City of Auburn, Maine

"Maine's City of Opportunity"

Office of the City Clerk

Council Meeting Agenda Packet

March 2, 2009

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City Council Meeting and Workshop March 2, 2009

Agenda

"While your responsibility may be individual, your authority is collective" [1]

5:00 p.m. Dinner

5:30 p.m. Workshop

A. Discussion: Community Development Block Grant Program (Reine Mynahan)
   - Neighborhood Stabilization Program Action Plan
   - Community Development Block Grant Budget
   - Main Street Wall

B. Open

If necessary Workshop will continue following adjournment

7:00 p.m. City Council Meeting

**** Consent Items –*** All items listed with an asterisk (*) are considered as routine and will be approved in one motion. There will be no separate discussion of these items unless a Councilor or citizen so requests. If requested, the item will be removed from the consent agenda and considered in the order it appears on the agenda.

Minutes

*030209-00 Minutes of February 17, 2009

Reports

Mayor

National Night Out Award

City Councilors

- **Michael Farrell: Water Dist., L/A Jt. City Council Planning, Audit and Procurement**
- **Bob Hayes: Railroad, Library, Audit and Procurement**
- **Dan Herrick: MMWAC, Auburn Housing**
- **David Young: A-L Airport, L/A Joint City Council Planning, Cable TV Adv Board**
- **Ray Berube: LAEGC, Planning Board, L/A Joint City/School, ABDC, AVCOG**
- **Bob Mennealy: Sewer District, University of Maine L-A,**
- **Ron Potvin: School Committee, 9-1-1, LATC, L/A Joint City/School**

City Manager

Communications, Presentations and Recognitions

[1] Denis Culley, Attorney/Planning Board Member, Town of Mercer

Open Session – Members of the public are invited to speak to the Council about any issue directly related to City business which is *not* on this agenda

Unfinished Business

New Business

030209-01 Ordinance – Zoning Amendment – Chapter 29, Section 3.51 Planned Unit Development and Section 7.3 Subdivisions (First Reading)

030209-02 Resolve – Acceptance of Great Falls Feasibility Study Report and Direct Staff to Develop A Strategy and Implementation Plan

Open Session - Members of the public are invited to speak to the Council about any issue directly related to City business which is *not* on this agenda

Future Agenda/Workshop Items

ADJOURNMENT

Executive Session: On occasion, the City Council discusses matters which are required or allowed by State law to be considered in executive session. Executive sessions are not open to the public. The matters that are discussed in executive session are required to be kept confidential until they become a matter of public discussion. In order to go into executive session, a Councilor must make a motion in public. The motion must be recorded, and 3/5 of the members of the Council must vote to go into executive session. An executive session is not required to be scheduled in advance as an agenda item, although when it is known at the time that the agenda is finalized, it will be listed on the agenda. The only topics which may be discussed in executive session are those that fall within one of the categories set forth in Title 1 M.R.S.A. Section 405. Those applicable to municipal government are:

1. Discussion of personnel issues
2. Discussion or consideration of the condition, acquisition, or the use of real or personal property or economic development if premature disclosure of the information would prejudice the competitive or bargaining position of the body or agency.
3. Discussion of labor contracts and proposals and meetings between a public agency and its negotiators.
4. Consultations between a body or agency and its attorney
5. Discussion of information contained in records made, maintained or received by a body or agency when access by the general public to those records is prohibited by statute.
6. Discussion or approval of the content of examinations administered by a body or agency for licensing, permitting or employment purposes
7. Consultations between municipal officers and a code enforcement officer relating to enforcement matter pending in District Court.

CITY OF AUBURN
FEBRUARY 17, 2009
CITY COUNCIL MEETING

PRESENT
Mayor John T. Jenkins, Councilors Michael J. Farrell, Robert P. Hayes, Daniel R. Herrick, David C. Young, Raymond C. Berube, Ronald W. Potvin and Robert C. Mennealy, City Manager Glenn Aho, Assistant City Manager Laurie Smith and City Clerk Mary Lou Magno. There were 35 people in the audience.

Mayor Jenkins called the meeting to order at 7:00 p.m. in the Council Chambers of the Auburn City Building with a salute to the flag.

CONSENT AGENDA
Councilor Berube moved to accept, approve and place on file the items marked with an asterisk. Seconded by Councilor Potvin. Vote: 7 Yeas.

***MINUTES OF FEBRUARY 2, 2009**
Approved under consent agenda.

REPORTS OF THE MAYOR
Mayor Jenkins made note of upcoming events in the City. He also read a list of accomplishments of the City Council in the last 14 months.
Police Chief Phil Crowell noted that Tijjani Abacha from Nigeria is currently visiting the City of Auburn; Mr. Abacha will be visiting the Boys & Girls Club and will be speaking about the Muslim culture.

REPORTS OF CITY COUNCILORS
Councilors reported on their respective Council Committee Assignments.

REPORTS OF THE CITY MANAGER

FINANCE REPORT – MONTH OF JANUARY
Councilor Berube moved to accept and place on file the Finance Report for the month of January as presented by Glenn Aho, City Manager. Seconded by Councilor Herrick. Vote: 7 Yeas.

COMMUNICATIONS, PRESENTATIONS, AND RECOGNITIONS

***COMMUNICATION FROM SCOTT MCGARY RE: RESIGNATION FROM COMMUNITY DEVELOPMENT LOAN COMMITTEE**
Approved under consent agenda.

***COMMUNICATION FROM POLICE CHIEF CROWELL RE: CONSTABLES**
Approved under consent agenda.

OPEN SESSION
Dan Bilodeau, 207 North Auburn Road; Police Chief Phil Crowell.
CLOSED OPEN SESSION

UNFINISHED BUSINESS

1. **RESOLVE – AMEND POLICY REGARDING THE ACQUISITION AND DISPOSITION OF TAX ACQUIRED PROPERTY (TABLED 2/2/2009)**

   Councilor Potvin moved to remove from the table. Seconded by Councilor Young. Vote: 7 Yeas.
   Councilor Potvin moved for passage of the resolve. Seconded by Councilor Young. Vote: 7 Yeas.

NEW BUSINESS

2. **RESOLVE – AUTHORIZE COMMUNITY DEVELOPMENT ADMINISTRATOR TO EXECUTE COMMITMENT LETTER DATED FEBRUARY 4, 2009 TO VINCENT SQUARE, LP, AND TO EXECUTE OTHER DOCUMENTS**

Councilor Berube moved for passage of the resolve. Seconded by Councilor Potvin.
Rick Whiting, Executive Director, Auburn Housing Authority, explained the above resolve and answered Councilors questions. Vote: 7 Yeas.

3. **APPOINTMENTS – COMMUNITY DEVELOPMENT LOAN COMMITTEE (2); COMMUNITY FOREST BOARD; AND TRANSIT COMMITTEE**

   Councilor Hayes moved to appoint John Cleveland and Armand Girard to the Community Development Loan Committee until Feb. 2012; Robyn Holman to the Community Forest Board until Feb. 2012; and Maureen Aube to the Transit Committee until Feb. 2012. Seconded by Councilor Berube.
   Councilor Potvin moved to table. Seconded by Councilor Young. Vote: 5 Nays, with Councilors Young and Potvin voting Nay.
   Councilor Berube moved to discuss this item during Executive Session. Seconded by Councilor Hayes. Vote: 6 Yeas with Councilor Potvin Nay.

4. **EXECUTIVE SESSION – LABOR NEGOTIATIONS – APPOINTMENTS (TITLE 1, SECTION 405 MRSA)**

   Councilor Berube moved to go into Executive Session for the above stated reasons. Seconced by Councilor Herrick. Vote: 7 Yeas.
   Councilor Potvin moved to come out of Executive Session. Seconded by Councilor Berube. Vote: 7 Yeas.

