

To: Auburn Planning Board

From: Katherine Cook, Planning Coordinator

**Re: Staff Report on Proposed Self-Storage Facility on Turner St.**

Date: September 12, 2023

I. **Public Hearing/ Site Plan Review/ Special Exception:** Diamond Point Development, LLC is proposing the development of a three-story self-storage facility located on Turner Street, Parcel I.D.s 251-019, 251-021, and 251-022. This item is pursuant to Chapter 60, Article IV, Division 12 General Business District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception.

II. **Background:** This site is made up of three parcels which total 5.46 acres. The site currently has a large, wooded area, with two paved areas totaling approximately 24,400 square feet, and a 1,300 square foot building along Turner Street. There are two existing access drives, one along a CMP power line that accesses Parcel I.D. 251-025. The self-storage facility will be three stories and will have a footprint of 40,661 square feet with access drives, parking, landscaping, and stormwater treatment and other mitigation features. The total floor area of the building will be approximately 102,300 square feet. The development will result in 50,843 square feet of new non-vegetated area. The site overlays an existing waterline easement, and the applicant is proposing a twenty-foot-wide easement for a future riverwalk. This self-storage facility is permitted as a Special Exception pursuant to Sec. 60-499(b) because it is a use like those allowed in Sec. 60-499(a) and proposed to be over 5,000 square feet in area.



There are no parking space requirements for this development, but the applicant provides six parking spaces and two loading spaces pursuant to Sec. 60-609- Off-street loading space requirements.

The site will generate up to 17 trips at peak hour and will not require a Traffic Movement Permit from Maine DOT. The project will disturb more than one acre of land, and therefore requires a Stormwater Management Permit which the City of Auburn is reviewing under Delegated Review Authority. The proposed development will also impact 12,183 square feet of wetland, requiring a Tier 1 wetland permit from the Maine DEP. An NRPA Permit-By-Rule will also be obtained from the applicant because the stormwater system outlets stretch within 75 feet of the Androscoggin River. The applicant will also need a General Construction Permit from MDEP because of the disturbance that totals more than an acre. The Notice of Intent to Comply is attached in the application.

**General Business District Regulations: Chapter 60 Article IV, Division 12:**

See table below for required dimensional regulations:

<b>Space and Bulk Requirements (General Business District)</b>		
	<b>Required</b>	<b>Provided</b>
Min Lot Size (sq.ft.)	10,000	232,175
Min. Lot Width (ft.)	100	>100 FT
Min. Lot Depth	100	>100 FT
Max Building Coverage	30%	17.2%
Yard Requirements		
Rear (ft.)	35	81
Side (ft.)	25	26
Front (ft.)	25	102
Lot Frontage (ft.)	100	305
Max Building Height*	45/35	35'

\* Max. building height in General Business District is 45 feet. Max building height in the Shoreland Overlay District is 35 feet.

**Site Plan Review:** Sec. 60-1277. – Objective requires that in considering a site plan, the planning board shall make findings that the development has made provisions for the following considerations. We have addressed each consideration in **bold text**.

- (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: **The applicant has completed all due diligence by providing an erosion and sedimentation control plan, a stormwater system management plan, a lighting plan, landscaping plan, and preliminary geotechnical report. The applicant identified three wetlands on the site and no potential vernal pools in the attached Natural Resource Map. The light will not encroach onto the road or adjacent lots, and trees will be planted in front of the building to provide a buffer.**
- (2) Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas: **The plan shows a gate and Knox box across the access leading to Parcel I.D. 251-025. The applicant has agreed to keep this gate closed and restrict access to**

**emergency vehicles if needed. The other access point will be posted as right-in, right-out only.**

- (3) Adequacy of the methods of disposal for wastes: **Solid waste will be handled inside the building, and Casella will remove the waste. There will be no hazardous materials.**
- (4) Protection of environment features on the site and in adjacent areas: **The project will utilize the existing driveway, minimizing the effect of the development and not adding any additional road entrance to Center Street. The stormwater management plan and erosion control plan ensure that no sediment, extra runoff, or other waste will leave the site. The twenty-foot-wide easement to the City of Auburn will maintain access to the river for the public.**

**III. Waivers:** The applicant has requested four waivers for the following items because of the nature of the proposal and the existing conditions of the site. Staff suggests that planning board approve the waiver requests as part of this site plan review. The sections where the waivers are requested and the reasoning behind the requests are as follows:

Chapter 60, Article V, Sec. 60-607(3) Loading spaces shall have the following dimensions: b. Buildings having a gross floor area of greater than 10,000 square feet: 50-foot length, ten-foot width. Each loading space shall have a vertical clearance of at least 14 feet. **Large trucks are not anticipated at this site, and the proposed loading areas meet the needs of the site plan and are shown on the attached plans.**

Chapter 60, Article V, Sec. 60-607 (14) No portion of any entrance or exit driveway serving a commercial or industrial use of a building shall be closer than 100 feet from the nearest public street intersection unless prevented by dimensional or physical difficulties. **The entire lot exists at the intersection of Union, Turner, and Center Streets, so the existing conditions of the lot makes this requirement impossible.**

Chapter 60, Article V, Sec. 60-607 (15): On lots where one entrance and exit or curb cut is constructed, the curb cuts shall not exceed 32 feet in width. Where two or more driveways or curb cuts are constructed, the curb cuts shall not exceed 20 feet in width. **The proposed design improves the current conditions by reducing the width of the curb cuts along Turner Street. As such, granting the waiver will not present negative impacts.**

Chapter 60-800(a): The minimum distances shall apply to driveways on the same lot or on adjoining lots to the maximum possible extent to minimize traffic safety impacts. The minimum distance between curb cuts and driveways shall be measured from the centerline of the driveways at the right-of-way line and shall be a function of the posted corridor road speed according to the following table (35 mph—150 foot spacing). **The spacing between the two curb cuts on the lot meets the requirement at 215 feet, but the adjacent properties curb cuts are 85 feet to the south and 100 feet to the north. Because this proposal is improving existing conditions, this waiver will not negatively impact the development.**

IV. **Staff Review:** All staff comments have been addressed and we included the details of the comments and response to these comments below.

- **Planning and Permitting:** Applicants addressed the request that only right turns will be allowed leaving the site. This is shown on the updated plan.
- **Fire:** Applicant has addressed the comment that only emergency vehicles may enter and exit at the gate by showing by showing an emergency vehicle only sign, and Knox box detail.
- **Code Enforcement:** No comment.
- **Police:** No comment.
- **AWSD:** No comment.

V. **Suggested Findings and Staff Recommendation:** Staff recommends that the Planning Board hold a public hearing and review this project pursuant to Chapter 60, Article IV, Division 12 General Business District, Chapter 60, Article XVI, Division 2-Site Plan Review, and Chapter 60, Article XVI, Division 3- Special Exception. A determination from the Planning Board that the project meets the conditions laid out in Sec. 60-1336 could constitute possible findings of fact:

- (1) That the special exception sought fulfills the specific requirements 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.
- (8) As part of the granting or the denial of any such petition for a special exception, the board shall show by written statements filed in its records of such application and by a statement in the minutes of the board how the special exception sought fulfills the foregoing conditions. An applicant may request the board to make a statement as to how the special exception may be granted without danger to health and safety and without substantially derogating from the essential intents and purposes of the zoning ordinance or of the city master development plan.
- (9) Approval of a special exception may be made subject to such conditions, modifications, and restrictions on the proposed land use as the planning board may deem necessary to carry out the foregoing objectives and conditions. Any development of the land uses allowed by special exception shall be carried out only in conformity to such conditions,

modifications, and restrictions in addition to those that may be called for by an approved site plan for the same site and shall be enforced by the municipal officer charged with enforcement in the same manner as specified for approved site plans. Any change, addition or enlargement of a use allowed by special exception shall require approval of the planning board in the same manner as specified for the original special exception.

VI. **Suggested Motion:** I make a motion to approve the proposed three-story self-storage facility located on Turner Street, Parcel I.D.s 251-019, 251-021, and 251-022, and waive the requirements of Chapter 60, Article V, Sec. 60-607(3), Sec. 60-607 (14), Sec. 60-607 (15), and Chapter 60-800(a) as presented in this report and in the attached application with the following **conditions:**

1. The site will be right-turn-only entering and exiting.
2. The gated access shown on the plan will remain gated with access only for emergency vehicles and CMP who has an easement to use this access.
3. Obtain an NRPA Permit-By-Rule to place stormwater outlet systems within 75 feet of the high-water line prior to construction.
4. Receive a Stormwater Management Permit prior to construction.
5. Receive a Tier 1 Wetland Permit from Maine DEP prior to construction.
6. Receive a General Permit from ACOE prior to construction.
7. Obtain a Maine General Construction Permit from the DEP prior to construction.
8. Grant the City of Auburn a twenty-foot-wide easement along the river for a future path, as depicted on the site plan.
9. No development activity until all permits have been received from Code Enforcement
10. No development activity until all bonding and inspection fees have been determined by the engineering department.