

# 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: Special Exception and Site Plan Review for a new 7,381 s.f. building at  
192 Center St.

Date: December 9, 2014

I. PROPOSAL- DuBois and King Inc., an agent for AutoZone, Inc. is applying for a Special Exception and Site Plan Review to construct a new 7,381 s.f. building at 192 Center Street, (PID # 261-008) pursuant to Auburn Zoning Ordinance Section 60-499 (b) (17), General Business, Section 60-1301, Site Plan and 60-1336, Special Exception.

The property at 192 Center Street is zoned General Business and the proposed 7,381 s.f. building is over 5,000 s.f. and therefore is a Special Exception. 192 Center Street is a corner lot with road frontage on Center Street and Coburn Drive. The applicant is requesting 2 entrances into the site; one from Center Street and one from Colburn Drive. The site plan shows 36 parking spaces, which meets the parking standard for the General Business Zone.

#### II. DEPARTMENT REVIEW-

- a. Police- The Police Department has expressed concern about the entrance at Center Street and suggested a right out only movement.
- b. Auburn Water and Sewer District (AWSD)- A 12/3/14 memo from AWSD which addresses the need to abandon the old water and sewer hook-ups and address new ones.
- c. Fire Department- No Comments.
- d. Engineering- Gary Johnson, Assistant City Engineer in a memo dated November 24 stated,  
"There has been discussion regarding the Center Street driveway access. Reducing the number driveway access points along the Center Street corridor to improve traffic safety without impacting the economic vitality of the businesses has been an ongoing issue.

In my opinion, the most difficult, and probably most unsafe, maneuver along this stretch of roadway is making a left hand onto the street. During peak hour traffic it is very difficult to find a break that allows a vehicle to enter into the desired travel lane. As is common practice, a left turn vehicle will enter into the center common turn lane and wait for a break to merge with traffic. However, this becomes more difficult when vehicles on the street are utilizing the center lane to make turns into the property, the adjacent street, or driveways on the opposite side.”

*The applicant makes a valid argument for having a driveway on Center Street, particularly for accessing the property, but I believe the exiting maneuvers should be restricted, through the use of signage and pavement markings, to right turn only. Vehicles turning left onto Center Street would be required to use Coburn Street.”*

Attached is a detailed plan for the entrance/exit on to Center Street showing signage and striping to direct and control traffic exiting the site on Center Street from making a left hand turn.

- e. Planning and Development- Planning and Development’s main concerns through the review process has been:
- Access to the site from Center Street. Engineering has approved a revised access/exit on Center Street.
  - Delivery truck movement through the site. The applicant’s delivery truck movement enters the site from Center Street and parks in a loading area near the rear corner of the building and is now acceptable
  - The 5 waiver requests.

III. PLANNING BOARD ACTION- The application to construct a new 7,381 sf. building will require the Planning Board to take action on a Special Exception (building over 5,000 sf.), Site Plan Review and Waiver requests.

SPECIAL EXCEPTION- The Staff recommends the Planning Board **APPROVE** the Special Exception for AutoZone at 192 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 zone.
- The proposed development will not create a traffic, fire or other safety hazard.
- 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 of AutoZone at 192 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.

WAIVER REQUESTS- The applicant is requesting 5 waivers.

**Waiver # 1.** Sec. 60-500. - Dimensional regulations. (General Business)

(3) *Yard requirements.*

c. *Front (yard).* There shall be in front of every building a front yard having a minimum depth of 25 feet or 25 percent of the average depth of the lot, whichever is less. No front yard need to be any deeper than the average depth off front yards on the lots next thereto on either side. A vacant lot or a lot occupied by a building with a front yard more than 25 feet shall be considered as having a front yard of 25 feet.

STAFF REVIEW: The applicant is requesting a waiver of the front yard set-back along Colburn Street from 25 feet to 15 feet.

