

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Development

PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

From: Douglas M. Greene; AICP, RLA
City Planner

Re: 166 Center Street- Aroma Joe's Coffee and Retail Space- Special Exception and Site Plan Review

Date: August 12, 2014

- I. PROPOSAL- Site Design Associates, an agent for Pinstripes LLC, is seeking approval of a Special Exception and Site Plan Review for a new development in the General Business (GB) zone, located at 166 Center Street (PID # 261-005), pursuant to Chapter 60-499 b-17; Chapter 60, Section 1336 Special Exception and Chapter 60, Section 1277 Site Plan Review, of the City of Auburn Ordinances.

The property at 166 Center Street was the former site of a gas station and is a relatively narrow rectangle. The application proposes a 3,800 s.f. building that will include a 15 seat coffee shop with a drive through window and 1,800 s.f of retail space. Drive-through windows are a Special Exception in the General Business zone. Eleven parking spaces (1 handicapped) are provided and two (2) one way entrances and access drives are proposed on Center Street (one in and one out) along with a one way out on to Stanley Street.

TRANSPORTATION- The application states the peak hour traffic for the Aroma Joe's and future retail space will be 190 during the morning and afternoon peak hours. A development proposal that exceeds 100 trips during the peak hour is required to apply for a Maine Department of Transportation Traffic Movement Permit. If the peak hour trip generation is under 200 trips, the City of Auburn is eligible for a Delegated Review. The City had a Delegated Review scoping meeting that included representation from the MDOT and other City Agencies. Issues discussed were: number of cars stacking up at the drive through window, width of access drives, location of parking spaces and the exits from the site onto Center Street and Stanley Street.

At the time of finishing this staff report, the applicant is preparing a separate traffic study of existing Aroma Joe's in the State of Maine for review by the City and MDOT to resolve the issues of how many car spaces need to be reserved for the drive through window. The applicant has also agreed to change the vehicular exit on Center Street to a right turn out only. The staff will report to the Planning Board regarding updated traffic information.

RETAIL SPACE- The proposed 1,800 s.f. retail space has not been committed to a user and the staff is asking that the applicant provide the Department of Planning and Development of a revised Traffic Movement Permit for review prior to issuing a building permit for the retail fit-up.

II. DEPARTMENT REVIEW-

- a. Police- The Police Department made suggestions that the exit onto Center Street either be closed or made right turn only.
- b. Auburn Water and Sewer- A letter from the AWSW stating they had no concerns is attached with this staff report.
- c. Fire Department- No Comments.
- d. Engineering- The Department of Engineering requested elevations datum be corrected when construction drawings are submitted.
- e. Maine Department of Transportation (MDOT)- The City of Auburn has the responsibility of a delegated review but the MDOT expressed concern about the amount of space available for cars in the drive-through lane.
- f. Planning and Development- The staff has been given responsibility for the delegated review of the Traffic Movement Permit.

III. PLANNING BOARD ACTION- The proposed development at 166 Center Street is located in the General Business (GB) zone. By having a drive through window, the application is required to be reviewed as a Special Exception and Site Plan Review.

SPECIAL EXCEPTION- A Special Exception is defined in the Zoning Ordinance (Page 14) as follows: *“Special exception means a use that would not be appropriate generally or without restriction throughout the district, but which, if controlled as to number, area, location or relation to the neighborhood, would promote the public health, safety, welfare, order, comfort, convenience, appearance, prosperity, or general welfare. Such a use may be permitted in such district as a special exception, if specific provision for such special exception is made in this zoning chapter and reasonable restrictions imposed by the planning board are complied with.”*

The zoning ordinance describes the conditions needed for approval in:

Sec. 60-1336. Conditions-

(a) *As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:*

(1) That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.

(2) That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.

(3) That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.

(4) That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.

(5) That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.

(6) That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.

(7) That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

SITE PLAN- A Site Plan is required as part of a Special Exception review. The applicant met the requirements of the Site Plan Law in their application. The Planning Board needs to make its decision based on the Site Plan Law, **Sec. 60-1277. Objective-** *“In considering a site plan, the planning board shall make findings that the development has made provisions for:”*

(1) Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration; and preservation of light and air;

(2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas;

(3) Adequacy of the methods of disposal for wastes; and

(4) Protection of environment features on the site and in adjacent areas.

