

**To:** Auburn Planning Board  
**From:** Megan McLaughlin, City Planner II  
**Re:** 204 Broad Street (PID 210-087), Proposed 12-Unit Apartment Building, amending Previously Approved, 1988, 24-Unit PUD Condominium Project in the Multifamily Urban Zoning District.  
**Date:** August 13, 2019

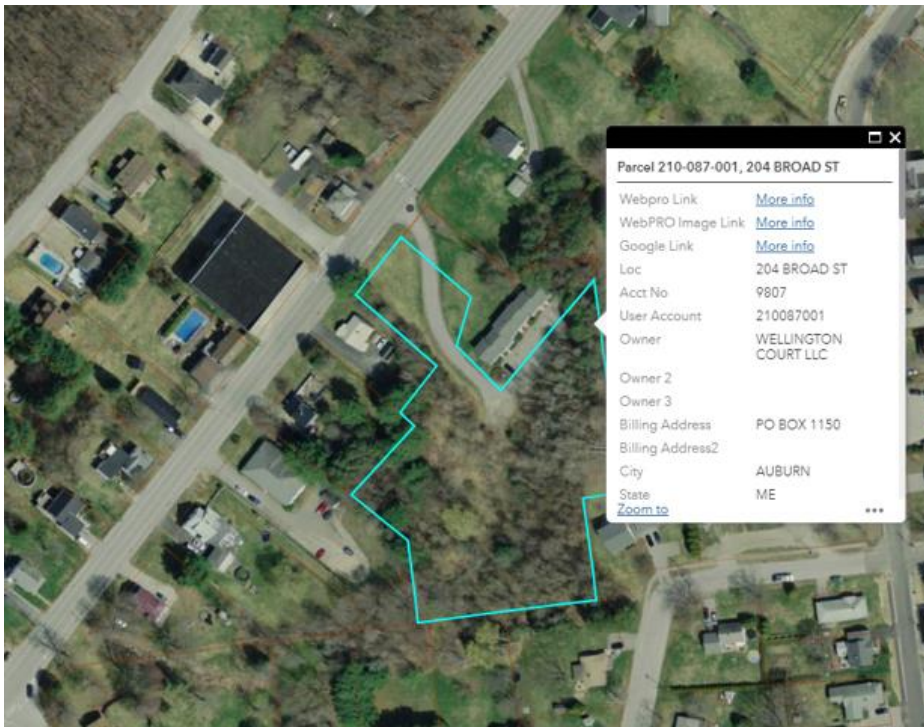


Figure 1: 204 Broad Street Aerial Photography

**I. PROPOSAL –** Stoneybrook Consultants, Inc. on behalf of Gerry Morin is seeking a Subdivision amendment pursuant to Chapter 60, Article XVI Division 4, Subdivision, Sec. 60-1359 and PUD, Sec.60-361, Sec.60-385 and Sec.60-420 of the Auburn Code of Ordinances.

This amendment would constitute a revision and buildout of the Final Development Plan, for the construction of a 12-unit apartment building. The original project covered 2.55 acres of land and was approved for 24 single family townhome units to

be completed in phases as a PUD-R, in 1989, however, only six of the units were constructed. The proposal would reduce the total number of homes to 18 units, consisting of one three-story apartment building of 12 rental units and 6 owner occupied townhomes. There were two revisions to the plan in 2009 and 2010 to place the Phases on hold as “Withdrawn Land” (see attached applicant materials). At this time no further development or phases are expected or indicated.

A few of the common (shared) facilities were constructed in the first phase of development such as the main entrance, access road, water and sewer and the stormwater detention basin. The stormwater improvements constructed in the early 90s were located and designed to serve the original 24 townhouse site design. The project would use the existing stormwater system, but as it is almost 30 years old would need to be dredged and drainage patterns reconfigured as appropriate to the new site design impervious configurations.

When the project was originally approved, a total of 158.4 vehicle trips were projected daily with a PM peak hour of 14.4 trips. This amendment would reduce the total project by 6 units, with as expected

reduction in peak trips. The parking requirement is 1 ½ spaces per unit. The schematic site plan indicates 25 parking spaces including 4- handicapped accessible spaces, exceeding the requirements.

