

City of Cambridge

In the Year One Thousand, Nine Hundred Ninety Nine

AN ORDINANCE

In amendment to the "Zoning Ordinances of the City of Cambridge."

Be it ordained by the City Council of the City of Cambridge as follows:

A. Amend the Text of the Zoning Ordinance of the City of Cambridge by creating a new Special District 2 as follows and inserting it in the appropriate location in Article 17.000

17.20 - Special District 2

17.21 - Scope

This Section 17.20 regulates development in Special District 2 as shown on the Zoning Map of the City of Cambridge, as amended. Except as herein provided this Section 17.20, all requirements of and regulations applicable to the Residence B District shall apply equally to the Special District 2.

17.22 - Purpose

It is the intent of this Special District 2 to encourage the establishment of residential uses in the district in a form and density compatible with the adjacent residential neighborhood. However, given the significant presence of non residential uses in the district, provision is made for the conversion of those existing non residential uses to other non residential uses more compatible with their residential neighbors, with the intent that all non residential uses will, over time, be replaced by permitted residential uses.

17.23 - Use Regulations

The uses allowed in the Residence B District shall be equally allowed in Special District 2 except as modified by the following additional provisions.

17.23.1 - Additional Permitted Residential Uses

Multifamily Dwelling, Section 4.31 g, shall *be* permitted, subject to the special permit requirements for Townhouse development in a Residence B district.

17.23.2 - Permitted Non Residential Uses.

17.23.21 The following non residential uses, not otherwise permitted in a Residence B district, shall be permitted as-of-right in this Special District 2 provided the conditions set forth in Section 17.23.22 are met. Nevertheless, for purposes of the Zoning Ordinance, Special District 2 shall be considered a residential district.

(1) Section 4.34 - Office and Laboratory Use, Paragraph a (medical professional), Paragraph b (non medical professional), Paragraph c (agency office), Paragraph d (general office)

(2) Section 4.35 - Retail Business and Consumer Service Establishments, Paragraph q (arts and crafts studio).

(3) Section 4.36 - Open Air or Drive-In Retail and Service, Paragraph a (sale of flowers, garden supplies, and commercial greenhouses).

17.23.22 The above non residential uses shall be permitted to occupy a non residential building in existence as of September 1, 1998 provided the current use of the building, if occupied, is any use described in Section 4.34 (office and laboratory use), Section 4.35 (retail business and consumer service establishment), Section 4.36 (open air and drive-in retail and service), Section 4.37 (light industry) or Section 4.38 (heavy industry). Where the building is unoccupied it may be so occupied with permitted non residential uses provided the building has not been occupied by a residential use in the five years immediately preceding the time of application for a certificate of occupancy for the new non residential use.

17.24 - Dimensional Requirements

The dimensional requirements of the Residence B district shall apply to the Special District 2, except as modified by the provisions set forth below.

17.24.1 - Maximum FAR

(1) The FAR applicable in the Residence B district (0.5) for the first 5,000 square feet of lot area shall apply in the Special District 2 to the entire lot regardless of size. Footnote (j) in Table 5-1 shall not apply in this Special District 2.

(2) Notwithstanding the limitations of Paragraph (1) above, where it is proposed to reuse a non residential structure in existence as of September 1, 1998 for permitted residential uses, the following Gross Floor Area shall be permitted:

(a) The Gross Floor Area that is the result of the application of the FAR generally permitted in the district, or the existing Gross Floor Area of the structure itself, whichever is greater.

(b) Additional Gross Floor Area may be added to the non residential structure without limit provided all construction creating additional Gross Floor Area occurs within the limits of the existing structure.

(3) Where it is proposed to demolish an existing non residential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.5, for the purpose of converting the site entirely to permitted residential uses, the total Gross Floor Area contained in the non residential structure shall be permitted in the new residential structures up to a maximum FAR of 0.75

17.24.2 - Minimum Lot Area for Each Dwelling Unit

(1) The Minimum Lot Area for Each Dwelling Unit applicable in the Residence B District (2500 square feet) for the first 5,000 square feet of lot area shall apply in the Special District 2 to the entire lot regardless of size. Footnote (j) in Table 5-1 shall not apply in this Special District 2.

(2) Where it is proposed to reuse a non residential structure in existence as of September 1, 1998 for permitted residential uses, the number of units permitted in the structure shall be that number permitted in Paragraph (1) above or that number of units which is the Gross Floor Area of the structure as permitted in Section 17.24.1(2) above divided by 1200 square feet, whichever is greater.

