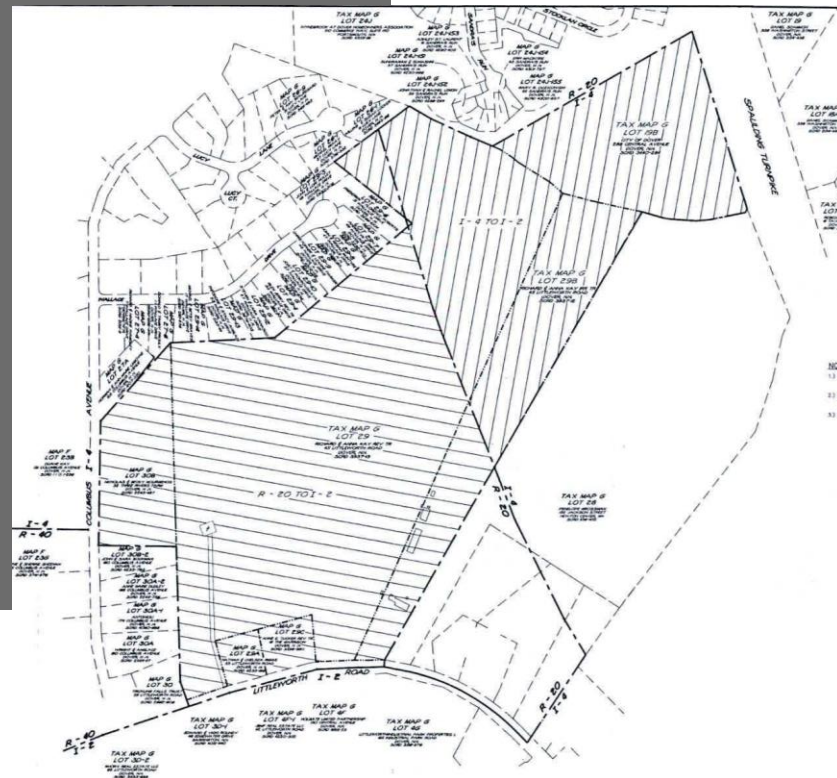


CITIZEN PETITION TO REZONE LAND

- 1 Guiding Principles
- 2 Process
- 3 Statutory Requirements
- 4 Zoning Ordinance
- 5 170-53 F
- 6 Rezoning Analysis
- 7 History



1 GUIDING PRINCIPLE


- Property owners have the right to request a rezoning of land in Dover.
- The public has the right to provide input
- The Planning Board/Council are obligated to review and understand facts, data and make an informed decision



2 PROCESS

All proposed amendments to the Zoning ordinance follow the same path:

- ▶ **Pre-Approval Phase:**
 - ▶ Proposal is made
 - ▶ PB posts the ordinance and sets public hearing
- ▶ **Decision Phase:**
 - ▶ Public Hearing
 - ▶ Deliberation (60 days or less)
- ▶ **Post-Planning Board Phase:**
 - ▶ City Council Workshop
 - ▶ City Council Public Hearing
 - ▶ Ratification or Veto



City of Dover, New Hampshire ZONING AMENDMENT APPLICATION

[Revised Form January 13, 2013]

RECEIVED
Planning Office
NOV 22 2015

Office Use Only File #: P16-36 Date Received: _____
 Amount Paid: _____ Time Received: _____

Dover, New Hampshire

APPLICANT INFORMATION

Name of Applicant: USA TRAINING CENTERS/RICHARD & DJUNA KAY
 Address of Applicant: 117 GOSLING ROAD NEWINGTON NH 03801
 Telephone # (603) 431-6700 Email Address DAVE@USAMVC.COM

DESCRIPTION OF PROPOSED AMENDMENT

Propose to CHANGE EXISTING LOTS OF LAND FROM THEIR CURRENT ZONING DESIGNATION TO NEW DESIGNATION. CHANGE WOULD BE FROM I-4 & R-20 USE TO I-2 USE. THE PURPOSE AREA REZONING INFORMATI

