

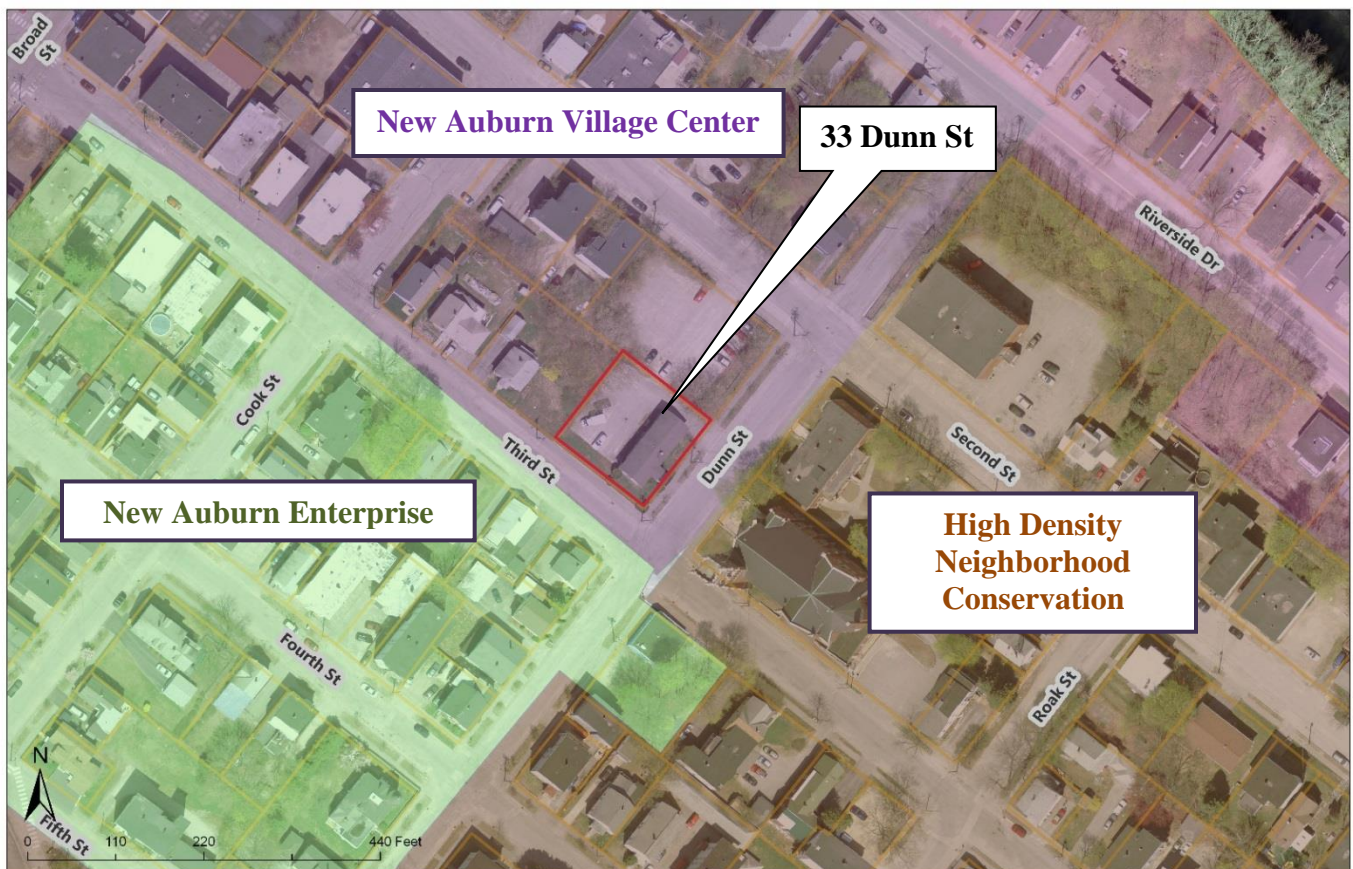
**PLANNING BOARD STAFF REPORT**

To: Auburn Planning Board  
From: Zach Mosher, City Planner  
Re: Zoning Map Amendment for 33 Dunn St  
Date: March 13, 2018

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- I. **PROPOSAL** – The Auburn Planning Board initiated a Zoning Map Amendment (zone change) at their February 13, 2018 meeting for the property located at 33 Dunn St (PID # 221-195). This property was occupied by the Twin City Times as recently as January 2018 and is currently zoned Multi-Family Urban (MFU) and is being proposed to be rezoned to Neighborhood Business (NB). At this meeting, the Planning Board is being asked to The Planning Board is being asked to make a two-step recommendation to the City Council: 1) Amend the Future Land Use Map and 2) Amend the Zoning Map.