(3) Where it is proposed to demolish an existing non residential structure that has a Gross Floor Area greater than that permitted by the application of an FAR of 0.5 for the purpose of converting the site entirely to permitted residential uses, the number of units permitted in the new structures shall be the Gross Floor Area of the structure as permitted in Section 17.24.1 (3) above divided by 1200 square feet.

17.24.2 - Other Dimensional Requirements

(1) The provisions of Section 5.53 related to multiple buildings on a lot in Residence B districts shall not apply in Special District 2.

(2) Where it is proposed to convert an existing non residential structure to residential use, and where that structure covers 50% or more of its lot, the Minimum Ratio of Useable Open Space to Lot Area would be reduced to the ratio existing on the site at the time or conversion, if any. However, if the land area required for provided parking outside the building, including required setbacks, is less than the area of land that has no structure on it, the remainder of the open land shall have any paving material (asphalt, concrete, or gravel) removed, topsoil of a minimum two-foot depth shall be added, and the space shall be landscaped with trees, shrubs, and/or grass up to the maximum percentage of the lot required to be Useable Open Space in the Ordinance.

B. Amend the Map of the Zoning Ordinance of the City of Cambridge by striking the existing designation Industry A-1 (IA-1) and substituting therefor the new designation Special District 2 (SD-2) for that area in North Cambridge described in the Frankelton, et al Petition.

Passed to a second reading at the
City Council meeting on January 11, 1999
and on or after January 25, 1999 the
question comes on passing to be ordained.

ATTEST:-

D. Margaret Drury
City Clerk

Dave Shuckra, 43 Harvey Street, spoke in support of the petition because of the issues of use, density and traffic.

Marie Gezelle, 44 Harvard Street, spoke in support of the petition. Open space is being threatened. The small streets are overburdened with traffic. The Cornerstone project has a good philosophy but is too big.

Peter Cignetti, 5 Theriault Court, spoke in support of the petition.

Charlene Reese, 159 Harvey Street, spoke in support of the petition. Right now, the houses are not high and she can see Linear Park from her house. She does not want to see this change.

Michael Brandon, 27 Seven Pines Avenue, spoke in support of the petition. He thanked Councillor Russell and the Ordinance Committee for initiating the proposal that the residents and property owners meet. The meetings have been helpful, but now it is time to downsize this area. Mr. Marino could acquire a great deal of the property and change it to a commercial greenhouse use on a much larger scale than Mr. Norberg's present operation.

Councillor Davis then invited public testimony in opposition to the petition.

James Rafferty, Attorney, Adams & Rafferty, 187 Concord Avenue, stated that he is appearing on behalf of seven property owners. The owners that he represents recognize that there is a need to rezone the area. They have set forth a number of recommendations for rezoning which are included in the material that Mr. Barber submitted. The owners' recommendation is to rezone the area to a new type of zone. In its proposal, the Planning Board attempted to utilize a type of zone designed several years ago in Cambridgeport to encourage conversion to residential use. However, in this area, there are several businesses that will not be converting to residential. The Planning Board's proposed district allows no multi-family housing. Does the City really want to take an area with so much land, near to public transportation and completely rule out multi-family housing? Mr. Rafferty stated that there has been an effort by the property owners in their proposal to acknowledge the City Council's observation that the area needs rezoning. He thanked Les Barber for facilitating discussion among residents and business owners and thanked the City Council for its attention to this matter.

Councillor Russell asked whether there has been any discussion about increasing access with regard to properties that only have access through Tyler Court. Mr. Rafferty stated that this has not been a prominent focus for discussion.

Councillor Sullivan asked about the property owners' recommendation for property fronting Linear Park. Attorney Rafferty stated that the recommendation is a 35 foot height limit. Councillor Sullivan asked about the width of Linear Park. Mr.

Rafferty stated that he believes that it is about 50 feet wide. There would be setbacks and a 35 foot height limit on buildings that front the park.

John Brown, owner of 2464 Massachusetts Avenue, stated that two-thirds of his property at this address is in this zone. Most of it is presently used as parking. The park is 70-80 feet wide. From a planning point of view, the zoning history must be put in perspective. At the present these properties have a high economic value. The owners would like to have at least the present density.

Leonard Case, 135 Harvey Street, Cambridge Lumber, spoke in opposition to the petition. He stated that he feels strongly that there can be a fairer compromise.

