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## MEMORANDUM

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**TO:** JOHN P. BOHENKO, CITY MANAGER  
**FROM:** JULIET T.H. WALKER, PLANNING DIRECTOR *JTW*  
**SUBJECT:** SECOND READING OF CLIPPER TRADERS, LLC PETITION FOR RE-ZONING OF 105 BARTLETT ST  
**DATE:** 07/02/2018

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At the June 18, 2018 meeting, City Council voted to pass first reading and schedule a second reading and public hearing of these zoning amendments. The Council also discussed splitting Part 1 into two parts, one relating primarily to the proposed CD4-W District and the other relating primarily to the CD4-L2 district.

### **Proposed Zoning Ordinance Amendments Part 1a (for portion of property proposed as Character District 4-W)**

#### *Amendments to Table of Uses (Section 10.440)*

- 1) Change Indoor Performance Facility with occupancy of less than 500 to be allowed by Special Exception in the CD4-W District. A Special Exception is granted by the Zoning Board of Adjustment. This use is currently permitted by right (no additional land use board approvals required).
- 2) Add a new use category for an outdoor café to be allowed as an accessory to an existing eating or drinking establishment in certain districts. This use is currently not listed separately on the table of uses and therefore is allowed wherever a restaurant type use is allowed. The outdoor café accessory use would now be permitted in the CD4, CD5, GB, G1 and G2 Districts but would be allowed only after receiving a conditional use permit from the Planning Board in the CD4-L2, B, and CD4-W Districts.

#### *Amendments to the Character Districts Regulation Plan maps (Maps 10.5A21A & B)*

- 1) Amend the zoning map to re-zone a portion of the 105 Bartlett St property to CD-4W extending from the existing CD-4W boundary to approximately Cabot Street. All of this area would also be included in the West End Overlay District.
- 2) Amend the height requirement areas to provide a transition in height that is more appropriate for the abutting residential neighborhoods. As revised, the portion of the property in the existing CD-4W district would be in the 2-3 Stories (45') height requirement area, the portion extending between the existing CD-4W boundary to a line approximately parallel with Salem St would be in the 2-3 Stories (40') height area, and the remaining portion of the proposed CD-4W district between Salem St and Cabot St would be in the 2 Stories (35') height area.

*Amendments to Development Standards for Character Districts (10.5A42.40)*

- 1) Add a requirement to preserve public view corridors along the North Mill Pond at the intersecting streets of Dover and Cabot.

*Amendments to Incentive Overlay District Standards (10.5A46)*

- 1) Amend the minimum off-street parking standards to be consistent with the city-wide off-street parking standards adopted at the end of 2017.
- 2) Reduce the minimum ground-story height to 9' in the West End Overlay District.
- 3) Amend the requirements for community space in the Incentive Overlay District for lots adjacent to the North Mill Pond by clarifying that a minimum of 20% of land area is required to be community space and to specify the location of the required multi-use path.

*Amendment to Article 15 Definitions*

- 1) Amend the definition of building block length to also be applicable when the building fronts on a public greenway.

**Proposed Zoning Ordinance Amendments Part 1b (for portion of property proposed as Character District 4-L2)**

*Amendments to the Character Districts Regulation Plan maps (Maps 10.5A21A & B)*

- 1) Amend the zoning map to re-zone a portion of the 105 Bartlett St property to CD4-L2 between Cabot Street and Langdon Street to CD-4L2. All of this area would also be included in the West End Overlay District.
- 2) Amend the height requirement areas for the portion from Cabot St to Langdon St to be in the 1-Story (20') height area.

*Amendments to Incentive Overlay District Standards (10.5A46)*

- 1) Amend the incentive standards in the North End and West End Incentive Overlay Districts to allow a maximum building footprint of 3,500 in the CD4-L2 (increased from 2,500), allow a maximum building block length of 100 ft in the CD4-L2.

**Proposed Zoning Ordinance Amendment Part 2**

*Amendments to Development Standards for Character Districts*

- 1) Add additional permitted building, façade, and community space types to the Character Districts and refine definitions. These are primarily housekeeping revisions to allow some of the new building and façade types added to the zoning for the Gateway Neighborhood Mixed Use amendments at the end of 2017 in the Character Districts.
- 2) Add requirement for provision of a shopfront liner building where ground floor parking is proposed for a building that fronts on a public street

**Reference Documents**

Eight documents are attached to this memo that illustrate the proposed zoning amendments as revised.

- 1) Draft dated July 9, 2018 listing the Proposed Ordinance #1A in the format this will be adopted and recorded with the City Clerk if it passes third and final reading.

- 2) Marked-up copy of the Zoning Ordinance with red-lined changes for the sections in Chapters 4, 5A, and 15 for amendments proposed in Ordinance #1A.
- 3) Proposed Zoning Maps (10.5A21A and B) Amendment for 105 Bartlett Street and the North Mill Pond revised 6-26-18 for Proposed Ordinance #1A.
- 4) Draft dated July 9, 2018 listing the Proposed Ordinance #1B in the format this will be adopted and recorded with the City Clerk if it passes third and final reading.
- 5) Marked-up copy of the Zoning Ordinance with red-lined changes for the sections in Chapter 5A for amendments proposed in Ordinance #1B.
- 6) Proposed Zoning Maps (10.5A21A and B) Amendment for 105 Bartlett Street and the North Mill Pond revised 6-26-18 for Proposed Ordinance #1B.
- 7) Draft dated July 9, 2018 listing the Proposed Ordinance #2 in the format this will be adopted and recorded with the City Clerk if it passes third and final reading.
- 8) Marked-up copy of the Zoning Ordinance with red-lined changes for the sections in Chapters 5A for amendments proposed in Ordinance #2.

**Additional Revisions to Proposed Amendments**

Planning Department staff has received requests to modify the zoning to address specific issues raised by abutters to this property. I will provide a brief summary of the issues raised and some potential revisions to the zoning at the Council presentation on July 9<sup>th</sup>. However, if the Council decides to consider additional revisions, we recommend that the Council continue the second reading to a future City Council meeting in order for the proposed amendments to be properly noticed and advertised.