

PUBLIC NOTICE
RELATIVE TO ZONING.

DEC - 78

City of Cambridge

MASSACHUSETTS

Office of the City Clerk.

Notice is hereby given that in accordance with the provisions of Chapter 40A, Section 5 of the General Laws, Tercentenary Edition, and amendments thereto, that a public hearing will be held by the Committee on Ordinances comprised of the entire membership of the City Council on Thursday, October 19, 1978 at 5:00 P. M. in the City Council Chamber, City Hall, Cambridge, Massachusetts on a petition of Alfred E. Vellucci to amend the text of the Zoning Ordinances of the City of Cambridge by adding a new section 11.32 which reads as follows:-

11.32 Establishments with 1750 square feet or less of gross floor area and existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area shall be exempt from the provisions of the Zoning Ordinance which pertain to Fast Order Food Establishments.

Copies of this petition are on file in the Office of the City Clerk, City Hall, Cambridge, Massachusetts.

All persons interested in this matter may appear at this time and be heard.

For the Committee,
Councillor Frisoli,
Chairman, Committee on Ordinances.

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Notice of Public Hearing

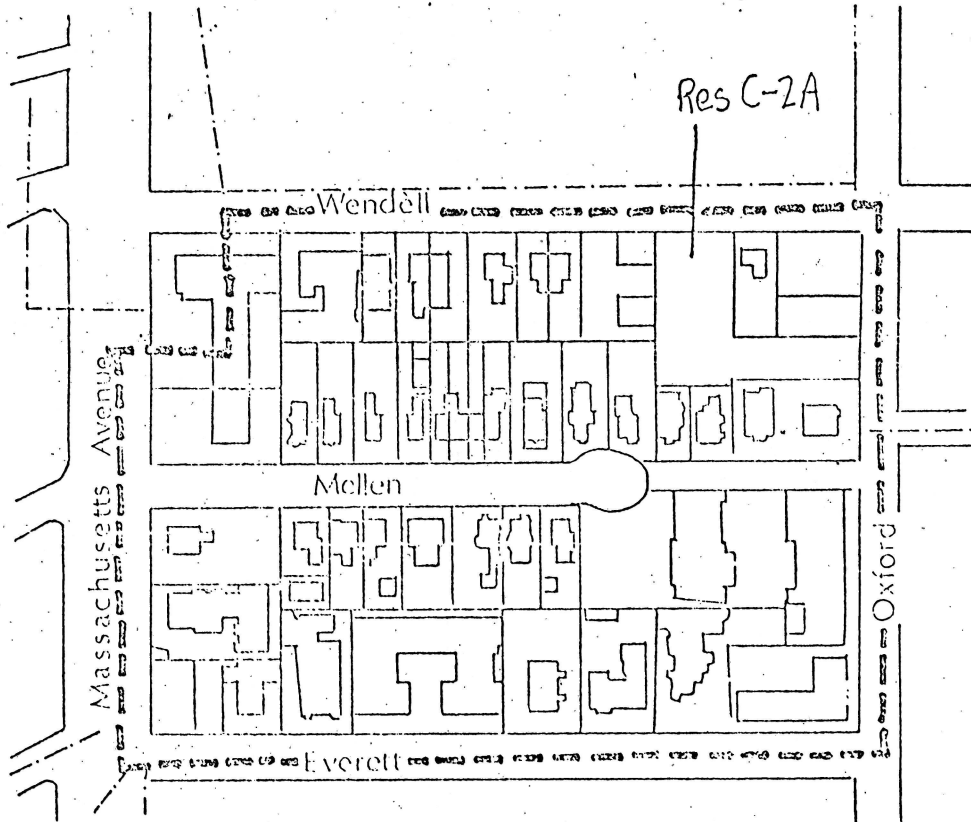
RECEIVED BY
OFFICE OF CITY CLERK

The Planning Board of the City of Cambridge will hold a public hearing on Tuesday, November 14, 1978 at 7:30 p.m. in the City Council Chamber, Cambridge, Massachusetts on a petition by Alfred E. Vellucci to amend the Zoning Map of the City of Cambridge from Residence C-3 to Residence C-2A as shown on the attached map.