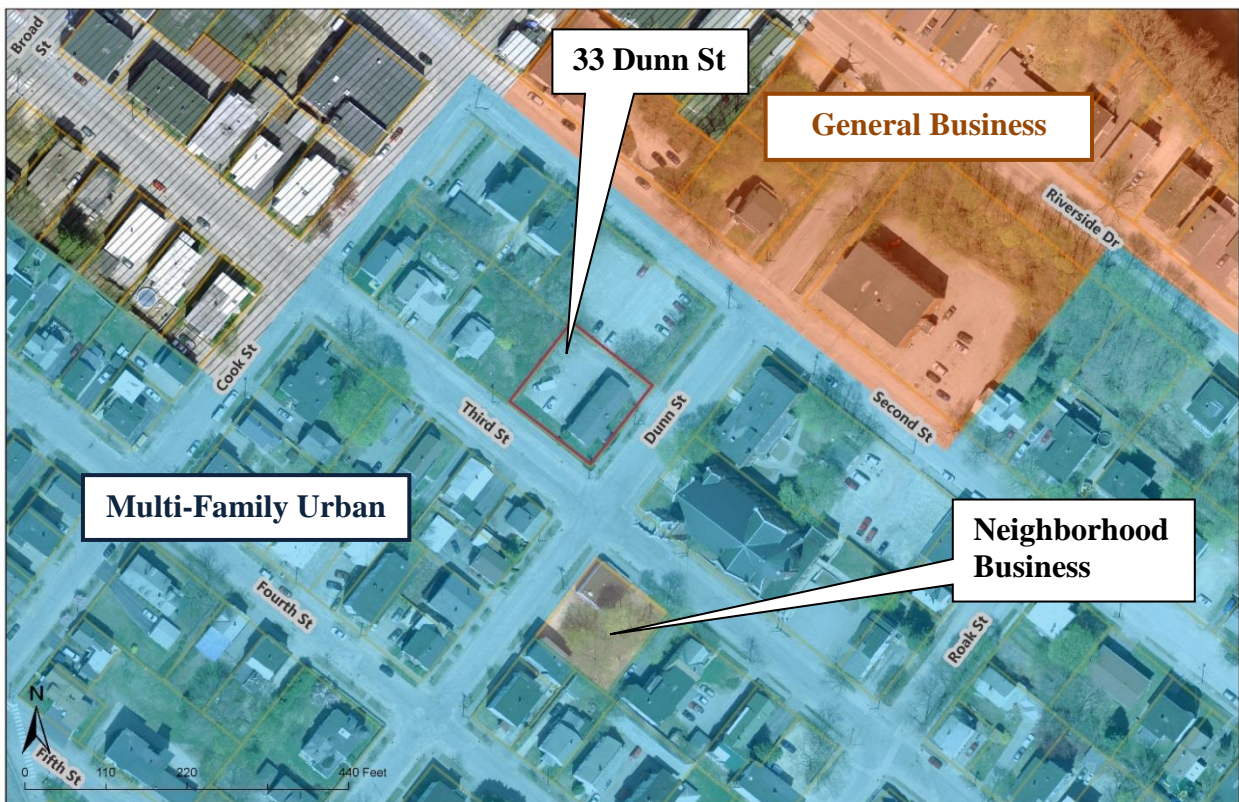
**Existing Future Land Use Map:**



**Proposed Future Land Use Map:**



**Existing Zoning:**



**Proposed Zoning:**



**BACKGROUND and STAFF COMMENTS** – The party who has purchased the property is interested in providing office space on the bottom floor and a coffee and doughnut/muffin shop on the top floor. They are proposing offices on the 1<sup>st</sup> floor in addition to a small retail coffee/doughnut shop on the top floor. Our assessing office classifies the property as “personal/professional services with an office style building” and therefore the office use, although not permitted in the MFU district, is allowed to continue at this location, but any kind of retail, including food retail is not allowed in the MFU district. The owner is requesting to have the zoning changed to Neighborhood Business to allow a neighborhood scale commercial use which could be a desirable amenity in this part of New Auburn.

