Case #12

Address: Charles Square (formerly known as Kennedy Square Mixed Use Development)

Zoning District Residence C-3/PUD 1

Date of PUD Planning Board Decision: June 23, 1981

Date of Extension of Decision: April 20, 1982

Date of First Amendment: April 5, 1983

Date of Second Amendment: October 4, 1983

Date of Third Amendment: May 1, 1984

Date of Fourth Amendment: July 9, 1987

Date of Minor Amendment #5: January 4, 1994 Date of Minor Amendment #6: November 1, 1994

Date of Minor Amendment #7: June 4, 1996

Decision: GRANTED

Documents Submitted

Petition for approval of minor amendment, outlining the background of the development, the minor adjustments requested, the reasons for the adjustments and a summary of changes, as well as 4 drawings of the changes to the courtyard and space allocations, submitted by I. Jefferson McKenzie, CH&S LTD Partnership, with cover letter to Lester Barber, dated March 4, 1996.

The Petition

The proposal is to make several changes to the external courtyard, internal atrium area and changes to uses is several locations consistent with the limits imposed in the original permit and its amendments. The proposals are:

- 1. To add two seasonal enclosures to the central courtyard;
- 2. Enclosure of the second floor at the mezzanine level of the retail area;
- 3. A transfer of 440 square feet of office use to the retail component;
- 4. Reallocation of three hotel rooms to the retail component as part of the health club;
- 5. Reallocation of existing retail space (Talbots and part of LePli) to the office component;
- 6. Reallocation of the pool and exercise area to the retail component.

Discussion

Mr. McKenzie outlined the changes and their rationale to the members of the Board. Members of the Board asked a limited number of questions to clarify the proposal. No one from the public spoke in favor or opposition to the proposal.

Decision

On a motion by A. Cohn and H. Russell the changes proposed in the application document referenced above were approved as Minor Amendment #7 to Special Permit #12. Voting to approve the amendment were W. Tibbs, C. Mieth, H. Salemme, H. Russell, and A. Cohn. P. Dietrich abstained as his firm has on occasion been employed by the applicant.

For the Planning Board,

Paul Dietrich, Chairman.