

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: 225 Shrewsbury Street

Assessor's Map, Block & Lot: 16-032-02+2A

2. Name of Applicant: Lundgren Equity Partners LLC

3. Address of Applicant: 163 Washington Street, Auburn, MA 01501

4. Telephone: (508)-926-3464

5. E-mail: jsmith@bowditch.com

6. Interest in Property:

A. Owner B. Developer C. Other

7. Owner of Record, if different from Applicant: 225 Shrewsbury Street Realty, LLC

8. Address of Owner of Record: 163 Washington Street, Auburn, MA 01501

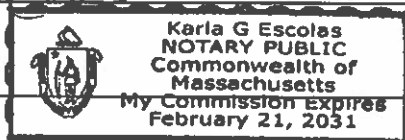
9. If the applicant is different from the owner, fill out the following:

AUTHORIZATION: I, Barry R. Lundgren, as Manager for 225 Shrewsbury Street Realty, LLC, Owner of Record of the property listed with the Assessing Division of the City of Worcester, Massachusetts as Map 16 Block 32 Lot(s) 02+2A, do hereby authorize Joshua Lee Smith, Esq. to file this application with the Division of Planning & Regulatory Services of the City of Worcester on this the 6 day of June, 2024.

By: [Signature]
225 Shrewsbury Street Realty, LLC
On this 6 day of June, 2024, before me personally appeared Barry R. Lundgren, 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.

[Signature]
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.)

RECEIVED
WORCESTER CITY CLERK
2024 SEP 30 PM 3:32

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):

BG-2.0; CCOD-S; USOD

12. Present Use:

The property currently contains approximately 2.38 acres of land and a 1-story approximately 23,336 square foot shopping plaza building containing a restaurant, café, dentist office, bank with a 2-lane drive-through, Internet café and a 1-story approximately 7,287 square foot former ambulatory storage building.

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:

The Applicant proposes to demolish and remove the existing warehouse building and existing drive-through facilities and construct a new approximately 15,370 SF building with two retail units and a proposed approximately 5,700 SF retail bank branch with an accessory 2-lane drive-through. The Project also includes reconfiguration of parking areas, driveways, new curb cuts, enhanced landscaping and other site improvements related thereto.

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

Site Plan review approval in 2018 for office building
CCOD Special Permit in connection with a proposed 7-story multifamily high rise building with 218 units
Variance and ZBA Special Permit in connection with the proposed 7-story multifamily high rise building with 218 units

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:

Please see Statement in Support.

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

Please see Statement in Support.

- c. Adequacy of utilities and other public services:

Please see Statement in Support.

- d. Neighborhood character and social structure:

Please see Statement in Support.

- e. Impacts on the natural environment:

Please see Statement in Support.

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

Please see Statement in Support.

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.

The proposed drive-through use will not be in close proximity to any residential uses. Please see Statement in Support.

- 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.

Please see Statement in Support.

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

Please see Statement in Support.

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.

Please see Statement in Support.

**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.

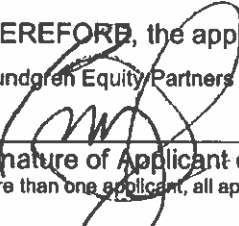
- v. Explain whether the requested modifications are needed to provide adequate parking within the context of the other special permit criteria taking into consideration the combination of on and off-street parking.

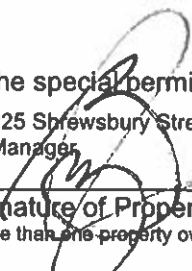
Please see Statement in Support.

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

Lundgren Equity Partners LLC, by Barry R. Lundgren, Its Manager

225 Shrewsbury Street Realty, LLC, by Barry R. Lundgren, Its Manager

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

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

Lundgren Equity Partners LLC
(Name of Applicant)

225 Shrewsbury Street Realty, LLC
(Name of Property Owner)

163 Washington Street, Auburn, MA 01501
(Address)

163 Washington Street, Auburn, MA 01501
(Address)

(508)-926-3464
(Contact Phone Number)

(508)-926-3464
(Contact Phone Number)

jsmith@bowditch.com
(Email)

jsmith@bowditch.com
(Email)

June 6, 2024
(Date)