**THE SITE** – The property is approximately .23 ac. (10,000 s.f.) in size and is the site of the former Twin City Times newspaper. The structure was permitted and constructed around 1965 as a credit union and later occupied by Twin City Times and contains approx. 12

parking spaces at the rear of the building. There are two floors in the building with the bottom floor being a “walk-out.” Each floor is approx. 1,450 sq ft in size.

At the February 13, 2018 Planning Board meeting, staff conducted a short presentation asking the Planning Board to initiate the zone change. Staff provided the following reasons as to why considering a zone change made sense at this property:

1. The property is across the street from a Neighborhood Business zoned property with a similar history of commercial use.
2. The structure was permitted and constructed around 1965 as a credit union and later occupied by Twin City Times.
3. The structure is not well suited for conversion to a residential use.
4. A small retail store, café or bakery could be a desirable amenity in the neighborhood.

After review, the Planning Board voted to initiate a zone change at this location and staff is now requesting the Planning Board vote to make a recommendation to the City Council on amending both the Future Land Use map and the Zoning Map.

II. **DEPARTMENT REVIEW** - The proposed zoned change was reviewed at the October 18, 2017 Plan Review Committee.

- a. Police - No Comments
- b. Auburn Water and Sewer - No Comments
- c. Fire Department - No Comments
- d. Engineering – No Comments
- e. Public Services – No Comments
- f. Economic and Community Development – Staff presented the zone change request to the Plan Review Committee.

III. **PLANNING BOARD ACTION**- The Planning Board is being asked to make a two-step recommendation to the City Council:

- 1) Amend the Future Land Use Map
- 2) Amend the Zoning Map

The Planning Board is being asked to amend the Future Land Use for 33 Dunn St from New Auburn Village Center (NAVC) District to Neighborhood Business (NB), and for a Zoning Map Amendment for 33 Dunn Street from Multi-Family Urban (MFU) district to Neighborhood Business (NB) district.

A. **FUTURE LAND USE PLAN AMENDMENT**-

The 2010 Comprehensive Plan’s Future Land Use Map for the 33 Dunn St property is New Auburn Village Center. This designation is appropriate for the general area.



The 2010 Comprehensive Plan speaks to Neighborhood Business as follows:

*(From Goals, Policies and Strategies, Chapter 1)*

#### **4. Neighborhood Business Districts**

*The City has a number of neighborhood businesses that are located within residential neighborhoods. **It is the City's policy to support the retention and improvement of these businesses since they offer a valuable service to the City's residents.** It is also the City's policy to encourage the owners of these properties to reinvest in maintaining and improving these buildings. To accomplish these objectives, the Future Land Use Plan (see Chapter 2) designates these properties as Neighborhood Business Districts. The standards for these districts allow the existing nonresidential use to be maintained and improved, as long as it is compatible with the surrounding neighborhood. The standards also allow for replacing an existing use with a new nonresidential use (other than service stations and auto service facilities), as long as it is appropriate for the neighborhood. The primary objective in creating these districts is to encourage the retention of these neighborhood businesses. As long as the property includes nonresidential space, whether occupied or not, the property should remain in the Neighborhood Business District to allow re-occupancy by an appropriate nonresidential use. However, if a property is converted to a residential use, it is the City's policy that the City should rezone the property to eliminate the Neighborhood Business District. (pages 71 and 72, 2010 Comprehensive Plan- Chapter 1: Goals, Policies and Strategies)*

*(From Future Land Use Plan, Chapter 2)*

##### **Neighborhood Business District (NB)**

**Objective** - The objective of the Neighborhood Business District is to allow for the maintenance, improvement, and continued commercial use of properties within residential neighborhoods that have been traditionally used for nonresidential purposes, provided that they are good neighbors, and that changes in the property or the use do not increase the adverse impacts on the neighborhood (see Figure 2.3). Properties that are zoned Neighborhood Business should continue to be zoned for commercial use as long as they continue to be used for appropriate nonresidential purposes. If the property is converted to a residential use, it should be rezoned to remove it from the neighborhood business district.

