Photos



City of Newton Planning and Development

Petition: #261-23

Special Permit/Site Plan Approval to amend condition 8 of Special Permit 113-23 to allow expanded hours of operation for the patio until 10 P.M.

August 8, 2023



344-346 Elliot St.

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Site Details

Current use: Restaurant with 109 seats

Zoning: Business Use-1, with direct abutters in Multi-Residence 2, Multi-

Residence 3, Manufacturing, and Public Use zones

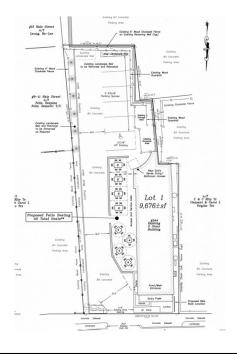
Structures on site: 2,023 square foot building and 10-stall surface parking

facility

Lot size: 9,676 square feet

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Existing special permit & relief requested

- Special Permit #113-23 granted:
 - o site plan modifications to remove ten parking stalls to use that space for outdoor dining
 - o waiver of 24 parking stalls
- Condition #8 limits operation of outdoor dining area to 9:00 P.M
- This petition requests to extend use of the outdoor area to 10:00 P.M

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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 amendment to special permit #113-23. (§7.3.3.C.1)
- The requested amendment to special permit #113-23 will not adversely affect the neighborhood (§7.3.3.C.2)
- The requested amendment to special permit #113-23 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)

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Economic Development Support

- Outdoor seating promotes active streetscape
- Can serve as a place to build community & socialize
- Impact of the pandemic has been significant on restaurants
- Successful restaurants contribute positively to the economic health of the community

Proposed findings

- 1. The specific site is an appropriate location for the amendment to Council Order #113-23 that extends the hours of operation for the outdoor dining patio to 10:00 P.M. because it is located in the Business Use 1 district, which allows for restaurant operations. (§7.3.3.C.1)
- 2. The amendment to Council Order #113-23 will not adversely affect the neighborhood because the outdoor patio is already open during evening hours, and an additional hour of service per day is unlikely to have a significant negative impact. (§7.3.3.C.2)
- 3. The amendment to Council Order #113-23 will not create a nuisance or serious hazard to vehicles or pedestrians because no physical changes are proposed to the site. (§7.3.3.C.3)
- 4. Access to the site over streets is appropriate for the types and numbers of vehicles involved because no changes are proposed to the site that would negatively impact access. (§7.3.3.C.4)

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Proposed conditions

1. Condition #8 shall be deleted and replaced with the following, "The petitioner shall not operate the outdoor dining area past 10:00 PM on the days the outdoor dining is in use."