

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: April 15, 2014  
SUBJECT: BA District 100-seat Zoning Amendment

### Introduction

The Town Council has referred to the Planning Board a request by The Good Table, a restaurant located at 527 Ocean House Rd, to increase the maximum size of a restaurant in the Business A (BA) District from 80 seats to 100 seats. The Planning Board held 2 workshops on the amendment, reviewed property characteristics in the Business A District, discussed the advisability of a restaurant seat cap and reviewed how the BA District design requirements would integrate with a cap increase. The amendment will be reviewed in compliance with Sec. 19-10-3, Zoning Ordinance Amendments.

### Procedure

- The Board may want to summarize the proposed amendment, shown below.
- The Board may begin discussion and revision of the amendment text at any time.
- At the close of discussion, the Board has the option to table the amendment to another workshop or table the amendment to the next meeting when a public hearing will be held.

### Motion for the Board to Consider

BE IT ORDERED that, based on the proposed text and the information presented, the BA District 100-seat Zoning Amendment be tabled to the regular May 22, 2014 Planning Board meeting, at which time a public hearing will be held.

## **SEC. 19-6-5. BUSINESS DISTRICT A (BA)**

### **A. Purpose**

The Business A District is comprised of neighborhood business districts in which the business uses are geared to the needs of nearby residents rather than a large scale, regional destination center. The district requirements seek to promote (i) business vitality, (ii) pedestrian connectivity between the business district and the adjacent residential areas, (iii) a mix of commercial and housing uses, (iv) high quality design that is pedestrian friendly, compatible with, and protects the integrity of the adjacent

residential neighborhood, and (v) an efficient use of the land within the district for business uses. The Business A district regulations recognize that the BA District in the Shore Road area and the BA District in the Ocean House Road area are individually distinctive and may require different treatments, which are specified herein. **(Effective July 8, 2009)**

**D. Standards**

*1. Performance Standards*

- g. Restaurant, including delicatessen, ice cream parlor, and sit down restaurant, size shall be limited to no more than 10080 seats. **(Effective July 8, 2009)**