



**Council Economic and Community Development Committee
Agenda
Auburn Hall – Council Chambers – 5:30 PM July 21, 2016**

1. Call to Order

2. Minutes of previous meetings

- a. Approve June 16, 2016 meeting minutes.

3. Agenda items listed for review

- a. Consider moving ECD Committee meeting date to better coordinate items that need to follow up with Planning Board Public Hearings requiring 12-14 day notices. Also consider scheduling CC Workshop on items prior to PB hearing as initial introduction to cut 2 + weeks out of process.
- b. Zoning Map Amendment –Colonial Ridge PUD- Lots 8 and 9 Harvest Hill Lane
- c. Zoning Map Amendment- Evergreen Subaru- 4 properties on Malibu Drive and Niskayuna Street.
- d. AG District Study – Not funded in FY 17 CIP but seems to be a priority – Next steps, options and staff direction.

4. Staff updates

- a. Center Street Happenings
- b. Downtown Auburn Transportation Center
- c. New CDBG Programming, Co-op Housing Program and Committed HOME Funds
- d. FERC Relicensing and Fall Event

5. Next meeting agenda setting

- a. Establish the agenda for the next meeting. (10 Minutes)



**City of Auburn
City Council Information Sheet**

Council Workshop or Meeting Date: July 19, 2016

Author: Eric J. Cousens, Deputy Director of Planning and Development

Subject: Committee Meeting Schedule

Information: Recently Councilor Walker and Councilor Gilbert requested that the zoning map be amended in the area of 1863 Pownal Road. Per Council policy we brought it to the next Economic and Community Development Committee Meeting prior to the Planning Board or full Council in late June. The Committee directed us to bring it to the Planning Board, get a recommendation and then go to the full Council as the ordinance requires for a zoning map amendment. Unfortunately the CC Committee schedule on the third Thursday didn't leave enough time for a public notice and prep for the Planning Board meeting on July 12 so it will go at the next meeting on August 9th. Maps and additional information will need to be added to the submittal to clearly display the proposal to the public and the Boards as we move forward. Staff discussed adjusting the CC Committee meeting to the second Thursday or move it back by about 1 week if another day is better so we don't lose a whole month to public notice and process on future items. This doesn't happen every month but depends how late the third Thursday, how early the second Tuesday falls in a given month and what additional information is needed. The process for a zoning amendment is now:

1. Deadline to for applicant to submit zone change request Date Example First Friday of month, example 7/8/16.
2. ECD Staff review and prep after submittal for presentation to Multi-Department Staff Plan Review Group (Third Wednesday) Date Example 7/20/16
3. Council Committee (Third Thursday). Date Example 7/21/16 if no major issues raised, or 8/18/16 if incomplete information or issues need to be addressed prior to consideration.
4. Planning Board Public Hearing (Second Tuesday with 12 and 7 day prior newspaper notice and mailed notice to affected area at least 14 days prior), Date Example 8/9/16 if all is in order or 9/13/16 if legal review or other information required.
5. CC Workshop (Third Monday if we make the CC agenda cut and depending on how late the 2nd Tuesday falls for Planning Board). Date Example 8/15/16 or 9/5/16 if previous steps go well 9/19/16 or 10/3/16 if delayed at PB and we make the cut for CC workshop on first submittal.
6. CC first reading and Public Hearing (First Monday if we make the cut with public notice we are often pushed one meeting further) Date Example 9/5/16, 9/19/16 or 10/3/16 if earlier steps before or potentially as late as 10/17/16 if previous steps are delayed.
7. CC Second reading and final passage Date Example 9/19/16 - November 7th depending on other steps along the way.

The process is cumbersome as you can see and can be delayed at any step if we have conflicts or issues identified by staff or elected or appointed boards to work through or need additional information. Staff can

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bring projects through the next step while applicants still need to provide additional information and note that it is still needed for final approvals but are often criticized by the public or elected officials when we try to do that.