3. **APPOINTMENTS – COMMUNITY DEVEOPMENT LOAN COMMITTEE (2); COMMUNITY FOREST BOARD; AND TRANSIT COMMITTEE**

   Vote on appointed as stated above: 7 Yeas.

OPEN SESSION – No one spoke – **CLOSED OPEN SESSION**

FUTURE AGENDA/WORKSHOP ITEMS

Development policy regarding criteria for making appointments to committees; Set a date for a Ward Meeting that would include all wards.

ADJOURNMENT – 8:20 P.M.

Councilor Potvin moved to adjourn. Seconded by Councilor Mennealy. Vote: 7 Yeas.

A TRUE RECORD **ATTEST:_____**

CITY CLERK

City Council
Agenda Information Sheet

Council Meeting Date 3/2/2009 Agenda Item No. 1

SUBJECT:

ORDINANCE – ZONING ORDINANCE AMENDMENT – CHAPTER 29, SECTION 3.51 PLANNED UNIT DEVELOPMENT AND SECTION 7.3 SUBDIVISIONS (1ST READING)

INFORMATION:

As the Council is aware, staff in the Assessing, Planning and Economic Development Departments has been discussing this amendment on behalf of a couple of developers. Based on staff research, Auburn is probably the first to look at this type of change to a zoning ordinance and we believe it is a good public-private compromise. The change is intended to allow financial institutions and the Assessing Department to look at pieces of a development as the developer chooses to develop them as part of a long term coordinated development plan. The current practice is to record the plan at the Registry of Deeds and to assess the development as soon as the plan is recorded.

-Staff believes there are great benefits to be realized when a developer and the Planning Board can consider long-range coordinated developments like a large condominium development. The alternative is reviewing a small plan, then later another small addition to the plan and so-on. The piecemeal review results in less efficient, less cohesive and less coordinated projects.

-The current ordinance allows for long-range coordinated developments, however, once approved and recorded the long range approved plan adds significant taxable value to the land, even when the developer cannot develop and sell lots due to the economy. This added burden is enough of a disincentive that we actually have developers considering going back to the Board to extinguish approved plans or un-built portions thereof.

-This amendment will require the same stringent and necessary review by the Board, but it will also allow flexibility in which units are declared, recorded and when this is required. It actually adds another review by the Director of Planning and Permitting after the project is approved and before the phase that is ready for development is recorded.

-The outcome – The Assessing Department which is strictly governed by State Law does not need to assess the value that the plan adds to the land until it is declared and recorded. Not getting the taxable value as soon could be seen as a negative, however, staff believes the gains of a well coordinated long-range planned development outweigh the temporary loss. It also allows for flexibility in how financial institutions look at individual units in a condominium development. This flexibility and others like it will make Auburn more attractive to developers, will give us a competitive advantage over other municipalities and it will promote well planned development.

STAFF COMMENTS/RECOMMENDATION:

The Planning Board voted unanimously to send a favorable recommendation to the City Council with the following conditions:

-Add language that will make this change apply to existing phased Planned Unit Developments

-Require a note on the plan to make a title search aware of the phased plan on file in the Planning Office

-Seek input from local title attorneys

We are still working to gather input from local title attorneys as requested by the Planning Board and hope to provide an update in person at the Council Meeting.

REQUESTED ACTION:

Motion for acceptance of first reading

City of Auburn

City Council, Auburn, Maine

Date: March 2, 2009

TITLE: ORDINANCE – ZONING AMENDMENT – CHAPTER 29, SECTION 3.51 PLANNED UNIT DEVELOPMENT, AND SECTION 7.3 SUBDIVISIONS (FIRST READING)

Be It Ordained by the Auburn City Council, That Chapter 29, Section 3.51 Planned Unit Development, and Section 7.3 Subdivisions be amended as attached.

Motion for acceptance of first reading: Seconded by:

Vote:

Motion for acceptance of second reading: Seconded by:

Vote:

Action by the City Council: Date:

Attest:

City Clerk

3.5 **Mixed Use Districts**

3.51 **Planned Unit Development**

A. **Purpose** – The purpose of this Section is to provide for a greater variety and choice of design for urban living, to gain efficiencies, to coordinate design development efforts, to conserve and make available open space, to utilize new technologies for urban land development and to gain flexibilities over conventional land control regulations. This Section should not be used as a device for circumventing the City's development regulations. This Section shall be employed in instances where there is truly some benefit to be derived from its use for the community and for the developer.

B. **Scope**

1. Application for a planned unit development may be made for land located where public sewer is presently available or will be made available by the developer prior to Certificates of Occupancy being issued in all zoning districts except Agriculture and Resource Protection Districts.

2. The requirements for setback, lot width, lot depth, lot area, street frontage and percentage of lot coverage stated in individual zoning classifications shall be subject to negotiation as they apply to planned unit developments, except the front yard setback from all dedicated rights-of-way shall not be reduced. In specific cases, the requirements for off-street parking stated in Article 4, Section 4.1 and minimum area as stated in individual zoning classifications may be reduced. These requirements shall be controlled by the criteria and standards of this Section and as shown on the approved planned unit development plan.

3. **Coordination with Subdivision regulations**

a. It is the intent of this Ordinance that if plan review is required under Article 7, Section 7.3 of this chapter, that it be accomplished simultaneously with the review of the planned unit development plan under this Section of the Zoning Ordinance.

b. The final development plan shall be submitted in a form that is in accordance with the requirements of Article 7, Section 7.3 of this chapter relative to final plans where

applicable.

c. Requirements of this Section of the Zoning Ordinance and those of Article 7, Section 7.3 of this chapter shall apply to all planned unit developments.

C. **Types of Planned Unit Development (PUD)**

1. **General**

The following types of planned unit development may be established by special use approval in any existing zoning district or districts as noted below. The options for use are as follows:

a. PUD-R Planned Unit Development - Residential in LDCR, RR, SR, UR, MFS, MFU, GB and CB.

b. PUD-C Planned Unit Development - Commercial in GB and CB.

c. PUD-I Planned Unit Development – Industrial in ID.

The area included in each approved planned unit development shall be indicated on the zoning map as PUD "R" or "C", or "I".

The term, "Planned", for the purposes of this Section shall include plans, plats or any combination thereof.

Phased Planned Unit Developments shall be permitted where any type of PUD is otherwise allowed by this ordinance with an additional review by the Director of Planning and Permitting prior to recording at the Androscoggin County Registry of Deeds. It is the intent of this phasing to allow coordinated long term planning of a large scale development without the disincentives of taxation and financing for phases that will not be constructed in the short term. The Final Development Plan shall be kept on file in the Planning and Permitting Office and the developer shall meet the requirements of 3.51.E.2.c prior to declaration and recording of a phase. The developer shall declare and record the approved phase plan within 30 days after a written approval is issued by the Director. The recorded plan shall contain a note referencing this ordinance and the location of the overall development plan approved by the Planning Board. This section may be applied to existing PUDs if said plan was approved by the Planning Board as a phased development.

2. **Planned Unit Development – Residential (PUD-R)**

It is the intent of this Subsection that any residential property which is under single ownership and contains three (3) acres or more area may be developed as PUD-R Planned Unit Development – Residential. Within the PUD-R the following uses and densities may be permitted subject to the approval of the Planning Board.

a. Uses permitted by right or permitted by special exception in the residential district or districts noted above.

b. Commercial uses may be permitted in the PUD-R District if the planned unit development contains twenty (20) or more dwelling units. Such commercial centers shall be subject to the following requirements:

(1) Such centers including parking shall be included as an integral part of the PUD and shall not occupy more than 5 percent of the total area of the PUD. Commercial uses in any development shall not be open to use prior to issuance of the Certificates of Occupancy for 50 percent of the dwelling units.

(2) Except as stated in Section 3.51 all restrictions applicable to the NB District are applicable to the commercial center in the PUD-R District.

