

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 Self Storage Facility at 900 Center St.

Date: June 9, 2015

- I. PROPOSAL- Jan Wiegman, Engineering and Project Manager for Wright-Pierce Engineers, an agent for Lake Superior Corporation, is seeking approval for Special Exception and Site Plan Review for a Self Storage Facility, located at 900 Center Street (PID # 301-017-002) pursuant to Chapter 60, Section 499 (b. 17) General Business Zoning District (new buildings over 5,000 sf), Section 1335 Special Exception and Section 1276 Site Plan Review. The proposal includes 5 storage buildings totaling 27,450 sf. and associated improvements.

The proposal features a main entrance into the site from Center Street with a secondary access drive at Turner Street. The Turner Street access will be a graveled construction access that, when the project is completed, will become a gated driveway available for emergency purposes. A revised plan was submitted on May 26, 2015 (Attachment 1)

- II. DEPARTMENT REVIEW- The Plan Review Committee met on
- a. Police- The Police Department posed questions as to would there be security cameras on site and if so, where? The other comment asked if there would be any screening of the Self Storage Facility from Center Street.
 - b. Auburn Water and Sewer- In a letter dated, May 20, 2015, AWSD Superintendent John Storer had no concerns with the plan.
 - c. Fire Department- A memo from Chief Roma, dated June 4, 2015 requested 3 items be addressed in order to get a sign-off on the plan. (Attachment 2)
 1. A right hand turn radius from the main entry into the complex will be of a minimum radius so as to facilitate the free and clear movement of the E-One apparatus Shop Order (SO) # 137551 marked as Example 1. This example includes design drawings as well as SAE turning radius calculations for SO #137551. Free and clear movement is be understood as that which will allow for no back up maneuvers of the unit in Example # 1 (SO #137551) to enter the complex, and includes the overhang of the platform.

2. The all weather access road off of Turner Street shall be constructed to support the total loaded GVW of E-One SO 137551, and will be of such construction to facilitate winter plowing and maintenance to assure free and clear access. The loaded GVW will be provided by June 11, 2015.
 3. Should any other all weather access roads be incorporated into the project, they shall meet the same standards as those assigned to the all weather access road herein described in item # 2.
- d. Engineering- Gary Johnson, Assistant City Engineer, in a May 22 memo stated:
- The submitted Storm Water and Erosion Control Plan is adequate.
 - The Glenn Street Right-of Way needs to be formally vacated through a petition process with the City Council. (Attachment 3)
 - Prior to construction activity, the developer must establish any bonding or inspection fees with the City Engineer.
- e. Planning and Development made the following comments at the May 20 Plan Review Committee meeting.
- The Staff expressed concern on the project's impact on adjacent residential properties located on Turner Street, especially 1215 Turner Street. One corner of the residential structure is within 5 feet of the subject property. It is unclear why or how this non-conformity was allowing in the building permit process (1960) but the homeowners have apparently encroached and maintained a lawn area in what appears to be a typical backyard.
 - Glenn Street Closure. Unless the Glenn St. ROW is vacated, the proposed new lot for the existing auto sales facility will become a non-conforming lot.
 - Lot Shape- The proposed new lot for the Self-Storage Units does not meet the criteria for a conforming lot. (Lot measurements means the following measurements: (1) The depth of a lot shall be considered to be the uninterrupted distance between the midpoints of straight lines connecting the foremost points of the side lot lines in front and the rearmost points of the side lot lines in the rear unless a lot meets the exception provided for by section 60-39)
 - Frontage Width at Center Street- The lotting for the proposed development on the initial site plan did not provide the required (100 feet) street frontage for the General Business Zone. *Note: This has been addressed on a revised plan.*
 - Waiver requests. The applicant is seeking a dimensional waiver of building separation of 30 feet down to 28 feet.
 - Lighting- The Staff wants to be sure lighting will not be nuisance to the abutting residential properties along Turner Street.

III. PLANNING BOARD ACTION- Special Exception and Site Plan Review

The application is for new construction over 5,000 sf. which is a Special Exception in the General Business Zone.

