



# City of Auburn, Maine

Office of Planning & Permitting

Eric Cousens, Director

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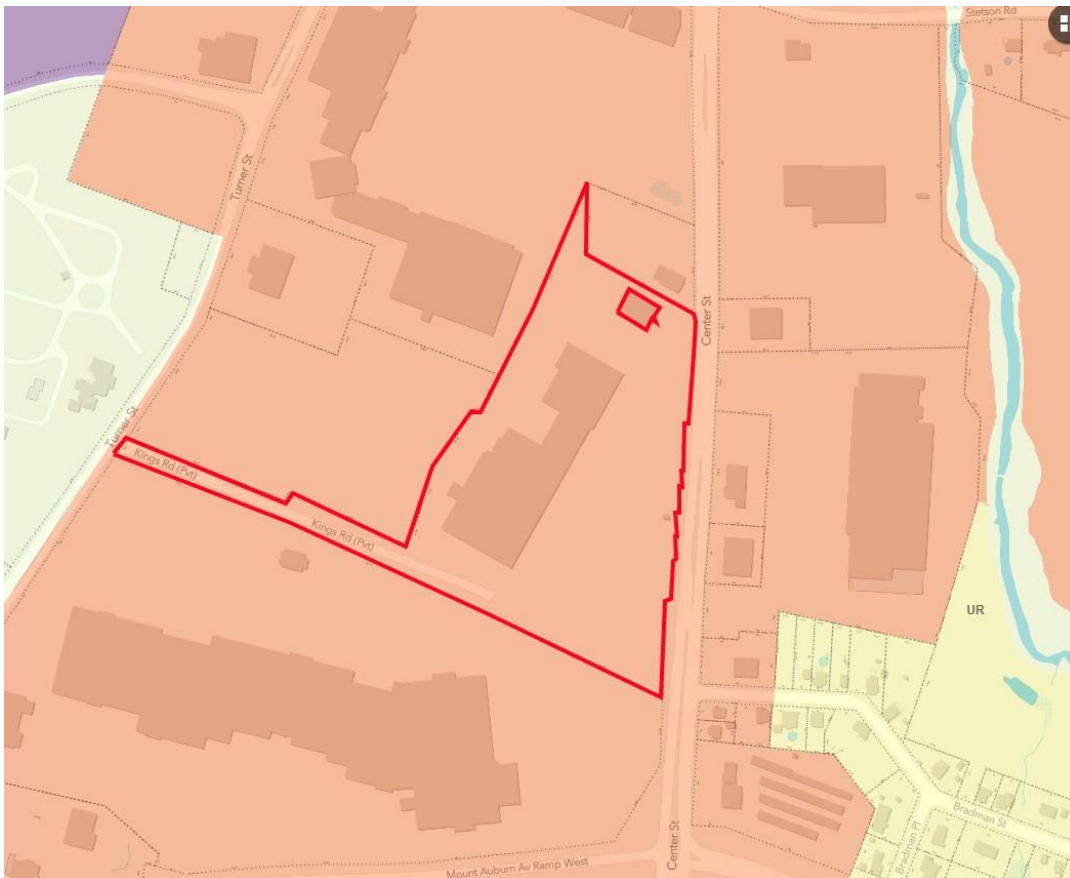
Date: July 12, 2022

To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

Re: Convenient MD – Commercial Subdivision and Medical Office

**PROPOSAL:** Auburn Center Street, LLC is proposing a 5,000 square foot Convenient MD medical office building located at 600 Center Street identified as Parcel I.D. 291-001, including the creation of an outparcel. This property, currently owned by Shaw's Realty Co., is in the General Business (GB) zone. The proposal is pursuant to Chapter 60, Article IV, Division 12 and Chapter 60 Article XVI Divisions 2, 3, and 4.



I. **PLANNING BOARD ACTION:** Staff recommends that the Planning Board review and hold a public hearing to determine whether the proposal meets the requirements of Site Plan Review including Special Exceptions and Commercial Subdivisions, the General Business District, and whether it supports Auburn's Comprehensive Plan.

II. **CH. 60 ARTICLE XVI DIVISION 2- SITE PLAN REVIEW**

*In considering a site plan, the planning board shall make findings that the development has made provisions for the following items (Sec. 60-1277):*

1. Protection of adjacent areas against detrimental or offensive uses on the site by provision of adequate surface water drainage, buffers against artificial and reflected light, sight, sound, dust and vibration, and preservation of light and air. **See Section (III-4)**
2. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas. **The applicant is providing 300 ft of new sidewalk from the sidewalk that dead ends after the road crossing where the parcel meets Center Street. The applicant also agreed to providing and installing way-finding signs within the site and will be adjusting the slip lane allowing for a safer exit to Center Street. Finally, they will add painted travel lines and stop bars.**
3. Adequacy of the methods of disposal for wastes; and protection of environment features on the site and in adjacent areas. (Ord. of 9-21-2009, § 7.1B) **The project will have an onsite solid waste enclosure that will be privately maintained. This new development will not affect the features on the site or the surrounding area which is also largely business use with significant impervious area. This development will be providing two additional catch basins and a net reduction of impervious area.**

### **III. CH. 60 ARTICLE XVI DIVISION 3. –SPECIAL EXCEPTION**

*The Board shall require evidence that the following conditions are met to grant the Special Exception:*

1. That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception. **This project aligns with the master development plan as the area around Center Street currently in the General Business (GB) district is planned to remain as commercial development area as noted in Auburn’s Comprehensive Plan 2010 (Updated 2021.)**
2. That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard. **Staff understands this development will improve the existing safety and traffic hazards at this parcel by making several improvements to the site. Specifically, the applicant is providing 300 ft of new sidewalk from the sidewalk that dead-ends after the road crossing where the parcel meets Center Street. The applicant also agreed to providing and installing way-finding signs within the site and will be adjusting the slip lane allowing for a safer exit to Center Street. Finally, they will add painted travel lines and stop bars.**

