#442-18

148 California Street

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 the change of use of a 2,100 square foot portion of the existing shopping area from a nonconforming restaurant use to a salon use with a maximum of 14 employees, as recommended by the Land Use Committee for the reasons given by the Committee, through its Chairman, Councilor Gregory Schwartz:

1. The proposed nonconforming salon use will not be substantially more detrimental to the neighborhood than the existing nonconforming restaurant use as:
2. The site is an existing shopping center and is an appropriate location for a salon use;
3. The site is well contained and the use will not have any impacts on the surrounding neighborhood;
4. Access to the site is appropriate and there is sufficient parking to accommodate the use.

PETITION NUMBER: #442-18

PETITIONER: United Properties Group

ADDRESS OF PETITIONER: 1330 Boylston St.

Newton, MA 02467

LOCATION: 148-50 California Street/171 Watertown Street,

Section 11, Block 12, Lot 11 containing approximately 231,486 square feet of land

OWNER: KF Realty Associates

ADDRESS OF OWNER: c/o United Properties

1330 Boylston St.

Newton, MA 02467

TO BE USED FOR: Salon in a 2,100 square foot portion of an existing shopping center with up to 14 employees on-site at any one time

CONSTRUCTION: Interior renovations only

EXPLANATORY NOTES: Special permit per §7.3.3 to allow the conversion of one nonconforming use to another (§4.4.1, §7.8.2.C.2)

ZONING: ManufacturingDistrict

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 the following plans:
2. A plan entitled “Parking Plan, 150 California Street, Newton/Watertown, Mass.,” dated June 10, 1999, as revised through June 23, 1999, signed and stamped by Thomas M. Killion, Professional Land Surveyor, on 6/23/99*,* as amended to show 706 parking stalls;
3. A document entitled “148 California Street/171 Watertown Street, Site Wide Parking Calculations (2018).”
4. The salon staff is limited to fourteen employees on the largest shift.
5. Any changes to signage shall be subject to review by the Urban Design Commission and approval of the Commissioner of Inspectional Services.
6. No building permit shall be issued pursuant to this special permit/site plan approval until the petitioner has:
   1. recorded a certified copy of this Order for the approved special permit/site plan with the Registry of Deeds for the Southern District of Middlesex County;
   2. filed a copy of such recorded Order with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development; and
   3. obtained a statement from the Director of Planning and Development that all plans are consistent with Condition #1.
7. No occupancy permit for the use covered by this special permit/site plan approval shall be issued until the petitioner has:
   1. filed with the City Clerk, the Department of Inspectional Services, and the Department of Planning and Development a statement certifying compliance with Condition #1.