**I. DEPARTMENT REVIEW –**

- a. *Police* – No Comments.
- b. *Auburn Water and Sewer* – No comments.
- c. *Fire Department* – The Fire Department had concerns about the ability for trucks to turn around at the end of the complex. The Applicant was going to coordinate with the Fire Department on their concerns.
- d. *Engineering* – The Applicant is proposing to use the existing stormwater detention basin on site to serve the new apartment units. Since the pond is now 30 years old, Engineering recommends it be dredged.
- e. *Public Services* – No Comments.
- f. *Economic and Community Development* – A previous version of this project was approved in the 80's at a greater density than what was constructed. The existing units are owner occupied and under an HOA agreement. It is unclear how revised condominium documents will serve and address the needs of both the owners and renters in shared facilities and maintenance. As a Schematic Site Plan, it is expected that all of the details of the project may not be fully evolved. This needs to be clarified before final site plan approval to ensure and define for example, if all common green space is to be shared between all 18 units and if so, how is it to be maintained, landscaped or developed in either passive or active recreation space.

Required green space and recreation calculations indicate that roughly 1.73 acres or 76.18% of the total project (2.55 acres) would be in green or open space, with total impervious surface equivalent to less than an acre between the two building complexes and associated parking and circulation (36,000 square feet). Pedestrian circulation from the apartments to Broad Street have not yet been indicated. As Broad Street has sidewalks on both sides of the street, with two pedestrian striped crosswalks in front of the townhome complex, this should be addressed (Sec.60-361, 6 (e)- pedestrian and bicycle circulation) in the final development or site plan.

**II. PLANNING BOARD ACTION – Sec. 60-1359. – Subdivision Guidelines.** When reviewing any subdivision for approval, the planning board shall consider the following criteria, and before granting either approval or denial, shall determine that the proposed subdivision:

- (1) Will not result in undue water, air or noise pollution. In making this determination it shall at least consider:
  - (a) The elevation of land above sea level and its relation to the floodplains, the nature of soils and subsoils and their ability to adequately support waste disposal;
  - (b) The slope of the land and its effect on effluents;
  - (c) The availability of streams for disposal of effluents; and
  - (d) The applicable state and local health and water resources regulations, including stormwater management requirements in accordance with section 60-1301(14) (**No Issue.**);
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision (**No Issue**);
- (3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized; (**No issue**)
- (4) Will not cause unreasonable soil erosion or reduction in the capacity of the land to hold water so that a dangerous or unhealthy condition may result; (**No issue**).
- (5) Will not cause unreasonable highway or public road congestion or unsafe conditions with respect to use of the highways or public roads existing or proposed; (**No issue**).
- (6) Will provide for adequate sewage waste disposal; (**No issue**).

- (7) Will not cause an unreasonable burden on the ability of a municipality to dispose of solid waste and sewage if municipal services are to be utilized; **(The Applicant will need to contract with an individual waste hauler and/or put a dumpster in place for the tenants).**
- (8) Will not have an undue adverse effect on the scenic or natural beauty of the area, aesthetics, historic sites or rare and irreplaceable natural areas; **(No issue).**
- (9) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any; **(This subdivision conforms to both the Comprehensive Plan and zoning designations).**
- (10) Is funded by a subdivider which has adequate financial and technical capacity to meet the standards of this section; **(No issue).**
- (11) Will not adversely affect the character of the surrounding neighborhood and will not tend to depreciate the value of property adjoining the neighboring property under application; **(No issue).**
- (12) Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development; **(A buffer area is not shown on the plan between the new apartment building and the adjacent parcels. The parcel that appears to be most impacted is the Dillingham property. Planning Staff recommends the Applicant provide a buffer in this area).**
- (13) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles; **(No issues).**
- (14) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater; **(No issues).**
- (15) Does not have long-term cumulative effects of the proposed subdivision will that unreasonably increase a great pond phosphorus concentration during the construction phase and life of the proposed subdivision. **(No issue).**

**C. Sec. 60-1365. General Requirements.**

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.

