

CITY OF WORCESTER PLANNING BOARD



**SPECIAL PERMIT FOR COMMERCIAL CORRIDOR OVERLAY DISTRICT
CHECKLIST & REQUIREMENTS**

Division of Planning & Regulatory Services
455 Main Street, Room 404, City Hall, Worcester, MA
01608 Office 508-799-1400 Ext. 31440 – Fax 508-799-1406

One original, One digital, and 15 copies of the following documents and plans:

A. Zoning Determination Form

- ❑ Form is provided by the Building & Zoning Division of Department of Inspectional Services located at 25 Meade Street.
- ❑ Form must be signed by an authorized Building & Zoning Division staff member. There is no fee for the zoning determination form.

B. Application

- ❑ An application with original signatures by all petitioners.
- ❑ If you are not the owner of the subject property and are a lessee or optionee, you need to provide supporting information such as a lease or a purchase and sale agreement that shows your interest in the property.

C. Certification of Tax/Revenue Collection Compliance

- ❑ All current owners of subject property and applicants must certify that all local taxes, fees, assessments, betterments, or any other municipal charges of any kind are current with the City Treasurer's Office (part of the application).

D. Plan of Land - See page 2 for plan information requirements.

E. If providing leased off-site parking arrangements, provide the information and materials per Article IX Section 7.G.2 of the Zoning Ordinance.

F. Certified Map and List of Abutters

- ❑ The original, signed by the Assessor (2nd Floor, City Hall at Room 209).

G. Two Sets of Stamped Envelopes with Assessor's Address Labels for abutters and applicant.

- ❑ Request two (2) sets of Assessor's Address Labels (listing all abutters and abutters to abutters) from the Assessor's Office – there is a fee for this service.
- ❑ Create two (2) identical sets of stamped envelopes addressed to the abutters (using the Assessor's labels above).
- ❑ The return address on the envelopes should read: City of Worcester, Division of Planning and Regulatory Services; City Hall; 455 Main Street, Room 404; Worcester, MA 01608. (The office has a return address stamp if you'd like to use it).

These envelopes will be used by DPRS staff to send notices of the public hearing and its outcome.

H. Appropriate fee according to the most updated Fee Schedule. Please make checks payable to the City of Worcester.

I. Digital Copy. All applications, plans and materials must also be submitted as a PDF file to planning@worcesterma.gov prior to or at the time of application submittal to the office. All electronic files must be in the following format:

- ❑ Portable Document Format (.pdf), readable by Adobe Acrobat v.7.0 and later, named by project address and application type (ex. 455 Main Street – Planning Board Special Permit)
- ❑ Minimum resolution of 200 dpi
- ❑ No single file should be greater than 50 MB (collections may be broken into separate files)

Exceptions:

- ❑ Any application items not produced electronically such as hand drawn plans, drawings or hand written applications are not required to be submitted electronically.
- ❑ Plans, drawings and applications created prior to March 2013 that are not available to the applicant in electronic format.

****All Application Deadlines are 2:00 P.M. Unless Otherwise Specified****

Plan of Land Application Requirements

- A plan of land meeting the requirements specified for Site Plans in Article V of the Worcester Zoning Ordinance is required for all CCOD special permit applications, except for exceptions noted below. Please see the current *Definitive Site Plan application* for a detailed description of plan of Site Plan Submission requirements.

Plan of Land Exceptions

- Any CCOD special permit related to parking requirements may submit a plan of land meeting the current Parking Plan requirements, as identified in Article IV of the Worcester Zoning Ordinance, provided that Site Plan approval is not also required for the proposed project. Please refer to the current *Parking Plan application* for a list of these requirements.
- Any CCOD special permit that does not involve alteration or expansion of existing building footprints, parking areas, or driveways may instead submit a simple plan of land indicating the footprint and gross floor area of the building, existing/proposed uses, extent of the parking area, and supporting photographs to illustrate the current site conditions. The Planning Board reserves the right to ask for a more detailed plan submittal should they determine that one would be beneficial to their decision making in consideration of the requested special permits.

Additional Requirements

CCOD Special Permit to Reduce Parking Requirements for Mixed Use

If requesting relief to reduce minimum parking requirements through credit for Mixed Use Development under Article IX Section 7.C.2.b. CCOD Special Permit for Parking – Mixed Use, please provide a parking analysis for combined land uses based upon methodologies of the Institute of Transportation Engineers, Urban Land Institute, or other recognized methodology approved by the Building Commissioner or Zoning Enforcement Officer.

