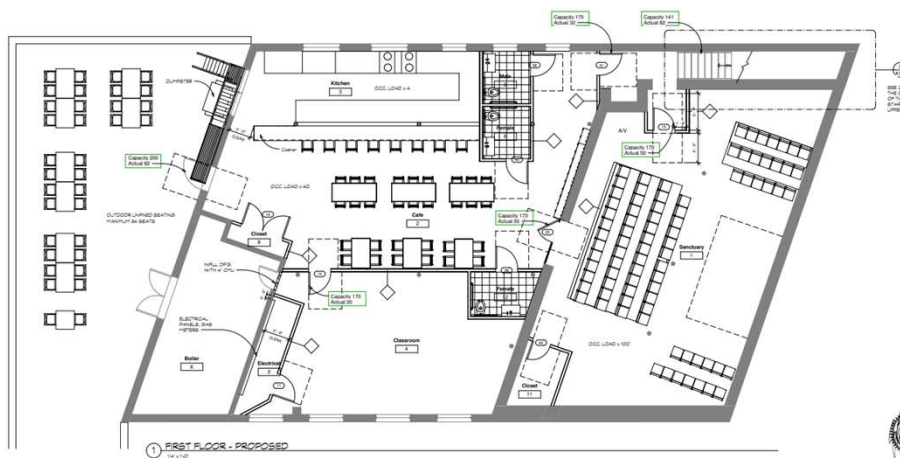
Existing conditions



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Floor plan



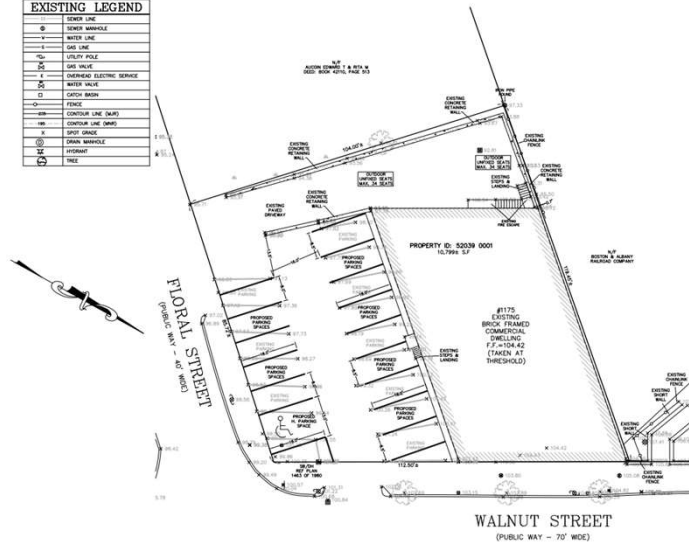
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Site Plan

Proposed conditions

| EXISTING LEGEND | |
|-----------------|---------------------------|
| — | SEWER LINE |
| ⊙ | SEWER MANHOLE |
| — | WATER LINE |
| — | GAS LINE |
| — | UTILITY POLE |
| — | LOW VOLT |
| — | OVERHEAD ELECTRIC SERVICE |
| — | SEWER FORCE |
| ⊙ | CATCH BASIN |
| — | FENCE |
| — | CONCRETE LINE (DWG) |
| — | CONCRETE LINE (DWG) |
| — | DRY UTILITY |
| ⊙ | DRAIN MANHOLE |
| — | STREET |



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Findings

1. The specific site is an appropriate location for the proposed restaurant with 72 seats and 64-stall parking waiver because it is located in a village center with access to public transit and the area has a diverse mix of uses. (§7.3.3.C.1)
2. The proposed restaurant and parking waiver will not adversely affect the neighborhood because the site is in a walkable area that is in close proximity to public transit options. (§7.3.3.C.2)
3. There will not be a nuisance to vehicles or pedestrians because the existing curb cuts and driveway access are being maintained. (§7.3.3.C.3)
4. Access to the site over streets is appropriate for the types and numbers of vehicles involved. (§7.3.3.C.4)
5. A waiver of 64 parking stalls is in the public interest because constructing 64 additional parking stalls would require a substantial increase in impervious paving on the site and the site is within a village center with access to public transit (§5.1.13)

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Conditions

1. Plan referencing
2. Standard building permit conditions
3. Standard occupancy conditions