June 6, 2024
(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 _____

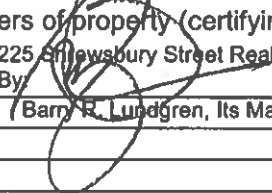
Signature of all owners of property (certifying payment of all municipal charges -attach multiple pages if necessary)

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

(3) If a Corporation:

Full Legal Name Lundgren Equity Partners LLC
State of Incorporation MA
Principal Places of Business 163 Washington Street, Auburn, MA 01501
Place of Business in Massachusetts 163 Washington Street, Auburn, MA 01501
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) 225 Shrewsbury Street Realty, LLC
By  _____ Date: June 6, 2024

(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: Lundgren Equity Partners LLC
Signature of Applicant:  _____ Date: June 6, 2024

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>

Statement in Support and Project Impact Statement of Lundgren Equity Partners LLC
Applications to City of Worcester Planning Board for Site Plan Review Approval and
CCOD Special Permits for Mixed-Use Shopping Center Development Project
at 225 Shrewsbury Street, Worcester, Massachusetts

I. Background and Project Scope.

225 Shrewsbury Street Realty, LLC¹ owns a parcel of land known and numbered as 225 Shrewsbury Street, Worcester, Massachusetts,² which property currently contains approximately 2.38 acres of land (the “Property”) and a 1-story approximately 23,336 square foot shopping plaza building containing a restaurant, café, dentist office, bank with a 2-lane drive-through and Internet café (the “Existing Shopping Plaza Building”) and a 1-story approximately 7,287 square foot former ambulatory storage building (the “Existing Warehouse Building”).³

The Property is located entirely within the Business, General 2.0 (“BG-2.0”) zoning district, the Commercial Corridors Overlay District-Shrewsbury Street Subarea (“CCOD-S”) and the Union Station View Corridor Sign Overlay District (“USOD”), and is bounded by Shrewsbury Street to the northwest, Casco Street to the east, Albany Street to the southeast and a City-owned property at 29 Albany Street to the west.

Lundgren Equity Partners LLC (the “Applicant”) is seeking site plan review approval and CCOD special permits from the City of Worcester Planning Board (the “Board”) as more particularly described herein, in connection with the proposed demolition and removal of the Existing Warehouse Building and existing drive-through facilities and construction of a new approximately 15,370 square foot building (the “New Building”) that will contain three commercial units, including an approximately 5,700 square foot retail bank branch with a two-lane drive-through (the “Project”). The Project includes the reconfiguration of parking areas and driveways, including a total of 109 parking spaces at the Property for use by the shopping center tenants and their visitors.⁴ The Project also includes the construction and/or installation of related site improvements at the Property, including, but not limited to, new driveways and

¹ 225 Shrewsbury Street Realty, LLC is a corporate affiliate of Lundgren Equity Partners LLC.

² The Property has a parcel identification of 16-032-02+2A.

³ The Property is also known as Shrewsbury Street Marketplace.

⁴ A total of 125 parking spaces will be located on the Property lot. However, 16 parking spaces at the lot are dedicated for use by the multifamily development across the street at 224 Shrewsbury Street, and, therefore, such spaces are not counted towards the minimum parking count for the Property under the Project.

accessible walkways, landscaping, curb cuts, upgraded facades along Casco Street, level-3 electric vehicle charging stations,⁵ bicycle storage areas,⁶ utilities and other site features.

II. Requirement for Site Plan Review Approval and CCOD Special Permits for Drive-Through Use and Reduction of Parking Requirements for Mixed-Use Development.

The development of a structure over 10,000 square feet that is intended for business use requires site plan review approval by the Board pursuant to Table 5.1 of Article V of the Zoning Ordinance. The New Building will contain approximately 15,370 square feet, and, therefore, the Project requires site plan review. The Applicant is also seeking certain waivers as specified herein.

A CCOD special permit to reduce parking requirements for a mixed-use development is required to be granted by the Board pursuant to Article IX, Section 7.C.2 for noncompliance with the minimum parking requirement as set forth in Table 9.1. To the extent required, a CCOD special permit to for the new modified drive-through may be required to be granted by the Board pursuant to Article IX, Section 5.C.

In addition, a special permit granted by the Worcester Zoning Board of Appeals is required for the alteration of the pre-existing nonconforming drive-through use pursuant to Article XVI, Section 4.C.1.⁷

III. Reasons for Approval of Definitive Site Plan and CCOD Special Permits to Reduce Parking Requirements for Mixed-Use Development and New Modified Drive-Through.