This petition would amend the text of the Ordinance to create the Residence C-2A district, a new zoning district having the same regulations as a Residence C-3 district with the following exceptions:

- (1) maximum floor area ratio shall be limited to 2.5; maximum height shall be limited to 60 feet,
- (2) requirements for front and side yard setbacks and usable open space for Residence C-2A lots which abut or are separated by a public or private way from lower density residential districts including Residence A-1, A-2, B, C-1 and C-2 districts, shall be equal to the requirements in those respective districts,
- (3) on-grade parking is prohibited within 125 feet of a Residence A-1, A-2, B, C-1 or C-2 district.

A legally correct description of this petition is on file at the Office of the City Clerk. Questions concerning this petition may be addressed to Kathy Spiegelman at 876-6800, ext. 345.



Mellen Street Rezoning
Res C-3 to Res C-2A



CITY OF CAMBRIDGE, MASSACHUSETTS

PLANNING BOARD

CITY HALL ANNEX, 57 INMAN STREET, CAMBRIDGE 02139

November 30, 1978

To the Honorable, the City Council:

SUBJECT: Planning Board Recommendation on the Petition to Amend the
Fast Food Section of the Zoning Ordinance

Dear Councillors:

In accordance with Chapter 40A of the General Laws, the Planning Board held a public hearing on Tuesday, October 24, 1978, on a petition by Alfred E. Vellucci to amend the text of the Fast Food Section of the Zoning Ordinance of the City of Cambridge.

The Petition

The proposed amendment to the Fast Food Section of the Zoning Ordinance would add a Section 11.32 which would exempt establishments with 1750 square feet or less of gross floor area from the provision of the Zoning Ordinance which pertain to Fast Food Establishments. It would also exempt existing restaurants seeking to relocate the same restaurant within the same zoning district with no increase in gross floor area.

The Hearing

At the October 24 public hearing members of the Community Development Department explained the provisions of the petition. It was noted that the language of the petition regarding relocation is ambiguous and could lead to misinterpretation. Uncertainty was also expressed concerning the effectiveness of the floor area restriction. David Vickery informed the Planning Board that a revised Fast Food Ordinance is being drafted by Richard Horgan of the Building Department. It was suggested that the Planning Board table the Fast Food petition until Mr. Horgan has finished his revision and can make recommendations to the Board. The Planning Board decided to adopt Mr. Vickery's suggestion.

No statements either in favor or in opposition were presented at the public hearing.

Other Comments: At the November 21 Planning Board meeting, the Board was notified that completion of the Fast Food Ordinance had been delayed. The Planning Board decided to proceed with their recommendation.

Recommendation:

This petition has several problems which the Planning Board wishes to address. The proposed amendment provides an exemption to restaurants with 1750 square feet or less of gross floor area. The Planning Board feels that this exemption would allow certain establishments to proceed which should be subject to special permit review. The Board also feels that existing restaurants of any size seeking to relocate within the same zoning district should be exempt from the special permit process. However, the Board acknowledges that some restrictions governing exemptions need to be established. First, the language indicating that a relocation must occur within the physical boundaries of the zoning district in which the existing restaurant is located, should be clarified. Next, consideration should be given to the potential impact of the relocation on the character of a district. As the character of some districts is diverse due to the size of the district, it is necessary to insure that a relocation will not substantially alter the area. The Planning Board feels a restaurant seeking to relocate should be required to do so within a maximum distance of 500 feet of its existing location.

The Planning Board recommends that the petition be amended as follows:

- "11.32 Establishments seeking to relocate their existing operations inside the boundary line of the zoning district in which the establishment is located shall not be required to obtain a special permit if both of the following conditions will be met.
- 11.321 The new site shall be within 500 feet of the original site of the establishment.
- 11.322 There will be no increase in the gross floor area of the establishment at the new site."

The Board further recommends that this petition be APPROVED AS AMENDED.

Respectfully submitted,

For the Planning Board



Arthur C. Parris
Chairman

0-82

Comm. from Arthur Parris, Chairman, Planning Board, re: Planning Board's recommendation on the petition of Councillor Vellucci to amend the text of the Fast Food Section of the Zoning Ordinance.

In City Council,

December 11, 1978

12/11/78

Filed with the papers

Amended version

Passed for ordinance