(3) Such establishments shall be located, designed and operated primarily to serve the needs of the persons within the planned development. Theses buildings shall be architecturally compatible using similar materials, geometry, topographic relationships, color and lighting to minimize its effect on the environment of existing or future residential uses adjacent to it.

(4) **Sign**

(a) Any part of the sign shall not project above the eaves or protrude from the face of the building more than 12". A premise shall

have not more than one sign for every street frontage. All free standing signs may not exceed twenty (20) feet in height and must have a minimum setback of 25 feet. Portable flashing and moving signs are not permitted. All emblems, shields or logos are considered part of the total allowable sign area.

(b) Residential Subdivision may have one sign for each newly created entry to the Subdivision, not to exceed 40 sq ft in size.

c. The total number of dwellings permitted in the PUD-R shall be determined by dividing the total project acreage

~~3.51 - 3~~

(not including Public Rights-of-Way) by the area required per unit in that zoning district or as approved by the City pursuant to Section 3.51.D.3.

d. If common open space remaining is offered to the City and is acceptable to the City, such dedication shall not be considered as partial or total fulfillment of park and open space dedication.

e. Upon review of a PUD-R proposal, if special circumstances exist in regard to land usability, topographical characteristics, or natural assets of the site to be preserved, the City may authorize up to a 20 percent increase in density over the district requirement if the following criteria are met:

(1) Architecture – utilization of existing topography, recognition of the character of the area reflected in materials and layout.

(2) Siting – preservation of unique natural features, separation of pedestrian and vehicular circulation and integration of open space.

(3) Design – unified cohesive development, focal points (cluster of seating, art forms, water feature) for orientation and interaction, variety of scale.

(4) Landscaping – compatibility with natural landscape, separation of individual units for privacy.

(5) Convenient, well defined access.

(6) Compatibility with: ultimate plans for school service area and size of buildings, park system, police and fire protection standards and other facilities public or private.

f. All planned unit developments containing residential units shall comply with the provisions of Chapter 23, Section 2.12 of the City of Auburn Land Subdivision Ordinance.

3. **Planned Unit Development - Commercial (PUD-C)**

The PUD-C is created to provide for the development of planned business and shopping centers and mixtures thereof. It is intended to promote the grouping of professional offices and retail commercial uses and to provide areas of sufficient size to establish harmonious relationships between structures, people and vehicles through the use of well planned parking access, pedestrian walkways, courtyards, walls and other open spaces. This district should offer a wide variety of goods and services. Any commercially-zoned area three (3) acres or more in size may be developed as a PUD-C. Uses permitted in the commercial zoning districts are permitted in the PUD-C.

4. **Planned Unit Development – Industrial (PUD–I)**

The PUD-I is created to provide for the development of planned industrial areas. It is intended to promote the grouping of industrial uses and to group these uses in such a manner that they provide well planned parking and access, landscaped open areas and harmonious relationships between structures. Any industrial area over five (5) acres may be developed as a PUD-I. Uses permitted in the Industrial Zoning District are permitted in the PUD-I.

D. **General Standards**

The following provisions apply to all planned unit development districts:

1. The setback, lot width and lot coverage requirements as stated in individual zoning classification shall apply within the PUD but may be reduced due to individual site limitations as determined by the Planning Board.

2. The number of off-street parking spaces in each planned unit development may not be less than the requirements as stated in Section 4.1 except that the Planning Board may increase or decrease the required number of off-street parking spaces in consideration of the following factors:

   a. Probably number of cars owned by occupants of dwellings in the planned unit development;

   b. Parking needs of any non-dwelling uses;

   ~~3.51-5~~

   c. Varying time periods of use, and whatever joint use of common parking areas is proposed.

   Whenever the number of off-street parking spaces are reduced because of the nature of the occupancy, the City shall obtain assurance that the nature of the occupancy will not change.

3. In any PUD involving residential uses that receives a density bonus and has lot sizes that are reduced below the minimum required within the residential district, shall reserve an amount of land equal to that created through the reduction in required lot sizes, to be held for the mutual use of the residents of the PUD. This shall be accomplished by either: (1) the land shall be administered through a homeowner's association, or (2) the land shall be dedicated to and accepted by the City for public use.

4. All of the requirements of the Municipal Code applicable to the zoning district or districts, not addressed in this Section, shall apply.

5. Before granting approval of the final development plans, the City must be satisfied that said plan incorporates each of the following criteria or can demonstrate that:

   a. One or more of the criteria are not applicable or

   b. a practical substitute has been achieved for each of these elements consistent with the public interest.

(1) There is an appropriate relationship to the surrounding area;

(2) Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and noise and exhaust control. Proper circulation in parking areas is designed for safety, convenience, separation and screening.

(3) Functional open space in terms of optimum preservation of natural features including trees and drainage areas, recreation, views, density relief and convenience of functions;

~~3.51-6~~

(4) Privacy in terms of needs of individuals, families and neighbors;

(5) Pedestrian bicycle traffic in terms of safety, separation, convenience, access points of destination and attractiveness;

(6) Building types in terms of appropriateness to density, site relationship and bulk;

(7) Building design in terms of orientation, spacing, materials, color and texture, storage, signs and lighting;

(8) Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any; maintenance, suitability and effect on the neighborhood.

(9) There is public sewer available to the lot or will be made available by the developer prior to Certificates of Occupancy being issued.

E. **Planned Unit Development Application Procedure**

All Applicants for planned unit development shall comply with procedures set forth below and in accordance with Section 7.1 Site Plan Review

1. **Submission and Review of the Application**

a. An applicant shall make application for the approval of the planned unit development to the Planning Department. The applicant shall present his completed application and fee along with the development plan outline as specified in this Section.

b. The development plan outline shall include both the site plan map and a written statement of procedures. The plan shall indicate sufficient areas surrounding the proposed planned unit development to demonstrate the relationship of the planned unit development to adjoining existing and proposed uses.

~~3.51-7~~

c. The site plan must contain the following information:

(1) All site plans shall conform to the provisions as contained in Article 7, Section 7.1;

(2) The type and character of proposed development to include general architectural design, types of building materials to be used and, when appropriate, the proposed number of dwelling units per acre;

(3) The proposed location and size of public uses including schools, parks, playgrounds, swimming pools and other common open spaces.

d. The written statement to accompany the development plan outline map must contain the following information:

(1) A brief description of unique project design needs that make the planned unit approach advantageous to the City and developer;

~~_____~~(2) An anticipated schedule of development; and a conceptual phase plan where the developer intends to phase the declaration of portions of the development.

(3) Proposed agreements, provisions or covenants which govern the use, maintenance and continued protection of the PUD and any of its common areas.

e. The number of copies of the written statement must be consistent with the provisions of Section 7.1.D.1.

f. The applicant may be requested to submit any other information or exhibits deemed pertinent in evaluating the proposed planned unit development.

2. **Final Development Plan**

a. The final development plan shall be submitted in accordance with Chapter 23, Article 2, Division 4 of the municipal code relative to final plans.

b. The Planning Board shall approve the final development plan if it is in substantial compliance with the approved

~~3.51-8~~

preliminary development plan. The final development plan shall be recorded as if it were a final Subdivision plan except in the case of a phased development which shall follow the standards of 3.51.E.2.c .

c. For Phased developments the Final Development Plan shall be kept on file in the Planning and Permitting Office. The developer shall provide a phase plan and letter of intent to declare a phase for review and approval by the Director of Planning and Permitting prior to recording at the registry of deeds. The Director shall consider the following standards before approving a phased plan for recording:

1. The remaining undeveloped land/phases shall be considered as one lot for frontage purposes. The phase plan shall provide the required frontage for the remaining land/phases.
2. Common open space, roadway improvements and/or access to utilities may be completed without opening a phase provided that the Director determines that the work is necessary or beneficial

to an open phase of the development or to the City of Auburn.