Assessor's Map	Map	Lot #s of all p
<u>I-4</u>	<u>MSP G</u>	<u>Lot 10</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 2</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 22</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 23</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 24</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 25</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 26</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 27</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 28</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 29</u>
<u>R-20</u>	<u>MSP G</u>	<u>Lot 30</u>

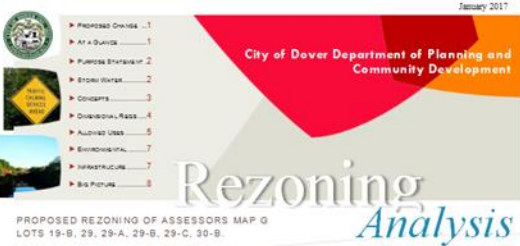
Current Zoning District(s) I-4
 Existing Use(s) Within Area: Res
 Proposed Zoning District(s) I

ORDINANCE AMENDMENT INF

Article# _____ Section _____
 Current Provision(s) Language _____
 Proposed Provision(s) Language _____

At A GLANCE:

Total Acreage (Land Use)	14	Potential Unit # (No zone change)	102
Citywide	15,557	Commercial Development potential	400,000 of
Residential	8,000	Public Road Potential (Y/N)	Y
Non-Residential	2,636	Open Space Subdivision? (Y/N)	Y
Re zoning Area	101	Water (Y/N)	Y
Comments on area #	2	Sewer (Y/N)	Y



Proposed

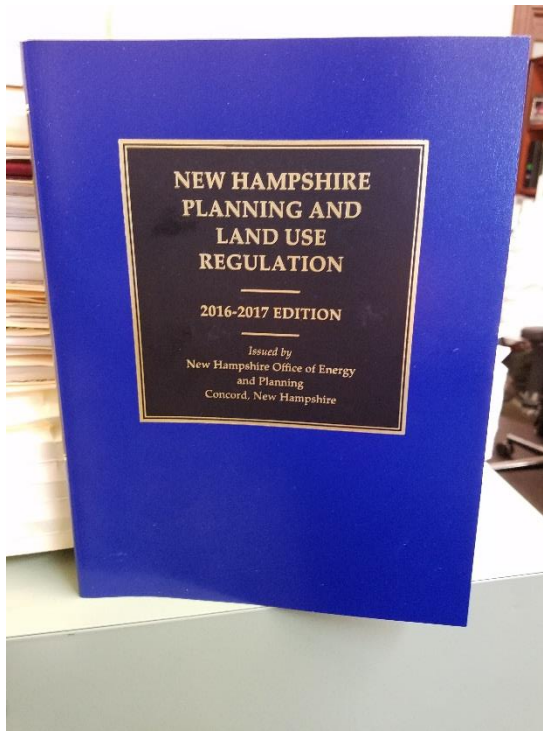
Background
 In November of 2014, Planning staff received a citizen petition from USA Training and Richard and Anna Kay requesting that the City rezone 61.5 Acres from R-20 (low density residential) to I-2 (Planned Residential Industrial), and 19.1 Acres from I-4 (Office and Assembly) to I-2 (Planned Residential Industrial).

Area Description
 Map O, Lots 19-B, 29, 29-A, 29-B, 29-C, 19-B, contain 101.6 acres of land located between Toland Road and the Spaulding Turnpike. The area abuts residential neighborhoods of Columbus Avenue and Toland Road. The surrounding area is a mixture of zoning, with Industrial (I-2 and I-4) along Listerwood Road, and the westerly side of Columbus Avenue is zoned R-20. The area is adjacent to the Conby Road, Industrial Park Drive industrial land as well as Cambridge Hotel and other land within the Office and Assembly (I-4) zone. The area is a mixture of fields and woods. There are topographic changes as one goes northeast towards the Spaulding Turnpike. The property lies in lands along the westerly portion abutting Wallace Drive and the Woodstock subdivision.

Amendment
 Currently, the boundary between the R-20 and I-2 districts runs along the centerline of Listerwood Road. Furthermore, the boundary between the R-20 and I-4 runs 1,500 feet off the Spaulding Turnpike, above above.

