

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 restaurant with more than 50 seats and waiver of 11 parking stalls as recommended by the Land Use Committee for the reasons given by the Committee, through its Chair, Councilor Andrea Kelley:

FINDINGS:

1. The specific site is an appropriate location for the proposed restaurant with more than 50 seats and parking waivers because it is a restaurant use located in a commercial area that features a mix of uses within walking distance and public parking is available. (§7.3.3.C.1)
2. The requested parking waivers and restaurant with more than 50 seats will not adversely affect the neighborhood because no changes are proposed to the exterior of the building. (§7.3.3.C.2)
3. The requested parking waivers and increase in restaurant seats will not create a nuisance or serious hazard to vehicles or pedestrians because no changes are proposed that will alter vehicular or pedestrian infrastructure. Off-site parking is available in nearby parking lots and metered spaces, and public transit options are available. (§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. Literal compliance with the parking requirements is not in the public interest because constructing 11 additional parking stalls would require an increase in paving on the site which is contrary to goals set forth in the Climate Action Plan. The site is located in a dense village center with diverse uses. Nearby offsite parking options are available, which can accommodate an increase in restaurant patrons without constructing new on-site parking.

PETITION NUMBER: #421-24

PETITIONER: Florence Celli

LOCATION: 34 Langley Road, Ward 6, Newton Centre, on land known as Section 61 Block 33 Lot 14, containing approximately 18,994 sq. ft. of land

OWNER: Krasner/Metroboston Assoc LTD PTNR and HKS Properties LLC  
1050 Commonwealth Ave STE 206  
Boston, MA 02215

TO BE USED FOR: Restaurant with 75 seats and waiver of 11 parking stalls

RELIEF GRANTED: Special Permit to allow a restaurant with more than 50 seats (§4.4.1 and §6.4.31) and a waiver of 11 parking stalls (§5.1.4 and §5.1.13)

ZONING: Business Use 1

CONDITIONS:

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. Tango Mango Seating Plan, unsigned and unstamped, submitted 7/17/2024
2. The petitioner shall not operate the restaurant with more than 75 seats.
3. No Final Inspection/Occupancy Permit for the use covered by this special permit shall be issued until the petitioner has:
  - a. Recorded a certified copy of this council order for the approved Special Permit with the Registry of Deeds for the Southern District of Middlesex County.
  - b. Obtained a written statement from the Planning Department that confirms the building permit plans are consistent with plans approved in Condition #1.