The Project satisfies the site plan review standards for review and criteria as set forth in Article V, Section 5.B, the CCOD design standards and dimensional requirements as set forth in Article IX, Section 6, the special permit criteria for drive-through facilities as set forth in Article IX, Section 5.C, and the special permit criteria as set forth in Article II, Section 6.A.2 of the Zoning Ordinance for the reasons stated herein:

1. Adequacy and arrangement of vehicular traffic access and circulation including intersections, road widths, pavement surfaces, dividers and traffic controls; Traffic

⁵ The proposed parking will feature 6 EV charging spaces, with another 19 “ready” (i.e., conduit run) spaces designated for future electric vehicle parking.

⁶ The Project will include covered exterior bicycle storage that can accommodate the storage of up to 6 bicycles.

⁷ The Project will not require submission to the Worcester Conservation Commission for an NOI/Order of Conditions as the Property is located in both the Combined Sewer System Area and the Commercial Area Revitalization District (CARD).

flow and safety, including access, parking and loading areas (special permit criteria); Adequacy and arrangement of pedestrian traffic access and circulation, walkway structures, control of intersections with vehicular traffic and overall pedestrian convenience; Proximity to residential uses and potential impacts to residents resulting from proposed drive-through design and operating characteristics (CCOD special permit criteria).

The proposed use of the New Building and modified drive-through will not cause a serious hazard to vehicular or pedestrian traffic on or off the Property, and the proposed parking layout is compatible with the existing size of the Property and the use of both the Existing Shopping Plaza Building and the New Building. Access to the Property is currently provided via driveways off Shrewsbury Street, Casco Street and Albany Street. The Shrewsbury Street driveway currently allows only right-turns into and out of the site, which will remain unchanged. Under proposed conditions, the Casco Street site driveway will be closed and replaced with a drive-through exit, and the Albany Street driveways will be modified, but will continue to allow full access into and out of the site.

The proposed parking areas and modified drive-through will provide a safe, adequate and efficient layout and design for vehicular and pedestrian traffic both within the site and at all existing and proposed access points, and will be in close proximity of the entrances of the buildings. The proposed parking spaces and setbacks, modified drive-through, drive aisles, curb cuts and building entrances will not cause any nuisance or hazard to vehicles or pedestrians within or off the Property or line of sight hazards along streets. Ample sight distances exist at the site driveway locations to allow for safe operation, exceeding minimum requirements. Calculated accident rates at the study intersections, including the site driveways, are well below statewide and districtwide averages for unsignalized intersections. The proposed drive aisles will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles and delivery trucks.

Emergency vehicles that need access to the buildings can park within the Property or on adjoining streets. The footprint of the Existing Shopping Plaza Building will not be altered, and the Project will provide safe, convenient and efficient pedestrian access to the New Building and the Existing Shopping Plaza Building along new and existing accessible walkways and sidewalks. There are currently no designated loading spaces for the Existing Building, and loading will continue to occur within the drive aisle along the westerly side of the Existing Shopping Plaza Building and the New Building.

Traffic generated and patterns of access and egress will not cause congestion, hazard or a substantial change to the neighborhood character, and the Project will not result in a substantial increase in trip generation levels to and from the Property. A substantial portion of retail traffic

comes from the existing traffic passing by the site today (referred to as pass-by trips), and is, therefore, not new to the area. Without taking any credit for pass-by trips, traffic-volume increases on Shrewsbury Street are expected in the range of 10 to 53 additional vehicles during peak hours. These increases represent, on average, approximately one additional vehicle every one to six minutes. Peak hour traffic capacity analysis indicates that the estimated site generated traffic represents a very small percentage of the existing future traffic volumes in the area, and, therefore, the development would have negligible impact of area traffic operations.

In 2018, the Board approved the development of a 48,000 square foot office building at the Property, and in 2022, the Board approved the development of a 218-unit multifamily building. The Project will generate fewer vehicular trips during critical commuter peak hours as compared to both of the previously approved office and multifamily building projects. Because retail developments generate the majority of their traffic on a Saturday, the current Project will generate slightly more trips during the Saturday peak hour than the previously approved multifamily building. Proximity of the Property to public transit services (e.g., Union Station, WRTA bus stops) and a strong network of off-site sidewalks along Shrewsbury Street and on-site bicycle accommodations are expected to promote less reliance on automobiles as compared to other similar developments in less transit-friendly locations.