Leased Parking

If leased off-site parking arrangement is part of the application, please include:

- a) The names and addresses of the uses and of the owners or tenants that are sharing the parking.
- b) A parking table showing the following:
 - i) The number of parking spaces in the shared use lot(s)
 - ii) Existing parking commitments to uses that are accessory to the shared use lot
 - iii) Other existing shared use commitments
 - iv) The location and number of parking spaces that are being shared.
- c) A deed, lease, contract, reciprocal easement, or similar written legal agreement acceptable to the City Law Department establishing the joint use.

CITY OF WORCESTER PLANNING BOARD



SPECIAL PERMIT APPLICATION FOR COMMERCIAL CORRIDOR OVERLAY DISTRICT

Division of Planning & Regulatory Services
City Hall, 455 Main Street, Room 404, Worcester, MA 01608
Office 508-799-1400 Ext. 31440 – Fax 508-799-1406

1. Street Address of the Property in this Application: _____

Assessor's Map, Block & Lot: _____

2. Name of Applicant: _____

3. Address of Applicant: _____

4. Telephone: _____

5. E-mail: _____

6. Interest in Property:

- A. Owner B. Developer C. Other

7. Owner of Record, if different from Applicant: _____

8. Address of Owner of Record: _____

9. *If the applicant is different from the owner, fill out the following:*

AUTHORIZATION: I, _____, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map _____ Block _____ Lot(s) _____, do hereby authorize _____ to file this application with the Division of Planning & Regulatory Services of the City of Worcester on this the _____ day of _____, 20____.

On this _____ day of _____, 20____, before me personally appeared _____, to me known to be the person described in and who executed the foregoing instrument and acknowledged that he/she executed the same as his/her free act and deed.

NOTARY PUBLIC

My Commission Expires: _____

(If there is more than one owner of the land to be considered in this application, a notarized authorization is required for each owner.)

10. What CCOD Special Permit/s Are You Applying For? (check all that apply):

- CCOD Special Permit for Motor Vehicle Related Uses:** To allow certain automobile-related uses within the CCOD under Article IX Section 5.A.1.a
- CCOD Special Permit for Residential Conversion:** To allow conversion of existing buildings to multi-family residential uses, mixed-use buildings with a residential component, or a loft, creative entrepreneurs use where not allowed as of right in the underlying zoning district under Article IX Section 5.B.
- CCOD Special Permit for Drive-Through:** To allow Drive-Through Facilities and Services under Article IX Section 5.C.
- CCOD Special Permit for Building Setback:** For relief from the Building Front Yard Setback Maximum Dimensional Requirements under Article IX Section 6.A.6.
- CCOD Special Permit to Reduce Parking Requirements for Conversion or Reuse of Existing Buildings:** To reduce minimum parking requirements for non-residential change of use or building reuse under Article IX Section 7.B.3.c.ii.
- CCOD Special Permit to Reduce Parking Requirements for Mixed Use:** To reduce minimum parking requirements through credit for Mixed Use Development under Article IX Section 7.C.2.b.
- CCOD Special Permit to Exceed Parking Maximums:** To exceed the maximum parking limits specified in the CCOD under Article IX Section 7.E.
- CCOD Special Permit for Modification of Parking Dimensional Requirements:** For relief from parking dimensional requirements under Article IX Section 7.E.

11. Zoning Classification(s):

12. Present Use:

13. Describe Proposed Use/General Description of Proposed Development of Property (include information about buildings (area, etc.) to be retained and proposed uses (in SF) of all buildings on site). Attach additional sheets if necessary:

14. Land Use Approvals / Relief Previously Granted by other land use Boards:

15. SPECIAL PERMIT FINDINGS OF FACT

The Board will make findings based on the criteria below to determine whether or not to approve the Special Permit. The Board may choose to adopt the findings of fact provided by the applicant or modify them based on public or staff comments, or Board discussion as needed.