The proposed change relocates this boundary to include the 101 acre within the I-2 district. This new boundary would be at the northerly property boundaries. It would exchange 61.5 acres between residential and non-residential zoned land.

4 STATE REQUIREMENTS



Requirements:

- ▶ *674:16 grants the ability for a municipality to regulate land*
- ▶ *Overall ordinance shall meet the purpose outlined in 674:17*
 - ▶ *Eg Health, safety and welfare*
- ▶ *674:18 grants local control over process*
 - ▶ *170-53 is the local guidance.*
- ▶ *674:20 allows the creation of zoning districts, which may allow different uses and dimensions.*

3 ZONING ORDINANCE

and ABUTTER required to be notified per Section D (2).

F. Criteria for PLANNING BOARD Review of Proposed Amendments.

The PLANNING BOARD shall provide to the City Council a report on each proposed amendment. The report of the PLANNING BOARD shall include the PLANNING BOARD's findings and recommendations on the following:

- (1) The consistency of the proposed amendment with the Master Plan;
- (2) The consistency of the proposed amendment with other plans, studies, or technical reports prepared by or for the PLANNING BOARD and the City;
- (3) The effect of the proposed amendment on the City's municipal services and capital facilities as described in the Capital Improvements Program;
- (4) The effect of the proposed amendment on the natural, environment, and historical resources of the City;
- (5) The effect of the proposed amendment on NEIGHBORHOOD including the extent to which nonconformities will be created or eliminated;
- (6) The effect of the proposed amendment on the City's economy and fiscal resources; and
- (7) The recommendation of the PLANNING BOARD relative to whether the proposed amendment should be adopted or rejected, and any recommendations for modifications to the proposed amendment.

Planning Board reviews:

- ▶ *Consistency with Master Plan*
- ▶ *Consistency with other plans*
 - ▶ *Planning Board or City*
- ▶ *Effect on municipal services*
 - ▶ *Including capital needs*
- ▶ *Effect on resources*
 - ▶ *Historic, cultural and environ*
- ▶ *Effect on neighborhood*
 - ▶ *Non conformities*
- ▶ *Effect on Economy/fiscal health*

5 PLANNING BOARD REVIEW CRITERIA

▶ *Master Plan:*

▶ *Vision Chapter*

- ▶ *Promote economic growth*
- ▶ *Continued investment in industrial parks*

▶ *Land Use*

- ▶ *Speaks to diversity of commercial/industrial uses*
- ▶ *Promotes continued industrial/business park development*
- ▶ *Notes the lack of available industrial land*

Land Use	Acreage*	Undeveloped*
Residential	8,016	1,975
Conservation	2,195	N/A
Civic**	1,860	600
Vacant	1,726	1,014
Commercial***	717	156
Industrial	688	144
Non-Profit/Utility	355	121
Total	15,557	4,010

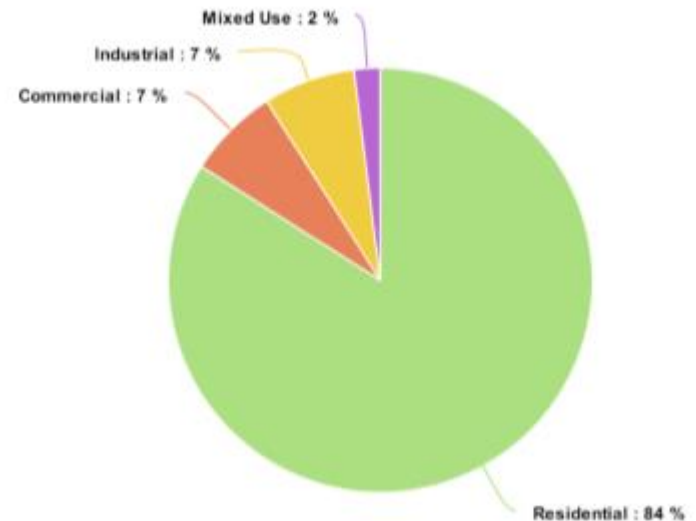
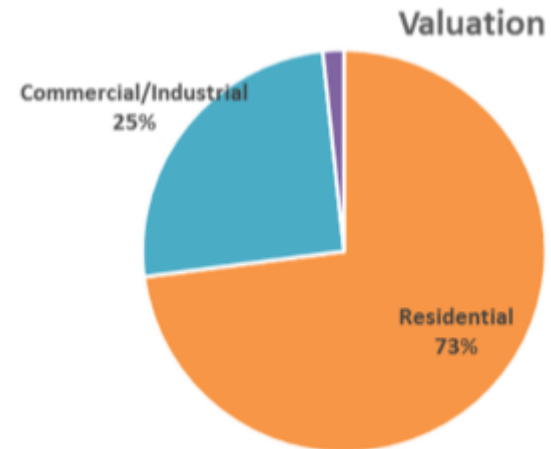
* Does not remove constraints, such as wetlands/steep slopes etc