The drive-through design is a significant improvement over the current condition, which has no striped lanes and causes vehicles to queue in the middle of the shopping center parking areas and drive aisles, which poses traffic and safety concerns. Drive-through queue studies were conducted at the existing bank and found that maximum queues at both the ATM and teller window were approximately 5 vehicles, which impacts site circulation. The modified drive-through will promote safe and efficient travel for passenger vehicles and pedestrians. The Property is not located in close proximity to residential uses and the modified drive-through will not be increased in capacity as compared to the existing drive-through facility, and, accordingly, there will be limited impacts to residents resulting from the proposed modified drive-through design, location and operating characteristics.

2. Location, arrangement, appearance and sufficiency of off-street parking and loading; Explanation of how the site has sufficient access in the form of public on-street or off-street parking, transit service or proximity to complementary uses (CCOD special permit criteria).

Table 9.1 of Article IX of the Zoning Ordinance provides minimum parking requirements for properties in the CCOD-S based on use. The current uses within the Existing Shopping Plaza Building that will remain under the Project require a minimum of 137 parking spaces.⁸ The

⁸ These current uses include three food service establishments and a dental office. This does not include the existing bank branch, which will be relocated as described below.

proposed new uses under the Project include an approximately 5,100 square foot retail space within the Existing Shopping Plaza Building⁹ and two approximately 4,750 square foot retail units and a proposed approximately 5,100 square foot retail bank branch within the New Building, all of which will require a minimum of 52 parking spaces, and resulting in a total base parking requirement of 189 parking spaces. A total of 109 parking spaces are proposed for the Project.¹⁰ After accounting for a 3-space reduction in the base parking requirement for bicycles resulting in 186 parking spaces required, the Project requires 77 parking spaces of relief (i.e., 41%).

Field observations by Chappell Engineering Associates revealed that a significant number of the existing shopping plaza parking spaces are not being utilized, which is likely due to the denser urban environment, walkable nearby amenities, the number of different establishments/destinations a patron and/or resident may visit when coming to the Property, availability of on-street parking and nearby public parking lots, public transportation and pedestrian accommodations located in close proximity to the Property. Based on field observations, the existing uses have a peak parking demand of 69 spaces, leaving 40 parking spaces for the relocated bank and new retail uses. The new retail uses would require a total of 31 additional parking spaces and the new bank would require two additional spaces as compared to the existing use for a total of 33 spaces needed for the proposed condition. After accounting for the bicycle parking reduction (i.e., -3 spaces), 30 spaces would be required. Based on the limited parking utilization of the existing shopping plaza parking and number vehicles anticipated to be utilized by the occupants of the New Building, the proposed parking will adequately serve the New Building and the Existing Shopping Plaza Building.

Article IX, Section 7.C.2 of the Zoning Ordinance provides that when a mix of residential, general or business uses share a common parking area within the CCOD, minimum parking requirements may be reduced up to 50% of the required parking, and may be waived by special permit of the Board when supported by a parking analysis for combined land uses. A parking survey was performed during times when both the existing and proposed commercial uses would incur the greatest demand for parking in order to analyze the peaking characteristics among the mix of uses.

Based on information from the Institute of Transportation Engineers (ITE) Parking Generation manual, shopping centers (Land Use Code 822) generate the greatest demand for parking on a Saturday between the hours of 12:00 PM and 3:00 PM when between 79% and 100% of the peak parking demand occurs. Before 12:00 PM and after 4:00 PM, the peak parking demand drops to an hourly average of 38% to 70%, respectively. However, since a large portion

⁹ This space is currently occupied by the retail bank that is relocating to the New Building.