In the spaces below, explain how the adverse effects of the proposed use will not outweigh its beneficial impacts to the City with respect to each of the following considerations per Article II, Section 6(A)(2) of the Zoning Ordinance. (Attach additional supporting documentation as necessary.)

a. Social, economic or community needs that are served by the proposal:

b. Traffic flow and safety, including access, parking and loading areas:

c. Adequacy of utilities and other public services:

d. Neighborhood character and social structure:

e. Impacts on the natural environment:

f. Potential fiscal impact, including city services needed, tax base, and employment:

16. SUPPLEMENTARY SPECIAL PERMIT FINDINGS OF FACT

Complete the requested additional information for the Special Permit(s) requested. Attach additional documentation as necessary. Only complete the sections which pertain to the Special Permit(s) you are applying for.

a. CCOD Special Permit for Motor Vehicle Related Uses:

If applying for a Special Permit to allow certain automobile-related uses within the CCOD under Article IX Section 5.A.1.a, complete the following:

- i. In the space below explain whether an existing building retains physical features, such as repair bays and/or specialized built-in equipment, and whether these characteristics are unique and central to the proposed use:

b. CCOD Special Permit for Residential Conversion

Not applicable. No supplemental findings of facts are required.

c. CCOD Special Permit for Drive-Through

If applying for a Special Permit to allow Drive-Through Facilities and Services under Article IX Section 5.C, complete the following:

- i. Describe the proximity to residential uses and potential impacts to residents resulting from proposed drive-through design and operating characteristics.

- ii. Explain whether the proposed site layout will have a detrimental effect on the street facade, require excessive driveway curb cuts, or adversely impact the pedestrian environment.

- iii. Describe screening of the drive-through service and lanes from the fronting street.

d. CCOD Special Permit for Building Setback

If applying for relief from the building front yard setback maximum dimensional requirements under Article IX Section 6.A.6, complete the following:

- i. Describe how the proposed project has unique architectural or functional aspects that warrant greater setback.
- ii. Explain how the proposed setback will not detract from the pedestrian environment or character of the neighborhood.
- iii. Explain how the front yard setback will be used for appropriate landscaping, pedestrian facilities or open spaces, and not for parking, loading or storage.

e. CCOD Special Permit to Reduce Parking Requirements for Conversion or Reuse of Existing Buildings

If applying to reduce minimum parking requirements for non-residential change of use or building reuse under Article IX Section 7.B.3.c.ii., complete the following:

- i. Explain how the site has sufficient access in the form of public on-street or off-street parking, transit service, or proximity to complementary uses.
- ii. Explain how physical constraints on the property would not reasonably allow for provision of required parking.

f. CCOD Special Permit to Reduce Parking Requirements for Mixed Use:
To reduce minimum parking requirements through credit for Mixed Use Development under Article IX Section 7.C.2.b, please complete the following:

- i. Explain how the site has sufficient access in the form of public on-street or off-street parking, transit service, or proximity to complementary uses.

**g. CCOD Special Permit to Exceed Parking Maximums OR
CCOD Special Permit for Modification of Parking Dimensional Requirements**
If applying to exceed the maximum parking limits specified in the CCOD under Article IX Section 7.E, or for relief from parking dimensional requirements under Article IX Section 7.E, complete the following:

- i. Explain whether the resulting development with the modifications proposed is substantially consistent with the purposes and intent of the Commercial Corridors Overlay District.
- ii. Explain the relationship of the modification to other planning considerations for the immediate area and within the Commercial Corridors Overlay District as a whole, including the plans, programs, policies and public investments of the various departments and agencies of the City of Worcester and the State of Massachusetts.
- iii. Explain whether the pedestrian environment provided on site and its connection to, and interaction with, the public right of way(s) is designed using best practices within the site's context.
- iv. Explain the impact of the modifications on neighboring properties.

- v. Explain whether the requested modifications are needed to provide adequate parking within the context of the other special permit criteria taking into consideration the combination of on and off-street parking.

WHEREFORE, the applicant(s) requests that this Board grant the special permit (s) as requested above.

By: _____
(Signature of Applicant or Applicant's Agent)
If more than one applicant, all applicants must fill out information.

(Name of Applicant)

(Address)

(Contact Phone Number)

(Email)

(Date)

By: _____
(Signature of Property Owner or Owner's Agent)
If more than one property owner, all owners must fill out information.

(Name of Property Owner)

(Address)

(Contact Phone Number)

(Email)

(Date)

**CERTIFICATION OF COMPLIANCE WITH
WORCESTER REVISED ORDINANCES GOVERNING REVENUE COLLECTION**

***Note: This form must be completed and signed by both the applicant(s) and owner(s) of the property certifying payment of all local taxes, fees, assessments, betterments, or any other municipal charges of any kind. Failure to include a fully completed certification form with the application shall result in the application being deemed incomplete and ineligible for further processing by the Zoning Board of Appeals.**

Pursuant to Massachusetts General Law, Chapter 40, Section 57 and the City of Worcester General Revised Ordinance, Chapter 11, Section 26-28, the undersigned applicant and all parties having an ownership interest therein, hereby certify, under the pains and penalties of perjury, that the applicant(s) and owner(s) have complied with the laws of the Commonwealth of Massachusetts and the City of Worcester regarding payment of all local taxes, fees, assessments, betterments or any other municipal charges of any kind.

