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 the Lake Auburn Community Center, 115 North Auburn Road (PID # 363-035)

Date: August 11, 2015

I. PROPOSAL- Dan Bilodeau, President of the Lake Auburn Community Center, is seeking a Site Plan and Special Exception approval for modifications of a recreational use of land intended or designed for public use and associated site improvements at 115 North Auburn Road (PID # 363-035), pursuant to Chapter 60, Section 60-172(b)(5) of the City of Auburn Ordinances.

The Planning Board approved a Site Plan and Special Exception in November of 2013 for the Lake Auburn Community Center (LACC) allowing recreational uses. The LACC is proposing a number of modest changes to their plan, which is why this is coming back to the Planning Board as a Special Exception and Site Plan review. The changes to the LACC are:

- A small grassed tetherball court
- Two (2) 25' x 50' grassed areas for youth activities
- The addition of 2 graveled handicapped parking spaces and associated rain garden for parking and basketball court run-off treatment
- A half court basketball court
- A 40' x 40' horseshoe area
- An ADA compliant bathroom and associated sewer hook-up an easement to an off-site septic system.
- A new storage building utilizing the old ice house foundation. This are will be used in part for a trail groomer and partly for temporary storage of equipment for outdoor activities.

II. DEPARTMENT REVIEW-

a. Police- Support the Community Center's plan and the idea of area trails being coordinated through the 911 emergency system.

b. Auburn Water and Sewer District- The Auburn Water and Sewer District has expressed concern about the proposed sewerage hook-up to the property's off-site septic system, which was designed for a 3 bedroom house. The AWSD also wanted to ensure that the Phosphorus Control Plan was updated to account for the additional site additions.

c. Fire Department- The Fire Department wanted to be sure that the proposed storage building would not be used as a place of assembly, which would require much more stringent fire protection. The area in the storage building for the trail groomer will need to have property fire rating protection.

d. Engineering- Gary Johnson- "I do not have any comments directly regarding this phase of the project. I did have a concern regarding the naming of the trails in the area. The E911 GIS, which shows the location of different trails through out the state, has several of the trails in this area listed as snowmobile trails, with some names different from what Mr. Bilodeau has presented. I have suggested that the naming of these trails be coordinated and agreed to by him, the snowmobile club, and whoever else has an interest in them. The names should adhere to the E911 addressing recommendations that they do not duplicate or phonetically sound like other names within the community. The name Merrick's Way Trail would be an acceptable name. Any changes to existing names as shown on the E911 GIS should be submitted for updating. Any publications, i.e., trail maps, website information, and signage on the trails should correspond to the names as submitted to E911 GIS. "

e. Code Enforcement Office- Mark Stambach- In his review of the new restroom and septic system, Mark had the following comments.

f. Planning and Development- Worked to coordinate and resolve staff concerns mentioned above.

III. PLANNING BOARD ACTION- This amended plan for changes to the Lake Auburn Community Center will require a Special Exception and Site Plan Review by the Planning Board.

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."*
This application is expanding a recreational use of land in the Agricultural Zone for public use which is a special exception (Section 60-172 b.)

The zoning ordinance describes the conditions needed for approval of a Special Exception 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.

It is the Staff's opinion that the applicant meets the conditions of Section 60- 1336.

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;
(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.

It is the Staff's opinion that the applicant meets the conditions of Section 60- 1277.

IV. STAFF RECOMMENDATION- The Staff recommends the following actions:

A. The Staff recommends the Planning Board **APPROVE** the Special Exception for The Lake Auburn Community Center at 115 North Auburn Road 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 Agricultural/Resource Protection zone for Special Exceptions.
   - The proposed development will not create a traffic, fire or other safety hazard.
   - 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.

B. The Staff recommends the Planning Board **APPROVE** the Site Plan Review for the proposed development of Lake Auburn Community Center at 115 North Auburn Road 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. Conditions of Approval- The approvals for this application are subject to the following conditions being completed prior to the Site Plan's certification.
   1. Events shall be limited to 25 or fewer persons unless an acceptable parking management plan is provided by the applicant and approved by the Auburn Police Department and/or Planning and Permitting Department. As proposed in the application, the plan may allow up to 50 persons if a parking plan is approved.
   2. The Phosphorus Control Plan shall be updated to include all the amended items in the application.
   3. A note shall be added to the Site Plan stating, "LACC will install a water meter for the new restroom and monitor and document the water meter on a weekly basis and before and after scheduled events and submit to the Planning Office monthly reports for the first 12 months of operation. The Planning Office will also have the authority to inspect the meter and log at any time.

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