A. 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.”*

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.*

STAFF COMMENTS: The proposed lot as shown on the submitted Site Plan does not meet the requirements of Auburn Zoning Ordinance, Chapter 60- 12 Definitions- Lot Measurement. This issue may require a waiver by the Planning Board.

(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.*

STAFF COMMENTS: As mentioned in the Department Review, Staff is concerned with the development's impact on the adjacent residential properties on Turner Street, especially 1215 Turner Street. A meeting was held with the developer to discuss possible way to modify the plan by a land swap or other changes to the fencing and screening at 1215 Turner Street. (See Attachment 4) At the time of this Staff Report, the site plan has not been revised. The Staff met with the property owners at 1215 Turner Street who have submitted a letter to the Planning Board. (Attachment 5)

(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.*

STAFF COMMENTS: The applicant needs to address the driveway layout to allow the City's large fire truck access further into the site.

(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.*

OVERALL STAFF COMMENTS: The Staff wishes to discuss Special Exception, items 1, 4 and 5 with the Planning Board at the meeting.

B. 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;*

STAFF COMMENTS: The Staff will report at the meeting on lighting and buffering.

(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*

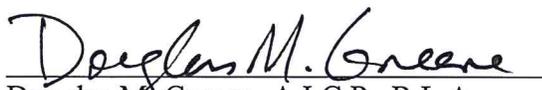
(4) *Protection of environment features on the site and in adjacent areas.*

C. WAIVER REQUEST- The applicant has requested a waiver of the Section 60-500 (3) d, which requires a 30 foot separation between buildings. The applicant is proposing a 28 foot separation between buildings.

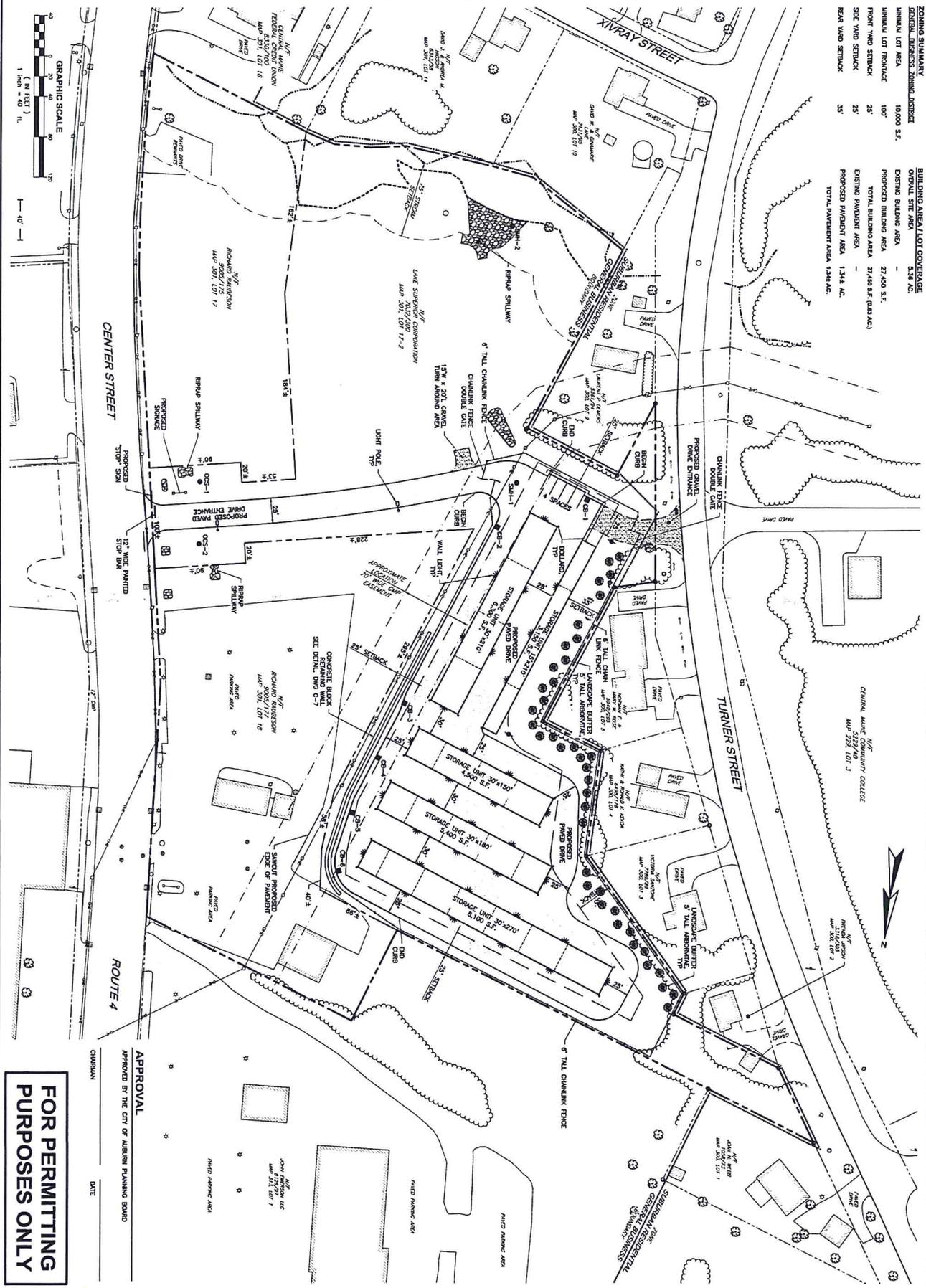
STAFF COMMENTS: The standard Staff uses for Waiver Requests is to look to the Site Plan Law and to consider if granting the waiver will still allow the 4 provisions of the Site Plan Law to be met. (See III. B of the Staff report)

