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2023 OCT 24 A 9:54

TOWN CLERK
BURLINGTON, MA

October 24, 2023

**VIA HAND DELIVERY**

Michael Runyan
 Select Board Chair
 Town of Burlington
 29 Center Street
 Burlington, Massachusetts 01803

RECEIVED
 OCT 24 2023
 Select Board Office

Re: January 2024 Town Meeting Warrant
 Zoning Bylaw Text Amendment

Dear Chairman Runyan and Members of the Select Board:

This office and the undersigned represent Herb Chambers 93 Cambridge Street LLC (“Herb Chambers”) regarding certain property situated off of Cambridge Street encompassing the existing Kia automobile dealership and select abutting parcels with associated buildings. The extent of the premises boundary encompasses five (5) parcels (identified as 93, 95 and 97 Cambridge Street) which are further described on the materials enclosed herewith (“Premises”).

As you may recall, Herb Chambers petitioned the September 2023 Town Meeting for consideration of a Zoning Bylaw amendment intended to delineate a new use category for existing automotive dealerships in the General Business (BG) Zoning District. At the request of Herb Chambers, the September Town Meeting did not act upon the subject matter of the zoning bylaw amendment, but rather postponed the matter in order to allow the petitioner time to facilitate additional outreach efforts with area abutters, which outreach is presently on-going.

Premises History

In/about 1970 the Premises contained multiple commercial buildings, one of which was a Porsche and Audi dealership which was operated and owned at that time by Pass & Weisz (located at 93 Cambridge Street). In the early 1990’s the auto dealership building was renovated but there has been limited site modifications since that time. In 2006 the five (5) lot Premises and automotive dealership were acquired from Pass & Weisz by the Herb Chambers Companies who subsequently relocated the Porsche and Audi Dealerships to 62/64 Cambridge Street (former heavy equipment dealership and mattress warehouse locations). The 93 Cambridge Street dealership was converted by Herb Chambers to a Kia franchise and has operated continuously on the Premises since that time. (The two (2) stand-alone commercial buildings located at 95 Cambridge Street and 97 Cambridge Street remain today.)

Premises Vision

Herb Chambers is desirous of improving the Kia dealership by renovating the existing building and constructing an addition onto the 95 and 97 Cambridge Street properties. The existing Kia dealership is very much undersized by today's standards, and the addition would allow for a modernized facility that could better respond to the needs of its customers. This will also provide an opportunity to implement significant upgrades to the Premises improving both appearance and functionality through enhanced site circulation (reduced curb cuts and expanded sidewalks), environmental conditions (stormwater and landscaping) and enhancing the overall fiscal health of the Premises.

Recently adopted Master Plan recommendations support redevelopment goals through private investment but necessitates compatible zoning language. While the 93 Cambridge Street property has historically been operated as an automobile dealership (a lawful pre-existing nonconforming use), automobile dealership use is not an allowed use in the General Business (BG) Zoning District. As such, Herb Chambers has proposed a Zoning Bylaw amendment which would delineate a new use category for existing automotive dealerships in the General Business (BG) Zoning District allowing expansion capabilities under limited conditions through a Planning Board Special Permit process. This approach, if approved by Town Meeting, would necessitate a fully vetted site design and special permit process with the Planning Board. As you may recall, a similar Zoning Bylaw was adopted by Town Meeting in 2018, which enabled the construction of the new Porsche Burlington building.

Neighborhood/Community Outreach

Herb Chambers has continued their neighborhood outreach program which included a recent neighborhood meeting held at the Kia dealership, where valuable feedback was received. Direct abutters, along with Town Meeting Members will be notified of the initial Planning Board hearing date and will have further opportunity to comment on the requested Zoning article. In addition, the Chairpersons of both the Land Use Committee and Zoning Bylaw Review Committee are copied on this Warrant article submission.

At your direction, the Petitioner would be pleased to appear before the Select Board to discuss this proposal and its associated benefits. In the interim, we would also respectfully request that this Zoning Article be placed on the January 2024 Town Meeting Warrant and that a copy of this petition be transmitted to the Planning Department to initiate the requisite public hearing process.

To facilitate the Board's review of this request we have enclosed seven (7) copies of the following materials:

1. Draft Warrant Article for an amendment to the Zoning Bylaws;
2. Aerial photograph and existing street view photographs of the Premises; and,
3. Conceptual rendering of proposed addition and site improvements.

Michael Runyan
October 24, 2023
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If you have any questions on this matter, please do not hesitate to contact me.

Very truly yours,



Mark T. Vaughan

MTV:mmc
Enclosures

Cc: Amy Warfield, Town Clerk (with enclosures)
Planning Board (with enclosures)
Land Use Committee (with enclosures)
Zoning Bylaw Review Committee (with enclosures)
James Xaros, Herb Chambers Companies (with enclosures)
John Welch, Herb Chambers Companies (with enclosures)

3759377.4

ZONING ARTICLE

ARTICLE #__

RE: Amend the Town of Burlington Zoning Bylaw, Article IV, Section 4.2.0 Principal Use Regulation Schedule by adding a new Section 4.2.5.11, as follows:

4.2.5	AUTOMOBILE SALES AND SERVICE USES	RO	RG	RC	BN	BL	BG	BT	IG	I	IR	OS	A	WR	CC	CBD
4.2.5.11	Automobile Dealership (including redevelopment and/or expansion of existing facilities only) which may include integrated structured parking (notwithstanding any structured parking limitations or restrictions elsewhere in the Zoning By-laws), provided said Automobile Dealership use is in existence and is engaged in the sale of new motor vehicles as of the date of the adoption of this subsection (4.2.5.11). Any redevelopment or expansion may extend onto abutting BG zoned lots, provided however that the building footprint for said Automobile Dealership may not exceed a total of 20,000 square feet in size (inclusive of any accessory Building). Said lots comprising the existing and proposed dealership uses shall be deemed one lot for density regulation and parking purposes (consistent with Section 5.2.0, Note 9.)	NO	NO	NO	NO	NO	SP	NO	NO	NO	NO	NO	NO	YES	NO	NO

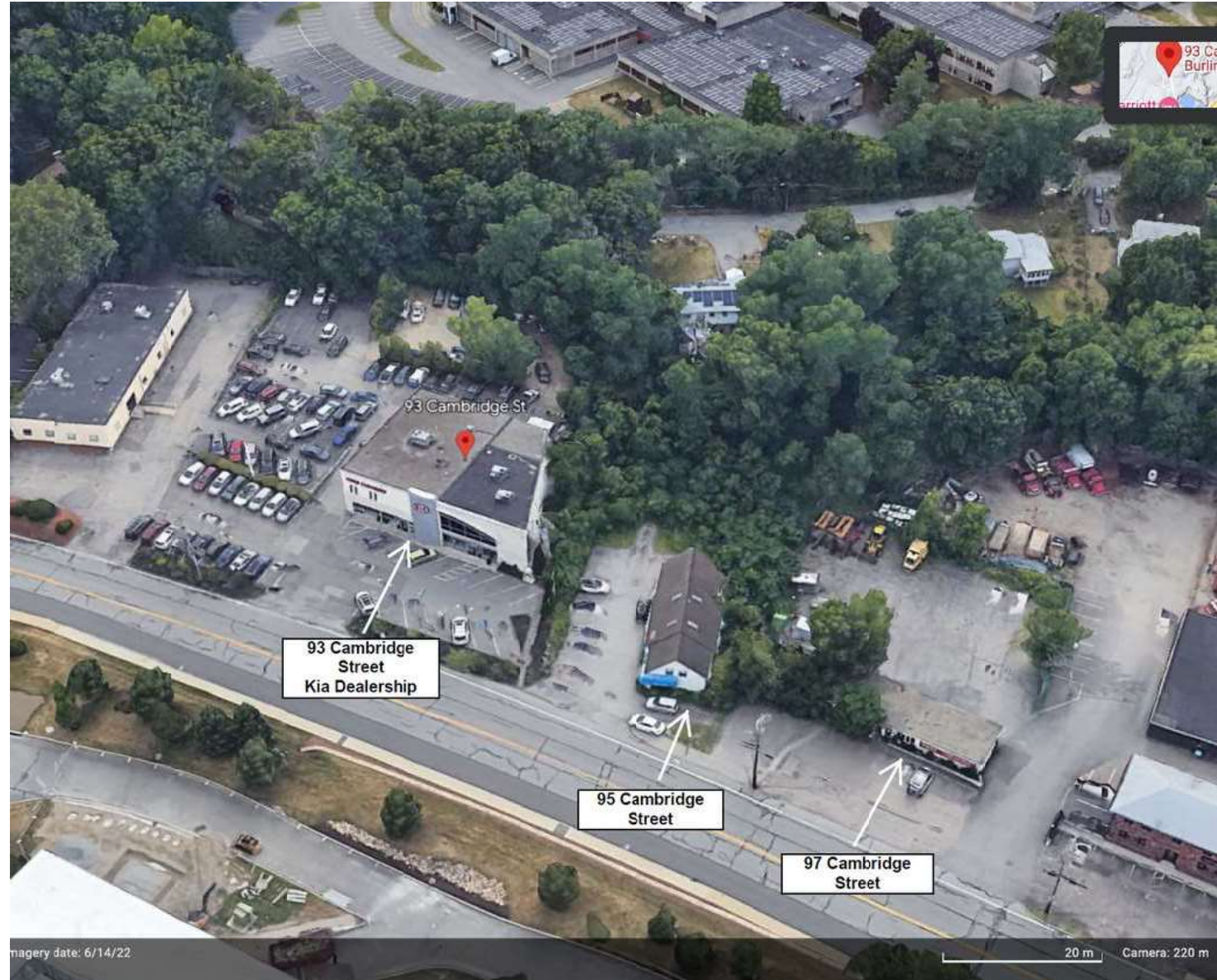
or to act in any other manner in relation thereto.

Submitted by the Select Board at the request of
Herb Chambers 93 Cambridge Street, LLC

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Vision

Our primary goal is to reimagine the properties through the implementation of a cohesive design, improving circulation (reducing curb cuts), landscaping, and architectural design.



About The Premises

The premises is comprised of three abutting properties (93, 95, and 97 Cambridge Street) that are not currently interconnected from a design, vehicular circulation or architectural perspective.



93 Cambridge Street



95 Cambridge Street



97 Cambridge Street

93 Cambridge Street
Kia Dealership

95 Cambridge
Street

97 Cambridge
Street



* Conceptual rendering of proposed addition and site improvements.



HERB CHAMBERS KIA

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