David Connolly, attorney, Hinckley, Allen & Snyder, Boston, stated that he represents Modern Continental which owns affected property and has filed a written protest to the petition. He stated that Mr. Marino has no intention of acquiring Mr. Norberg's greenhouses.

Robert Fawcett, owner of a business at 1 Tyler Court, stated that he agrees that residential uses are probably the proper goal, although not without some flexibility. The owners have proposed a 35 foot height limit where by right they now have a 45 foot limit as-of-right. The prior FAR was 1.25, 1.62 with affordable housing. The owners have come down to .9, a 30% decrease.

Jenise Amaroff, member of Cornerstone Co-Housing project, 173 Harvey Street, spoke in support of the spirit of the petition but in opposition to the restrictiveness in this particular proposal.

Will Emerson, Cottage Park Avenue, stated that he both lives and owns a building on Cottage Park Avenue and stated his opposition to the petition.

Councillor Davis inquired as to the pleasure of the Committee.

Vice Mayor Galluccio asked how the co-housing project would be affected by the proposed amendment and how it would be affected if the base zoning were Residence C. Attorney Glowa stated that the project received a special permit for one design and building permit for another as-of-right proposal. Both have been appealed by abutters. If either Cornerstone's building permit or special permit is upheld, the project will have the right to go forward. Mr. Barber said that if the permit is not upheld, the project could not proceed under either Residence B or Residence C zoning. It is very close to a Residence C-1 density. However, they would not meet the setback requirements in any of the proposed districts.

Vice Mayor Galluccio asked if there is a way to exempt that project as a permitted use. Mr. Barber stated that state law requires that zoning law be uniform and

apply equally to all who are equally situated. If there is a rational planning reason for segmenting the area into separate districts, that is a possibility.

Vice Mayor Galluccio asked about the greenhouses. Mr. Barber stated that the use is permitted, not nonconforming, but the building itself would be nonconforming. Vice Mayor Galluccio asked if a dance studio would be permitted. Mr. Barber said it is allowed in most residential districts by special permit. It would be possible to add a category of use of commercial/educational, which would allow the use without a special permit.

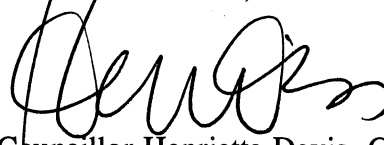
Vice Mayor Galluccio asked when this area was converted from C-1 to B zoning. Mr. Barber stated that much of it happened in the comprehensive re-zoning in the late 1970's. Vice Mayor Galluccio asked if this means that most of the owners purchased their property when the surrounding neighborhood was zoned Residence C-1. Mr. Barber stated that he would have to review the history before answering that question.

Vice Mayor Galluccio asked about the proposal to make the corner abutting Massachusetts Avenue to B A-2.

Councillor Reeves moved that the proposed amendment be referred to the full City Council. The motion passed on a voice vote without objection.

Councillor Davis thanked all those present for their attendance. The hearing was adjourned at 6:45 p.m.

For the Committee,

A handwritten signature in black ink, appearing to read 'Henrietta Davis', written over the text 'For the Committee,'.

Councillor Henrietta Davis, Chair

Special District 2 Petition Consideration of Options

Feature	Special District 2	Other Options
Affected Area	All of IA-1 District	Divide area into multiple zoning districts: a. BA-2 at Mass. Ave. end b. Some rational division into sub-areas, varying dimensional requirements and/or housing densities.
Residential base	Residence B (1/2500)	a. Residence C (1/1800) b. Residence C-1 (1/1200 or 1/1500**) (IA-1 density)
Height	35 feet	a. 40 or 45 feet (IA-1 ht.) b. 35 ft with special permit to 40 or 45 feet. c. 30 ft cornice with ht. to 40 ft. d. Lower ht at neighborhood or Linear Park edges
FAR	0.5 up to 0.75 (0.65 to 0.975*)	a. 0.6 up to 0.75 (Residence C) (0.78 to 0.975*) b. 0.75 (Residence C-1) (0.975*) c. 0.9 (1.17*) d. Special permit to increase FAR