¹⁰ As stated above, 16 of the 125 total parking spaces are dedicated to the 224 Shrewsbury Street development, therefore, only 109 of the parking spaces on site are available to serve the Project tenants.

of the space within the Property is occupied by restaurants and bars, the ITE manual for High Turnover (Sit Down) Restaurant — Lounge/Bar (Land Use Code 932) suggests that between 85% and 100% of the peak parking demand can also occur on a Saturday between 6:00 PM and 9:00 PM. The coffee house on site (LUC 936 Coffee/Donut Shop without Drive-Through Window) generates most of its traffic in the morning hours with the ITE suggesting that between 80% and 100% of peak parking demand occurs between 7:00 AM and 9:00 AM. Past 9:00 AM, demand drops to an hourly average between 32% and 65%. The dental office (LUC 720 Medical-Dental Office Building) has a long window for peak demand, with ITE suggesting that between 86% and 100% of peak parking demand occurs between 10:00 AM and 5:00 PM, with the highest peak (96% and 100%) occurring from 10:00 AM to 12:00 PM. However, parking demand is low for this dental building, with a peak demand of two spaces according to the ITE. The Digital Credit Union (LUC 912 Drive-In Bank) generates most traffic during the midday, with ITE suggesting that between 90% and 94% of peak parking demand occurring between 11:00 AM and 3:00 PM. Before 11:00 AM, peak demand drops to an hourly average of 25% to 87%. Based on the foregoing and as set forth in the Parking Assessment, café, restaurant, medical office, banks and general retail uses generate their greatest demand for parking during different hours of the day, which demonstrates that the mix of uses has sufficiently different peaking characteristics to warrant a substantial reduction of the minimum parking requirement.

There is also ample on street parking in the neighborhood as well as nearby public parking lots for both residential and commercial parking. Many occupants of the Applicant will utilize alternate means of transportation, including, but not limited to, buses, bicycles and ride sharing (e.g., Uber, Zipcar, Via van service). There are main bus lines that frequently run along Shrewsbury Street with stops in close proximity of the Property. The Project includes both indoor and covered outdoor bike storage areas to promote biking. The proposed parking areas are designed to limit the overall surface area so as to maintain an urban look and feel by not overwhelming the site with surface parking, which is in furtherance of the CCOD's goal of reducing the amount of land devoted to parking and utilizing parking areas more efficiently.

Based on the current underutilized parking, the anticipated parking demand by the Applicant's tenants during different peak periods, the availability of off-street parking spaces and the number of alternate means of transportation, the proposed parking will adequately serve the Property and all occupants of both the Existing Shopping Plaza Building and the New Building.

As noted above, there are currently no designated loading spaces for the Existing Shopping Center Building, and loading for the Existing Shopping Center Building and the New Building will continue to occur within the drive aisle along the westerly side of the buildings.

3. Location, arrangement, size, design and general site compatibility of buildings, lighting and signs; Social, economic or community needs that are served by the

proposal (special permit criteria); Explanation of 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 (CCOD special permit criteria); Neighborhood character and social structure; buildings, noise, glare (special permit criteria).

The Project will dramatically improve the aesthetic appeal, design and quality of the Property, which is currently underutilized. The Project is functionally and aesthetically compatible with the surrounding commercial and residential properties in the neighborhood, which include a mix of, municipal, restaurant, retail, office, personal service, automotive service, industrial and multifamily uses. The Property contains underutilized space where the New Building and drive-through are proposed. The footprint of the Existing Shopping Plaza Building will not be expanded or altered in any way, and the proposed New Building and improvements to the site will have no greater impact on, adversely affect or be detrimental to adjoining premises or zones or the neighborhood. The proposed New Building will improve the aesthetic appeal, design quality and economic vitality of the neighborhood. Based on the foregoing, the New Building and improvements to the Property in connection therewith will fit into the present character of the neighborhood, and granting this relief will promote an appropriate use of the site.

The kind, size, height and nature of the New Building and the proposed site improvements for the Property are consistent with the surrounding neighborhood and buildings in other neighborhoods within the City that have been developed for shopping center use. The New Building facades will provide other architecturally appealing features and massing, including decorative windows, doors and roof lines and changes in tones and textures of exterior walls that are visible from surrounding streets. The entry points of the New Building from Casco Street and the parking area will help activate pedestrian foot traffic on surrounding streets. The New Building will comply with yard setbacks and floor to area ratio requirements, and, except as otherwise provided herein, the New Building and the modified drive-through will comply with all other dimensional and parking requirements and the CCOD design requirements as set forth in the Zoning Ordinance.

The Project use will not result in any increase in noise levels that would be noticeable at any abutting properties. The Project will neither create a nuisance, hazard, congestion or concerns pertaining to health, safety or general welfare, and there will not be substantial harm to the neighborhood or derogation from the intent of the Zoning Ordinance as a result of the Project.