3. The phased plan must be determined by the Director of Planning and Permitting to be consistent with and progress towards completion of the long term Final Development Plan.

dc. No changes shall be made in the approved final plan during the construction of the planned unit development except upon application to the appropriate agency under the procedures provided below:

(1) Minor changes in location, siting and height of buildings and structures may be authorized by the Planning Director if unforeseen problems in the implementation of the project should occur. No change authorized by this Section may increase or decrease the dimensions of any building or structures by more than 10 percent.

(2) All changes relative to use, rearrangement of lots, blocks and buildings, any changes in the provision of common open spaces and all other changes to the approved final plan shall be approved by the Planning Board. No amendments shall be made in the approved final plan unless they are illustrated to be required by changes in the development policy of the community or by conditions that were unforeseen at the time of approval of the final development plan.

(3) Any changes which are approved for the final plan shall be recorded as amendments to the recorded copy of the final plan.

ed. From time to time the Planning Board shall compare the actual development accomplished in the planned unit development with the approved development schedule. If the owner or owners of property in the PUD have failed to meet the approved development schedule without cause, the Planning Board may initiate proceedings. The Planning Board, for good cause shown by the property owner, may extend the limits of the development schedule.

fe. The Planning Board may require adequate assurance in a form consistent with Chapter 23, Section 7.12, that the

common open space shown in the final development plan shall be provided and developed.

gf. Final Development Plan Contents

(1) The final development plan shall contain the information the preliminary development plan or any logical part thereof, must be submitted within one (1) year following the approval of the preliminary development plan unless written request is made for an extension of one (1) year and approves by the Planning Board.

(2) The final development plan, with supplemental information in report form, shall be prepared in conformance with the provisions of Chapter 23, Article 2, Division 4 of the Auburn Municipal Ordinances.

(3) Copies of any special agreements, conveyances, deed restrictions, or covenants, which will govern the use, maintenance and continued protection of the planned unit and any of its common area must accompany the final development plan.

(4) The applicant may submit any other information or exhibits he deems pertinent in evaluating his proposed planned unit development.

hg. Control of Planned Unit Development following completion.

(1) The Planning Board shall review and take action on the competed final plan.

(2) After final approval has been granted the use of the land and the construction, modification or alteration of any building or structure within the planned development shall be governed by the approved final development plan rather than by any other provisions of this Zoning Ordinance.

(3) After final approval, no changes may be made in the approved final development plan except upon

~~3.51-10~~

application to the appropriate agency under the procedures provided below:

(a) Any minor extension, alteration, or modification of existing buildings or structures may be authorized by the Planning Board if they are consistent with the purposes and intent of the final plan. No change authorized by this Section may decrease or increase the dimension of any building or structure by more than 10 percent.

(b) Any uses not authorized by the approved final plan, but allowable in the PUD as a permitted principle, accessory, or special use under the provisions of the underlying zoning district in which the planned development is located may be authorized by the Planning Director and added to the final development plan provided that such an addition does not adversely impact the approved development plan.

(c) A building or structure that is totally or substantially destroyed may be reconstructed only in compliance with the final development plan or amendments thereof approved under Paragraph g.(3)(a) and (b) above.

(d) Changes in use of common open spaces my be authorized by an amendment to the final development plan under Paragraph g.(3)(a) and (b) above.

(e) All other changes in the final development plan must be made by the Planning Board under the procedures authorized by this Ordinance. No changes may be made in the final development plan unless found to be required for:

1) Continued successful functioning of the planned unit development, or

2) By changes in conditions that have occurred since the final plan was approved, or

3) By changes in the development of the community.

4) No changes in the final development plan which are approved under this Section are to be considered as a waiver of the provisions limiting the land use, buildings, structures, and improvements within the area of the planned unit development, and all rights to enforce these provisions against any changes permitted in this Section are expressly reserved.

City of Auburn, Maine

"Maine's City of Opportunity"

Office of Planning & Permitting

To: Honorable Mayor and City Council

From: Eric Cousens, City Planner

Re: **Zoning Text Amendments** - Workshop Brief on a Proposal to amend the City Of Auburn Zoning Ordinance, including Chapter 29, Sections 3.51 Planned Unit Development, and Section 7.3 Subdivisions.

Date: February 17, 2009

I. PROPOSAL

Staff in the Assessing, Planning and Economic Development Departments have been discussing this amendment on behalf of a couple of developers. Based on my research, I believe Auburn is the first to look at this type of change to a zoning ordinance and I think it is a good public-private compromise. The change is intended allow financial institutions and the Assessing Department to look at pieces of a development as the developer chooses to develop them as part of a long term coordinated development plan. The current practice is to look at an entire development as soon as the plan is recorded. The basis for this change is as follows.

1. Staff believes there are great benefits to be realized when a developer and the Planning Board can consider long-range coordinated developments like a large condominium development. The alternative is reviewing a small plan, then later another small addition to the plan and so-on. The piecemeal review results in less efficient, less cohesive and less coordinated projects.
2. The current ordinance allows for long-range coordinated developments, however, once approved and recorded the long range approved plan adds significant taxable value to the land, even when the developer cannot develop and sell lots due to the economy. This added burden is enough of a disincentive that we actually have developers considering going back to the Board to extinguish approved plans or un-built portions thereof.
3. This amendment will require the same stringent and necessary review by the Board, but it will also allow flexibility in which units are declared, recorded and when this is required. It actually adds another review by The Director of Planning and Permitting after the project is approved and before the phase ready for development is recorded.
4. The outcome – The assessing department which is strictly governed by State Law does not need to assess the value that the plan adds to the land until it is declared and recorded. Not getting the taxable value as soon could be seen as a negative, however, staff believes the gains of a well coordinated long-range planned development outweigh the temporary loss. It also allows for flexibility in how financial institutions look at individual units in a condominium development. This flexibility and others like it will make Auburn more attractive to developers, will give us a competitive advantage over other municipalities and it will promote well planned development.

City Council
Agenda Information Sheet

Council Meeting Date 3/2/2009 **Agenda Item No.** 2

SUBJECT:

RESOLVE – ACCEPTANCE OF GREAT FALLS FEASIBILITY STUDY REPORT AND DIRECT STAFF TO DEVELOP A STRATEGY AND IMPLEMENTATION PLAN

INFORMATION:

The City Council is requested to formally accept the feasibility study report and its recommendations as prepared by Taylor & Burns Architects, and that staff develop a strategy and implementation plan in accordance with the recommendations contained in the report.

STAFF COMMENTS/RECOMMENDATION:

The City Manager recommends approval of this resolve.

REQUESTED ACTION:

Motion for passage of the resolve.

VOTE:

City of Auburn

City Council, Auburn, Maine

Date: March 2, 2009

TITLE: RESOLVE - ACCEPTANCE OF GREAT FALLS FEASIBILITY STUDY REPORT AND DIRECT STAFF TO DEVELOP A STRATEGY AND IMPLEMENTATION PLAN

Be It Resolved by the Auburn City Council, that the Great Falls Feasibility Study Report be accepted as prepared and submitted by Taylor & Burns Architects and that staff develop a strategy and implementation plan in accordance with the recommendations contained in the report. The City Council directs that the implementation plan will further the redevelopment of the former Great Falls School into a Community Arts Center that will lessen and eventually eliminate the long-term maintenance responsibilities by the City . A copy of the Taylor & Burns report is attached to and hereby made a part of this resolve.

Motion for acceptance: Seconded by:

Vote:

Action by the City Council: Date:

Attest:

City Clerk

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I. INTRODUCTION

I.A. Executive Summary of Findings and Recommendations

Positive Indicators: The existing site and structure, referred to in this report as the Great Falls Arts Center, have repeatedly been cited in prior planning initiatives as an optimal location for an arts center in Auburn. Many cities across New England comparable in size to Auburn have successful community arts centers. A community of art supporters and users exists in Lewiston-Auburn (L-A), including a number who have identified themselves, over the course of this study, as needing space for their activities. A healthy local economy depends on diversification, and the increasing importance of the creative economy has been widely recognized by businesses, planners, and economists in Maine and across the country.