OVERALL STAFF COMMENTS: The Staff wishes to discuss all the Staff Comments for the Special Exception and Site Plan with the Planning Board at the meeting.

IV. STAFF RECOMMENDATION- Due to the concerns raised in the Staff Report of certain provisions of the Special Exception and Site Plan Review, the Staff has **NO RECOMMENDATION** at this time.


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

Attachment 1

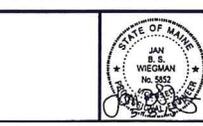


ZONING SUMMARY		BUILDING AREA / LOT COVERAGE	
DESIGNER BUSINESS ZONING DISTRICT	10,000 S.F.	CONTROL SITE AREA	538 AC.
MINIMUM LOT AREA	100'	EXISTING BUILDING AREA	-
FRONT YARD SETBACK	25'	PROPOSED BUILDING AREA	27,450 S.F.
SIDE YARD SETBACK	20'	TOTAL BUILDING AREA	27,450 S.F. (0.63 AC)
REAR YARD SETBACK	35'	EXISTING PAVEMENT AREA	-
		PROPOSED PAVEMENT AREA	1,344 AC.
		TOTAL PAVEMENT AREA	1,344 AC.

FOR PERMITTING PURPOSES ONLY

LAKE SUPERIOR CORPORATION
 SITE PLAN REVIEW DRAWINGS FOR
 SELF STORAGE FACILITY
 AUBURN, MAINE
 PROPOSED SITE PLAN

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NO.	DESCRIPTION	DATE
1	ISSUED BY: MCM	5-8-15
2	DESIGNED BY: RPB	5-8-15
3	CHECKED BY: RPB	5-8-15
4	CREATED BY: JBM	5-8-15
5	DATE: 5-8-15	
6	APPROVED BY: JBM	
7	DRAWN BY: JBM	
8	PROJECT NO: 13034A	

Attachment 2

Conditions from Auburn Fire Department- June 4, 2015

1. A right hand turn radius from the main entry into the complex will be of a minimum radius so as to facilitate the free and clear movement of the E-One apparatus Shop Order (SO) # 137551 marked as Example 1. This example includes design drawings as well as SAE turning radius calculations for SO #137551. Free and clear movement is be understood as that which will allow for no back up maneuvers of the unit in Example # 1 (SO #137551) to enter the complex, and includes the overhang of the platform.
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3. Should any other all weather access roads be incorporated into the project, they shall meet the same standards as those assigned to the all weather access road herein described in item # 2.