The proposed outdoor lighting, which includes additional light poles and wall pack lighting, will be adequate for safe and secure access to and from the New Building, the Existing

Shopping Plaza Building and parking areas, and will be an enhancement over the current lighting at the site. The proposed lighting will be arranged and have directional shields so as to minimize light from shining onto abutting properties and streets, and will not have a deleterious effect on neighboring properties. The Applicant's wall, pylon and directional signage will be provided in compliance with the Zoning Ordinance.

4. Adequacy of stormwater and drainage facilities; Adequacy of utilities, water supply and sewerage disposal facilities and other public services (special permit criteria).

The development does not anticipate any adverse effect on drainage patterns. The best management practices for stormwater are incorporated in the design of the Project, and will be adequate to manage stormwater runoff generated by the Project and to satisfy the requirements of the Zoning Ordinance, the Worcester Department of Public Works and Massachusetts Stormwater standards. The drive aisles and surface parking areas will contain deep-sump catch basins that will connect to the Casco Street/Albany Street drainage system, which, in turn, will connect to the combined sewer system located within Shrewsbury Street. Existing stormwater within the existing shopping plaza parking area will continue to discharge to Shrewsbury Street. Stormwater from the New Building and Project area will be collected by deep sump catch basins routed to water quality units/hydrodynamic separators to provide 80% total suspended solids (TSS) removal prior to being conveyed to the municipal system. See stormwater management plan prepared by Highpoint Engineering.

New water and sewer connections, gas and electric service facilities and infrastructure will need to be provided for the New Building; provided, however, such utility lines and infrastructure currently exist within surrounding streets and are readily available to be connected to any new utilities that are necessary for the Project.

5. Adequacy, type and arrangement of trees, shrubs and other landscaping elements in accordance with the Landscaping Design Standards set forth in Article V, Section 5(C); Adequacy of useable common property or open space; Describe screening of the drive-through service and lanes from the fronting street (CCOD special permit criteria).

The Project proposes to provide enhanced open space by way of landscape buffers that will contain a variety of aesthetically appealing and native trees, shrubs and other plantings not currently provided at the site. The landscape buffers will comply with the Zoning Ordinance, and will serve as a visual buffer between the Property and adjoining properties and streets. All new trees will be Asian Long-Horned Beetle and Emerald Ash Borer compliant. The Project proposes to create new landscape island areas throughout the site. The drive-through use will be

located on the opposite side of the Property away from the fronting Shrewsbury Street, and will be adequately screened by landscaping along Albany Street.

6. Protection of adjacent or neighboring properties against noise, glare, unsightliness or other objectionable features.

The Project use will not result in any increase in noise levels that would be noticeable at any abutting properties. The Project will neither create a nuisance, hazard, congestion or concerns pertaining to health, safety or general welfare, and there will not be substantial harm to the neighborhood or derogation from the intent of the Zoning Ordinance as a result of the Project.

The proposed lighting will be dark-sky compliant, will not exceed a color temperature of 3,000K, will be appropriately arranged with directional shields so as to minimize light from shining and/or spilling onto abutting properties and streets while maintaining pedestrian and vehicular safety, and will not have a deleterious effect on neighboring properties. Site lighting is designed to meet IESNA (Illuminating Engineering Society of North America) guidelines for security minimums within parking and pedestrian areas.

A screened and enclosed dumpster/trash collection area for the commercial use will be located within the existing shopping plaza parking lot.

7. Adequacy of fire lanes and other emergency zones and the provisions of fire hydrants.

There is no special emergency zone noted on the plans. However, fire trucks and other emergency vehicles will be able to access the Property by parking on multiple streets surrounding the site in close proximity to the New Building. The New Building will be serviced by existing municipal fire hydrants located within the sidewalks on Shrewsbury Street.

8. Special attention to the adequacy of structures, roadways and landscaping in areas with susceptibility to ponding, flooding and/or erosion; adequacy of erosion and sedimentation control measures to be utilized during and after construction; Impacts on the natural environment (special permit criteria).

There are minimal natural terrain features at the Property, and the Project will minimize, to the extent practicable, changes to the natural terrain as a result of the Project. The proposed drainage and site design layout of the Project improvements are designed to reduce any susceptibility of ponding, flooding and erosion. The Property is outside of the Floodplain and Water Resources Protection Overlay Districts and ecologically sensitive areas, and there are no

wetland resource areas on the Property. There will not be any negative impacts on the groundwater. During construction, appropriate measures will be taken for controlling erosion, sedimentation and pollution as set forth in the plans submitted. The premises will remain maintained upon completion of the construction phase.