Informal Arrangement Have Evolved into a Impasse. The building, owned by the City and subject to deferred maintenance, requires updating of building systems, including life safety improvements. Occupants of the building have invested time, money, and sweat equity in the structure for improvements and to maintain access for the community of users. The City, given escalating heating costs, seeks to move the facility to self-sustainability. Most crucially, current rents do not cover current operating costs. As a result, the lack of long-term commitment to the building means that occupants cannot raise capital or grants funding through the standard process of not-for-profit operations and that the City's leasing efforts are hampered.

The Great Falls Arts Center has Potential. The facility, although needing capital investment, is majestic, well known, and easily accessible. The community of current building users is diverse and vibrant. They have invested time, energy and creative capital into making the Great Falls Arts Center a place where they perform, teach, and create art. With support from the City of Auburn and the greater L-A community they are an asset positioned to grow and thrive

This Study Articulates A Direction For Change. Users and the City, seeking to change the current situation, want to strengthen and improve an infrastructure supporting the arts in a creative economy. The study recommends that, working with an extended timeframe proposed as five years, the facility should go up a ramp to a path to self-sufficiency. In the short term, the facility can be improved and energized by putting into place strategic building improvements, program development, and an efficient umbrella management organization. Specific goals and hurdles should be established and met in order to measure and monitor success in the process. In this way, over an extended timeframe, the facility can move to a position from which capital can be raised through campaigns, grants, and bonds for a substantial renovation/addition project. The final goal is to reposition the building and the site as a renewed sustainable center for community arts in Auburn.

I.B. Background

The Twin Cities of Lewiston and Auburn are centrally located in the state's urban corridor, approximately mid-way between Portland, Maine's largest city, and Augusta, the state capital. L-A, 30 miles from Augusta and 34 miles from Portland, is accessible for same-day trips from both cities for full-day meetings. L-A is the hub for Androscoggin County, with a population of about 106,000.

The area's economy has shifted from a traditional reliance on textile manufacturing to become a center for health care services and precision manufacturing. Nevertheless, to some in the regional tourism industry, the area's image is still heavily linked to its fading "mill town" past. Lewiston-Auburn is the gateway to western Maine, a significant source of visitor traffic in the summer months. However, the lack of compelling visitor attractions makes it easy for many travelers to bypass L-A in favor for Portland to the east or smaller communities to the west. A community arts center would greatly enhance L-A's arts and culture environment.

The arts and culture of Lewiston-Auburn are the results of many and varied enclaves all bringing talents and traditions to daily life in the cities. These include strong performing arts organizations both community and professional, several colleges and institutions with arts curricula, a population base that includes artists and craftspeople in the region, local industrial and ethnic history that resonates with national themes, and recently enhanced visitor amenities in the downtown core area.

The cultural organizations and creative community of L-A are now substantially ahead of the facilities and programs they inhabit. The greatest impediment to the growth of Lewiston-Auburn's artistic and cultural life is infrastructure. A question remains to be answered: how can Lewiston-Auburn achieve a sense of pride and place that is equal to, if not greater than, its substantial resources?

I.C. Purpose of the Study

The City of Auburn, Maine, and the Community Little Theatre (CLT) share interest in exploring the potential for repositioning the Great Falls Arts Center as a dedicated community arts center in its current location in Auburn. This interest is based on the City's adoption of a master plan for the development and redevelopment of downtown Auburn as well as the envisioning, in the Auburn Downtown Action Plan for Tomorrow (ADAPT), of a proposed redevelopment of the former Great Falls School site into a performing arts complex. The City desires that a performing arts venue will be a resource for public school performing arts programs and also desires to find a reuse strategy that will lessen the long-term maintenance responsibilities inherent in supporting an aging building and infrastructure. The Community Little Theatre has used the "Great Falls School" stage and auditorium for productions for more than fifty years and wishes to control the use of a site, either by ownership or a long-term low-cost lease, to accommodate performing arts space, production rehearsal space, storage of props and scenery, and to have rental space for groups involved with the arts. The City and CLT have concluded that the Great Falls School site may represent the best resource to satisfy the mutual goals of both organizations and desire a reuse plan of this property that will provide a revenue stream to ensure the sustainability of this performing arts organization.

The City and Community Little Theatre jointly engaged Taylor & Burns Architects, as lead firm of a design team, to provide a study to assess the several facility and operational factors that bear upon the feasibility of such an initiative, as specified in the RFS dated February 29, 2008.

Process for the Study

This report is based on:

- visual inspection of existing conditions
- construction documents from prior efforts by others
- review and analysis of CLT's financial information, planning materials, and occupancy history
- public meetings (including three meetings in Auburn and numerous telephone conference calls), interviews, and discussions with members of the Study Committee—including representatives from the City of Auburn, Edward Little High School, the Community Little Theatre, and L/A Arts—as well as other individuals
- work by design team members—architectural design and project oversight, engineered systems design, theater design, and arts business planning—includes the report plus appendices attached with assessment and recommendations regarding the site, the building, the theater space, and organizational operations
- a public meeting with members of the arts community and prospective users or interested parties in Lewiston-Auburn, on October 23, 2008

The report builds upon prior planning initiatives of the City of Auburn:

- the 1995 Comprehensive Plan
- the Auburn Downtown Action Plan (ADAPT) of 1999 – 2000
- LA Excels studies of 2001- 2003

Each of these prior plans has articulated the benefits of the current arts activities at this location, the need and expression of public interest in strengthening their presence, and the benefits of doing so.

This study is intended as a tool for the City of Auburn, Community Little Theatre, tenants, and potential partners to make decisions regarding revitalization of the site as a sustainable community arts center, with consideration for: facility operations and management, potential new programs of use, and prioritization of capital needs.

II. Summary Assessment of Existing Physical Conditions

Located up on a hill with a view of L-A downtown and Androscoggin River, the site is expansive even if presently underutilized. The five acre parcel is centrally located, easily accessed from the main highways and local streets, with possible parking nearby, and is convenient to downtown business and restaurants. The site is an important point in the connection between Auburn and New Auburn and in the connection to Lewiston via the pedestrian bridge. The building's size and history contribute to its position as a destination for the local community and to its potential as a destination for the broader community.

Essentially an unreconstructed old school, the building is structurally sound and shows obvious signs of deferred maintenance. A report from the Maine State Fire Marshall in 2003, which has triggered a chain of events including this study, includes some outstanding life safety issues. These, along with other building systems upgrades, including energy efficiency improvements, are described in detail in Appendix 1 Architectural and Code Compliance Assessment and in Appendix 5 Engineered Systems. Admittedly

V. Strategy Options Investigated

The study investigated major strategies for possible physical and operation change, consolidated and presented here as within three distinctly different options. In diligence and as groundwork for the three strategies, two fundamental questions first should be addressed: Why does Auburn need a theatrical auditorium? Why not sell this building?

V.A. Due Diligence Questions

Why Does Auburn Need a Theatrical Auditorium?

A vibrant cultural community requires a diversity of spaces for performing arts. Along with filling them to satisfy economic mandates, facility complexities give each venue different operational potential. The Lewiston-Auburn area currently supports a number of performing arts venues. The potential for joining forces or combining space with any of them is characterized here:

The Franco-American Heritage Center: FAHC is a concert/performance hall best suited for acoustic music presentations. It does not support dance or theatrical productions, lacking wings and backstage space. Performances with controlled lighting are restricted to evening hours, as the facility does not shutter its stained-glass windows.

The Public Theatre: A privately-owned professional (equity or union) theater, The Public Theatre (TPT) has its own program and season and would not be able to accommodate scheduling requirements of another theater operation, as both organizations need the same times to make shows and finances work. TPT space is limited, with insufficient stage space for large musical productions or for two theatrical companies.