Attachment 3

PETITION FOR DISCONTINUANCE

To the Municipal Officers of the City of Auburn:

The undersigned respectfully requests that a street, as established by the City Council, now known as Glenn Street, is no longer of public use and necessity and it is requested that the same be discontinued as provided in Title 23 M.R.S.A. Section 3026. As the abutting property owners we hereby waive any claim for damages resulting from the discontinuance of the street.

Dated this _____ day of _____ 1991

Witness:

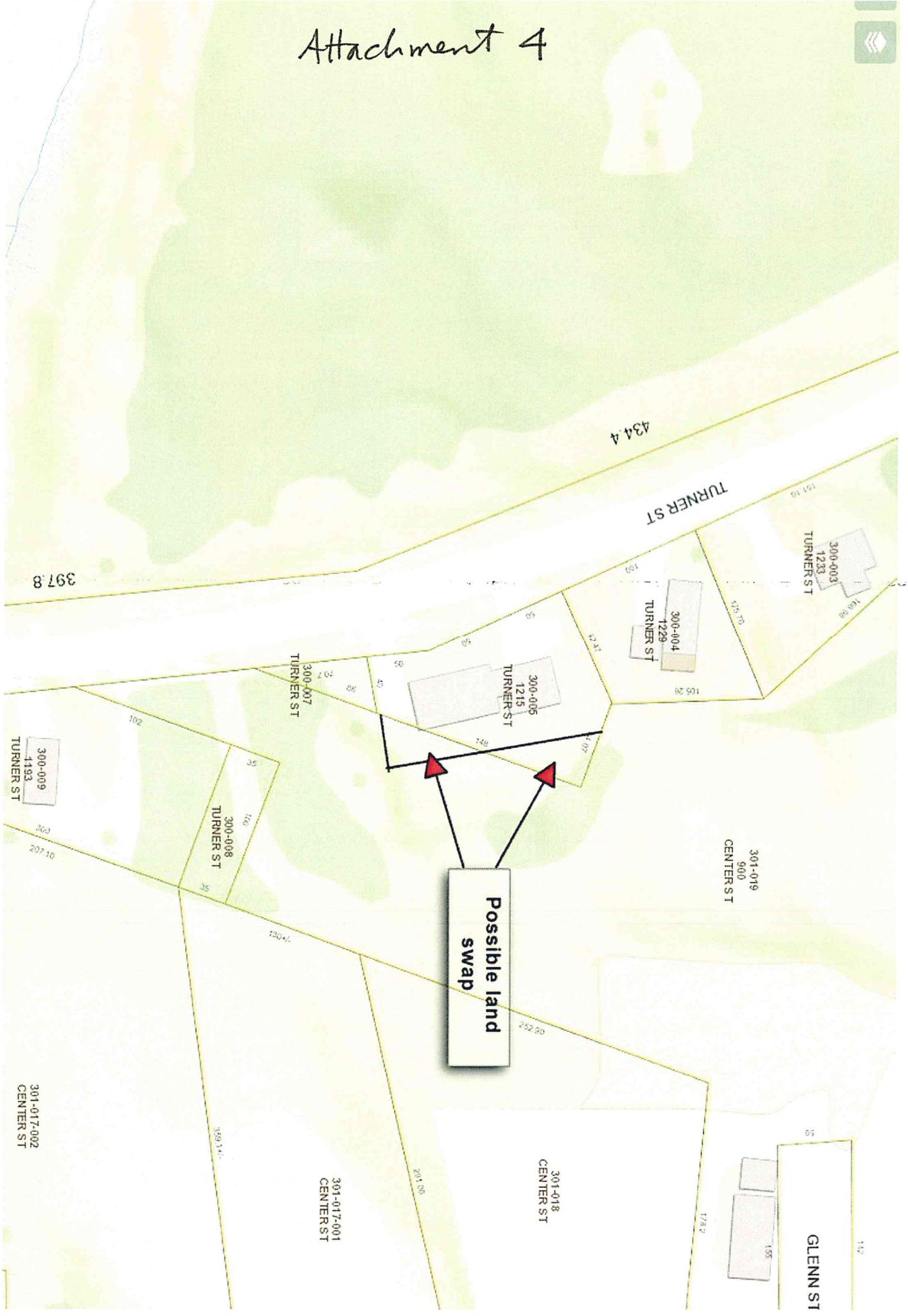
Petitioner:

Description of that section requested to be discontinued:

All of Glenn Street as was accepted by the Auburn City Council as Glendale Street on April 17, 1950, recorded in the Auburn Council Records, Volume 16, Page 186, Said street being fifty (50) feet in width and one hundred sixty three (163) feet in length and lies westerly of Center Street. The name of said street being changed to Glenn Street by order of the Auburn City Council on February 19, 1962, recorded Auburn Council Records, Volume 18, Page 262.