9. Conformance of the site design with the purposes and intent of the Worcester Zoning Ordinance; Potential fiscal impact, including city services needed, tax base, and employment (special permit criteria).

The Project complies with the design requirements of Article V, Section 5.B, Article IV, Section 7.A.3, Article IX, Section 6 and other applicable provisions of the Zoning Ordinance by providing sufficient accessory off-street parking spaces necessary to accommodate the new occupants of the New Building. The proposed drive aisles within the parking areas will provide sufficient widths and turning radii necessary to provide for safe and efficient travel for passenger vehicles. The proposed parking-, walkways- and landscaping-related improvements are arranged for safe and convenient access for motorists and pedestrians. Proposed new lighting will be modern in design, and will not have a deleterious effect on or cause a nuisance to neighboring properties or abutting streets. The Project will dramatically improve the aesthetic appeal, design and quality of the Property, which is highly visible to the public. The Project will improve the economic vitality of the neighborhood and surrounding areas by increasing the number of residents in the area who will patronize local businesses and economic centers in and around the neighborhood. The Project will create new construction jobs, sustain post construction jobs, and will generate additional tax revenues and fees for the City.

The Project is in conformance with the purposes and intent of the Zoning Ordinance and the CCOD, which will promote the economic vitality of the neighborhood and the City. The Project is a development of a compatible land use that provides urban densities, is a redevelopment of a corner lot infill site that is highly underutilized, offers a design that provides an aesthetically pleasing environment for pedestrians that is accessible, compact, safe and inviting. The Project promotes compact, environmentally-responsible (e.g., EV charging stations, bicycle storage, and other eco-friendly features), pedestrian friendly mixed-use development, eliminates the amount of land devoted to surface parking and utilizes parking areas more efficiently. Moreover, the Project will encourage the most appropriate use of the land in a manner that promotes the creation new commercial spaces, protects natural resources as well as the architectural, scenic and aesthetic qualities of the community and protects against the uses of land which are incompatible with nearby uses, undue intensity of noise and danger and congestion in travel and transportation.

10. Conformance and compatibility of the site plan design with structures listed in the most recent State Register of Historic Places.

The existing structures at the Property to be razed are not listed on the National Register of Historic Places or the Massachusetts Cultural Resource Information System (MACRIS) database. The Project will continue to enhance the existing aesthetics and character of the neighborhood, and the Property, including the New Building, will be compatible with other historic and non-historic structures in the neighborhood.

11. Adequacy and impact on the regional transportation system.

The Project will not materially impact the regional transportation system as the neighborhood is transit-oriented nature (i.e., Union Station and WRTA bus stations within walking distance) and facilities at the Property will accommodate alternate means of transportation (e.g., bicycle storage, easy access / drop-off for Uber, Zipcar, Via van service, etc.). There exist amenities in close proximity to the Property and there is a nearby downtown employer hub. The Project will promote the bike- and walk-ability of the neighborhood as it will include an outdoor bicycle storage area and Shrewsbury Street provides safe and convenient access to other parts of Shrewsbury Street and downtown.

12. Adequacy of plans and protective measures to ensure minimal risk of contamination to surface or groundwater.

The Property is outside of the Floodplain and Water Resources Protection Overlay Districts and ecologically sensitive areas, and there are no surface waters or wetland resource areas on the Property. Additionally, the site is located within the City of Worcester Combined Sewer System Area and the Commercial Area Revitalization District (CARD). Snow storage locations will be outside required parking areas. The Applicant will plow smaller accumulations of snow to the back of the parking stalls in order to maintain the proper operation of the parking lot during such weather events. Large accumulations of snow will be hauled offsite to an approved disposal facility. There will be no storage of hazardous materials or substances at the Property. Based on the foregoing, plans and protective measures under the Project will ensure minimal risk of contamination to surface or groundwater.

IV. Waivers and Other Zoning Relief.

The Applicant seeks the following waivers and other zoning relief, to the extent applicable:

1. Plan requirement to show abutters to abutters within 300 feet of the Property; and
2. Any other waivers and zoning relief that may be required.