The Site Plan Ordinance Section 60-1312 allows the Planning Board to modify dimensional requirements as long the objectives and intent of Site Plan Review is carried out. Granting this waiver will not cause traffic problems and will allow adequate space to position the access on Center Street. Staff Recommends APPROVAL.

The next 4 waiver requests are eligible to be granted under the following section of the Zoning Ordinance: Sec. 60-806. - Access management standards.

An applicant for a project subject to site plan review or a developer or owner of property which is subject to the access management standards may request, with the exception of section 60-799, a modification of such standards. Such requests shall be made to the planning board. Modifications to the access management standards may be allowed upon a demonstration of need by the applicant provided the planning board makes a finding that the objectives of access management have been satisfied.

**Waiver # 2.** Sec. 60-607. – Parking: General provisions and design standards.

(3) Loading spaces shall have the following dimensions:

- a. Buildings having a gross floor area of 10,000 square feet or less: 25-foot length, 20-foot width;

STAFF REVIEW: The applicant is requesting a 50' by 10' loading area instead of the required 25' by 20'. Granting this waiver will not cause traffic or internal circulation problems and is the same square footage as the required space, just in a different configuration. Staff Recommends APPROVAL.

**Waiver #3.** Sec. 60-607. – Parking: General provisions and design standards.

- (15) On lots where one entrance and exit driveway or curb-cut is constructed, the curb-cut shall not exceed 32 feet in width. Where two or more driveways or curb-cuts are constructed, the curb cuts shall not exceed 20 feet in width. For automotive service stations, the curb cut widths may be increased to 32 feet for each driveway or access, but shall not exceed two driveways. These widths may be increased up to a maximum of 44 feet on arterial roads if required by the city engineering department or the state department of transportation.

STAFF REVIEW: The applicant is requesting two 30 foot wide entrances. Engineering has approved the widths of the 2 entrances, which will allow adequate and safe room for the delivery truck to get in and out of the site. Staff Recommends: APPROVAL.

**Waiver #4.** . Sec. 60-801. - Number of driveways per lot.

The maximum number of driveways to a particular site shall be governed by the following:

- (1) No low volume traffic generator, including single-family dwellings and duplexes, shall have more than one two-way access onto a single roadway.
- (2) No medium or high volume traffic generator shall have more than one two-way access or two one-way accesses in total onto a single roadway.

STAFF REVIEW: After reviewing this waiver request, the staff finds that only one driveway for each roadway is proposed, therefore this waiver request is not needed.

**Waiver #5.** Sec. 60-803. - Corner lot access.

Where a proposed development is to be located at the intersection of an arterial and a minor or collector road, entrance to and exit from the site shall be located only on the minor or collector road. This requirement may be waived where it can be demonstrated that existing site conditions preclude the location of a driveway on the minor or collector road or that the location of the driveway on the minor or collector road would significantly interfere with a predominately residential neighborhood.

STAFF REVIEW: Center Street is considered to be an arterial road and this Access Management restriction would prevent a new access there. The Department of Engineering, after its review, has determined that a limited access, with no left turn out on Center Street will be acceptable. Staff recommends APPROVAL.

IV. STAFF RECOMMENDATION-

The Staff recommends **APPROVAL** of the Special Exception as it meets the requirements of Section 60-1336 of the City of Auburn Zoning Ordinance as stated in Section III of this Staff Report.

The Staff recommends **APPROVAL** of the Site Plan Review as it meets the conditions of approval as per Section 60-1277 as stated in Section III of this Staff Report.

The Staff also recommends **APPROVAL** of the 4 waiver requests with the findings provided in Section III of this Staff Report.

CONDITIONS of APPROVAL:

These conditions of Approval are made subject to the following conditions:

1. Prior to construction activity, the developer shall establish a bonding and inspection fee with the Department of Engineering.
2. A “no-disturbance” line will be indicated on construction plans to protect the trees near the western boundary of the property. The “no-disturbance” area will be clearly indicated on the ground during the grading of the site.

  
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City Planner