Lewiston Middle School: The Lewis ton Middle School, designed as an assembly auditorium, presents many restrictions that would not support theatrical productions by other groups including CLT. It lacks wing space, has a hardwood floor that does not allow scenic sets to be attached, rake and sight lines different than those required for theater, inadequate dressing rooms, no lobby, no storage space, and no scene shop. It presents difficulties in scheduling two users, similar to TPT. In size, it is too large a venue for CLT to use except on its largest show of the season. Based on size, CLT would face an increase in royalty fees due to larger seating capacity. The space would be too large to be effective for CLT's productions of smaller and "more intimate" plays.

Possible Edward Little High School Auditorium: Sharing space with an assembly auditorium, which along with a gymnasium is the typical assembly space in a school, would have many of the same accessibility and scheduling issues as Lewiston Middle School.

In conclusion, there is no existing theatrical assembly space that with the same operational potential as offered by the theater space at the GFAC. Similarly, there seems no easy way to combine with already-existing venues.

Why Not Sell the Building?

The question regarding potential disposal of the building, not exactly within the scope of this study, nevertheless should be addressed.

Initially, perhaps, selling the building can seem attractive as a simple way to dispose of the property. Given its location near to downtown Auburn and its five-acre size, the property might attract a buyer. If purchased by a private-market owner, the property could generate tax revenue. Following the sale, in some near-term timeframe, the City would end its commitment to underwrite costs associated with the facility.

However, the process of disposing of the property presents distinct limitations and disadvantages. Financially, the City would not realize a windfall from sale of the property. Potential sale, for which there is presently no obvious market or buyer, would require City involvement with a development partner. The process of negotiating and working with such a partner would involve complications, inevitable even if impossible to predict presently, which would be time-consuming. Any private development would present immediate and long-term costs to the City, including costs of City services. Finally, the City would lose its ability to control the site. Adjacent neighborhoods could be impacted negatively by ensuing developments, which would be especially detrimental to a transitional neighborhood.

The civic loss and displacement of proven cultural assets would have a negative impact on Auburn. The site within the downtown area, an important civic realm of any city in New England, is a community asset with long-established identity. The City has repeatedly reaffirmed its commitment to cultural activity downtown, putting into place many elements intended to support night-time and off-hours activity that support and are supported by intensified cultural activity. Realization of many elements of the ADAPT plan, the New Auburn plan, and even the construction of the pedestrian bridge, have all supported enhanced cultural infrastructure. The facility has potential to serve as a cultural incubator, to support the existing local cultural economy, and to foster its growth, as described in following sections of the study,

Selling the building presents no clear-cut guarantee of satisfactory financial or civic outcome, and the potential downsides that it presents merit serious advance consideration.

V.B. Option 1: Demolish the Great Falls School and Build a New Facility

One approach for creating a dedicated community arts center at the current location would be to demolish the existing structure and build anew. The appeal of this option lies in the potential for a "state of the art" facility to provide studio spaces custom-fit to the needs of users. New construction can provide efficiencies in planning, net-to-gross ratios for cost-effective rents, and energy-efficient engineered systems and building fabric. A facility with increased efficiency could provide sufficient accommodation on a fraction of the site area, so that, in a more speculative mindset, the entire site could be developed more intensively.

As the building is currently occupied with tenants committed to the arts center, this option poses questions about their displacement and temporary relocation. The central stumbling block to this option, however, is cost.

Construction costs for a new replacement structure exceed renovation costs of the current building. Replacement costs, shown in Appendix 5, range between $12 to $15 million dollars. These additional capital costs would also have an impact on operating costs for the current tenants: costs of capital in the form of debt payments and additional operating costs for utilities, maintenance, and operations would be difficult to sustain over time.

V.C. Option 2: Redevelop Immediately

The second approach to provide for a community arts center would be modification of the existing structure. A series of meetings with the Feasibility Study Committee in Summer 2008, addressed a Statement of Needs formulated by Community Little Theatre in order to examine alternative design approaches for creating a facility with an identity that maintains the older building fabric and provides new spaces needed for a community arts center.

This approach presents advantages to the community and to arts groups. The larger community would benefit from a revitalized resource made available for many uses and contributing to the economic, social, and cultural life of downtown Auburn. Arts groups would reap the benefits of improved spaces for users as well as the enhanced capacity to support arts activities and programs.

This approach would be difficult to implement immediately, as no single entity "owns" the building. Cost for renovations and an addition, detailed in Appendix 5, range between $7.5 and $11 million dollars Who would underwrite this capital improvement? The existing facility, as noted previously, has a limited organizational capacity, which presents fundraising difficulties for any of the interested stakeholders. Also, the dedicated development staff that could support efforts to organize for capital improvement is absent. Most tellingly, this approach is not sustainable financially, even if some benefactor would provide the capital required for renovation, because the building lacks a working revenue model and rental income does not cover operating costs.

V.D. Option 3: Redevelop in a Longer Timeframe

Given the assets in place, and the immediate financial stumbling block presented by operating costs and capital procurement, the third option is a variation of redevelopment, which includes a longer timeframe to address the implementation obstacles. It offers the same advantages itemized above, capitalizing on the strong recognition and association of the building and site, the solid reputation of CLT, and an existing arts community that includes people, programs, and audiences. Described more fully below, this option offers incrementalism as a tactic for growth.

VI. Imagining a New Community Arts Center

The Great Falls Arts Center could be a resource for the wider arts and culture community by providing performance and rehearsal space, dance space, studios, event space, gallery, meeting space, offices, and even storage space for the L-A cultural community. The space could continue to nurture its historic partners—the Community Little Theatre and the EL High School Drama program—while slowly expanding to be an incubator for the L-A creative community.

The facility could be home for a wide array of arts and cultural organizations including:

Visual and performing arts

Cultural organizations: heritage, literary, film, historic

Individual artists of a variety of disciplines

Arts and cultural educators: public education, Edward Little Drama Department

Creative economy entrepreneurs of all kinds, including graphic designers, communications, architects

Retail, including arts supplies, dance retail, catering for events, etc.

With appropriate capital investment, the facility could also be a resource for groups needing variable types of space for meetings, receptions, conferences, or community gatherings. The schedule should allow for a wide array of rental arrangements including limited hours weekly, regular part-time, or fulltime space rental. The building should offer as many kinds of leasable space as can be used, and each space should appeal to a wide variety of customers, clients, and community members.

Active use of building by day and night, by season

An economically sustainable entity

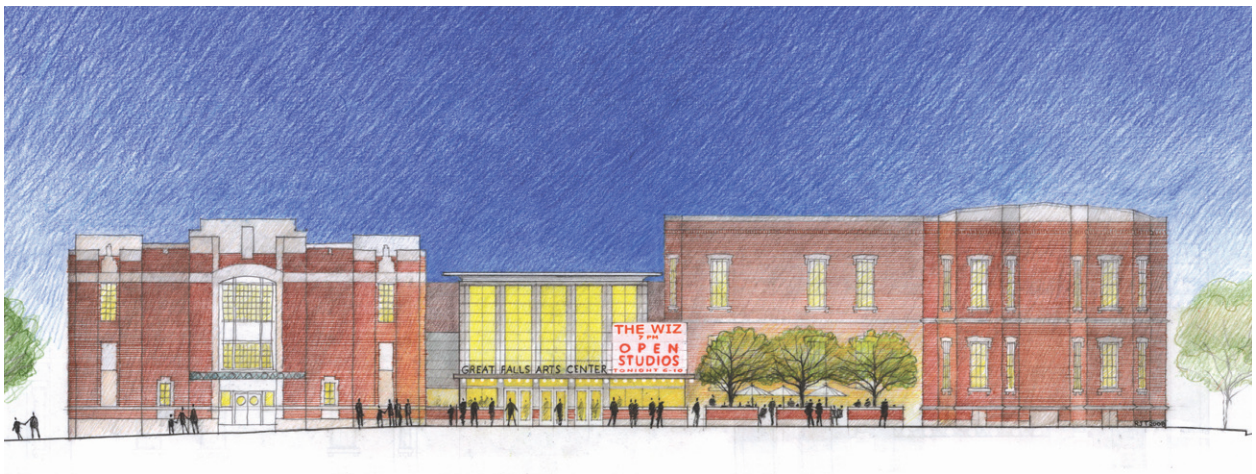
A home for CLT, Edward Little High School, and many other groups, including Auburn Community Band, Maine Music Society, Androscoggin Valley Community Orchestra, and Tinpanic Steel Drum Band, to name a few.

