# City of Auburn, Maine

*"Maine's City of Opportunity"*

Office of Planning & Permitting

**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board

From: Douglas M. Greene, City Planner

Re: Proposed Dollar General Store, 807 Minot Avenue

Date: April 8, 2014

I. PROPOSAL- Northeast Civil Solutions, Inc., an agent for Dollar General Retail Store, is seeking a Site Plan Review and Special Exception approval to construct a 9,100 s.f. Retail Store at 807 Minot Avenue, (PID # 208-024), pursuant to Chapter 60, Sections 60-525 (b),(14); 60-1301 and 60-1336 of the City of Auburn Ordinances.

The property at 807 Minot Avenue is currently the site of an Agway Store, which is proposed to be torn down to make room for the new development. The property is zoned General Business II (Minot Avenue) Zone (GB II). Retail sales are a permitted use in the GBII zone, but new buildings over 5,000 square feet in size are a Special Exception so the applicant must seek approval from the Planning Board. Site Plan approval is also required for all Special Exceptions.

The property at 807 Minot Avenue is 4.06 acres in size, has an undevelopable area (wetlands) at the rear and will share an entrance and access drive on Minot Avenue with the Central Maine Hospital Clinic. A secondary access to the rear of the development will be from a shared entrance on Hotel Road. The parking requirement for a retail store is calculated at 1 space per 300 square feet of floor area. The 9,100 s.f. building will require 31 spaces and the developer is proposing 31 spaces.

II. DEPARTMENT REVIEW

Police Department- No comments.

Fire Department- The applicant has satisfactorily worked through the distance of a fire hydrant from the property.

Water and Sewer- The Auburn Water and Sewerage Districts have reviewed the plans for the above referenced project and offer the following:

The plans indicate a new 1" water service. It is unclear is they intend to re-use the existing service, or re-tap the main in Minot Avenue. Our records indicate the existing water service is ¾", and were installed in 1936. The new line will need a backflow preventer. We can work with the Contractor once construction is underway.

The existing home which will be demolished has a sewer connection to the manhole in Minot Avenue. We will require that the service be abandoned by plugging it in the manhole, and either removing it, or filling it with concrete slurry.

The developer should be made aware that the manhole they are connecting to (and the line from the manhole to the manhole in Minot Avenue) are private property and are not maintained by the Sewer District.

Engineering Department- Chapter 46 of the City of Auburn Code of Ordinances requires the developer of projects approved by the planning board to provide bonding and pay inspection fees to cover those site improvements which have public impacts. Prior to the commencement of site work, the developer must contact the Engineering Department regarding these requirements.

Planning Department- The Planning Department, along with Gary Johnson, met with the developer's engineer in early January to discuss the development. The following issues were discussed:

- Location of new building and coordinated and connected development between this site and the Credit Union on Hotel Road and the Central Maine Health Clinic.
- Traffic- Access into and through the site. Shared access from Minot Ave and Hotel Road. Traffic counts were reported to be 65 trips at the peak hour, which is below the threshold for a DOT permit.
- Signage- Developer reported using a "monument" type sign along Minot Ave.
- Sanitary, Storm and Water connections.
- The building's appearance and design. The applicant's elevation drawings were reviewed and discussed at the January meeting. Changes were suggested by the staff.

III. PLANNING BOARD ACTION- The Planning Board will need to take action on both a Site Plan Review and a Special Exception request.

**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.*

**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."* For this development application, the proposed new building is over 5,000 square feet in size and therefore is a Special Exception in the GBII zone.

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.*

## IV. STAFF RECOMMENDATION

Through the course of the staff review, the applicant and its engineer have worked to make any requested corrections to the application. The one exception to this relates to the appearance of the building. At the January pre-application meeting, the proposed building elevation was discussed. There were concerns from city staff that the proposed building lacked façade articulation (lack of windows, building material, no pitched roof) and was very plain in appearance. The applicant's representative said they would look at these concerns. A revised set of plans were submitted and an elevation drawing was included. The staff will discuss this with the Planning Board at the April 8 meeting.

B. **Site Plan Review-** The Staff recommends the Planning Board **APPROVE** the Site Plan Review for the proposed development of a new Dollar General Store at 807 Minot Avenue 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.

C. **Special Exception-** The Staff recommends the Planning Board **APPROVE** the Special Exception for a new Dollar General Store at 807 Minot Avenue 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 II (Minot Avenue) 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.

The recommendation of **APPROVAL** is subject to the following conditions:

1. The Planning Board's review and acceptance of the projects appearance, based on elevation drawings.
2. 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.
3. Approval by Auburn Fire Department
4. Approval by Auburn Water and Sewer District

Douglas M. Greene

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