** Includes Government, Education and Recreation

***Includes Retail, Office, Restaurants, Services

5 PLANNING BOARD REVIEW CRITERIA

- ▶ *Other Plans:*
 - ▶ *Council Goals*
 - ▶ *Supports*
 - ▶ *Other*
 - ▶ *Neither conflicts or supports*
- ▶ *Municipal Services*
 - ▶ *Non residential uses have less impact on municipal services*
- ▶ *Historic/Natural/Env Resources*
 - ▶ *Setback and stormwater requirements are similar with current district*



5 PLANNING BOARD REVIEW CRITERIA

▶ *Neighborhood :*

▶ *Land Use*

- ▶ *Surrounding land use is residential*

▶ *Zoning*

- ▶ *Surrounding is a mixture of residential and non residential*

▶ *Nonconformities*

- ▶ *None with dimensional*
- ▶ *Creates 2 (use)*
- ▶ *Removes 1 (use)*

▶ *Economic/Fiscal Health:*

▶ *Adds jobs*

▶ *Diversity of employment*

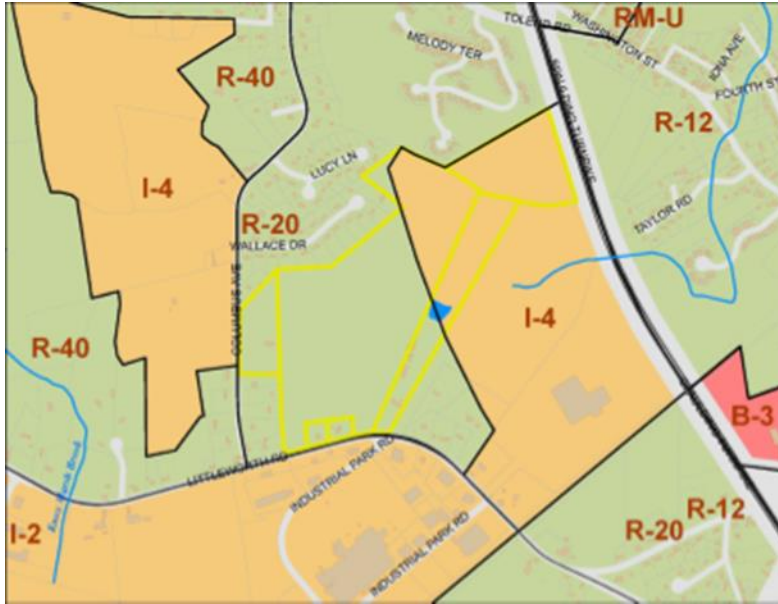
- ▶ *Promotes tourism*

▶ *Provides tax revenue with low draw on municipal resources*

▶ *Vote*

- ▶ *Board voted unanimously that the rezoning should occur.*

6 REZONING ANALYSIS



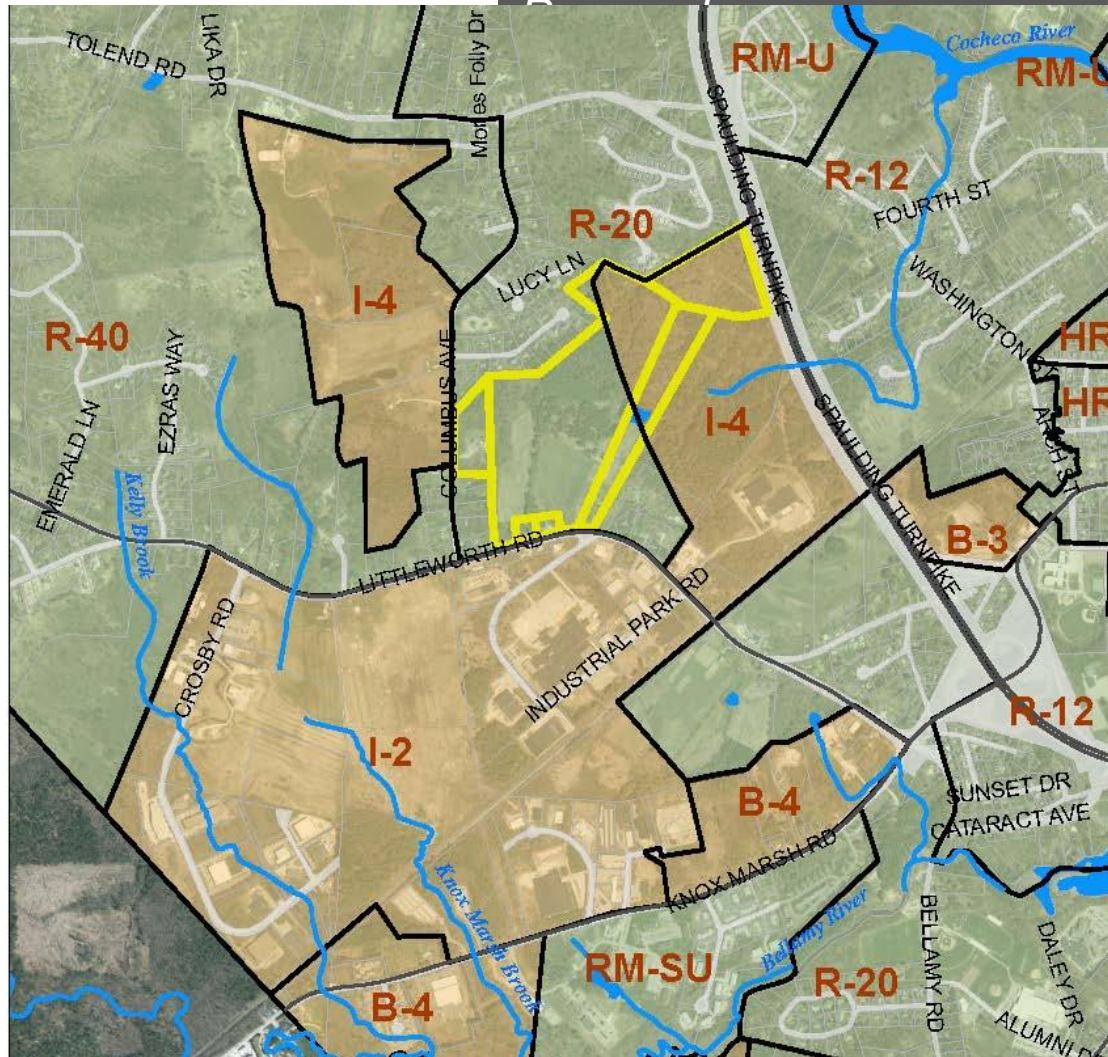
Proposal:

- ▶ *Rezone 63 acres from R-20 to I-2*
- ▶ *Rezone 38 acres from I-4 to I-2*
 - ▶ *Relocates existing location of I-2 boundary from Littleworth Road to northerly boundary lines of properties*

▶ *Context*

- ▶ *Land use is residential along Columbus Avenue*
- ▶ *Land Use is Industrial with some residential along Littleworth*
- ▶ *Zoning is predominantly non residential*