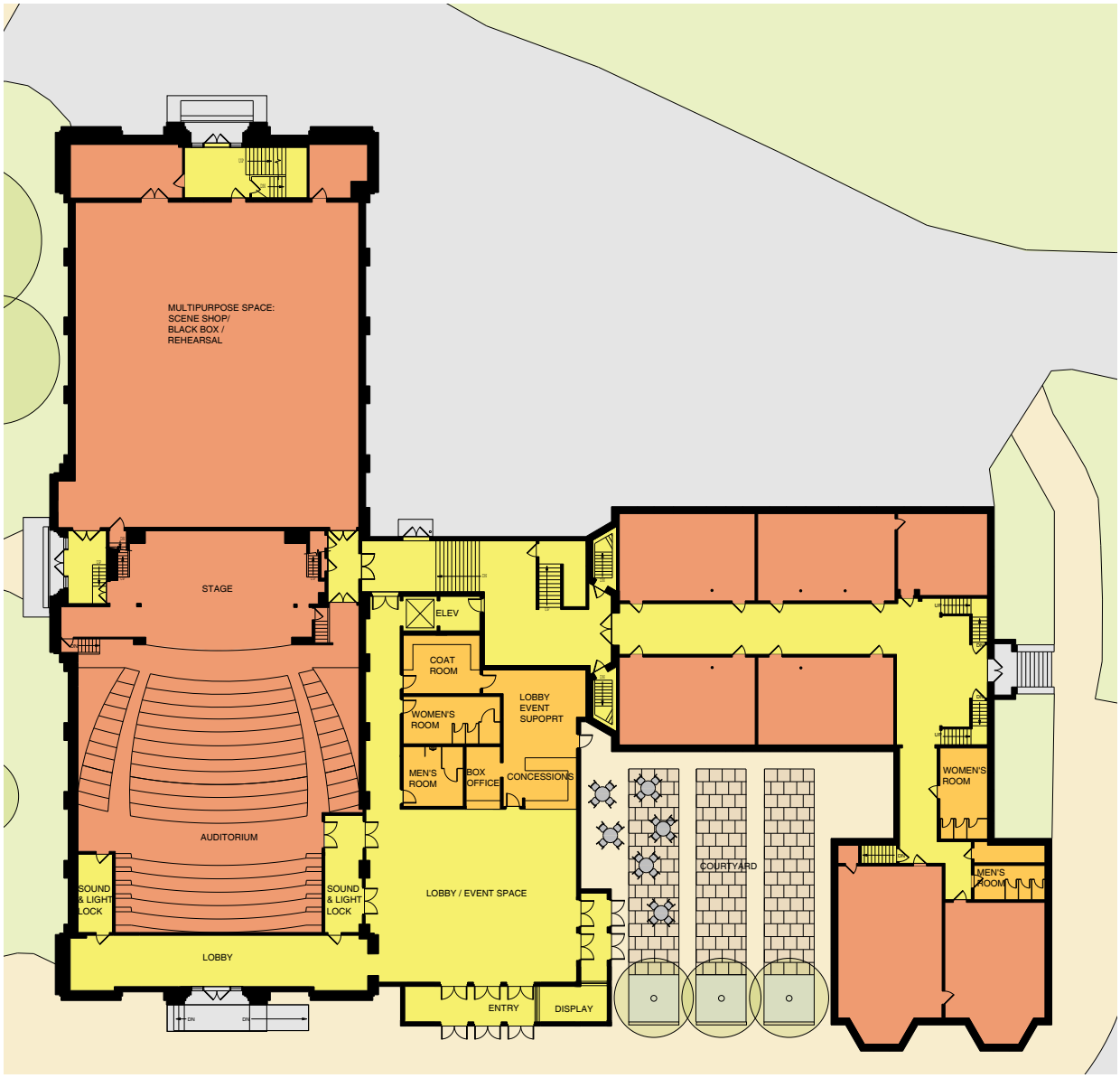
Keystone of a broader cultural economic development strategy for Lewiston-Auburn metropolitan area

Tapping into and taking advantage of State of Maine tourism and creative economy development programs

Broad diversified base of tenants and occupants

What would a new Great Falls Arts Center look like? Though a feasibility study does not define or determine the final appearance of a potential new building, the following rendered elevation and plans suggest one vision for a new facility. The design includes features that support an active community arts center.





A new addition creates "a center" with one entry for unified facility. The addition, a discrete compact form in front of the link that unites the two wings, provides a new image and visibility for the Center. Under a single marquee marking entrance for all, the entry would be the focal point for newcomers and an active program space for the community of users, with signs and postings of current and coming events. The entry lobby would support a variety of activities including: intermission space for theater productions, gallery shows, receptions, and use for rent as event space to the wider L-A area. A food concession could cater to everyday use as well as special events, with seating both indoors and out. An outdoor landscaped space provides for spillover from the interior as well as fine weather events of all kinds.

VI.A. Operations: Immediately and Within Five Years

"Main Street" Model

The City of Auburn should adapt and modify the "Main Street" economic development model to build a community of constituents that works collaboratively to create the "place," the Great Falls Arts Center. The Main Street model builds on existing assets that a community knows and frequents. Using plans for programming as well as capital improvements to create a sense of confidence and encourage investment, the Main Street model has been adopted by many communities with proven success. GFAC is well situated to utilize this strategy. The four elements of the Main Street revitalization strategy—organization, promotion, design, and economic restructuring—are easily adapted to the development of the Great Falls Arts Center. [3]

Tax Increment Financing

The potential of using tax increment financing (TIF) to fund the redevelopment of the Great Falls Arts Center was brought to attention by Brian Hodges, Director of Tax Incentive Programs for the Maine Department of Economic and Community Development. On November 3, 2008, Mr. Hodges met with City staff to review these new program provisions and discuss its use by this project. In that discussion, it was stated that tax increment revenues from other districts could be directed to an arts district in order to undertake eligible activities. Previously, the statute did not allow for the use of TIF funds for public buildings. The new availability of an Arts TIF would allow for these dollars to expand or redevelop an arts facility. An examination of the City of Auburn's current TIF districts reveals a potential to redirect current revenue streams to this purpose. The City could deploy TIF funding to support a Main Street manager and marketing initiatives during the transition period.

As part of the immediate strategy, the City and other partners should take defined steps within targeted timeframes suggested here:

- Develop the Organization with a Manager — Within Year One

  Establish a combination of volunteer committees directed and coordinated by a "manager" or program director. The appointment of an identified manager would provide accountability and focus. Volunteer committees of tenants and interested community members could concentrate on collaborative programming, marketing, and research on next steps, including the design of the "umbrella organization" (described in detail in the last bulleted point in this section). A transition committee could act as a governing body until a more formal umbrella organization can be established. Discussions should address the proposed construction for Edward Little High School, to consider the potential benefits of a performing arts program integrated with GFAC.

- "Brand" and Promote the Building — Year One through Year Five Continuously

  The building is a known landmark and, through its most recent history as the site for CLT and the EL High School Drama Club, it is accessible, trafficked and visible in the broader L-A community. A critical element in the strategy would be creating a positive and inclusive image for the Great Falls Art Center, which would be supported by a marketing plan.

