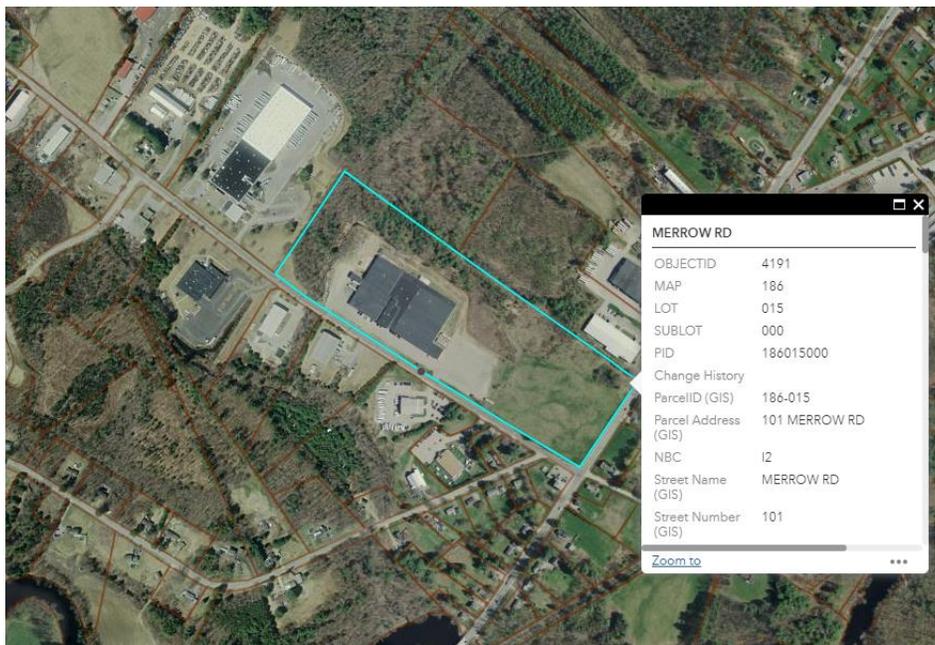


To: Auburn Planning Board  
 From: Megan Norwood, City Planner II  
 Re: 101 Merrow Road, (PID 186-015), Futureguard Holdings, LLC, Special Exception & Site Plan Review Amendment in the Industrial zoning district.  
 Date: October 8, 2019

I. PROPOSAL – Mike Gotto, of Stoneybrook Consultants, on behalf of Futureguard Holdings, LLC, is applying for Site Plan Review and Special Exception in accordance with Sec. 60-45 and 60-578(35), expansion of 10,000 square feet or more in an Industrial Zone, for a Phase 3 Expansion of 36,094 square feet to the east side of the existing building. Futureguard manufactures retractables, fixed awnings and screen solutions.



The Applicant proposes to split the Phase 3 construction into two phases. Phase 3A will add about 18,047 square feet of space at the rear corner of the existing building for six new loading docks and additional workspace. Phase 3B will add about 18,047 square feet for production space for product assembly and finish operations. Since the expanded area is greater than 10,000 square feet, it requires review by the Planning Board as a Special Exception.

**BACKGROUND INFORMATION:**

Futureguard has been through a number of approval processes with City Staff and the Planning Board in the past few years as bulleted below:

- **October of 2017:** City Staff administratively approved a **13,104** Square Foot expansion to the southwest end of the 161,364 Square Foot Building. The expansion also included removing a portion of the existing building covering the loading ramp and adding an addition over and on

both sides of the loading ramp area. The new building enclosed the loading ramp and included storage, manufacturing and vehicle storage areas.

- **October of 2018:** City Staff administratively approved a **6,380** Square Foot expansion to the front of the factory building. The expansion served as a new entrance for visitors and a showroom for the new product lines Futureguard planned to manufacture on site.
- **April of 2019:** The Planning Board approved a **14,160** Square Foot “Phase II” expansion behind the Phase I factory expansion area. The expansion provided a drive-thru unloading area for incoming materials and additional workspace to cut, mold or shape those materials for new product lines that Futureguard planned to manufacture on site.
- **October of 2019 Proposal:** Phase 3 Factory Expansion of **36,094** Square Feet to the East side of the existing building in 2 “subphases” as discussed in the Staff report.

