

To: Auburn Planning Board
From: Megan Norwood, City Planner II, Audrey Knight, AICP City Planner
Re: Proposed rezoning of 2.35 acres of land, located generally at 965 Minot Avenue (PID: 217-002), from Suburban Residential to General Business II, extending the existing frontage zoning to the rear of Petro's Ace Hardware.
Date: October 8, 2019

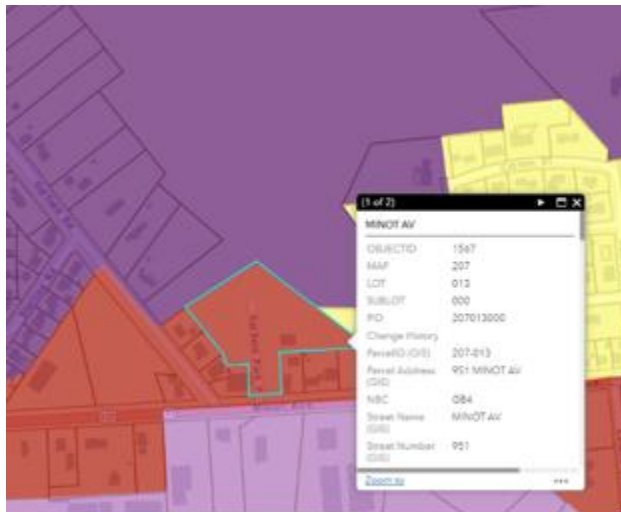


Figure 1: Current Parcel (Petro's Ace Hardware)

I. PROPOSAL – John Petrocelli of Petro's Ace Hardware is seeking a Zoning Map amendment to PID 217-002 to change a portion of the parcel abutting the rear of PID 207-013 from Suburban Residential (SR) to General Business II (GBII) to expand the commercial zone at his business at 965 Minot Avenue.

The zoning amendment request would allow yard delivery and loading trucks to exit onto Garfield Road in order to more safely enter Minot Avenue. The configuration of the SR Zoning Map change is designed to limit the amount of area of the parent parcel proposed for rezoning to only the space necessary for egress. Figure 2 shows a small buffer area remaining zoned SR (triangle shaped area).



Figure 2: Area Proposed for Re-Zoning of Subject Parcel 2



Figure 3: Parcel 2 (PID 207-002)

Delivery trucks currently pull into the site, Y-Turn in a very tight space, then exit back onto Minot Avenue. This new egress would enable drive through movement and additional safety. It would also reduce noise from backup alarms, reduce emissions and provide a more efficient design for goods and movement. The lot frontage on Garfield Road would be 100 feet wide, with a proposed access drive of less than 30 feet wide (20-24 feet is required). Mr. Petrocelli proposes to keep a heavily wooded buffer on each side. A paved apron at the exit to Garfield Road would likely be reclaim.

II. ZONING AND COMPREHENSIVE PLAN MAP AMENDMENTS

DIVISION 2.

A. Amendment to the Zoning Ordinance or Zoning Map

Sec. 60-1445. - Purpose.

Amendments to the zoning ordinance, including the zoning map, may be initiated by the Planning Board on its own initiative or **upon request by the City Council** or by a petition signed by not less than 25 registered voters of the city. (Ord. of 9-21-2009, § 8.1A)

John Petrocelli provided a petition to CC Titus and asked to place this on the City Council Workshop. At the August 19, 2019 meeting, the Council asked the Planning Board to hold a public hearing and provide a recommendation to the Council. The next step after the Planning Board process will be for the Council to hold a workshop (if desired), two readings and a public hearing for public adoption or denial.

B. Comprehensive Plan

One of the primary tests associated with a Zoning District change is its conformance with the Comprehensive Plan. The current Comprehensive Plan shows the subject area that is proposed for rezoning as “**Low-Moderate Density Residential Development**” (the hatched area below) which states:

“new development should be designed to minimize the number of vehicular access points to existing collector or other through roads.”

The Future Land Use Plan Map designates the **General Business II** zoning district area along Minot Avenue as “**Planned Commercial Development**” (the pink area below):

“new development, redevelopment, and substantial expansions should be subject to an enhanced set of development and design standards to assure that this area evolves as an attractive gateway. These standards should establish a landscaped buffer strip along the street, limit the types of activities that can occur between the front of the building and the street, and screen all service and storage visibility from the street.”



