

Supplemental Staff Report – Ordinance O-2016-01 & O-2016-02

For Joint Committee Workshop October 11, 2016 – Summary of Zoning Map Revisions

Introduction

The Joint Planning, Licenses and Development Committee and Planning Board began its review of the proposed zoning changes recommended by the 2013 Marlboro Street Re-Zoning Project at their April 11, 2016 workshop. Over the past several months, the Joint Committee has reviewed details of the proposed zoning districts. This staff report is intended to summarize the remaining steps to complete the review and move forward with the approval of the two proposed ordinances.

Proposed Schedule of Remaining Steps

1. October 11, 2016: Review Proposed Map Changes to O-2016-02:
 - a) Map revisions to the proposed Residential Preservation Zoning District
 - b) Status of the parcels within the proposed Business Growth & Reuse Zoning District
 - c) Map revisions to the proposed Neighborhood Business Zoning District
 - d) Map revisions to additional project parcels.
2. November 14, 2016: Review Zoning Definition Changes
3. December 12, 2016: Review Summary of Revisions to O-2016-01 (based on the Joint Committee Workshops - April through September):
4. January 9, 2017: Remaining Issues and Possible Votes

Map Revisions to the Residential Preservation Zoning District (RP)

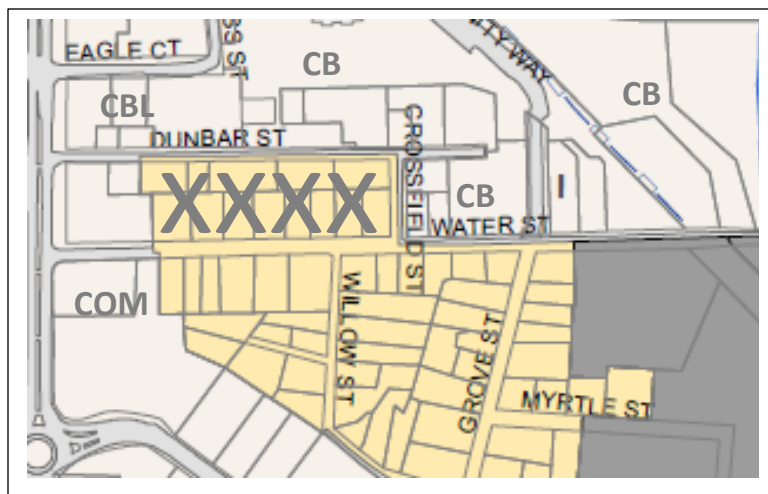


Figure 1: Current Zoning at Dunbar & Water St.

Dunbar & Water Street Parcels - Figure 1 shows the original zoning districts proposed in January as part of O-2016-02 for the parcels within this northwest corner of the project area. The proposed Residential Preservation Zoning District is shown in yellow and the proposed Business Growth & Reuse Zoning District is shown in dark gray. The issue of removing the block of parcels inside of Dunbar/Main/Water and Crossfield

Streets was discussed at length at the June 13, 2016 Joint Meeting. The removal of this block of parcels was suggested due to the predominance of the area's long-established multi-family structures. The issue of these properties being surrounded by Central Business and Central Business Limited zoning districts on the north and east with the Commerce zoning district on the west was an additional factor. This change was generally agreed to by the Committee.

Map Revisions to the Business Growth & Reuse Zoning District

The parcels proposed within the Business Growth & Reuse Zoning District have not changed from what was originally proposed in January 2016 to City Council. See Figures 5 and 6.