The showroom area approved in October of 2018 has not yet been constructed. The Applicant is requesting a 1-year extension per Sec. 60-1308 of the Ordinance (Expiration of Approval) to be able to complete the factory expansions before adding the showroom area to the building: *“A single one-year extension may be given upon a showing of good cause in writing by the applicant to the Planning Board not less than 30 days before the expiration of approval of his existing plan. The Planning Board shall approve or disapprove the requested extension at its next regular meeting.”*

As discussed above, the 36,094 Square Foot expansion to the East Side of the existing building is proposed to be constructed in two phases: 3A and 3B.

**Phase 3A:** Addition of about 18,047 Square Feet at the rear corner of the existing building to provide space for six new loading docks and additional workspace for shipping and final packaging of products ready for delivery.

**Phase 3B:** Addition of about 18,047 Square Feet to add production space for product assembly and finish operations.

The expansion also proposes changes to traffic flow and parking areas. The April of 2019 approval included 17 additional parking spaces on the West Side of the building. Phase 3 proposes an additional 43 parking spaces along the rear of the building and 12 additional spaces in the rear of the Phase 3 expansion. This brings the total number of parking spaces to 121 with 3 designated as handicapped.

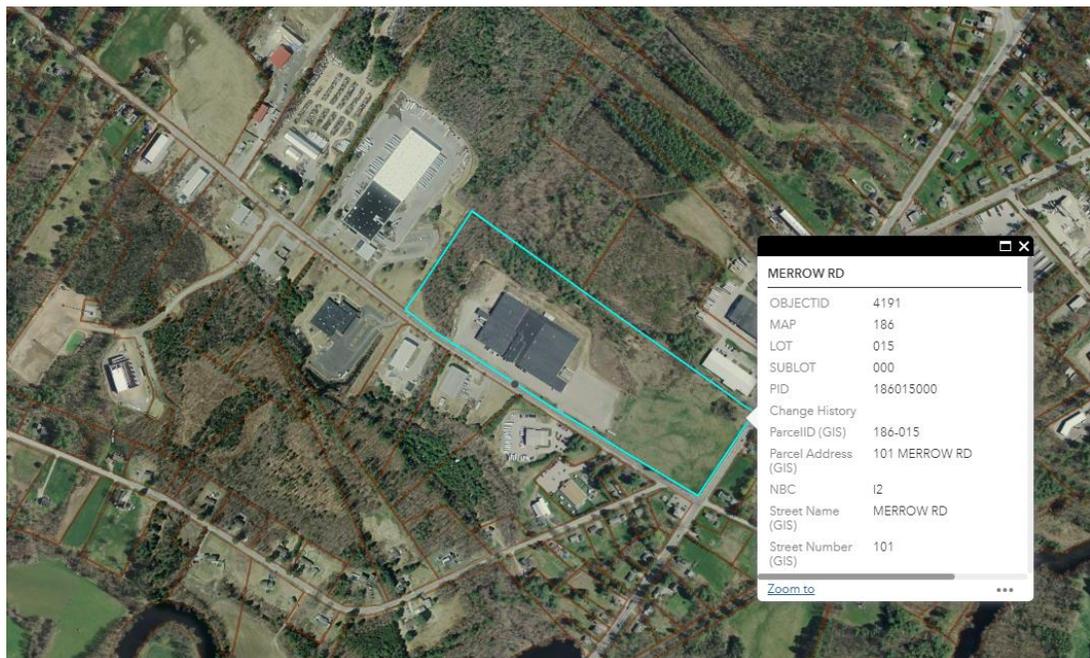
- The parking requirements for an industrial or manufacturing use is *one half per employee for combined employment of the two largest overlapping shifts*. Futureguard has 90 employees currently. The Applicant has indicated that the expansion could increase employment levels by 10 to 20 employees. Assuming a maximum of 110 Employees, the required number of parking spaces would be 55 and they meet/exceed this requirement.