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. **This project aligns with the master development plan as the area around**

**Center Street currently in the General Business (GB) district is planned to remain as commercial development area as noted in Auburn’s Comprehensive Plan 2010 (Updated 2021.)**

3. 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 parcel in question is in GB with current business uses both on and surrounding the parcel. The commercial subdivision proposed would allow another GB use within an area zoned for this purpose.**
  
4. 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. **The project site is within the existing parking lot for the businesses occupying the parcel. There are presently two catch basins on site. The applicant plans to keep them or modify them and tie them in with another two proposed catch basins to collect and treat storm water. It is expected that the project would result in an overall decrease in impervious area. This stormwater management, the landscaping, and the travel and parking areas are proposed to be privately owned maintained by the Owners. There are no state stormwater or site law permits required.**
  
5. 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. **The standards imposed upon this project meet the standards for the General Business (GB) zone, site plan review, and subdivision law. Staff has not relaxed any standards.**
  
6. 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. **The project is proposed to connect to municipal water, municipal sewer, and other utilities, including gas, electric, and cable as well as onsite solid waste. City sewer and water both serve this area as shown on the City’s GIS system.**

**IV. CH. 60 ARTICLE XVI DIVISION 4. – SUBDIVISION**

*In reviewing applications for the subdivision of land, the board shall consider the following general requirements. In all instances the burden of proof shall be upon the persons proposing the subdivision (Sec. 60-1353).*

1. *Subdivision* – Any proposed subdivision shall be in conformity with the comprehensive plan of the city and with the provisions of all pertinent state and local codes and ordinances. **Ch1-G.2.1. a. identifies improving Center Street/ Turner Road traffic management, Ch1- G.2.10. and Ch1- G.2.10. b and H.2.5.c. identify updating public and private road standards and Ch.1- G.2.11. b names requiring sidewalks in designated growth areas. The GB zone where this project is proposed is intended to stay as commercial and business use.**

*Lots* – The lot’s size, width, depth, shape and orientation and the minimum building setback lines shall be appropriate for the location of the subdivision and for the type of development and use contemplated. **This lot is located within the General Business (GB) District. The out parcel was measured based on the dimensions of the total tract of land where the Shaw’s shopping center is. Lot size, width, depth, density, and setback requirements are all met.**

c. No person shall make a subdivision within the city unless all lots of the proposed subdivision have frontage, as regulated by the zoning ordinance, upon a way granting legal access. The following ways shall constitute legal access to a lot through either providing a way accepted by or established as belonging to the city, provided access is not specifically prohibited or a public way shown on a plan approved in accordance with the provision of this chapter and in this Code. **The project lists easements and rights-of-way on the deed and they are shown on the submitted plans.**

## **V. CH. 60 ARTICLE IV DIVISION 12 – GENERAL BUSINESS DISTRICT**

Medical clinics are permitted uses within the General Business Zone. Any new building over 5,000 square feet, however, requires a Special Exception (Sec. 60-499). The proposed medical office will conform to the requirement of 25 ft with 31.9 ft. They have met the rear requirement of 35 ft with a greater than 35 ft setback (taken from overall tract of land). They also conform with the side setback, 25 ft, (taken from the overall tract of land). The development will have 111 ft of road frontage exceeding the required 100 ft and is built on an appropriate lot size of 14,346 sq ft, proposed within a 683,340 sq ft parcel (Sec. 60-500). The Development meets the parking requirements providing 25 off-street spaces; two of which are ADA compliant.

## **VI. PEER REVIEW**

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| <ol style="list-style-type: none"><li>1. Must address signs within site.<br/><b>The applicant acknowledged this and is addressed in condition #4</b></li></ol> |
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2. Must get rid of slip lane.  
**Removing the split lane was suggested as part of the vision for the long-term changes in Auburn to reduce curb cuts. However, this was not something that the property owner would have been willing to do as it is currently used for the other businesses. Data from that site only shows one crash in this location over ten years. Staff suggests that requiring the developer to move the configuration of the slip lane without removing it would achieve the same goal of improving the site distance to the left when leaving the facility onto Center Street. These improvements will make this exit incrementally better. This is addressed in condition #1.**
3. Utilities are on the other side of the road. Staff suggests the applicant plan for road open permit.
4. The site needs an address.  
**Provided the email, phone number and application on June 29, 2022.**

## VII. FINDINGS AND SUMMARY

1. The proposed Medical Office meets all requirements of Chapter 60 Article XVI Division 2 and 3 – Site Plan Review and Special Exception.
2. The applicant met all provisions of Chapter 60 Article XVI Division 4 – Subdivisions.
3. The proposed medical office meets all dimensional and setback requirements of Chapter 60 Article IV Division 12 – General Business District.
4. The applicant will make several contributions to improve the safety and efficacy of the site in alignment with the Comprehensive Plan.

## VIII. SUGGESTED MOTION

I make a motion to approve a 5,000+/- square foot Convenient MD medical office building located at 600 Center Street identified as Parcel I.D. 291-001, including the creation of a new 13,700 +/- outparcel with 100 foot of road frontage on Center Street within the existing 15.7 +/- lot with the following conditions:

1. Move and adjust alignment of the slip lane to maximize site distance to the greatest extent possible and increase the distance between curb cuts and driveways to the greatest extend possible.
2. Install 300 +/- ft of new sidewalk lining where Center Street meets the accessway to the parcel.
3. Install new yield sign.
4. Install and delineate wayfinding signs and travel lanes to the south outlet.