Map Revisions to the Neighborhood Business Zoning District (NB)

The parcels proposed within the Neighborhood Business Zoning District have undergone several changes:

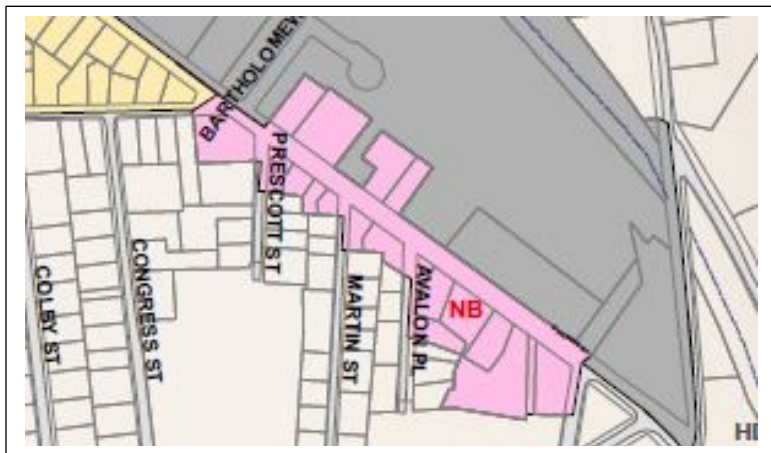


Figure 2: Parcels on North Side of Marlboro St.

North Side of Marlboro Street – At the September 12, 2016 Committee meeting it was suggested that the addition of the private parcels adjacent to Keene Ice and the north side of Marlboro Street would align with the project's ultimate goal of creating walkable businesses within the neighborhood. Three of the existing property uses; residential, commercial and a fraternal lodge (Knights of

Columbus) are currently non-conforming within the Industrial zoning district. With the former Millwork Masters building as retail sales/service, changing this district from Industrial to Neighborhood Business would leave only two, the residential property and the fraternal lodge as non-conforming properties.



Figure 3: North Side of Marlboro Street



Figure 4: Baker/Marlboro St. Parcel

Parcel at Corner of Marlboro & Baker St. –The idea of adding the Keating LLC parcel was also discussed at the September 12, 2016 Committee meeting. The thought being that the existing business would fit well as an addition to the NB. Further staff discussions however, revealed that the heating business no longer occupies the very small office space within this residential structure containing three apartments. The very small size of this parcel, 0.134 or 5,837.04 SF make it non-conforming even for its current High Density Zoning District (requiring a minimum of 6,000SF). While the minimum parcel size of 8,000 SF is the same for both the proposed RP and the NB, the predominantly residential character of the current structure on an under-sized lot provides a buffer and distinct boundary between the NB and RP Zoning Districts. Staff recommends not switching the parcel from the RP to the NB Zoning District.

Map Revisions to additional project parcels

Four Water Street parcels within the project area are recommended for a zoning district change. All four parcels are currently zoned Industrial and staff recommends that the new zoning districts proposed by the MSRP would not accurately address the community’s re-development interest. The properties, as discussed previously, are recommended to shift to Central Business and Medium Density Zoning Districts to encourage future uses that would support and be coherent with the surrounding land uses/zoning districts.

Smaller Water Street Properties

As a reminder, staff recommended that the zoning district for 0 Water Street (0.97 acres, formerly four single family lots, Hamblet Electric) and 215 Water Street (0.126 acres, single family residence owned by Evelyn Warner) be changed to the Medium Density Zoning District to encourage the future re-development of these properties to return to residential to support and buffer the surrounding medium density neighborhood from the possible business operations

within the rest of the Business Growth and Reuse Zoning District area to the south (shown in gray). See Figure 6.

Larger Water Street Properties

The larger of the Water Street parcels (4.21 acres, Bentley Commons and 2.19 acres, Findings) were recommended to be changed to conform to the adjacent Central Business zoning district. “Central Business” is defined as “...the center or hub of the community. The zone provides commercial, financial, retail, government and multifamily uses oriented primarily toward pedestrian access. A mixture of uses side by side and in the same structure is to be encouraged.”