Setbacks	15 ft F 7.5'/total 20' S 25 ft R	a. 10 ft or formula F 7.5'/total 20' or Formula S 20 ft or formula R (Residence C) b. 10 ft or formula F Formula S 20 or formula R (Residence C-1) c. Special permit to waive specified yard requirements
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Uses/ SP Threshold	a. Commercial greenhouses b. Professional and general office uses c. Arts and crafts studios d. Townhouse and multi- family housing (Special permit threshold at 6 units) All allowed only in exist- ing buildings non residential- ly used.	a. Expand range of non residential uses allowed b. Permit non residential uses in new construction c. Permit new non residen- tial uses by special permit d. Increase special permit threshold to 12 units e. Allow housing as-of- right
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Special Provisions	a. Added density for conversion b. Special open space provisions on converted lots	a. Automatic waiver for existing buildings not meeting Residence B requirements for yards b. Special landscaping/buffer requirements as along Park c. Limits on length of buildings allowed without a special permit d. Limits on mechanical equipment exempt from ht.
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***FAR reflecting the maximum increase permitted by application of the provisions of the Inclusionary Housing Ordinance.**

**** Recommended housing density contained in "Backyard" rezoning package now before the Planning Board and the City Council for hearings.**

Development Potential at Selected Densities*

Lot	Residence B (Sp. Dist. 2)	Residence C	Residence C-1***	Residence C-1	Industry A-1
32 Whittemore E. Norberg 32,369 sf	12 units 16,184 sf	17 units 19,421 sf	21 units 24,276 sf	26 units 24,276 sf	26 units 40,461 sf
	<i>17 units 20,555 sf</i>	<i>17 units 20,555 sf</i>	<i>(reflecting bonus for conversion of a non residential building)</i>		
127 Harvey L. Katz 51,641 sf	20 units 25,820 sf	28 units 30,129 sf	34 units 38,730 sf	43 units 38,730 sf	43 units 64,551 sf
173 Harvey R&F Jervis 50,215 sf	20 units 25,107 sf	27 units 30,129 sf	33 units 37,661 sf	41 units 37,661 sf	41 units 62,768 sf
25 Edmunds 35 Cottage Park R. Fawcett 103,246 sf	41 units 51,623 sf	57 units 61,947 sf	68 unit 77,434 sf	86 units 77,434 sf	86 units 129,057 sf

26 Cottage Park J. Emerson 13, 959 sf total ca. 7,000 in IA-1	<i>15 units</i> <i>ca 26,500 sf</i>	<i>15 units</i> <i>ca 26,500 sf</i>	<i>15 units</i> <i>26,500 sf</i>	<i>15 units</i> <i>26,500 sf</i>	<i>8 units</i> <i>26,500 sf</i>
	5 units	6 units	7 units	8 units	8 units

(assuming the reuse of the existing non residential building; gross estimates for a lot split between two zoning district lines)

(units allowed without the special bonus provisions for conversion of non residential buildings)

*Exclusive of any bonus granted by the Inclusionary Housing Ordinance

** Assuming density changes recommended in the "Backyard Open Space" petition.

MENARD, MURPHY & WALSH LLP

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THEODORE E. DAIBER
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November 10, 1998

Mr. Paul Dietrich, Chairman
City of Cambridge Planning Board
City Hall Annex
57 Inman Street
Cambridge, MA 02139

Re: City Council North Cambridge
Downzoning Petition

Dear Mr. Dietrich and Members of the Planning Board:

As you may recall, Attorney James Rafferty and I represent seven (7) owners of property within the Industry A-1 zone in the North Cambridge Linear Park Area, who opposed the so-called Frankelton Petition to Downzone that area to Residence B. As a result of the Planning Board's recommendation on the Frankelton Petition, and the City Council's action at its September 14, 1998 meeting, a new Petition was filed to downzone the same Industry A-1 area to the Special District 2 Zone recommended by the Planning Board. That Petition is on the Planning Board's Agenda this evening. I am writing this letter both (a) in opposition to the Special District 2 Petition, and (b) to request consideration of a Special District which is less restrictive in its dimensional and use regulations, on behalf of the same seven (7) property owners, as follows:

- (1) Tyler Court Realty Trust (Fawcett property); 35 Cottage Park Avenue, and 25 Edmunds Street; 103,246 square feet of land.
- (2) J.H. Emerson Co.; 22 Cottage Park Avenue; 24,084 square feet of land.

Mr. Paul Dietrich, Chairman

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(3) Edward F. Norberg, Inc.; 12 Whittemore Avenue; 36,369 square feet of land.

(4) Cambridge Office Associates; 2464 Massachusetts Avenue; 25,699 square feet of land, approximately 20,500 square feet of which is located in the Industry A-1 zone.

(5) Love Realty Trust (Cambridge Lumber property) 127 Harvey Street, 56,362 square feet of land.

(6) 95 Harvey Street Trust; 95 Harvey Street; 8,514 square feet of land.

