



AUBURN PLANNING BOARD MEETING

City Council Chambers (Auburn Hall)

December 9, 2014

Work Session Agenda

5:00 P.M. – Work Session

OLD BUSINESS:

1. Continued discussion of revised Planning Board By-Laws and Procedures.
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Regular Agenda

6:00 P.M. - City Council Chambers (Auburn Hall)

ROLL CALL

MINUTES:

Review and approval request of the November 18, 2014 Meeting Minutes

PUBLIC HEARINGS:

1. 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.
2. The Auburn Planning Board is requesting to amend the 2010 Comprehensive Plan Future Land Use for a property located 113 Woodbury Road (PID # 110-009) from Agriculture/Rural to Low Density Residential Development pursuant to Auburn Zoning Ordinance Article XVII Amendments, Section 60-1445.

OLD BUSINESS:

NEW BUSINESS:

1. Discuss Planning Board's involvement in upcoming Study of Auburn's Agricultural and Resource Protection Zone.

MISCELLANEOUS:

ADJOURNMENT:

Next scheduled meeting is on January 13, 2015 6 p.m. Council Chambers

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.



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

City of Auburn, Maine

"Maine's City of Opportunity"

Department of Public Services

Engineering Division

"Provide Innovative Ideas and Responsible Results"

Memo to: Doug Greene, City Planner
From: Gary Johnson, Assistant City Engineer
Re: Development Review – AutoZone, 192 Center Street
Date: November 24, 2014

I have reviewed the application material and have the following comments:

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.

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. This would include any of the work within the street right of way, soil erosion control measures and landscaping. Prior to the commencement of site work, the developer must contact the Engineering Department regarding these requirements.

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PLANNING BOARD STAFF REPORT

To: Auburn Planning Board

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

Re: Request to Amend the Future Land Use Designation at 113 Woodbury Road.

Date: December 4, 2014

- I. PROPOSAL- The Planning Board voted unanimously at its November 18th meeting to initiate an amendment to the 2010 Comprehensive Plan Future Land Use Map for property located at 113 Woodbury Road (PID # 110-009). The property currently has a future land designation of Agricultural/Rural, while conversely, the entire property is zoned Low Density Rural Residential. This property was recently purchased with the intent of developing the property as its zoning would allow with 1 acre minimum lot size. The property owner had planned on submitting a subdivision plan to the Planning Board for review and approval but found out that part of the criteria for approval by the Planning Board would include a finding that the development proposal was in compliance with the Comprehensive Plan's Future Land Use Plan.

CURRENT SITUATION: The property at 113 Woodbury Road is currently zoned Low Density Rural Residential (**Attachment 1**). The 2010 Comprehensive Plan Future Land Use Map recommends Agriculture/Rural (**Attachment 2**), which is not compatible to the development proposal that the Low Density Rural Residential Zoning would allow and the owner desires. There is an incompatible situation between the current zoning and the future land use for this property.

STAFF RESEARCH- The Staff looked back at the record of the 2010 Comprehensive Plan process for evidence of how this zoning and future land use discrepancy occurred. At the May 21, 2009 Comprehensive Plan Committee meeting, the Danville/South Auburn area was discussed. **Attachment 3** shows a map of Land Use in the area. As you can see the property at 113 Woodbury Road is designated Rural Residential and Manufactured Housing. **Attachment 4** is a map of natural resources in the area. There are no significant natural features shown on the property in question.

Attachment 5 is a May 12, 2009 memo addressed to the Comprehensive Plan Committee from lead consultant Mark Eyerman, which goes into detail describing areas to be "*reserved*" for future development, *preserved* and/or maintained and areas to be

changed for new development”. This memo does not describe or relate 113 Woodbury Road to any of these categories. **Attachment 6** is an email correspondence with Mr. Eyerman, who provided his recollection of the discussion in that area. He mentions:

1. No specific discussion of 113 Woodbury Road.
2. The Committee’s discussion of Rural Residential Strips.
3. The availability of adequate public service (this case specifically an unimproved road).
4. Agricultural activity.
5. Fire protection.

In addition to the staff search of minutes and mapping from the 2010 Comprehensive Plan Process, former Chairman of the Comp Plan Committee, Richard Whiting, was interviewed regarding this property. He did not recall a property owner in particular advocating for this property and mentioned there was extensive discussion about Rural Residential Road Strips. (See **Attachment 7**) This excerpt from the 2010 Comprehensive Plan provides 6 Considerations when evaluating an area to have a Rural Residential Road designation. In particular, Consideration # 5 describes avoiding residential strips for land with unimproved or dirt road frontage.

II. DEPARTMENT REVIEW-

- a. Police- No Comment
- b. Auburn Water and Sewer- No Comment
- c. Fire Department- No Comment
- d. Engineering- No Comment

III. PLANNING BOARD ACTION- The Planning Board is being asked to consider making a recommendation to the City Council regarding the Future Land Use Designation as found in the 2010 Comprehensive Plan for the property located at 113 Woodbury Road (PID# 110-009).

IV. STAFF RECOMMENDATION- Based on the current situation, staff research on the record of the 2010 Comprehensive Plan’s meeting minutes and mapping and interviews with notable participants of the 2010 Comprehensive Plan Process, the Staff recommends **APPROVAL** of changing the Future Land Use Designation for the property located at 113 Woodbury Road (PID # 110-009) from Agricultural/Rural to Low Density Residential with the following findings:

1. The 2010 Future Land Use of Agricultural/Rural for the property is inconsistent with the current zoning of Low Density Rural Residential.

