



# City of Auburn, Maine

Planning & Permitting Department

Eric Cousens, Director

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To: Auburn Planning Board

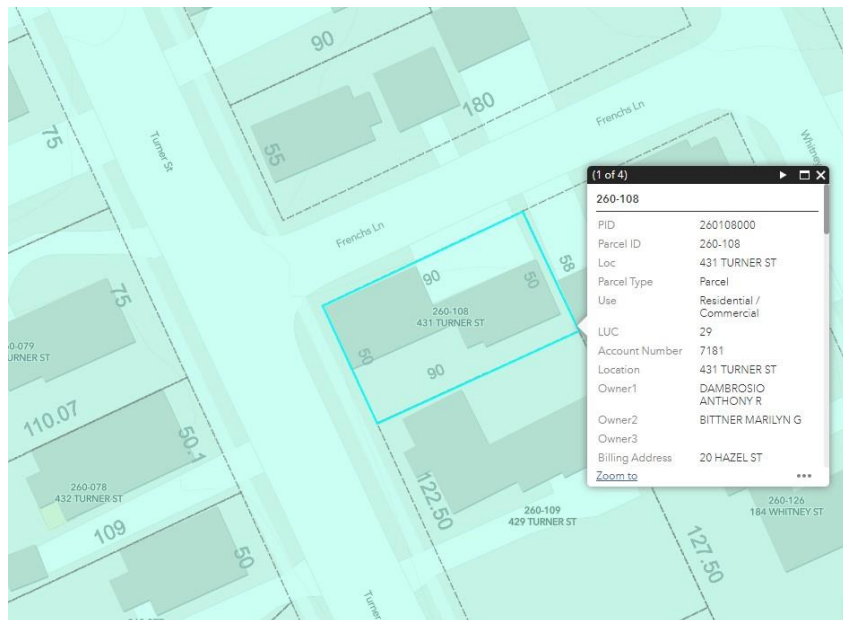
From: Katherine Cook, Planning Coordinator

Re: Staff Report: Public Hearing 431 Turner Street

Date: July 11, 2023

**I. Proposal:** Public Hearing/ Special Exception: 431 Turner Street: Toni Ferraro, owner of Ferraro Realty, is requesting a change of use from retail to professional office at 431 Turner Street (Parcel I.D. 260-108). This proposal is pursuant to Chapter 60, Article XVI, Division 3- Special Exception, and Chapter 60, Article IV, Division 14- Form-Based Code.

**II. Background:** 431 Turner Street is currently commercial/ residential; the bottom floor was used as a retail space, and the upper floor was rented as an apartment. It is in the Traditional Neighborhood, T-4.2B zoning district, where its former use as “general retail” was permitted as a special exception, and residential dwellings are permitted. (Sec. 60-554). Ferraro Realty proposes that the use change from retail and residential to “professional offices” a use that is also permitted as special exception (Sec. 60-554). The applicant only proposes cosmetic façade exterior upgrades, and minor interior changes, including adding walls to create offices in the existing building footprint and discontinuing the use of the upstairs as a residential unit, and using it for extra business storage space.



Ferraro realty is expected to have the same or less traffic impact than the previous use. There will be one employee and five independent contractors. The hours of the business will be between 9:00 a.m. and 3:00 p.m. but will be accessible to the contractors and employees before or after hours for scheduled appointments with clients. The applicant notes that much of the work will take place on various sites, and the office will rarely be used by all six employees at once.

### III. Department Review:

- Auburn Water and Sewer District (AWS D)- No comment
- Fire Department- No comment
- Code Enforcement- No comment- Inspections will take place as the changes are made.
- Public Services- No comment
- Airport- No comment

- Police-No comment
- Planning and Permitting- Remove two parking spaces at the corner of Turner St. and Frenchs Lane. Remove the parking sign from the side of the building.

**IV. Planning Board Action:** Review the proposal pursuant to Chapter 60, Article XVI, Division 3- Special Exception, and Chapter 60, Article IV, Division 14- Form-Based Code.

**V. Suggested Findings:** As conditions prerequisite to the granting of any special exceptions, the board shall require evidence of the following:

1. That the special exception sought fulfills the specific requirements, if any, set forth in the zoning ordinance relative to such exception.
2. That the special exception sought will neither create nor aggravate a traffic hazard, a fire hazard or any other safety hazard.
3. That the special exception sought will not block or hamper the master development plan pattern of highway circulation or of planned major public or semipublic land acquisition.
4. That the exception sought will not alter the essential characteristics of the neighborhood and will not tend to depreciate the value of property adjoining and neighboring the property under application.
5. That reasonable provisions have been made for adequate land space, lot width, lot area, stormwater management in accordance with section 60-1301(14), green space, driveway layout, road access, off-street parking, landscaping, building separation, sewage disposal, water supply, fire safety, and where applicable, a plan or contract for perpetual maintenance of all the common green space and clustered off-street parking areas to ensure all such areas will be maintained in a satisfactory manner.
6. That the standards imposed are, in all cases, at least as stringent as those elsewhere imposed by the city building code and by the provisions of this chapter.
7. That essential city services which will be required for the project are presently available or can be made available without disrupting the city's master development plan.

**VI. Suggested Motion:** I make a motion to approve change of use from retail to professional office at 431 Turner Street (Parcel I.D. 260-108). This proposal is pursuant to Chapter 60, Article XVI, Division 3- Special Exception, and Chapter 60, Article IV, Division 14- Form-Based Code with the following conditions:

1. Remove two parking spaces at the corner of Turner St. and Frenchs Lane. Remove the parking sign from the side of the building.