(7) Fort Apache Realty LLC; 16-18 Edmunds Street; 6,967 square feet of land.

It is also my understanding that the owners of the property at 171-273 Harvey St., containing 43,640 square feet of land within the zone, and 2448-2450, and 2464R Massachusetts Avenue, containing 25,134 square feet of land (about 1/2 of which appears to be in Industry A-1), are also objecting to the Petition. Thus, it appears that, of the approximate 431,556 square feet of land included in the affected area (not including the railroad right of way) the owners of at least 312,249 square feet of that land or 72 percent thereof, object to the downzoning.

The general objections of these property owners, which were enumerated in a June 16, 1998 letter to the Planning Board with respect to the Frankelton Petition, are equally applicable to the Special District 2 Petition and are incorporated herein by reference. Although there are a few elements of the proposed Special District 2 which are not as restrictive as Residence B, it is submitted that the provisions of proposed Special District 2 still represent such a drastic downzoning from industry A-1, and are so unreasonably restrictive in providing for residential uses, as to be unfairly punitive to the property owners and to provide no meaningful incentive for conversion to residential use.

For example, although the Planning Board presumably assumed when it drafted Section 17.24.1 of the Special District, allowing conversion of existing non-residential structures to residential uses at existing gross floor area, that this section would potentially benefit the affected property owners and provide an incentive for residential conversion, the fact is that there are at most a few (only one (1) comes to mind) property owners whose buildings could realistically be converted to residential use, and thus could make any use of this section. Even for new construction, very few of the properties actually situated in this area could make use of Section 17.24.1 to build a new residential structure with a FAR of greater than .5. Accordingly, it is submitted that proposed

Mr. Paul Dietrich, Chairman

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Special District 2 still falls far short of providing any meaningful incentive for a property owner to convert its property to residential use.

As a result of these serious issues, and of the City Council's clear concern on September 14 that the affected property owners had not had an opportunity to respond to the proposed Special District 2 or to discuss various alternatives with residential neighbors, the affected property owners and counsel have, with the kind and able assistance of Les Barber as facilitator, met with a small group of neighbors on three (3) occasions since the City Council meeting, most recently on November 5. From our perspective, these meetings have been helpful in understanding the concerns that at least some of the residential neighbors have. Hopefully, the residents have found these meetings helpful as well. Based upon these meetings, internal discussions, and a very helpful table of options prepared by Mr. Barber for the most recent meeting, the affected property owners would ask that the Planning Board, and the neighbors, consider the options on the attached Exhibit entitled "Special District 2 Petition Affected Property Owners Recommendations" which has been prepared in the same format used by Mr. Barber in his Memorandum circulated at the November 5 meeting. These options (while not all inclusive) represent a very significant reduction in the dimensional regulations and uses currently allowed in this area, in order to protect surrounding residents with respect to their primary concerns of height, set back and density, while helping to preserve the "mixed use" character of the area and providing a realistic and meaningful incentive to convert to residential uses. These options are further submitted without prejudice to the affected owners' rights to oppose the Petition.

The affected owners and counsel are willing to meet with residents, with Mr. Barber and/or with other members of the Planning Board to try to reach common ground in this important matter, which is so vital to them. We hope that the Planning Board will give serious and thoughtful consideration to the options proposed in this letter and Exhibit, as well as recognition to the fact that the proposed Special District 2 may have been based, at least in part, upon erroneous factual assumptions as to the character and size of the buildings in the area.

Thank you for your consideration.

Sincerely,



Theodore E. Daiber

TED:jbh

Enclosures

c/cambridge/die11098.ltr

**SPECIAL DISTRICT 2 PETITION
AFFECTED PROPERTY OWNERS RECOMMENDATIONS**

Feature	Special District 2 Petition	Property Owners Recommendations
Affected Area	All of 1A-1 District	Divide area into multiple zoning districts: a. BA-2 at Mass. Ave. end b. Possible division of remainder into sub-areas, varying dimensional requirements and/or housing densities
Residential Base	Residence B (1/2500)	a. New Residence C-1 (1/1500)
Height	35 feet	a. 35 ft cornice with ht. to 45 ft. b. Lower ht. (35 ft.) at neighborhood or Linear Park edge, planing back to 45 ft. c. Regulate attachments to roofs
FAR	0.5 up to 0.75 (for residential conversions already at .75) (0.65 to 0.975*)	a. 0.9 (1.17*)
Setbacks	15 ft. F 7.5'/total 20' S 25 ft R	a. 10 ft or formula F Formula S 20 or formula R (New Residence C-1) b. Special permit to waive specified yard requirements