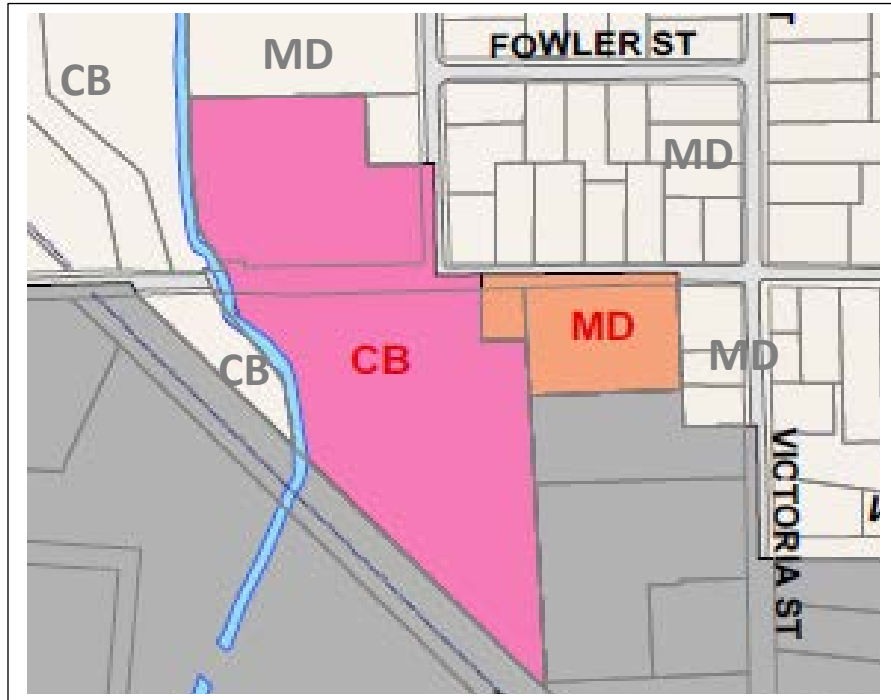


Figure 5: Four Water Street Properties

pedestrian access. A mixture of uses side by side and in the same structure is to be encouraged.”

The proposed change is indeed intended to extend the City’s “hub” south into the Marlboro Street project area. The proposed change would bring Bentley Commons’ property into compliance. However, adding to the recent challenges regarding the

Central Business zoning district’s parking

requirements exemption is a concern that has been expressed by Staff and committee members alike. While it is not likely that the Bentley Commons property will be redeveloped any time soon, the proposed change could add a redevelopment at the current Findings property to the area’s parking challenges. Staff recommends that this concern may be overshadowed by the parcel’s prominent location in relation to downtown and the potential incentives this new zoning district would offer to a developer over those uses allowed by the current Industrial zoning district. As an aside, an updated parcel map showed the correct parcel configuration for the Findings parcel.

122 & 124 Water Street

It was initially thought that only one of these two properties was in the Industrial zoning district. However, an updated parcel map shows that both are

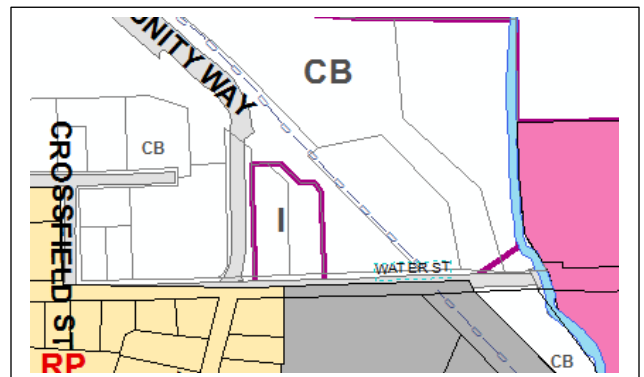


Figure 6: Water Street Industrial Properties



Figure 7: Water Street & Community Water Industrial-Zoned Properties

zoned Industrial. Given their current, active use as an automobile repair business, staff had not recommended a change for the property/properties. An idea was suggested at the September Joint Workshop that leaving the parcel/s isolated from other Industrial parcels would be a problem. Further legal research being undertaken at this time will confirm or dispute the validity of these parcels remaining Industrial.

This concludes the summary of changes discussed and proposed by the Joint Planning, Licenses and Development Committee and Planning Board to O-2016-02

Recommendation

1. Vote to accept the proposed revisions to the O-2016-02 Zoning Map.
2. Continue the public workshop. A summary of the revisions made to the O-2016-01 ordinance language will be presented at the November 14, 2016 Joint Workshop for confirmation and/or clarification.

