

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Authorizing the City Manager on behalf of the City of Lowell to request approval for the following plan change to the Acre Urban Revitalization and Development Plan from the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD).

The Acre Urban Revitalization and Development Plan was approved and accepted by the City Council by Vote dated June 8, 1999, which Plan was further approved by the Department of Housing and Community Development of the Commonwealth of Massachusetts on January 27, 2000; and was amended by the City Council on December 10, 2002 (approved by DHCD on December 31, 2002) and further amended by the City Council on January 14, 2003 (approved by DHCD on February 5, 2003), and on February 25, 2003 (approved by DHCD on March 10, 2003), and on July 22, 2003 (approved by DHCD on August 7, 2003); and on November 25, 2003 (approved by DHCD on December 17, 2003); and on April 6, 2004 (approved by DHCD on May 5, 2004); and on February 1, 2005 (approved by DHCD on March 1, 2005); and on August 14, 2007 (approved by DHCD October 1, 2007); and on November 13, 2007 (approved by DHCD on December 19, 2007), and on June 12, 2012 (approved by DHCD on June 27, 2012); and on September 10, 2013 (approved on November 15, 2013) and on March 31, 2015 (approved by DHCD on May 7, 2015) and on December 12, 2017 (approved by DHCD on March 12, 2018) and on November 12, 2019 (approved by DHCD on January 7, 2020)

A “Notice of Approval of the Plan and Declaration of Restrictions” was duly recorded with Middlesex North District Registry of Deeds on April 12, 2000 in Book 10761, Page 2; and

In furtherance of said Plan a minor change under 760 CMR 12:03(1). The proposed amendment will change the status of parcels from commercial/industrial use to residential

use for the properties at 153 Willie Street and 4 Wiggins Street and include 153 Willie Street, 4 and 8 Wiggins Street as new residential use parcels;

WHEREAS, 760 CMR 12:03 (1) requires that requests for plan changes submitted to DHCD require a resolution from the operating agency adopting the plan change;

NOW, THEREFORE, BE IT VOTED BY A TWO-THIRDS VOTE:

That in furtherance of the Acre Urban Revitalization and Development Plan the City Manager, in the name of the City of Lowell, is authorized to request the following plan change from DHCD:

- (1) Amend Section 1, H-2 Disposition Parcels and Proposed Buildings, to include Parcel 74, 75, and 76 as new building residential use and disposition parcel;
- (2) Amend Section 1, E-1 Future Land Use Plan and E-2 Proposed Zoning, to include Parcels 74, 75, and 76 as future use residential;
- (3) Amend Section 1, K. Illustrative Plan & Buildings to be Constructed, to include Parcel 74, 75, and 76 as new residential use building.

BE IT FURTHER VOTED:

That the City Manager be and is hereby authorized, in the name of the City of Lowell, to submit a request for approval of the aforementioned plan change to DHCD and to execute any documents as may be necessary in connection therewith.



Eileen Donoghue
City Manager

December 28, 2021

Mayor
And
Members of the City Council

Reference: Plan Change Amendment #15 - Acre Urban Revitalization and Development Plan

Dear Mayor and Members of the City Council:

Attached please find a Vote supporting a minor plan change to the Acre Urban Revitalization and Development Plan. This Vote is an administrative requirement for the Commonwealth of Massachusetts Department of Housing and Community Development (DHCD).

Specifically, the purpose of the plan change allows for the execution of previously approved Council Vote, Planning Board recommendation, and Ordinance in support of the sale of City owned property at 153 Willie Street, for new residential construction, to LYNNLOWELL, LLC. The documents are attached as Exhibit A, B, and C for reference.

I respectfully request that the City Council vote to authorize the City Manager through the Department of Planning and Development (DPD) to execute a request for a minor plan change to DHCD.

Should you have any questions or require any additional information, please feel free to contact Christine McCall at the Department of Planning and Development at (978) 674-1401.

Sincerely,

Eileen M. Donoghue
City Manager

Attachment

cc: Christine McCall, Assistant City Manager/DPD Director
Christine O'Connor, City Solicitor
Patricia Lucken, Asset Manager

EXHIBIT "A"

COMMONWEALTH OF MASSACHUSETTS

CITY OF LOWELL

In City Council

VOTE

Declaring surplus the property at 153 Willie Street, Lowell, MA (containing 4,785 square feet more or less) and authorizing the City Manager to accept the proposal from LYNNLOWELL, LLC for Fifty Five Thousand (\$55,000.00) Dollars

The City of Lowell owns the property at 153 Willie Street, Lowell, MA; having acquired title thereof through Tax Title on June 22, 1939, recorded at Middlesex North District Registry of Deeds in Book 931, Page 143; and

LYNNLOWELL, LLC would like to obtain this parcel in furtherance of the Acre Revitalization Plan; and

It has been determined by the Department of Planning and Development, after inquiry of all departments, that there is no need for this property for municipal purposes; and

The Department of Planning and Development has recommended such transfer/sale; and

NOW, THEREFORE, BE IT VOTED:

That City of Lowell property at 153 Willie Street, containing 4,785 +/- s.f., is hereby declared surplus property and not presently needed for municipal purposes; and that the City Manager and the City Treasurer are authorized in the name of the City of Lowell, to sell and convey to LYNNLOWELL, LLC, or Nominee as approved by the City Manager, for the sum of Fifty Five Thousand and 00/100 (\$55,000.00) Dollars, on terms and conditions as the City Manager deems in the best interest of the City of Lowell.

BE IT FURTHER VOTED:

That the City Manager and the City Treasurer, jointly be and hereby are authorized to execute and deliver any and all other documents necessary for the sale and transfer of the property, including but not limited to, Purchase and Sale Agreement, deed (execution and delivery) release of any demolition lien and any other related documents pertaining to the sale and transfer of said property consistent with this vote.