Uses

- | | |
|--|--|
| a. Retail Business uses-sale of flowers, garden supplies and commercial green-houses, and arts and crafts studios. | a. Expand range of non-residential uses allowed (example: all office, institutional uses) |
| b. Professional and general offices uses | b. Permit non-residential uses in new construction (Petition would only allow in existing buildings) |
| c. Townhouse and multi-family housing (Special permit threshold at 6 units) | c. Permit other non-residential uses by special permit |
| | d. Special permit threshold for multi-family at 11 units |
| | e. Existing uses, and limited expansion, allowed as of right. |

Special Provisions

- | | |
|----------------------------------|-----------------------------|
| a. Added density for conversion | a. Open space 15% |
| b. Special open space provisions | b. Landscaping requirements |

***FAR reflecting maximum increase permitted by application of the provisions of the Inclusionary Housing Ordinance.**

TED/jal
c/cambridge/spdistr.pet

MENARD, MURPHY & WALSH LLP**ATTORNEYS AT LAW****ONE FINANCIAL CENTER****BOSTON, MA 02111****TEL (617) 832-2500****FAX (617) 832-2550****mmw@mmwlaw.com**

FACSIMILE TRANSMITTAL SHEET

TO:**LESTER BARBER****FROM:****THEODORE E. DAIBER****RE:****SPECIAL DISTRICT 2 PETITION****DATE:****NOVEMBER 10, 1998****FAX NUMBER:****617-349-4669****TOTAL NO. OF PAGES INCLUDING COVER:****6**

NOTES/COMMENTS:**DEAR LES:**

AS DISCUSSED AT LAST WEEK'S MEETING, I AM FAXING A LETTER AND ATTACHED CHART SHOWING THE AFFECTED PROPERTY OWNERS' POSITION CONCERNING THE SPECIAL DISTRICT PETITION. I WOULD APPRECIATE YOUR DISTRIBUTING COPIES TO THE PLANNING BOARD MEMBERS IN ADVANCE OF TONIGHT'S MEETING. MANY THANKS.

TED DAIBER

The information and documents transmitted by this telecopy are privileged and contain confidential information intended only for the person(s) named above. Any other distribution, copying or disclosure is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original to us without making a copy.

City of Cambridge

In Council January 11, 1999

The Ordinance Committee held a public meeting on December 1, 1998, beginning at 5:15 p.m. in the Sullivan Chamber for the purpose of further consideration of a Planning Board petition to amend the zoning in the area of Linear Park (Frankelton II).

Present at the hearing were Councillor Henrietta Davis, Chair of the Committee, Vice Mayor Anthony D. Galluccio, Councillor Kathleen Leahy Born, Councillor Kenneth E. Reeves, Councillor Sheila T. Russell, Councillor Michael A. Sullivan, and City Clerk D. Margaret Drury. Also present were Lester Barber, Director of Land Use and Planning, Community Development Department; Nancy Glowa, First Assistant City Solicitor; Raychel Seymour, Intern, City Manager's Office.

Councillor Davis convened the hearing and explained the purpose. She invited Les Barber to report any progress on reaching a compromise between residents and business owners. He distributed material that was used in the discussions (Attachment A). Mr. Barber reported that there have been two meetings involving property owners and residents. The Planning Board has not yet had an opportunity to discuss the petition.

Councillor Davis then invited public testimony in support of the petition.

John Eden, 156 Harvey Street, spoke in support of the petition.

Richard Cleary, 15 Brookline Street, spoke in support of the position. He said that there are about 150-200 dwellings on the north side of Linear Park and he would wager that all of them would support the Planning Board compromise petition as is. There have been cordial discussions with the business neighbors, but the residents want the zoning change to protect the neighborhood from over-development.

Craig Kelly, 6 St. Gerard Terrace, spoke in support of the petition. It seems very simple to him. The industrial area is an industrial area by history only and it divides two very similar residential neighborhoods.

Lisa Gould, 102 Harvey Street, spoke in support of the petition. There is a real threat of over-development in this area. A great deal of public money was spent to develop Linear Park; it should be protected.

Committee Report #4

538

A report from Councillor Davis,
Chair of the Ordinance Committee,
for a hearing held on December 1, 1998,
for the purpose of further consideration
of a Planning Board petition to
amend the zoning in the area of Linear Park
(Frankelton II).

In City Council January 11, 1999

*Report Accepted
Passed to a 2nd Reading.*