



City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

60 Court Street | Auburn, Maine 04210

www.auburnmaine.gov | 207.333.6601

I

To: Auburn Planning Board
From: Katherine Cook, Planning Coordinator
Re: Trillium Engineering Group Addition at 353 Riverside Drive.
Date: December 12, 2023

I. Proposal: Site Plan Review/ Special Exception: Joe Tardiff with Manganaro Northeast is proposing a 16,950 square foot warehouse addition to their existing warehouse, manufacturing and office building at 353 Riverside Drive, City Assessor's Parcel I.D. 202-005. This proposal is pursuant to Chapter 60, Article IV, Division 12- General Business District, Article XVI, Division 2- Site Plan Review; and Division 3- Special Exception; and Article XIII, Division 2-Floodplain Overlay District.

II. Background: The proposed expansion is in the General Business (GB) Zoning District where warehouses, manufacturing, wholesale offices, and showrooms are permitted in the district. Any new building of 5,000 square feet or more or any existing building which proposes a use permitted under 60-699 (a)- *permitted uses*, which will occupy an area of 5,000 square feet or more must receive Special Exception Approval from the Planning Board. The building conforms with the dimensional standards in the General Business district. Though a little over half of this parcel is in the 0.2% annual risk floodplain it is not in the 1% annual risk regulatory floodplain and the applicant does not need a Base Flood Elevation Certificate.



Section 46-182-*Sidewalks and other walkways* encourage developers to build out pedestrian infrastructure as part of new residential and commercial developments. The ordinance calls for developers to build a sidewalk along their frontage and tie into the nearest sidewalk in the vicinity. Under Section 460-182 (b), the planning board can waive the requirement to build a sidewalk when the cost of doing so would make the overall project unfeasible and pay a fee in-lieu of the sidewalk improvements. The applicable ordinance is in italics below:

It is the policy of the city to encourage developers to construct sidewalks as part of all new residential and commercial projects to enhance the quality of life, area aesthetics and neighborhood integrity, and to promote alternative, nonmotorized modes of transportation.

1. *Sidewalks with esplanades shall be provided along one side of all local streets and both sides of all collector, commercial and industrial streets, and shall connect with the existing sidewalk network in the vicinity of the development.*
2. *The planning board may require walkways in open space or recreation areas that are designed to link residential units with recreational and commercial facilities, other common facilities, school bus stops, and existing sidewalks and walkways in the vicinity.*
3. *Sidewalks and walkways shall be clear and free of encumbrances.*
4. *Areas within street rights-of-way which are reserved for future sidewalks and esplanades shall be designed and graded to the standards and specifications contained in this article.*
5. *Esplanades shall be sloped at one-half inch per foot from the sidewalk to the street curb and shall be loamed, seeded, and mulched in accordance with the city's design standards.*
6. *The planning board may waive the requirement to build sidewalks under the following circumstances:*
 - a. *When the developer can demonstrate to the planning board's satisfaction that the nature of the development does not lend itself to pedestrian uses by the residents, employees or the public;*
 - b. *When the developer can demonstrate that the cost of building the sidewalk makes the project financially impossible (i.e., the developer has sufficient financing for the project except for the cost directly attributable to the construction of the sidewalks);*
 - c. *With respect to residential developments, if there are no existing sidewalks in the proximity of the development and the city has no plans to construct sidewalks that would connect to the proposed development, the planning board may waive the requirement at the developer's request. If the city does have plans to construct new sidewalks that would connect to the proposed development, then the planning board shall require the developer to place an amount in interest bearing escrow sufficient to fund the cost of constructing sidewalks within the development. If the city has not budgeted the new connecting sidewalk within five years after the development has been completed, at the request of the developer to the city manager, the city shall return the money held in escrow, plus interest.*

The parcel this housing this has approximately 520 feet of frontage with the nearest walkway being at Oak Hill Cemetery, approximately 720 feet from the parcel. The Department Review below shows that Transportation/ Public Works has recommended that the applicant include the sidewalk along their frontage and supports waiving the requirement to connect this sidewalk to the nearest existing sidewalk. Business and Community Development, however, offers a recommendation to waive this requirement altogether because the project is not large enough to receive Tax Increment Financing (TIF) support. Staff are waiting for additional information related to the financing and feasibility of the sidewalk infrastructure improvements as of 12/7 and will have a recommendation based on information found in the incoming Waiver request prepared by Trillium Engineering for the Board with an updated staff report by the time of the meeting on 12/12.

III. Department Review:

- **Police** - No Comments
- **Auburn Water and Sewer** – No comments.
- **Fire Department**– Comments resolved. Agent to the applicant responded to the comment asking for the fire truck turning radius on November 17th. The email referred reviewers to drawing C1-3-Fire truck access plan. This plan shows the fire truck turning radius for distance around the building.
- **Engineering** – Comments resolved. Initially, the existing curb cut at the site was too wide, so the city asked for it to be narrowed. An updated plan was submitted on 12/5/2023. No comment on sidewalk expansion.
- **Planning, Permitting and Code**—No comments.

- **Transportation/ Public Works**—Sidewalks should be constructed along the building frontage and Planning Board should waive the requirement to connect the project to Oak Hill.
- **Economic Development** - Based on the cost to construct sidewalks along the building frontage and taxable dollars from this expansion, funding via Tax Increment Financing (TIF) or in-lieu fee is not economically feasible and will likely lead to cancellation of this project.

IV. Planning Board Suggested Action and Findings of Fact: Staff recommends that the planning board approve the 16,950 square foot warehouse addition with the following findings:
The Board finds that the development has met the requirements of Chapter 60, Article XVI, Division 2, including:

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.

The Board further finds that the requirements of Chapter 60, Article XVI Division 3- Special Exception have been met by the applicant, including:

1. That the special exception sought fulfills the specific requirements 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.

V. Suggested Motion: I make a motion to a 16,950 square foot warehouse addition to their existing warehouse and office building at 353 Riverside Drive, City Assessor's Parcel I.D. at 202-005 and waives the requirements of Sec. 46-182 (6) of Auburn's Code of Ordinances with the following conditions:

- a. No development activity shall occur until any bonding or inspection fees are determined by the Auburn Engineering Department.
- b. A sidewalk must be installed running the length of the building frontage. Planning and permitting will review and approve the plan.
- c. All appropriate permits are received prior to the start of construction.
- d. Another condition concerning the sidewalk and possible waiver are forthcoming (12/7)