Applicable Sec. 60-579 (Dimensional Requirements) Industrial District:

- *Density*. Not more than 40% of the total lot area shall be covered by buildings.
  - The total acreage for the parcel is 27 acres. Therefore, roughly 10.8 acres are allowed for lot coverage by buildings. With this addition, the building footprint is proposed to be 5.3 acres, therefore, meeting this requirement.
- *Setbacks*.
  - Rear: 50 Feet Required. 223 Feet Provided.
  - Side: 35 Feet Required. 338 Feet Provided.
  - Front: 35 Feet. 37 Feet Provided.
- *Landscaping*.
  - Within a parking lot, landscaping shall be provided in an amount equal to 10% of the area of the parking lot. There appear to be five separate areas designated for parking and some

do designate green space. We recommend the Applicant quantify the amount of green space in the parking areas to ensure it meets this requirement.

- The perimeter of a principal building, except for entrances and loading doors, shall be landscaped in an amount equal to 20 percent of the building footprint. Emphasis shall be given to the front and sides of the building.
  - The front of the building facing Merrow Road does have a strip of grassed area and green space is designated along the sides of the building and rear. The Square Footage of the building is approximately 231,102 Square Feet based on prior approvals. The 20% requirement would require roughly 43,220 Square Feet of “landscaping.” We also recommend the Applicant quantify the amount of landscaped area around the building to ensure it meets this requirement in lieu of the large addition.
- Side and rear lot lines between nonresidential uses shall be planted with evergreen trees in the same manner as discussed above, except the width of the screened buffer cannot be less than 15 feet.
  - There are wetland areas surrounding the parcel and examining the aerials for the parcel, it does not appear other properties in the area have a buffer strip to this extent. The Planning Board should decide if the side (especially the east side where the addition is proposed) of the parcel will require additional landscaping.



The landscaping section of the ordinance does state *“landscaping is considered to be a vegetative treatment with trees, shrubs, flowering plants and grass and/or bark mulch. Grass only is not deemed to satisfy this requirement. Evergreen trees shall be used as required (above). Trees shall be a minimum of 6 feet at the time of planting. Where possible, existing trees shall be preserved, buildings shall be oriented with respect to natural landscape features, topography and natural drainage areas.”*

The Planning Board should decide, based on the extent of the expansion, if a landscape plan should be submitted meeting the criteria discussed above: 10% of the parking areas, 20% of the building footprint,

and requirements for side/rear lot lines between nonresidential uses. Is the grassed area in the front of the parcel adequate for meeting the landscaping requirements?

The Applicant has stated in their application materials that all work is proposed to occur within existing impervious or developed areas. Proposed improvements will increase the impervious area on the property by about 6,056 Square Feet. No stormwater detention or treatment areas are proposed or required for the project. A stone drip edge is proposed for this phase (and the others) along the edge of the existing building to catch roof runoff.

There is a small wetland impact of 1,770 Square Feet. Since the impact is under 4,300 Square Feet, DEP reviews are not required. However, a Stormwater Permit by Rule (PBR) will be prepared and submitted as well as a Maine Construction General Permit (MCGP) because the project will disturb more than one acre.

## II. DEPARTMENT REVIEW-

- a. **Police-** No comments.
- b. **Auburn Water and Sewer** – No comments.
- c. **Fire Department/Code Enforcement** – Internal travel distance/building circulation will need to be evaluated to ensure adequate egress in case of an emergency. Additional exits may need to be added. *The Applicant has stated that the grade outside of the entire building is at first floor level and they can add a door anywhere the Fire Department may require without impact to the Site Plan or Site Grades.*
- d. **Engineering** – Additional protection will be required to ensure no wetland/stream impacts from the development. *The Applicant has already discussed and received sign-off from the Engineering Department on this, a condition is listed below.*
- e. **Public Services-** No comments.
- f. **Airport** – The Airport has noted that this project is on the Approach to Runway 22. A notification of cranes used for construction is required to be submitted 5-7 days in advance of construction as well as the length of time they will be used for construction. This was also a Condition of Approval on the last Site Plan Amendment for FutureGuard and unfortunately the Airport stated that they were never notified when the cranes were used. *The Applicant said they will discuss the concerns of the Airport with the Contractor.*
- g. **Economic and Community Development** – As discussed above and due to the extent of this expansion, the Planning Board may want to require a formal landscaping plan be submitted meeting the 10% landscape requirement for the parking areas, 20% landscape requirement based on the building footprint, and the requirements for landscaping of side/rear lot lines between nonresidential uses.