6 REZONING ANALYSIS



from R-20 to I-2

from I-4 to I-2

changing location of
from Littleworth
boundary

as

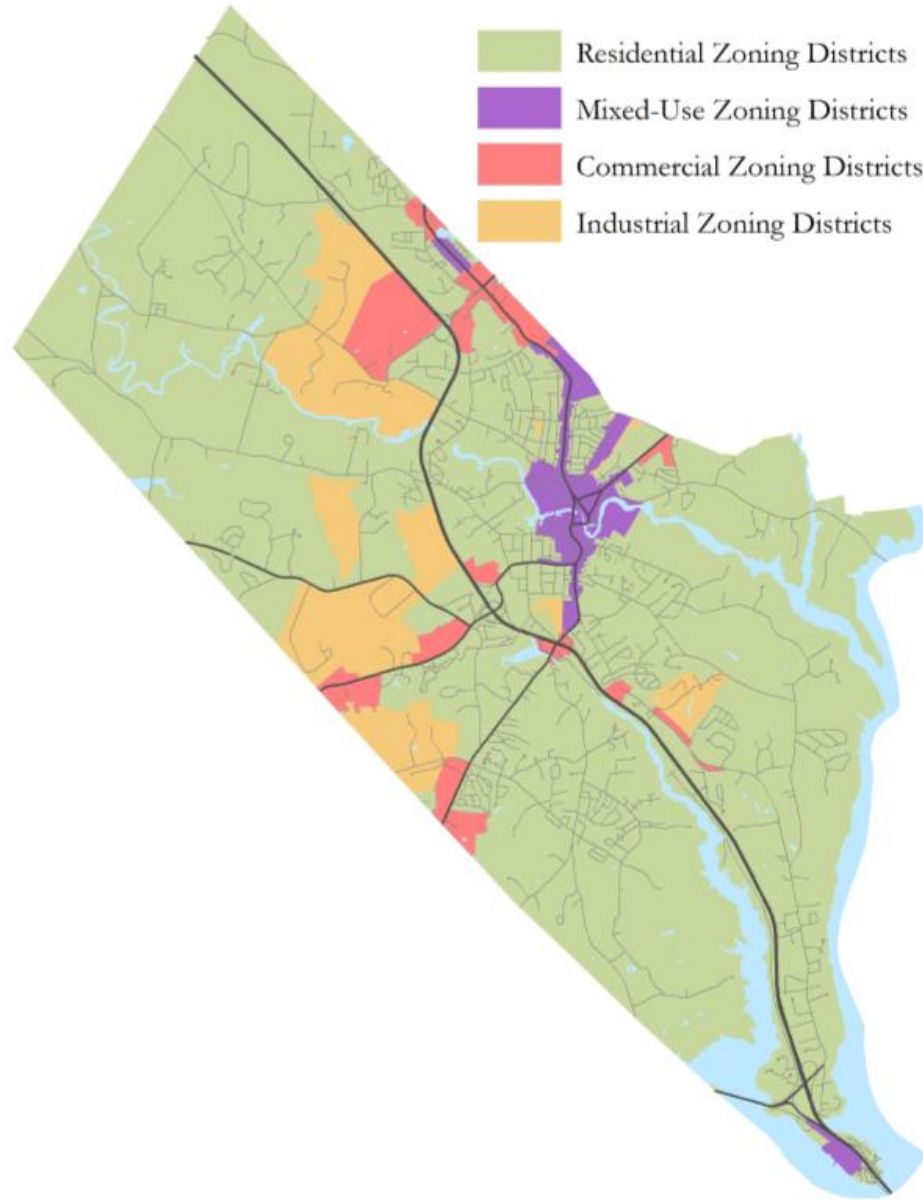
along

with some
worth

ently non

residential

6 REZONING ANALYSIS



from R-20 to I-2

from I-4 to I-2

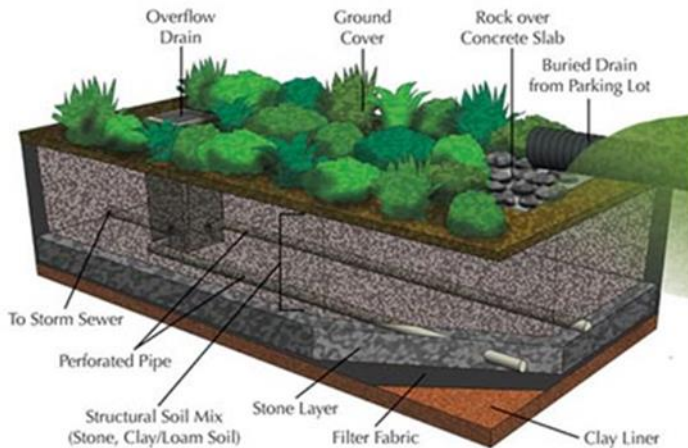
*existing location of
from Littleworth
previously boundary
parties*

potential along

*industrial with some
Littleworth*

predominantly non

6 REZONING ANALYSIS – PAGE 2



Purpose Statements:

- ▶ *R-20: Medium Density residential*
- ▶ *I-4: Advanced Manufacturing*
- ▶ *I-2: Mixture of commercial and industrial uses*
- ▶ *Abutter Impact*
 - ▶ *Site Plan review is proper venue for mitigation of light, noise, traffic and other abutter concerns*