2016 Proposed Districts for the Marlboro Street Rezoning Project

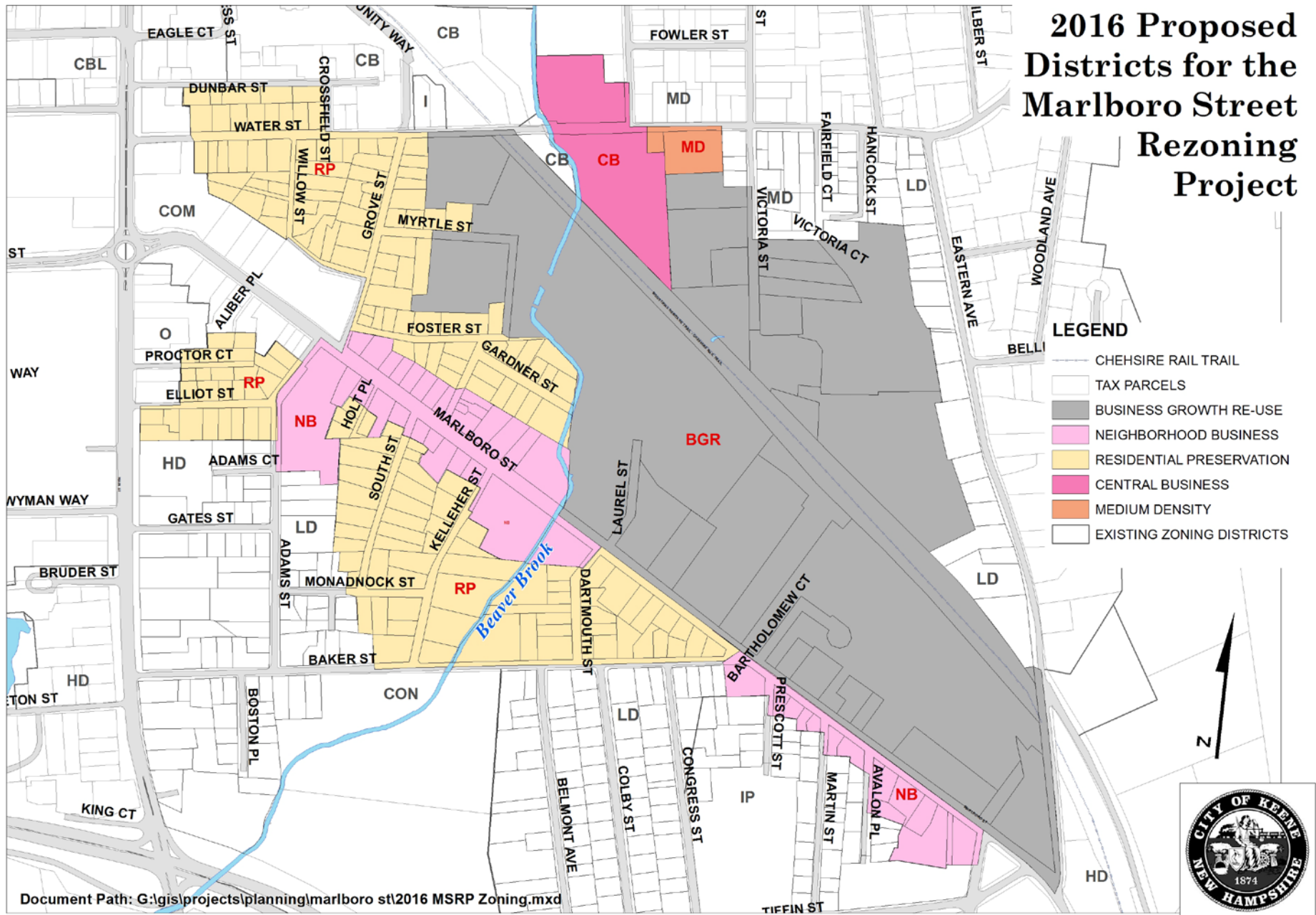


Figure 5: O-2016-02 Original Proposed Zoning for Parcels within the Project Area