This is one type of request that requires Planning Board and Council review that could be improved. We would like to discuss options to streamline the process. We could overlap some review periods so the recommendation from one Board may not be available for the other Board or committee when it is reviewed. We could workshop with the Council earlier in the process but will have substantial new information (Committee feedback, public feedback and Planning Board Feedback and potentially changes) at the first reading and public hearing. Is that acceptable? Can we workshop and do first reading on the same night and overlap some other review time periods? Can we move back the ECD Committee by about a week? Do we need to have 2 Planning Board or ECD Committee meetings per month to keep things moving? Can we eliminate a step or two on certain requests?

Advantages: Potentially reduce review time.

Disadvantages: Potentially less informed decision making process.

City Budgetary Impacts: Speed review and project developments.

Staff Recommended Action: Discuss and consider options and give staff direction. This is a balance between adequate process and time costing money and resources for the public and private sector. Staff wants a process that meets or exceeds minimum legal requirements, provides adequate public involvement and that staff, the elected and appointed boards can comfortably stand together and defend when it is called into question. It's a balance that currently takes longer than staff, the public and elected officials would like in some cases.

Previous Meetings and History: None

Attachments: None



City of Auburn, Maine

Office of Planning & Development

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To: Economic and Community Development Committee

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

Date: July 18, 2016

RE: Zoning Map Amendment at Malibu Drive and Niskayuna Street- Evergreen Subaru

At the July 12th Auburn Planning Board meeting, a public hearing was held for a zoning map amendment application. The rezoning request for properties located at 16 Malibu Drive (PID # 301-006), 32 Malibu Drive (PID # 301-007), 40 Malibu Drive (PID # 301-012), and 40 Niskayuna Street (PID # 301-004) was reviewed and acted upon by the Planning Board. These properties are currently zoned Suburban Residential and are requested to be changed to General Business.

The 2010 Comprehensive Plan's Future Land Use Plan and Map recommends "Business Expansion Transition District (BXT)" for these properties. The BXT future land use is described as follows:

Objective – Allow for the orderly conversion of "pocket" or "island" residential neighborhoods that are adjacent to commercial zones to nonresidential use over time. The intention of this designation is that these areas remain zoned as they currently are and the residential uses be allowed to continue, **but to provide for these areas to rezoned to commercial/business use when there is an appropriate development proposal. In rezoning these areas, the rezoning process should occur in way that expands the adjacent nonresidential zone in an orderly manner, while maintaining the livability of the remaining residential properties.**

The Planning Board voted unanimously (7-0) to forward a positive motion on to the City Council to support the zone change for the properties listed above. The Staff report is attached with this memo.

C: File



PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

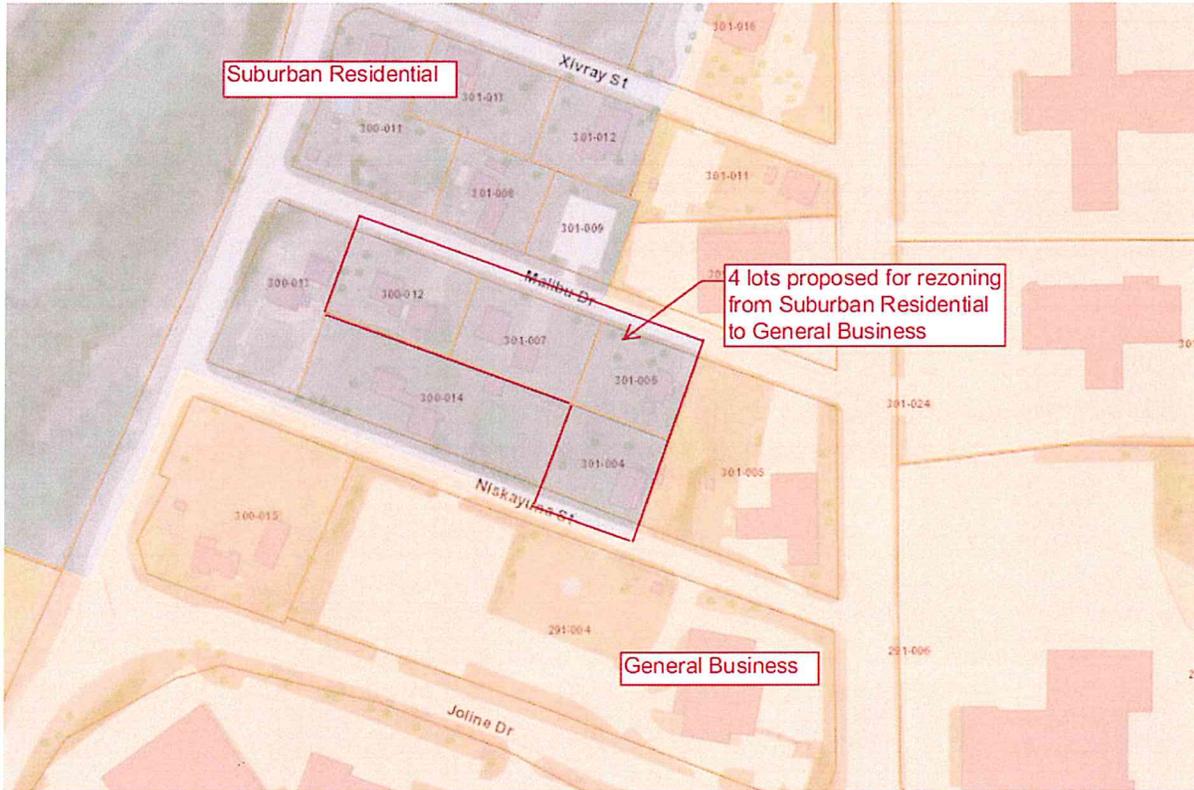
From: Douglas M. Greene; AICP, RLA
City Planner