- (1) *Subdivision plan shall conform to the comprehensive plan.* 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.
- (2) *Preservation of natural and historic features.* The board may require that a proposed subdivision design include a landscape plan that will show the preservation of existing trees and vegetation, graded contours, streams and the preservation of scenic, historic or environmentally desirable areas. The street and lot layout shall be adapted to the topography. Extensive grading and filling shall be avoided as far as possible.
- (3) *Lots.* a. The lot 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. b. Depth and width of properties reserved or laid out for all purposes shall be adequate to provide for off-street parking and service facilities for vehicles required by the type of use and development contemplated.

**D. PUD, General Standards, Sec. 60-361 (6)**

*Before granting approval of the final development plans, the planning board must find that said plan addresses each of the following criteria or that one or more of the criteria are not applicable to the proposed development and/or that a practical substitute to one or more of the criteria has been achieved:*

- a. The proposed development has an appropriate relationship to the surrounding area;

- b. Circulation, in terms of internal street circulation system, is designed for the type of traffic generated, safety, separation from living areas, convenience, access and control of noise and exhaust. Proper circulation in parking areas is designed for safety, convenience, separation and screening;
- c. Adequate open space has been provided with consideration given to preservation of natural features including trees and drainage areas, topographic features, recreation and views.
- d. Privacy in terms of needs of individuals, families and neighbors;
- e. Pedestrian and bicycle traffic in terms of safety, separation, convenience and access points;
- f. Building types in terms of appropriateness to density, site relationship and bulk;
- g. Building design in terms of orientation, spacing, character, storage, signs and lighting;
- h. Landscaping of total site in terms of purpose such as screening, ornamental types used, and materials uses, if any;
- i. Preservation of historically or architecturally significant buildings or places, if any;
- j. There is public sewer available to the lot or will be made available by the developer prior to certificates of occupancy being issued, except as allowed by [section 60-360\(a\)](#) in the case of a PUD-RR.
- k. That the proposal meets the requirements of [section 60-1335](#), special exception of this ordinance.

**III. STAFF RECOMMENDATIONS** – Planning Staff recommends the Planning Board find that the application meets the requirements of Article VI, District regulations, and that the application meets the requirements of Sec. 60-1359 (*Subdivision Guidelines*), Sec.60-361 (PUD), Sec.60-385 and Sec.60-420 with the following conditions:

- The Applicant shall retain mature tree stands wherever possible at the perimeter of the property to ensure a buffer is kept in place between the proposed new building complex and the abutting Dillingham property.
- The existing stormwater detention basin shall be dredged per the recommendation from Engineering before the issuance of a Certificate of Occupancy for the 12 additional units.
- The Applicant shall provide clarification and/or define the use and ownership of the proposed common open space in both the revised HOA and/or condominium agreements as well as on the revised site, development and landscaping plans, as appropriate.
- The site and development plans shall be revised to address pedestrian and bicycle facilities and any other items raised during the public hearing process, as so directed by the Planning Board.

***Recommended Motion:*** *I make a motion to approve the construction of a 12- unit apartment building, amending the previously approved PUD-R, 24-unit condominium project from 1989 at 204 Broad Street (PID 210-087) in the Multifamily Urban Zoning District, to a total of 18 mixed density and ownership format dwelling units, with the following conditions:*

- *The Applicant shall retain mature tree stands wherever possible at the perimeter of the property to ensure a buffer is kept in place between the proposed new building complex and the abutting Dillingham property.*
- *The existing stormwater detention basin shall be dredged per the recommendation from Engineering before the issuance of a Certificate of Occupancy for the 12 additional units.*

- *The Applicant shall provide clarification and/or define the use and ownership of the proposed common open space in both the revised HOA and/or condominium agreements as well as on the revised site, development and landscaping plans, as appropriate.*
- *The site and development plans shall be revised to address pedestrian and bicycle facilities and any other items raised during the public hearing process, as so directed by the Planning Board.*

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Megan McLaughlin  
City Planner II

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Audrey Knight, AICP  
City Planner/Urban Development Coordinator