Figure 4: Future Land Use Map of Minot Avenue



Figure 5: Future Land Use Map of Minot Avenue corridor



Figure 6: Existing Zoning District Pattern along Minot Avenue corridor

It is important to note that the Future Land Use Plan is not a Zoning Map. It is intended to show, in a general sense, the desired pattern of future land use and development. Often in the planning process the existing land use dictates that a zoning pattern remain, despite the future land use map, or the desired long-term vision for an area. In this case the light purple area in figure 6 is Industrial Zoning which reflects the large area occupied by American Cement and the Trucking repair services that were in place prior to the adoption of the Future Land Use Map. The red area in figure 6 is the General Business II zoning district. Petro's Ace Hardware and the Backwoods Snow Boards & Skateboards retail stores occupy the corner of Garfield Road and Minot Avenue, and are currently owned by brothers. This small rear expansion of the GBII zoning district would enable these two businesses to consolidate parking, pedestrian, auto, delivery and truck circulation into a more unified development as they expand and redevelop, which is the intent of the planned commercial designation in the comprehensive plan.

Because this is a map change of 2.35 acres from residential to commercially zoned land, consideration of neighboring residential impacts is of primary consideration. The applicant purchased parcel 217-002 and therefore can appropriately screen, retain and distance activity from future potential homes. The hardware store does not operate evening hours, closing at 5pm. While the zoning pattern may outlast this business, the configuration could allow the eventual use of the Garfield Road driveway to become an entrance to residential development, and an overall better integration of commercial and residential activity if designed well.

Garfield Road, opposite the proposed rezoning, is also zoned GBII and designated Planned Commercial Development. Four of the adjacent residential homes along Minot Avenue are also zoned GBII, three

remain in residential use, with a live/work business “Quiltessentials” occupying the corner of Amherst Street and Minot Avenue. Urban and Suburban Residential zoning and use extends behind and past Rafnell Street, before returning to commercial zoning along Minot Avenue.

C. Zoning Amendment Process

Sec. 60-1446. - Proposal made in writing.

Each proposal to change the zoning map shall be made in writing and shall explicitly state the nature, extent, location and purpose of the map change proposed and shall be accompanied by a black line print of a diagram drawn to scale showing and stating clearly the dimensions in feet, the area, metes and bounds of the land proposed for a change and a sketch or other explicit identification of the general location and relationship of such land to some major neighborhood or other recognizable geographic segment of the city. Petitions shall be filed not less than 30 days prior to a regularly scheduled meeting.

(Ord. of 9-21-2009, § 8.1B)

Sec. 60-1447. - Change of text.

Each proposal to change any zoning ordinance text (other than a change of zoning district name or zoning boundary description) shall include the wording then current, the words of change, the wording if so amended and a statement of the reasons for such change, showing how such change would affect the public health, safety, convenience and welfare.

(Ord. of 9-21-2009, § 8.1C)

Sec. 60-1448. - Submittal of completed petition.

Within 45 days of submittal of a completed petition to amend the Zoning Ordinance text or map, the planning board shall hold a public hearing thereon.

(Ord. of 9-21-2009, § 8.1D)

DEPARTMENT REVIEW –

- a. Police – There have been 2 accidents on Minot Avenue near the intersection since 2016, which is not of concern at this time.
- b. Auburn Water and Sewer – No comments.
- c. Fire Department – No comments.
- d. Engineering – No comments.
- e. Public Services – No comments.
- f. Economic and Community Development – Staff believes this change provides an opportunity for orderly expansion of the business and could allow safer vehicular and delivery access by not concentrating all traffic to Minot Avenue.

The small isolated triangle currently mapped to be left in the SR zone, may be more appropriately zoned to the neighboring Urban Residential zone.

III. PLANNING BOARD ACTION – This proposal requires the Planning Board to make a recommendation of the proposed Zoning District change to the City Council in accordance with Section 60-1445. Where this is a change to the Zoning District map and not the Zoning Ordinance language, the Planning Board does not have to review a change of text in accordance 60-1447.

IV. STAFF RECOMMENDATIONS – Staff recommends the Planning Board find that the proposed zone change allows the business and property to more easily implement the intent of the comprehensive plan to promote well planned and designed commercial frontage. A change from

Suburban Residential zoning to General Business II while expanding commercial development into a residentially designated area would not appear to compromise future residential development and may serve to reduce some noise and emissions currently produced by the existing circulation configuration. As the applicant proposes to provide an extensive buffer on all sides of residential land, including the triangle remainder, the proposed change could provide long-term protection that currently does not exist.

Suggested Motion: I make a motion to recommend approval to the City Council to change the Zoning District for the 2.35 acres delineated by the applicant, otherwise known as a portion of PID 217-002, from Suburban Residential to General Business II, and further recommend amending the General Plan Land Use Map to Planned Commercial Development. The Planning Board further recommends changing the zoning and future land use classification of the remainder triangular portion of parcel 217-002 to Urban Residential and Low-Moderate Density Residential respectively.



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