- Market and Lease Up the Building with Goals — Continuously, with Hurdles at Year One, Year Three Mid-Term, and Year Five

  To support efforts outlined above, a marketing plan for the building and a facility and lease management strategy should be developed and implemented. The facility plan should encourage

[3] http://www.mainstreet.org

improved utilization of the building, including a consistent lease program for all types of renters, consolidation of some tenants, appropriate use of the basement (storage and costume areas), storage options in new spaces carved from hallways, and the development of shared spaces that will allow a variety of small users. This plan could also identify areas for hourly or short term rental and develop marketing materials to support this effort.

The table below, Scenario 1: Restructured Space and Rental Opportunity, illustrates the impact of one possible reorganization scenario and lease up. Based on rents of $4.60 / sf and consolidation of space, the deficit could be reduced significantly within a year (illustrated in the column labeled "Short Term-Lease Up and Reorganization"). A three-year ramp-up period, Mid-Term, targets full reorganization and lease-up plus an increase in theater rental. The operating deficit, though a small number, is one that can grow in future years.

- Strengthen Existing Economic Assets — Start in Year One and Continue as Needed

SCENARIO 1: RESTRUCTURED SPACE AND RENTAL OPPORTUNITY

Key Assumptions:

Operating Expense	$145,950
Total Rental Area SF	37,705
Rent	4.60/SF

THREE YEAR RAMP-UP PERIOD

	Current Rent	Short Term: Lease Up and Reorganization	Mid Term
Total Rental Income	**$ 49,424**	**$133,634**	**$175,505**
Projected Operating Expenses	**$ 144,950**	**$148,665**	**$170,945**
Operating Deficit	**$ (95,526)**	**$ (15,031)**	**$ 4,560**

Through collaborative programming, like open studios, the building could create a vibrant community of tenants. Gallery openings or open studios could occur prior to CLT openings encouraging CLT patrons to come early to explore the building and meet some of the local dancers or visual artists. Dance studios, CLT, and the EL High School drama club could work together to improve box office operations. These efforts could be coordinated with other economic development efforts of the City and promotional events for downtown. The community meeting showed clear evidence that different groups are interested in working together collaboratively. The City could facilitate these activities until a permanent organization is established.

- Nurture New Assets: Creative Economy Businesses — Year One through Year FIve Continuously

  The facility has the potential to be an incubator space designed to help businesses and groups succeed by providing affordable, flexible space in a creative community. In addition to reaching out to a wide variety of arts and cultural organizations the City could also promote small business and networking.

- Create an Umbrella Organization — When Feasible

  As part of a long term strategy, the City would gradually relinquish its role by encouraging

establishment of an independent operating structure, an "umbrella" organization. This would be a low cost, simple organization with the goal of promoting the Great Fall Arts Center and its tenants. Its mission would focus on operating a year-round self-sustaining facility that is "home" to CLT, the EL High School, and the diverse community of artists and arts organizations that rent space. It would be managed to sustain itself on rental income and would not compete with its tenants for fundraising dollars. A board with strong community as well as tenant representation would help to assure the organization maintains a mission aligned with and supporting tenant and community goals. It could be a new entity or an existing entity with a similarly-focused mission.

The goal to nurture the Great Falls Art Center over time aims to strengthen and position it as a self-sufficient community arts center with partners able to handle independent fundraising through grants and capital campaigns and to enter into other commitments, including partnering with the City for capital construction in a manner similar to the Public Library.

In the near term these coordinated efforts could be the beginning of a strategic effort with three measurable goals:

1. Development of a strong community of renters who meet regularly and organized collaborative events
2. Increased activity and promotion of the facility
3. Heightened public awareness about the Great Fall Arts Center

CLT should solidify its position as a primary, but not sole, party in the repositioning of the Great Falls Arts Center. It should assess its financial and operational needs and work with the City to design collaborative programming and marketing efforts. As part of the building's "economic restructuring" and aligned with a Main Street model, it should focus on the marketing opportunities provided by its audience. Additionally, it should advise the City on the development of a capital plan for the building and work on developing its own capital plan for its unique needs...

As a critical partner in this effort, CLT should:

- Build internal capacity

  CLT should identify and recruit additional board members to prepare for a major capital campaign. A strong organization with effective leadership able to plan and execute complex projects will be important.

- Design a comprehensive development plan

  To insure its financial health, CLT should develop a financing plan that diversifies revenue sources, including exploration of alternative revenue sources such as on-site sales of food or beer and wine or other venues that would be supported by CLT audiences. Development planning should address increasing philanthropic sources (grants, major donors, and individual giving). This plan should be the first phase of a long term plan that addresses capital and endowment needs.

- Secure a long term lease with the City of Auburn

  A good, working long-term lease will be critical to CLT's ability to prosper in the Great Falls Art Center. A long term lease should establish a manageable and predictable rent structure, clarify operational responsibilities, identify a capital investment plan for the facility, and define premises (rooms, spaces and times available).

VI.B. Building Repair and Capital Improvements: Immediately and Within Five Years

This strategy does present some immediate physical needs, which can be categorized in two areas.

- First, certain items in the Fire Marshal report of 2003 remain outstanding (fire protection in the original west wing and safe exiting improvements at various locations). These items, which will need to be addressed in any case for the building to remain in use, total approximately $240,000 according to prior cost estimates updated and included in Appendix 5.
- Also, easy quick-fix improvements should be budgeted in order to signal a change in status for the building and also to help support more activity at the site. These items include new signs, paint, landscape for community gardens, and an allowance for partitioning spaces with related electric power and heating control remedies. Some of the long-term improvements that can be implemented within the five-year timeframe include the provision for leasable storage space (converting lockers to locked storage rooms and making more efficient corridor dimensions) and for variations in room rental sizes. A list of discretionary items, in Appendix 4, with a total of $25,000.

Determination of priorities, sequencing, and effective cost controls could be established, with input from appropriate parties, in a five-year capital improvement plan for the facility which would address building-wide improvements and also identify need for improvement in the theater space.

VII. Recommendations

Actions	Lead	Recommended Time Frame
Commit to the development of a community arts center at the Great Falls School	City of Auburn CLT	30 days
Establish a transition team of city officials, staff, building tenants (CLT plus other long term user) to oversee the project	City of Auburn CLT	60 days
Following examination of management of comparable multi-tenant buildings, assessment team assesses options and recommend the make-up of the "umbrella" organization	Transition Team	3 to 4 months
Develop a lease strategy for the Great Falls Arts Center		
Negotiate a long term lease for Community Little Theatre	Umbrella Organization City of Auburn CLT	4 to 6 months
Implement a consistent lease program for renters, both short term and long term	Umbrella Organization City of Auburn	4 to 6 months

Consolidate and reorganize existing tenants to optimize rentable space	Umbrella Organization City of Auburn	4 to 6 months
Develop a program for hourly or event rentals including use of the gymnasium as an arts space	Umbrella Organization City of Auburn	4 to 6 months
Adopt an economic development strategy for the building		
Adopt a Main Street model of development	City of Auburn Umbrella Organization	ongoing
Develop and manage a building tenants group	Umbrella Organization	4 to 6 months
Implement building wide collaborative programming opportunities	Umbrella Organization	4 to 6 months
Address the program needs for Edward Little High School.	City of Auburn	Prior to referendum vote on High School
Develop and implement a marketing plan for recruiting new tenants	Umbrella Organization	Immediate
Integrate marketing plans with City of Auburn economic development initiatives	Umbrella Organization City of Auburn	6 months
Create an Arts TIF District for GFAC	Umbrella Organization City of Auburn	Year 1
Adopt a five year capital improvement plan for the building		
Assess building wide improvements	City of Auburn CLT	Year 3 to 5
Identify theater needs	CLT Edward Little High School (if a continuing user)	Year 3 to 5
Start Public Capital Campaign	CLT and Umbrella Org	Year 4 to 6
Put TIF funds in sinking fund reserve account for Capital Campaign	City of Auburn	Year 2 to 5
Redevelop the Facility	City of Auburn Umbrella Organization CLT	Year Seven