 - ▶ *Applicable to all development*
- ▶ *Stormwater Management*
 - ▶ *Toughest regs in NH*
 - ▶ *Applicable to all development*

6 REZONING ANALYSIS – PAGE 3



Existing Conditions Potential Build out:

- ▶ *Residential with some industrial*
 - ▶ *Conservative in nature*
 - ▶ *100 new homes/ 80K distribution facility*
 - ▶ *Expects dynamic development (not status quo)*
 - ▶ *Revenue/Expense*
 - ▶ *\$26.29 tax rate (\$8,171/105K)*
- ▶ *Traffic*
 - ▶ *Approximately 100 vehicle trips*
- ▶ *Build Out 5 to 10 years from start*

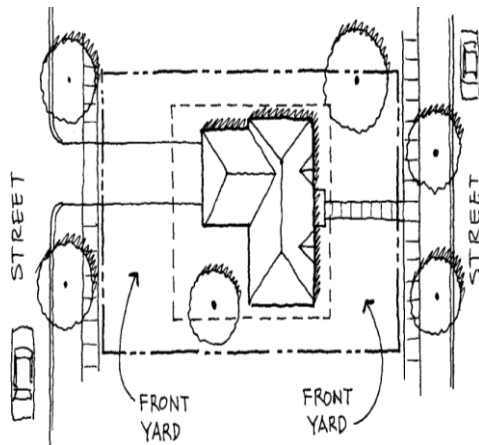
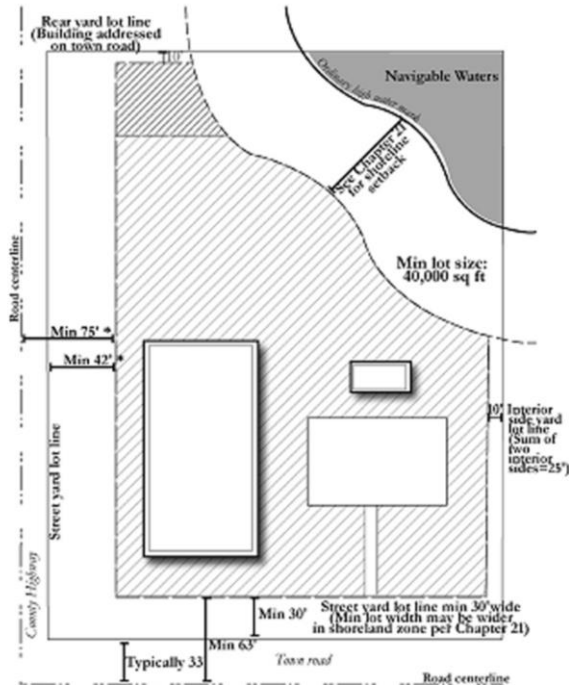
6 REZONING ANALYSIS – PAGE 3



Concept Potential Build out:

