MELROSE PLANNING BOARD
ZONING SUBCOMMITTEE
MEETING MINUTES
Wednesday, November 12, 2014
7:30 PM
Mayor's Conference Room, Second Floor, City Hall, 562 Main Street

PRESENT: Anne DeSouza-Ward and Carla Morelli

ABSENT: Paul King and Sharon Petrillo

Denise Gaffey, Director and City Planner, Erin Zwirko, Assistant Planning Director, and Manisha Bewtra from the Metropolitan Area Planning Council (MAPC) were present.

The meeting was called to order at 7:40 PM by Ms. DeSouza-Ward.

BC District Zoning Amendments and Map Changes

Ms. Bewtra provided a handout that detailed the purpose of the zoning initiative, the map changes, changes to the use regulations (status changes or proposed changes), dimensional and density regulation changes, and suggested off street parking requirements. The handout compares the existing BA-1 uses and dimensional requirements with the existing BC uses and dimensional requirements in addition to the original revisions the Subcommittee considered for the BC District and notes.

Multifamily uses are allowed in the BA-1 District due to the special permit provision in Section 235-66 of the Zoning Ordinance. This type of use is allowed via a special permit in the BC District. The Planning Board has discretion in certain density and dimensional standards when granting this special permit, and the Zoning Subcommittee determined that the height allowed should be reduced to 62 feet from the 80 feet currently allowed. There has been no case of a project allowed to reach 80 feet under this special permit in recent years and the Zoning Subcommittee did not believe that the Planning Board would approve a request of 80 feet.

A retail establishment selling convenience goods is allowed in the BA-1 District with no limitation of floor area. In comparison, in the BC District, this use is allowed with a special permit but it is limited to 10,000 square feet of floor area; a larger sized establishment is prohibited. The Zoning Subcommittee considered businesses in Melrose that exceed a 10,000 square foot floor area, and the example brought to the group's attention was CVS on Main Street. Ms. DeSouza-Ward did not think that this permitted use in the BA-1 District needed to change. Ms. Zwirko noted that a retail establishment of this size could open in the Whole Foods Plaza, but the retail spaces near the stations were likely too small. Ms. Bewtra noted that other dimensional controls would limit the size of the retail establishment. Ms. Bewtra noted that this is the same case for retail establishments selling general merchandise, and again the Zoning Subcommittee did not think it needed to be changed.

Ms. Bewtra noted that eating and drinking places are permitted uses in the BA-1 District whereas they require a special permit in the BC Districts. Ms. Bewtra thought that this was an appropriate fit for the goals of the rezoning.

An establishment selling new or used automobiles as well as accessories such as tires is allowed by special permit within the BA-1 District. Ms. DeSouza-Ward pointed out that there was discussion about the desire to prohibit this use in the station areas at earlier meetings, and noted that a special permit is difficult to deny. Ms. Bewtra noted that allowing the use by special permit is not ideal, but the likelihood of this use opening near the station areas would be small. She suggested that a footnote could be used to create a buffer around the station areas limiting where these uses could locate within the BA-1 District.

Ms. Gaffey suggested that review via the Special Permit process as well as Site Plan Review may be adequate to control the use rather than a footnote. Ms. DeSouza-Ward agreed.

Hotels and motels are allowed within the BA-1 District via a special permit whereas they are prohibited in the BC District. Ms. Bewtra did not think that this should be a concern. Ms. DeSouza-Ward agreed.

Medical office use received significant attention at the last few meetings. Ms. Bewtra noted that privacy concerns likely limit how active these offices appear resulting in blinds drawn. Ms. Bewtra suggested that the Subcommittee could consider leaving the use as is where it requires a special permit, add some language to Site Plan Review to control the appearance of the use, or to limit the use to the second floor only in the station areas or throughout the BA-1 District. Ms. DeSouza-Ward noted that there may be issues in providing elevator access to these offices if they are limited to the second floor. Ms. Bewtra asked if there was a proliferation of medical offices in Melrose. Ms. Gaffey noted that there were three medical offices on the first floor near the Highlands Station. Ms. Morelli thought that medical offices may choose locations outside of the downtown due to the availability of on-street parking. Ms. DeSouza-Ward suggested that the Zoning Subcommittee consider adding a footnote to the Use Table that restricts medical office use to the second floor and above of buildings in the station areas only. She suggested that the Subcommittee consider delineating the station areas on the Zoning Map and adding it in the legend. By making these two changes, the footnote could list the specific parcels included in the station areas and then reference the Zoning Map. It could be that the station areas are the existing limits of the BC Districts at the stations. Ms. Gaffey thought Ms. DeSouza-Ward's suggestion was an appropriate solution.