Re: Evergreen Subaru- Rezoning Petition for Properties Located at Malibu Drive and Niskayuna Street.

Date: July 12, 2016

- I. PROPOSAL- Mike Gotto, of Stoneybrook Consultants, Inc., an agent for Evergreen Subaru has submitted a rezoning petition for properties located at 16 Malibu Drive (PID # 301-006), 32 Malibu Drive (PID # 301-007), 40 Malibu Drive (PID # 301-012), and 40 Niskayuna Street (PID # 301-004). These properties are currently zoned Suburban Residential and applicant is requesting the zoning be changed to General Business. The applicant is the owner of the properties that are being requested for rezoning and wants to expand their auto sales into that area. The total net acreage of the 4 properties is 1.24 acres and the gross acreage (include street right of way) is 1.51 acres.
- II. DEPARTMENT REVIEW- The Plan Review Committee met on June 15th and had the following comments:
 - a. Police- No comments.
 - b. Auburn Water and Sewer- No comments.
 - c. Fire Department- No comments.
 - d. Engineering- Mentioned the possibility a road closure at a future time. A turn around would be needed for the remaining residential property on Niskayuna Street.
 - e. Public Services- Will be involved in any future street closure discussion.
 - f. Planning and Development- No comment other than staff report comments.
- III. PLANNING BOARD ACTION- The Planning Board shall consider whether the proposed zone change complies with the 2010 Comprehensive Plan's Future Land Use Plan and Map. The Board will forward a recommendation to the City Council for final action.

Current Zoning- The properties located at (16 Malibu Drive (PID # 301-006), 32 Malibu Drive (PID # 301-007), 40 Malibu Drive (PID # 301-012), and 40 Niskayuna Street (PID # 301-004) are currently zoned Suburban Residential. The properties to the north are zoned Suburban Residential and General Business, to the east is zoned General Business, to the south is General Business and to the west is Suburban Residential.



Future Land Use Plan- The area proposed for the rezoning is recommended as Business Expansion Transition District (BXT) in the 2010 Comprehensive Plan. Business Expansion Transition District (BXT) is describes in the 2010 Comprehensive Plan as follows:

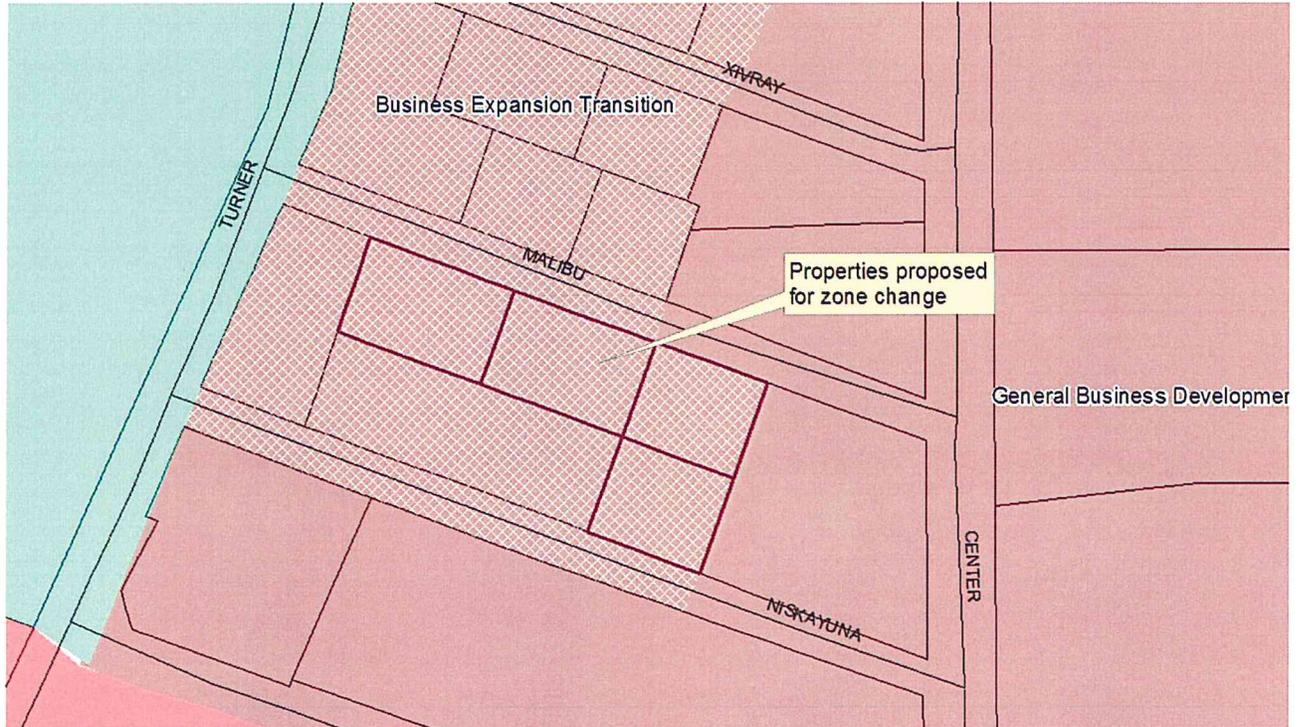
“Business Expansion Transition District (BXT)

Objective – Allow for the orderly conversion of “pocket” or “island” residential neighborhoods that are adjacent to commercial zones to nonresidential use over time. The intention of this designation is that these areas remain zoned as they currently are and the residential uses be allowed to continue, **but to provide for these areas to rezoned to commercial/business use when there is an appropriate development proposal. In rezoning these areas, the rezoning process should occur in way that expands the adjacent nonresidential zone in an orderly manner, while maintaining the livability of the remaining residential properties.**

Allowed Uses – The current allowed uses should remain in force until these areas are rezoned.

Development Standards – The current development standards should remain in force until these areas are rezoned.” (2010 Comprehensive Plan page 101)

Future Land Use Map- The 2010 Comprehensive Plan shows the properties proposed for rezoning to be in the Business Expansion Transition District (BXT).



IV. STAFF RECOMMENDATION- The Staff recommends the Planning Board forward a recommendation of **APPROVAL** to the City Council of the propose zone change from Suburban Residential to General Business for the properties located at 16 Malibu Drive (PID # 301-006), 32 Malibu Drive (PID # 301-007), 40 Malibu Drive (PID # 301-012), and 40 Niskayuna Street (PID # 301-004) with the following findings:

1. The properties proposed for rezoning meet the definition of Business Expansion Transition District.
2. The properties proposed for rezoning are in agreement with the 2010 Comprehensive Plan's Future Land Use Plan.


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



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To: Economic and Community Development Committee
From: Douglas M. Greene, AICP, RLA
Date: July 19, 2016
RE: Ag Study

After the 2017 budget was finalized, the staff realized that \$40,000 that had been requested to be added to the CIP budget for an Ag District Study was not approved. The staff continues to hear a high level of interest by the Council and land owners to begin a study of Auburn’s Agricultural District. A proposal is attached that lays out a brief history, the current situation and two options on how a study might be accomplished. Option “A” is adapted from a proposal from 2015 and is more involved and Option “B” is simpler and less time consuming.