It is requested that the City of Auburn not retain a public easement over the herein described discontinued area, as provided in Title 23 M.R.S.A. Section 3026, but that the herein described discontinuance is subject to the rights of any public utility as set forth and provided by Title 35-A M.R.S.A. Section 2308.

Attachment 4



Attachment 5

Stanley Rose
PO Box 98
Pownal, ME 04069
Cell: 207-233-3514

June 5, 2015

Auburn Planning Board
60 Auburn Hall
Auburn, ME 04210

The following information is provided on behalf of Norman and Mary Rose of 1215 Turner Street in Auburn, in response to proposed changes to property abutting their home to the immediate east owned by Richard Raubesen. This letter is authored by Norman and Mary Rose's son, Stanley Rose, at their request. Three attachments accompany this letter.

Mr. Raubesen has proposed the construction of 5 self-storage units to be built very close to the Rose's property. The proposed unit closest to the Rose's property is the building of the 5 that is approximately southwest of the others, and will be referred to herein as the SW building. It is 15' x 210' and its proposed position appears to come within approximately 40' of the southeast corner of the Rose's home, with a fence proposed that appears to be positioned within approximately 5' of that corner of their home. This is depicted on Attachment 1 to this letter.

While the Roses concede that Mr. Raubesen's proposed changes occur solely on his property (and that for many years they maintained a small portion of his property as "their" yard, by mowing it, planting flowers on it, and otherwise maintaining it), they are opposed to the proximity of the proposed fence and the proposed SW building to their home, and are hopeful an alternative plan for that building and the fence can be found that will represent a reasonable compromise for all involved.

Moving from general to specific, the Rose's opposition to the positioning of the fence and the SW building are as follows:

1. The division between the Suburban Residential zone and the General Business zone shares their property line. However, is it necessary to "pack" commercial buildings so closely to residential areas that they monopolize every inch of the boundary?
2. Very few reasonable people would welcome the addition of a fence just a few feet from the corner of their home, or a self-storage unit just a few feet behind it. It will forever change the view from their windows and reduce their enjoyment of their property.
3. Few people would argue that this change will not reduce the value of the Rose's property. As the Planning Board members are aware, Condition B.1.d of the Auburn Zoning Ordinances notes that "As conditions prerequisite to the granting of any Special Exceptions, the Board shall require evidence of the following: . . . (d) 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**" (emphasis added).

The Roses are not trying to argue that the entirety of the project will diminish their enjoyment and property value, although this likely will be the case. They instead are most concerned with how close the SW building and the fence come to their home, and will offer resistance only to that relatively small portion of the overall 5-building plan. They propose the following alternative compromises:

Compromise A

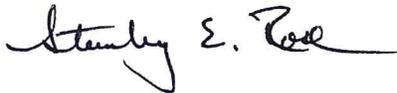
Pivot the southern ends of the SW building and the one parallel to it away from their home, aligning both buildings to be more parallel to Route 4. This would limit the encroachment.