(Give first and last names in full. In case of a corporation give names of President, Treasurer and Manager; and in case of firms, give names of individual members.)

(1) If a Proprietorship or Single Owner of residential property:

Name of Owner _____

Business Address _____

Home Address _____

Business Phone _____ Home Phone _____

Signature of owner (certifying payment of all municipal charges):

_____ Date: _____

(2) If a Partnership or Multiple Owners of residential property:

Full names and address of all partners

Printed Names

Addresses

Business Address _____

Business Phone _____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____ Date: _____
_____ Date: _____
_____ Date: _____
_____ Date: _____

(3) If a Corporation:

Full Legal Name _____

State of Incorporation _____

Principal Places of Business _____

Place of Business in Massachusetts _____

Printed Names of Officers of Corporation:	Title
_____	_____
_____	_____
_____	_____

Owners of Corporation:		
Printed Names	Address	% of stock
_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____

(4) If a Trust:

Name of Trust _____

Business Address _____

Printed Names of Trustees:	Address
_____	_____
_____	_____
_____	_____
_____	_____

Printed Names of Beneficiaries:	Address
_____	_____
_____	_____
_____	_____
_____	_____

Signature of trustees of property (certifying payment of all municipal charges -attach multiple pages if necessary)

_____	Date: _____
_____	Date: _____
_____	Date: _____
_____	Date: _____

(5) Signature of Applicant (if different from owner, certifying payment of all municipal charges):

Printed Name of Applicant: _____

Signature of Applicant: _____ Date: _____

DO NOT SUBMIT THIS PAGE – FOR YOUR INFORMATION ONLY

The City of Worcester, by this document, does not provide legal advice. Questions about Special Permits should be directed to your legal counsel.

If your special permit petition is approved, obtain a certified copy of the approved decision from the city clerk’s office and record the decision at the registry of deeds.

Special Permit Decisions: Final decisions are typically signed at the next scheduled Board Meeting and filed the following day with the City Clerk. Typically, if there is no appeal of the decision after twenty days (20) has elapsed from the date the decision was filed with the City Clerk’s office, the applicant may obtain a properly certified copy of the approved decision from the City Clerk (Massachusetts General Law, Chapter 40A, Section 11).

City Clerk, City Hall
455 Main Street -Second Floor, Room 206
508-799-1121
Monday 8:45am - 5:00pm
Tuesday - Friday 8:45am - 4:15pm
www.worcesterma.gov

Recording Special Permit (s): Upon obtaining a properly certified copy of the approved decision, the applicant must bring the same copy to the Worcester District Registry of Deeds and have the decision recorded (Massachusetts General Law, Chapter 40A, Section 11).

Worcester District Registry of Deeds
City Square - 90 Front Street, Level 2 - 508-798-7717
Recording Hours: Monday – Friday 9 am to 4 pm
Closed on State or Federal Holidays
www.worcesterdeeds.com

Lapse of Special Permit(s): Per the City of Worcester Zoning Ordinance, Article II, § 9 (D)(5): If the activity authorized by a special permit granted by the ZBA or SPGA is not initiated within one (1) year of the date of grant of such special permit except in the case of phased construction as approved by the ZBA or SPGA and/or if the activity is not completed within two (2) years, then the special permit shall lapse unless the Director of Code Enforcement makes a determination that failure to complete was for good cause. Otherwise, after a lapse, the special permit may be re-established only after notice and a new hearing pursuant to this Ordinance (Massachusetts General Law, Chapter 40A, Section 11).

Your decision must be recorded prior to use of approved special permit

For more information about the rules and regulations of City of Worcester Boards and Commissions:

1. The City of Worcester Zoning Ordinance and City of Worcester Zoning Map are available online at www.worcesterma.gov. Choose the “Quick Find” option. Then click on “Ordinances and Regulations” and select the appropriate file.
2. Copies of the City of Worcester Zoning Ordinance or Board Rules and Regulations can also be purchased at the City Clerk’s office, 2nd floor of City Hall.

For more information about M.G.L. Chapter 40A, Zoning: <http://www.mass.gov/legis/laws/mgl/index.htm>