Ms. Bewtra continued through the various uses, including professional and business offices which would become a permitted use in the BA-1 District; it requires a special permit in the BC District. Similar to the conversation earlier about auto sales and auto accessory sales, the auto repair and service station would be allowed with a special permit. The Subcommittee had some hesitation about this use but agreed that it is unlikely for a new service station to open near the station areas, although there are quite a few near the Whole Foods BA-1 District, and it could be adequately controlled via Site Plan Review and the Special Permit processes.

Ms. Bewtra and OPCD Staff suggested that miscellaneous business repair services should require a special permit for the BA-1 District. It currently is a permitted use. The Subcommittee discussed what this type of business may be, and considered that a computer repair business may fit into this category. Ms. Gaffey explained that the suggestion to require a special permit is to draw out more information on what the business is and regulate appropriately. Ms. DeSouza-Ward agreed with Ms. Gaffey's suggestion.

Ms. Bewtra noted that a movie theater and other indoor amusement recreation uses would be allowed by-right or by a special permit, respectively. Both uses are prohibited in the BC District. Ms. Bewtra explained that parking for both uses would likely be the limiting factor.

Ms. Bewtra explained that a commercial parking lot or structure, including a garage, is a permitted use in the BA-1 District. Ms. Bewtra asked the Subcommittee if they would consider prohibiting this use. Ms. Morelli noted that parking structures can be designed so that the parking is wrapped by housing or retail uses. Ms. Morelli also thought that there are no parcels large enough to construct a new parking garage. Ms. Bewtra noted that perhaps similar to heliports, it is unlikely to happen, and the Subcommittee could leave as is.

Finally, Ms. Bewtra pointed out a few accessory uses listed in the Use Table including accessory buildings, accessory retail in multifamily, and accessory newsstands, barber shop, dining room, cafeteria, etc. Ms. Bewtra suggested that the accessory retail in multifamily use should be changed to permitted.

The other two uses are permitted. Ms. Bewtra noted that even if the retail is solely for the residents, it is similar to mixed use, and should be permitted. The Subcommittee agreed.

Moving on to the Dimensional Table, Ms. Bewtra confirmed for the Subcommittee that a maximum height of 50 feet will accommodate 4 stories. The Subcommittee agreed that those requirements should be the standard. Ms. Bewtra noted that under Section 235-66, the height could increase to 62 feet and 5 stories per Planning Board discretion. Ms. DeSouza-Ward asked if the Subcommittee should consider a minimum number of stories. Ms. Gaffey did not think it would be a good idea.

Ms. Bewtra noted that the minimum front yard would be reduced to zero feet, and the maximum front yard would be 5 feet. Ms. Zwirko noted that the maximum front yard would be carried as a footnote as it currently does not exist in the Dimensional Table.

Ms. Bewtra suggested that the additional lot area requirement for mixed use should be eliminated. She suggested that the Subcommittee consider eliminating it throughout the Dimensional Table. Ms. DeSouza-Ward asked what the purpose is of requiring the additional lot area, and she is leaning toward taking it out completely. Ms. Bewtra thought that it may be a density control, but the Dimensional Table controls density in other ways. Ms. Gaffey thought that it should be taken out of the table entirely.

Ms. Bewtra noted that no other changes to the Dimensional Table were contemplated by the Subcommittee.

In regard to parking, Ms. Bewtra explained that the Subcommittee may want to apply the parking standards used for the Rail Corridor Overlay District to the amended BA-1 District. For residential, the standard is 1 space per dwelling unit and 1 visitor space per 10 dwelling units. For office, retail, and other uses, the standard is 1 space per 500 square feet. Ms. Bewtra recommends amending the parking table for multifamily uses to add language to effect of "except in the BA-1 District, in which case it shall be 1 per dwelling unit." Similarly, the parking table could be amended for office, retail, and other comparable uses. The Zoning Subcommittee thought that Ms. Bewtra suggestion was easily accomplished.

Ms. Bewtra suggested renaming Section 235-40 "Parking Reductions" and expanding the section to include options for shared parking. Ms. Gaffey noted that paragraph A has been used widely by businesses, especially those in the downtown. Paragraph A allows the Zoning Board of Appeals to allow a substitution of required parking spaces with parking spaces in a municipal lot if the municipal lot is within 1,000 feet of the building it is intended to serve. Ms. Bewtra explained that Paragraph B is the parking exemption for the downtown area. She suggested that it would be expanded to include the Wyoming station. If that doesn't work, a third paragraph could be added to the section to address the station areas. Ms. Bewtra also suggested that the Off-Street Parking and Loading Article of the Ordinance be revised to address bicycle parking.

The Zoning Subcommittee felt that another meeting was necessary before presenting the zoning amendments to the full Planning Board. The Zoning Subcommittee set a date for another meeting on December 3, 2014 at 7:30pm.

The meeting adjourned at 9:00 pm.