Compromise B

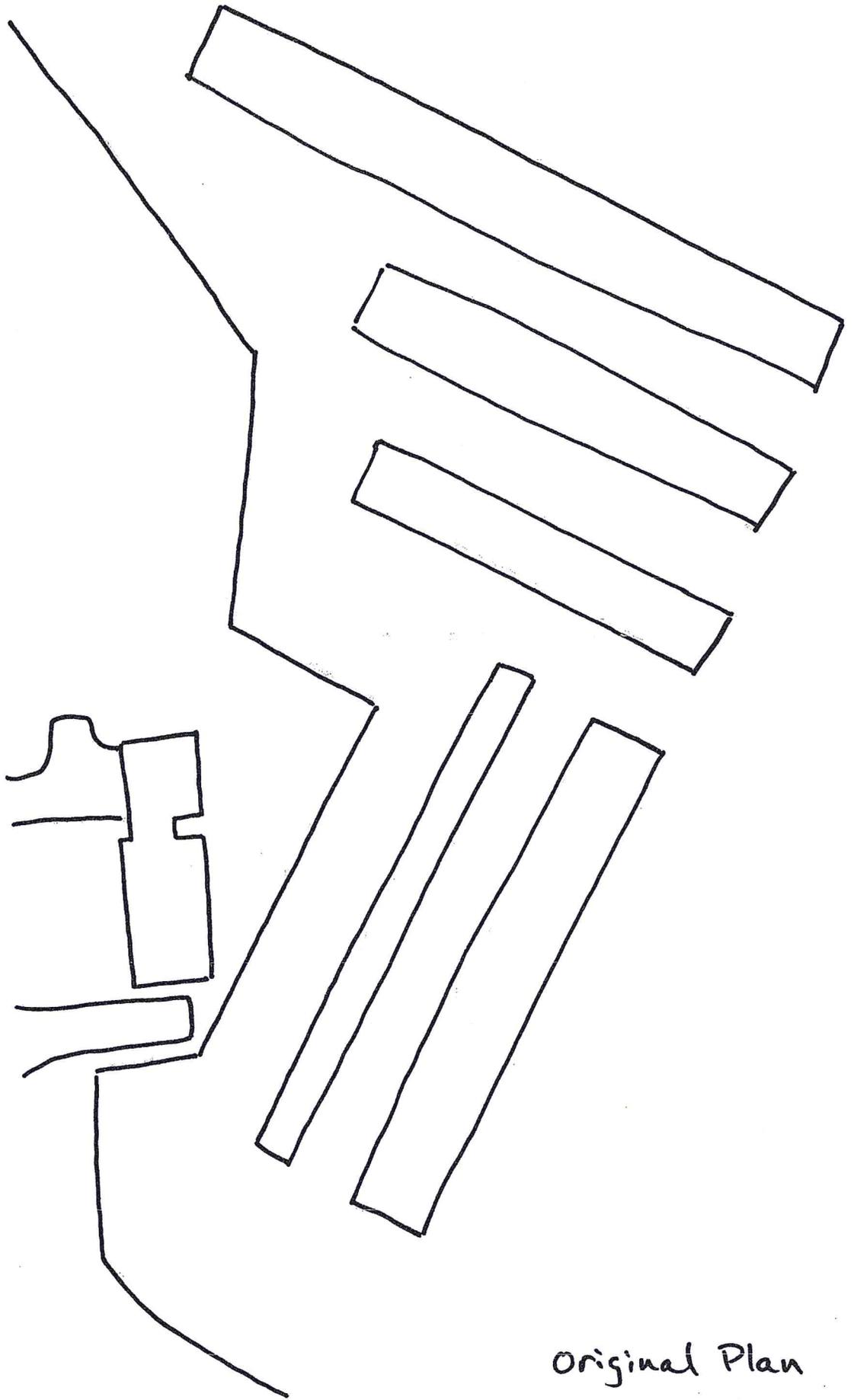
1. The swap of lands or swap of easements or similar agreement that would straighten the property boundary (or usage of it) to the East of the Rose's home. This is depicted on Attachment 3 to this letter.
2. A revised footprint for the SW building that would involve removal of the southern half of the building, and placement of a nearly similarly-sized addition at a 90 degree angle on the north half of that building, extending to the west. This would result in an "L" shaped building that should preserve all or most of Mr. Raubesen's total building footprint and revenue potential from the storage buildings. This is depicted on Attachment 2 to this letter.
3. The complete removal of fencing west of the SW building's footprint. That fencing, as proposed by Mr. Raubesen, follows the property line and therefore would encroach unnecessarily toward the Rose's home. The building itself could serve as a proper barrier (for the length of the building itself - and assuming that access to the building is gained only from the north or east), and it could be supplemented by fencing that attaches to the SW building. Fencing behind the building seems redundant and its removal should result in cost savings for Mr. Raubesen. These changes are shown on Attachment 2 to this letter.