2016 Proposed Districts for the Marlboro Street Rezoning Project

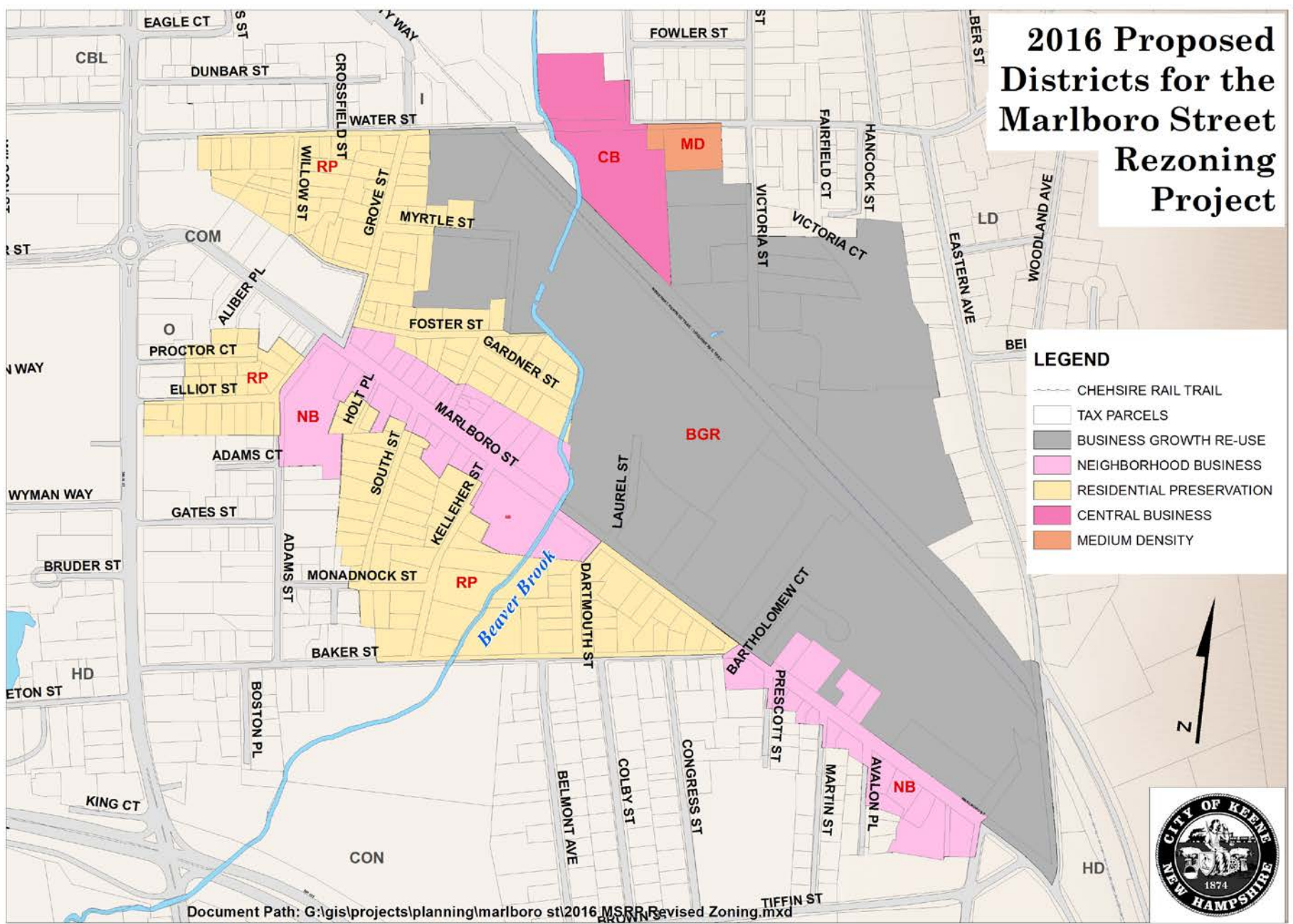


Figure 6: O-2016-02 Revised Proposed Zoning for Parcels within the Project Area