- ▶ *Commercial Recreation and Hotel*
 - ▶ *Conservative in nature*
 - ▶ *Assessed value is based upon construction costs and existing hotel valuations.*
 - ▶ *Revenue/Expense*
 - ▶ *\$26.29 tax rate (\$525K)*
 - ▶ *Traffic*
 - ▶ *Approximately 58 - 100 vehicle trips*
 - ▶ *Build Out 12 to 18 months from start with future potential*

6 REZONING ANALYSIS – PAGE 4/5/6



▶ Dimensional Review:

▶ *R-20 vs I-2 vs I-4*

▶ *Lot size is same for R-20 and I-2, greater for I-4 to I-2*

▶ Uses

▶ *R-20*

▶ *Residential with commercial uses if lot is over 50 acres*

▶ *Theatre*

▶ *Bank*

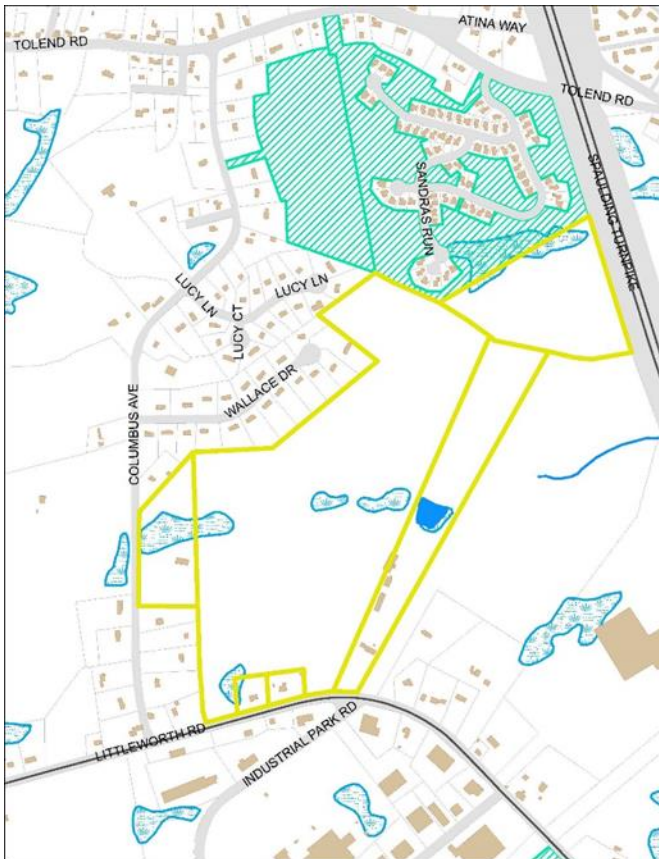
▶ *Personal Service/retail*

▶ *Restaurant*

▶ *I-4*

▶ *Similar industrial based uses*

6 REZONING ANALYSIS – PAGE 7



Environmental Review:

- ▶ *Wetlands*
 - ▶ *Ill defined; survey required.*
- ▶ *Topography*
 - ▶ *Majority of land is at elevation 120*

Infrastructure:

- ▶ *Sanitary Sewer is provided*
- ▶ *Good water on Columbus*
- ▶ *Adequate water on Littleworth*
- ▶ *Gas/Tele/Electricity on Littleworth*
- ▶ *On NH Route 9*
- ▶ *Proximate to Spaulding*

7 HISTORIC OVERVIEW

- ▶ 1948: Zoning Established in Dover
- ▶ 1965*: I-1 Zone, Littleworth to Tolend Rd, 1600' off Spaulding
- ▶ 1979: Rezoning of 500' off Tolend from I-1 to R-20
- ▶ 1992: Rezoning of I-1 to I-2
- ▶ 1999: Proposed rezoning of Kay parcel to I-2
- ▶ 2003: Proposed rezoning of Kay parcel to I-4
- ▶ 2003: Rezoning of I-2 to I-4, area off the Spaulding.
- ▶ 2003: Rezoning of land west of Columbus to I-4
- ▶ 2004: Area off Tolend Rd rezoned from I-2 to R-20