The Roses believe that their opposition to this project would be shared by most residents in their position, and that their proposed solutions would alleviate the most significant concerns and represent a reasonable compromise that is consistent with the Planning Board's goals and the city's Zoning Ordinances. They ask that the Planning Board consider their request, and welcome the opportunity to discuss further. Thank you for your time.

Regards,

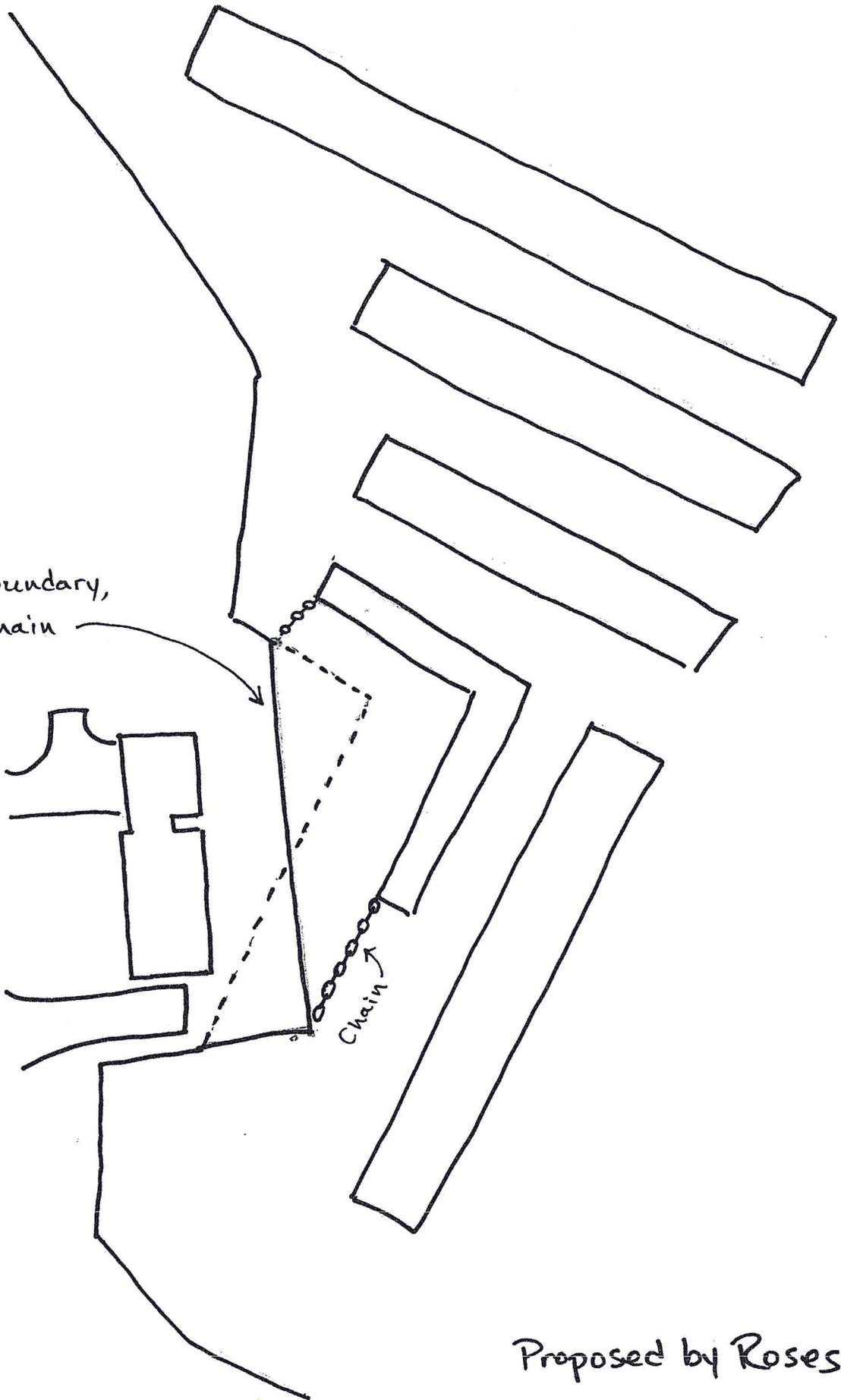


Stanley Rose

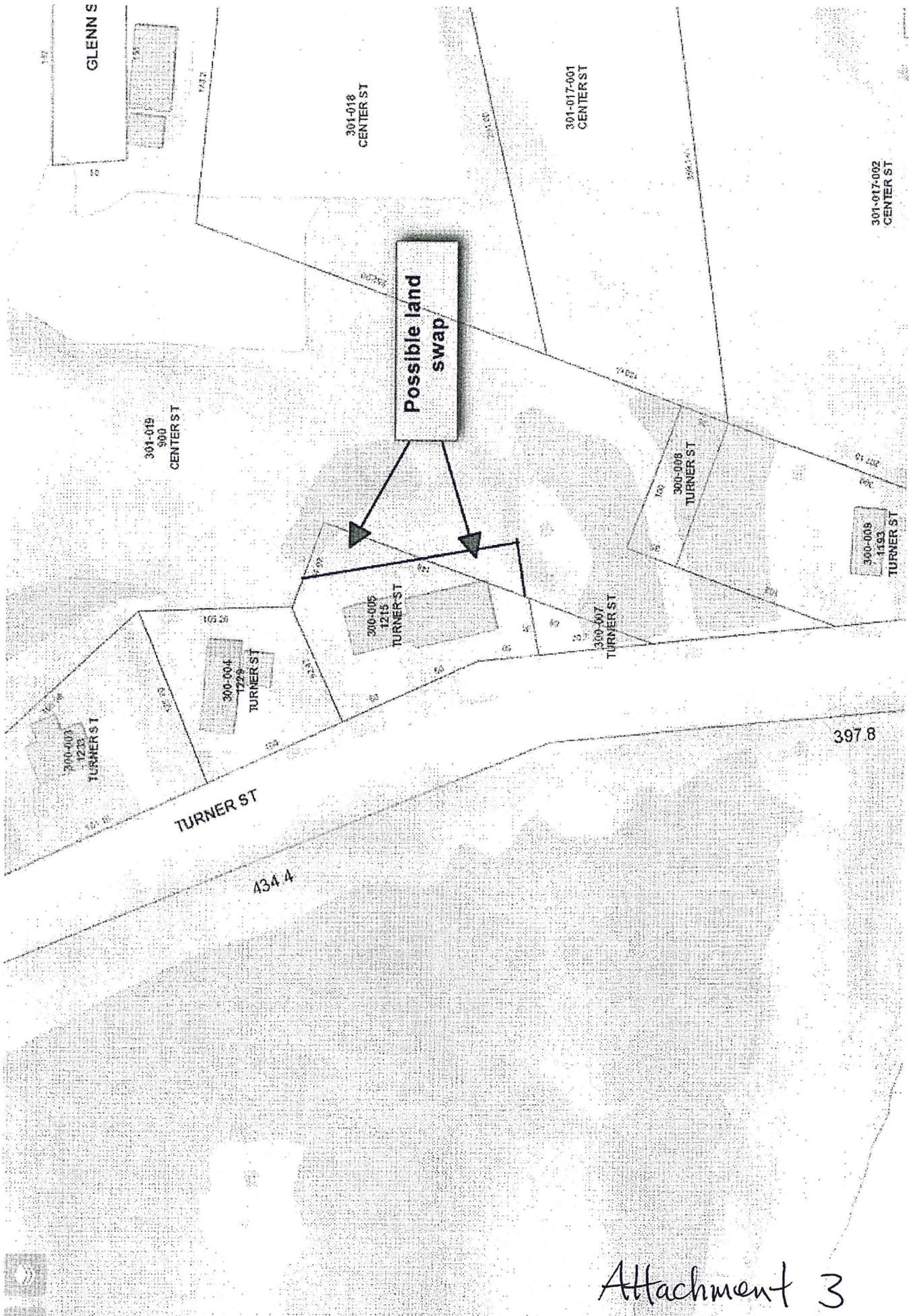


Original Plan
Attachment 1

Revised boundary,
with no chain



Proposed by Roses
Attachment 2



Attachment 3