



CITY OF WATERVILLE

CITY COUNCIL

ORDINANCE NO 38-2013

Publication Date: March 9, 2013

Effective Date: March 19, 2013

AN ORDINANCE PROVIDING FOR:

AMENDMENT TO ZONING, ARTICLE 2, SECTION 2.1.1

BE IT ENACTED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT the Zoning Ordinance, Article 2, Section 2.1.1, the official zoning map dated May 10, 2010, and the written description of zoning boundaries dated July 6, 1971, be and hereby are amended as follows.

Assessor Parcel 37-228, currently zoned Residential-B (R-B), and Assessor Parcel 37-244, currently zoned Contract Zoned District/Commercial-A (CZD/C-A), are rezoned to a new Contract Zoned District/Commercial-A (CZD/C-A). The conditions of that contract are shown on the attachment.

The rezoned parcels, owned by Leland and Fernande Bard, are located at 167 Carver Street and 121 Kennedy Memorial Drive and are found on the Property Map of the City of Waterville dated April 1, 1992, as updated on April 1, 2012.

IN THE CITY COUNCIL

February 19, 2013, First Reading and Accepted,

March 5, 2013, Second Reading and Accepted, As Amended;

March 5, 2013, Third Reading and ADOPTED.

APPROVED:

MAYOR

Assessor Parcel 37-228 and Assessor Parcel 37-244, located at 167 Carver Street and 121 Kennedy Memorial Drive, are rezoned to a new Contract Zoned District/Commercial-A (CZD/C-A). The conditions of that contract are as follows:

1. Permitted uses: The only permitted uses are ~~financial institutions and professional offices~~:

a. Existing residential uses.

b. Business and professional offices.

4. ~~c. Retail stores.~~

d. Eating establishments that close by 8:00 p.m..

e. Service establishments such as drug stores, barber shops, beauty parlors, laundry agencies, appliance sales and repair shops, and banks. See the definition of service establishment in Section 3.2.

f. Printing.

2. g. Apartments and condominiums in accordance with the provisions of 4.3.18 Multifamily developments. An individual apartment must contain not less than three hundred (300) square feet of habitable space as that term is defined in the Property Maintenance Ordinance.

3. 2. Dimensional requirements: The building setback is twenty (20) feet from all property lines, except zero feet from the Kennedy Memorial Drive property line.

4. 3. Off-street parking requirements: Parking shall be set back a minimum of fifteen (15) feet from the Merryfield Avenue, Carver Street, and Kennedy Memorial Drive property lines and a minimum of five (5) feet from all other property lines.

5. 4. Screening and landscaping requirements:

a. The developer shall plant a landscaped strip of street trees and flowering shrubs at least fifteen (15) feet in width along Merryfield Avenue and Carver Street. Landscaping must be planted and maintained to provide proper sight distance at all entrance and exit driveways.

b. The Planning Board may approve an alternate screening plan that satisfies the intent of subsection a above.

6. 5. Signs:

a. Free-standing business identification signs are allowed only on the Kennedy Memorial Drive side of the property.

b. No product brand names may be advertised. This requirement is intended to minimize visual clutter.

7. 6. Access:

a. Merryfield Avenue: No driveway shall provide vehicular access to or from Merryfield Avenue or Carver Street.

a-b. Carver Street: Driveways serving residential uses are allowed on Carver Street. The Planning Board may authorize driveways serving commercial uses on Carver Street subject to a written report from a Professional Traffic Operations Engineer.

b-c. Kennedy Memorial Drive: Vehicular traffic shall not back into Kennedy Memorial Drive. Exits onto Kennedy Memorial Drive are restricted to right turns only.

e-d. Efforts shall be made to minimize the number of curb cuts.

d-e. Any new driveway shall be set back a minimum of 5 feet from abutting properties.

7. Dumpsters must be screened from view of abutters and from the street and set back at least twenty (20) feet from buildings.
8. Site plan review and approval by the Planning Board in accordance with the Subdivision and Site Plan Review Ordinance is required, regardless of the size of the proposed use.