BE IT FURTHER VOTED:

That the City Manager is hereby authorized to enter into a Land Disposition Agreement with LYNNLOWELL, LLC, or Nominee as approved by the City Manager, regarding property located at 153 Willie Street, pursuant to the Acre Urban Revitalization and Development Plan.

In City Council May 26, 2020, Read twice and adopted on roll call vote 9 yeas. So Voted./s/Michael Q. Geary, City Clerk

Approved by City Manager Eileen M. Donoghue May 27, 2020.

A true copy

ATTEST:



Michael Q. Geary

City Clerk

V:re:willie.153

EXHIBIT "B"

The City of Lowell • Dept. of Planning and Development • Division of Development Services
Lowell City Hall • 375 Merrimack Street • Lowell, MA 01852
P: 978.674.4144 • F: 978.446.7103
www.LowellMA.gov

March 9, 2021

Mayor John Leahy
and
Members of the City Council

Kara Keefe Mullin
Assistant City Manager/Acting DPD Director
R. Eric Slagle
Director of Development Services
David Fuller
Building Commissioner

REFERENCE: Report and Recommendation on the proposed zoning code amendment to rezone the parcels
4 Wiggin Street and 153 Willie Street from the LI to the UMF zoning district

Dear Mayor Leahy and Members of the City Council:

The Lowell Planning Board held a Public Hearing on Monday, March 1, 2021 concerning a proposed Zoning Ordinance amendment to extend the existing Urban Neighborhood Multifamily (UMF) zoning district to include the area comprising 4 Wiggin Street and 153 Willie Street. The subject property is currently in the Light Industrial (LI) zoning district. No members of the public spoke on the proposal.

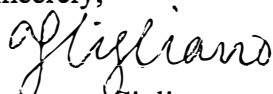
Member Gerard Frechette motioned and Member Richard Lockhart seconded to issue a POSITIVE recommendation to the City Council regarding the proposed Zoning Ordinance amendment request for the following reasons:

1. The Board found that the proposed Zoning Ordinance amendment meets the goals and objectives of the Acre Urban Revitalization and Development Plan;
2. The proposed Zoning Ordinance amendment maintains the intent of zoning in the surrounding neighborhood; and
3. The subject property is a logical extension of the UMF zoning district.

The Board voted unanimously to issue a positive recommendation. A quorum of the Planning Board was present with Associate Member Pandres absent.

If you have any questions or need any assistance, please feel free to contact me at the Division of Development Services at 978-674-1424.

Sincerely,



Francesca Cigliano
Senior Planner/Planning Board Administrator

FC/ns

Attachment

cc: Eileen M. Donoghue, City Manager
Christine P. O'Connor, City Solicitor
Eric Slagle, Director, Division of Development Services
Craig Thomas, Deputy Director DPD
David Fuller, Building Commissioner
Thomas C. Linnehan and the Members of the Lowell Planning Board

EXHIBIT "C"

COMMONWEALTH OF MASSACHUSETTS CITY OF LOWELL

In City Council

ORDINANCE

An Ordinance Amending "Code of the City of Lowell, Massachusetts", with respect to Chapter 290, Thereof Entitled, "Zoning" by extending existing Urban Neighborhood Multi Family (UMF) zoning district to include in the area of 4 Wiggin Street and 153 Willie Street in Lowell.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LOWELL, as follows

"Code of the City of Lowell, Massachusetts", hereinafter called the "Code", adopted by the City Council on December 23, 2008, as amended, is hereby further amended with respect to Chapter 290, entitled "Zoning," adopted December 7, 2004, as amended, as follows:

1. SECTION 3.2 ZONING MAP: That existing zoning districts in the areas of 8 Wiggin Street, as shown on the Zoning Map in the Custody of the City Clerk with an electronic record of the zoning map maintained by the Management Information Systems Department of the City of Lowell are hereby extended as shown on the Zoning District Extension Exhibit Plan.

A. By extending the existing Urban Neighborhood Multi Family (UMF) Zoning District to include an area presently zoned LI (Light, Industrial,, Manufacturing and Storage) comprising an area of 3.6 +/- acre parcel, and more particularly described on Exhibit "A", annexed hereto and made a part hereof and being shown on a copy of a plan which is hereto annexed marked Attachment "B".

B. The above area is shown on plan prepared by Landplex, 10 George Street, Suite 208 Lowell, MA 01852, entitled Zoning District Extension Exhibit Plan 4 Wiggin Street, Lowell, Massachusetts, prepared for LynnLowell, LLC Sept. 3, 2020 1"=30', a copy of which is annexed hereto and made a part hereof and described as Exhibit B"

2. The Zoning Map, in the custody of the City Clerk with an electronic record of the zoning map maintained by the Management Information Systems Department of the City of Lowell shall be changed to conform to this amendment.

3. This Ordinance shall take effect upon its passage in accordance with Section 1.7 of the "Lowell Zoning Ordinance" and the provisions of Chapter 43 and 40A of the General Laws of Massachusetts.

APPROVED AS TO FORM:
/s/Christine P. O'Connor
Christine P. O'Connor
City Solicitor

In City Council January 26, 2021, Given 1st Reading and referred to the Planning Board for report and recommendation and hearing ordered for 7PM on March 9, 2021. So Voted./s/Michael Q. Geary, City Clerk

In City Council March 9, 2021, Given 2nd Reading and hearing held. Hearing Closed. No Remonstrants. Adopted on roll call vote 9 yeas. So Voted./s/Michael Q. Geary, City Clerk

Approved by City Manager Eileen M. Donoghue March 10, 2021

A true copy

ATTEST:



Michael Q. Geary
City Clerk