IV. **STAFF RECOMMENDATION-** The Staff recommends **APPROVAL** of the application at 166 Center Street for a Special Exception and Site Plan Review with the following findings:

Special Exception- The Staff recommends the Planning Board **APPROVE** the Special Exception for a Drive Through Window Restaurant and Retail Space at 166 Center Street as the application meets the requirements of **Special Exception Law, Section 60-1336** based on the findings that:

- The proposal fulfills the requirements of the General Business (GB) zone.
- The proposed development will not create traffic, fire or other safety hazards.
- Granting the Special Exception will not be an impediment to the implementation of the 2010 Comprehensive Plan.
- The proposed development will not have a negative effect on the characteristics or values of the neighborhood or surrounding area.

- The proposed development provides adequate area, open and green space, storm water management, parking, landscaping, building separation, water supply and building separation and the provision of maintenance of all of the above.
- The standards imposed are at least as stringent as those elsewhere imposed by the city.
- Essential services are available.

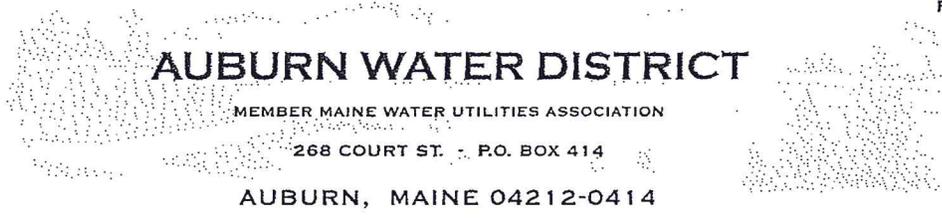
Site Plan Review- The Staff recommends the Planning Board **APPROVE** the Site Plan Review for the proposed development at 166 Center Street as the Site Plan meets the requirements of the Site Plan Law *Sec. 60-1277* based on the findings that:

- The development has made provisions to protect adjacent areas against detrimental or offensive uses and will provide adequate surface water drainage and buffers against unwanted light, sound, dust and vibration and the preservation of light and air.
- The development has made provisions for safe vehicular and pedestrian movement within the site and adjacent areas.
- The development has made provisions for adequate disposal of wastes and the protection of environmental features of the site and adjacent areas.

This recommendation of Approval is made with the following conditions:

1. Approval by Planning and Development of Traffic Movement Permit.
2. Prior to issuance of building permit for the retail space fit up, the developer shall provide the Department of Planning and Development with a revised Traffic Movement Permit application.
3. Prior to the commencement of site work, the developer must contact the Engineering Department regarding the requirement to provide bonding and pay inspection fees to cover those site improvements which have public impacts.


Douglas M. Greene, A.I.C.P., R.L.A.
City Planner



August 4, 2014

Douglas M. Greene
Auburn City Planner
60 Court St.
Auburn, ME 04210

RE: Proposed Retail Development – 166 Center Street

Dear Doug:

We reviewed the Development Review Application for a new facility at 166 Center Street that will consist of 3,800sf retail space. The existing structure on site will be razed and replaced with a new building.

We previously served the old facility with public water and sewer, so services are on site. However, we do not have definitive records of the exact location of the water and sewer services. Our public water infrastructure serving this location should be sufficient to meet the expected capacity demands of the proposed facility.

We do not have any concerns with the proposed project. Our comments are limited to some suggestions for moving forward with the final design and layout of any necessary water and sewer service connections or replacements. To verify the adequacy of the existing private services we could arrange to use our sewer push-camera to inspect the condition of the sewer service. This might also help determine the location of the service. In regards to water, we could check whether the existing service line was copper, or other suitable material. If we could access the interior of the existing building we could likely flush the water service line to ensure it had adequate flow and pressure capacity.

Thank you for the opportunity to provide comment. Please feel free to contact us if you have any questions or concerns.

Sincerely,


John B. Storer, P.E.
Superintendent
Auburn Water & Sewerage Districts