PLANNING BOARD ACTION- The proposed project requires review and findings for approval of Sections 60-1277, 60- 1336 and 60-771:

### A. Site Plan Review, Section 60-1277:

1. **Does the site plan protect 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?** The proposed project will require a MDEP Permit-by-Rule for encroachment within 75-feet of the stream channel. Proper construction of well-maintained erosion control measures and Best Management Practices (BMP's) during construction can mitigate impacts to the adjacent wetlands and stream.

2. **Is the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas adequately addressed?** Yes, the site plan proposes improvements in vehicular circulation.
3. **Are the proposed methods of disposal for wastes adequately addressed?** No change.
4. **Does the site plan provide adequate protection of environment features on the site and adjacent areas?** The proposed project will require a MDEP Permit-by-Rule for encroachment within 75-feet of the stream channel. Proper construction of well-maintained erosion control measures and Best Management Practices (BMP's) during construction can mitigate impacts to the adjacent wetlands and stream.

**B. Special Exception, Section 60-1336.** - 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.** The proposal meets the setbacks and dimensional requirements of the Industrial zoning district. As discussed above, the Planning Board may want to require the submission of a formal landscaping plan.
2. **That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.** Planning Staff proposes a condition that the internal building circulation be reviewed with the Fire Department and Code Enforcement before a building permit is issued.
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.** The proposal will not block or hamper a master development plan. The Land Use Plan designates this area for which the proposed use meets.
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.** The proposed expansion will not alter the existing image of this area.
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.** As discussed above, the Planning Board may want to require the submission of a landscaping plan and place a Condition of Approval that the Applicant coordinate with the Fire Department and Code Enforcement on the internal building circulation before a building permit is issued.
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.** No issues.
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.** City services are present at the location.

STAFF RECOMMENDATIONS- The Staff recommends the Planning Board find that the Site Plan for the proposed development, meets the requirements of Sec. 60-1277, and further that the application meets the requirements of Special Exception Law, Sec. 60-1336, and APPROVE the project application. Staff recommends the following conditions:

- a. No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department. Due to the vicinity of the stream and need for the PBR, this will require city inspection and triggers the bonding and inspection fee.
- b. A double row of erosion controls will be required to protect all critical areas, such as streams and wetlands during any earth disturbance and construction.
- c. The Auburn Airport shall be notified a minimum of five days in advance of any crane higher than 75-feet in height used on-site: 1-207-786-0631.
- d. Internal building circulation shall be reviewed by the Fire Department and Code Enforcement before the issuance of a Building Permit.
- e. A landscaping plan shall be provided to Staff for review that meets Sec. 60-579(3)(g) of the City's Code of Ordinance before the issuance of a Certificate of Occupancy.

In addition, Planning Staff recommends the Planning Board grant the 1-year extension to allow the Applicant to move forward with the October of 2018 Site Plan approval issued by Staff.

*Suggested Motion for Proposed Expansion:* I make a motion to approve the Site Plan for a Phase 3 expansion of Futureguard at 101 Merrow Road (PID: 186-015) to construct a 36,094 Square Foot addition to the east side of the existing building in two phases with a parking expansion and the following conditions:

- a. No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department. Due to the vicinity of the stream and need for the PBR, this will require city inspection and triggers the bonding and inspection fee.
- b. A double row of erosion controls will be required to protect all critical areas, such as streams and wetlands during any earth disturbance and construction.
- c. The Auburn Airport shall be notified a minimum of five days in advance of any crane higher than 75-feet in height used on-site: 1-207-786-0631.
- d. Internal building circulation shall be reviewed by the Fire Department and Code Enforcement before the issuance of a Building Permit.
- e. A landscaping plan shall be provided to Staff for review that meets Sec. 60-579(3)(g) of the City's Code of Ordinances before the issuance of a Certificate of Occupancy.

*Suggested Motion for 1-Year Extension:* I make a motion to grant a 1 year extension to Futureguard Holdings, LLC to allow the construction of the showroom area as approved by Staff on October 22, 2018.

*Megan Norwood*

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Megan Norwood  
City Planner II