**Allowed Uses** - *The following types of uses should be allowed in the Neighborhood Business District provided they do not result in an increase in the adverse impacts on the surrounding neighborhood:*

- residential uses of the type allowed in the surrounding neighborhood

- *personal services*
- *small retail uses*
- *existing service stations and auto service facilities*
- *community services and government uses*

***Development Standards – The development standards should reflect the existing pattern of development with respect to setbacks. The standards should allow for the expansion of the building as long as the overall layout and functioning of the site is improved, and there is no increase in adverse impacts. (pages 105 and 106; 2010 Comprehensive Plan- Future Land Use Plan Chapter 2)***

STAFF COMMENTS- It is clear that the 2010 Comprehensive Plan’s Goals and Future Land Use Plan supports preserving and maintaining neighborhood businesses. As the site of a credit union for 40 years and then the location of the Twin City Times this property has provided a valuable service to the neighborhood over the years. With the plan being to continue the office use while also offering small scale food retail, it is the owner’s desire to continue a valuable service to the neighborhood. Amending 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) meets the goals and intent of the 2010 Comprehensive Plan for Neighborhood Business and will allow the associated Zoning Map Amendment to be approved by being in agreement with the Comprehensive Plan Land Use Map.

B. ZONING MAP AMENDMENT- The proposed Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) is supported by the 2010 Comprehensive Plan’s Goals, Policies and Strategies and Land Use Plan as referenced previously. Should the Future Land Use Plan be amended for 33 Dunn St to Neighborhood Business, the proposed zone change for 33 Dunn St to Neighborhood Business would then be in agreement with the Future Land Use Plan. The proposed zone change would allow general commercial uses (retail, service, and office) that do not negatively affect the character of the surrounding neighborhood. It would also allow the office use to become a conforming use, in addition to allowing small scale retail and service uses.

STAFF COMMENTS- Amending the Future Land Use for 33 Dunn Street to from New Auburn Village Center (NAVC) to Neighborhood Business (NB) will make the Zoning Map Amendment request for 33 Dunn St to Neighborhood Business compatible and in compliance with the Comprehensive Plan’s Future Land Use Plan. The zone change request will allow the office use to become conforming as well as allowing general commercial, retail, and service uses without being detrimental to the surrounding area.



#### IV. STAFF RECOMMENDATIONS-

##### A FUTURE LAND USE PLAN AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council to amend the Future Land Plan for 33 Dunn St from New Auburn Village Center (NAVC) to Neighborhood Business (NB) with the following findings:

1. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will meet the goal of the Comprehensive Plan by “support(ing) the retention and improvement of these businesses since they offer a valuable service to the City’s residents” and “The standards also allow for replacing an existing use with a new non-residential use as long as it is appropriate for the neighborhood.”
2. The proposed uses at 33 Dunn St meets the Objectives, Allowed Uses and Development Standards for Neighborhood Business (NB) as stated in the 2010 Comprehensive Plan (Chapter 2 Future Land Use Plan).
3. Amending the Future Land Use Plan from New Auburn Village Center (NAVC) to Neighborhood Business (NB) for 33 Dunn St will create a future land use designation for the Comprehensive Plan and be compatible and in compliance for the proposed zoning map amendment, which if approved, would allow the proposed uses of office and retail.
4. The proposed use of 33 Dunn St will be compatible and appropriate for the surrounding neighborhood.

##### B. ZONING MAP AMENDMENT-

The Staff recommends the Planning Board send a recommendation of **APPROVAL** to the City Council for the Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) with the following findings:

1. The Zoning Map Amendment for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will be in compliance with the Future Land Use Plan’s designation as Neighborhood Business. (Subject to City Council approval of the Future Land Use Amendment)
2. Amending the Zoning Map for 33 Dunn St from Multi-Family Urban (MFU) to Neighborhood Business (NB) will allow a small-scale office and retail location to exist in a walkable neighborhood.
3. Changing 33 Dunn St to Neighborhood Business (NB) will meet the Neighborhood Business district goal of the 2010 Comprehensive Plan by “support(ing) the retention and improvement of these businesses since they offer a valuable service to the City’s residents.”

**V. CONDITIONS -**

1. Commercial uses (offices, retail and services) in the Neighborhood Business (NB) district are a permitted use and must be authorized by the planning director while meeting the following two criteria:
  - a. The external activity levels and impacts are limited as to be compatible with and not adversely affect the character of the surrounding neighborhood.
  - b. The proposed use will not create excessive noise, excessive traffic, nuisances (vibration, smoke, odor, appearance, etc.), fire hazard and other negative impacts of business activities being conducted in the residential neighborhood.

*Zach Mosher*

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Zach Mosher  
City Planner