Funding- Both proposals would utilize the \$40,000 and \$10,000 that is committed from the Environmental Funder’s Network for meeting facilitation and consultants that specialize in Agricultural Production and Policy Making. Here is a preliminary breakdown of how the funding might be used:

Meeting Facilitation-	\$15,000
Land Use and Policy Expertise-	\$25,000
Additional GIS Mapping Assistance	<u>\$10,000</u>
Total Ag Study Budget	\$50,000

A memo from June 2015 is also attached to provide additional information on the purpose and goals of the study.

City of Auburn Agricultural District Study

Background History-

- Fall 2013 property owner on South Witham Road files a Zoning Text Amendment which is turned down by the City Council
- June 2014 Council directs Staff to initiate Ag District Study
- Staff prepares plan strategy, applies for grant and is turned down (2014-15)
- July 2016 Environmental Funder's Network- Commits \$10,000
- Council asked for but did not get \$40,000 for Ag District Study in 2017 budget

Current Situation-

- Appeal to Economic and Community Development Committee for \$40,000 budget amendment for Ag Study
- If successful with funding request, consider Option "A" (more detailed and longer) or Option "B" (less detail shorter timeframe)

Option "A"- Modeled after original Staff proposal. (June 2015) This is basically a 2 step process. Land and Property Owner Inventory, and then Ag Study Process.

Tasks- Option "A"

1A. Complete City Land Use Inventory Phase- The GIS Department and Planning Department will deliver an existing conditions map for current land uses (what the land is currently being used for) and spatial analysis maps for characteristics such as:

- Steep slopes
- Wetlands,
- Wildlife Habitat Areas
- Residential dwellings
- Active Farms
- Protected Lands
- A comparison of aerial photos of Rural Auburn from 1961 to today

1B. Property Owner List and Inventory

- GIS map and Excel file of all property owners in the Ag District
- Initial Land Owner contact, by meetings, mailed survey or interviews
- Maintain and update property owner data.

2A. Public Participation Phase- This phase will require outside consultant help

- Consider creating an Ag Study Steering Committee. (This was a recommendation of the Maine Farmland Trust and American Farmland Trust)

2A. Ag Study Kick off Meeting (Invite list to include)

- General Public
- Local Farmers

- Realtors
- Land Owners
- City Council and Mayor
- Planning Board
- Steering Committee

Kick off meeting Speakers (Provide a statewide perspective on Ag Trends)

- Ag, Conservation and Forestry Rep
- Maine Farmland Trust and/or American Farmland Trust
- Smart Growth Maine
- Other Key Groups (Cultivating Community?)
- Provide time for public comments

2B. Ag Plan Process -Based on kick off meeting and Steering Committee input, set up a series of Ag. Study Workshops (Possible topics could include)

- Current Land Use Regulations- Comp Plan, Zoning and/or City Policies
- Agriculture, Forestry and Mineral Extraction in Auburn/Maine
- Land Value/ Assessment/ Future Land Use
- Smart Growth: A Balanced Approach to City and Country

2C. Draft Options and Alternatives Based on Workshop Input- Include any changes to Comprehensive Plan and Zoning

2D. Public Meeting on Draft Changes and Implementation Strategy

2E. Send any amendments to the Planning Board for review and forward recommendations to the City Council.

2F. Public Hearing and Final Consideration/Adoption by City Council.

Option “B”- Streamlined Process

1. Complete Land Use and Property Owner Mapping (Ag District Only)
2. Hold 2 public meetings; North and South Ag District areas
3. Continue public meetings, using hired consultants and develop alternatives for amendments to Comprehensive Plan and Zoning Ordinance based on meeting input.
4. Use public process to select supportable plan changes
5. Take draft plan through the Planning Board and Council process.

Other Thoughts-

- Hiring consultants to help with the public process and final study elements and products will help avoid a possible public perception that a staff driven study is biased in some way.
- Public information and relations will a very important component of the study.
- Additional student help may be available from Bates College and University of Southern Maine.