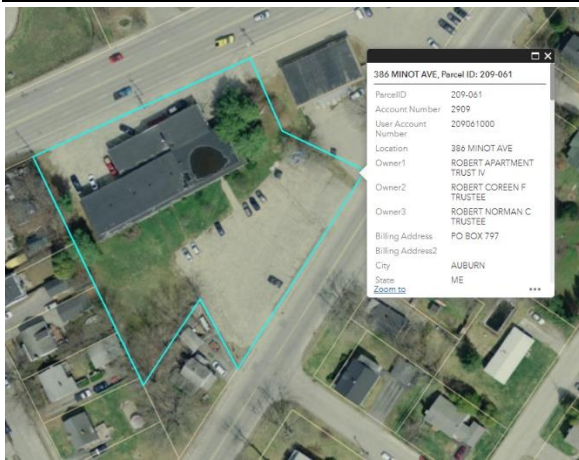


**To:** Auburn Planning Board  
**From:** Megan Norwood, City Planner  
**Re:** Proposed building renovation and creation of 5 apartment units with associated parking at 386 Minot Avenue (PID: 209-061), Terrace Apartments located in the General Business II Zoning District.  
**Date:** March 9, 2021

**PLEASE NOTE: THE ITEMS IN BROWN ITALICS WERE EMAILED TO THE APPLICANT ON 3/3/21. RESPONSES WILL BE DISTRIBUTED TO THE PLANNING BOARD.**



**I. PROPOSAL** – Platz Associates on behalf of Norman Robert (*Fairview Terrace Apartments*) is seeking Site Plan/Subdivision approval pursuant to Chapter 60, Article XVI, Division 2, Site Plan Review, Sec. 60-1276 and Division 4, Subdivision, Sec. 60-1359 of the Auburn Code of Ordinances.

The proposal is for the renovation of the apartment building at 386 Minot which includes converting the first-floor commercial units into five new apartments. The creation of three or more units over a five-year period constitutes a subdivision, however, the Planning Board has the authority to review projects under the Site Plan review standards provided they are *at least* as stringent as

Subdivision review. It has been determined for previous projects in the City that the Site Plan standards are as stringent as the Subdivision standards. In this case, it makes sense to review the project as a Site Plan rather than a Subdivision because it does not involve the creation of units outside of an existing building and many of the existing site elements will remain the same aside from some new parking lot striping.

The property at 386 Minot is located in the General Business II Zoning District which reverts back to the Multifamily Suburban (MFS) District for density requirements. For Multifamily buildings, the density is 10,000 square feet for the first dwelling unit and 2,000 square feet for each additional dwelling unit but caps multifamily housing at 17 units per acre. With a 1.4 acre (60,984 square foot) lot size, the math allows for up to 23 units (1.4 acres x 17 units allowed per acre). The building currently houses 17 residential units, with the five proposed additional units, it will contain 23 total units. The building is currently nonconforming because it does not meet the side and front 25-foot setback requirements.

The Multifamily Suburban Zoning District requires that not less than 50% of the net acreage be devoted to green area. Green space can include patios, whether paved or not, pedestrian walks, and landscaping within parking lots, but not off-street parking spaces, driveways, or common roads. The net acreage can include all land contained within the project except dedicated streets

or streets ROW shown on the City's adopted master development plan or proposed to be included within a reasonable amount of time. There are a few grassed areas in between the building and parking area and side lot lines. *Staff asked the applicant to please calculate how much of the 1.4 acres is devoted to green area.*

**Other Applicable Ordinance Provisions:**

**Article V, Sec. 60-607: Off-Street Parking and Loading**

- Per Section (2): An effective area of 9 feet by 18 feet in dimension. *The proposed parking spaces are 9x18.*
- Per Section (4): At least 20 feet in width for interior driveways and ingress and egress points serving parking areas. *On the Poland Road side of the property, there are two 70-foot curb-cuts between the front of the existing parking spaces and Poland Road. On the Minot Avenue side, the curb-cut is 228 feet in width. Interior driveways are not provided.*
- Per Section (11): Requires exterior lighting provided in parking/loading areas to be arranged and shielded so that it is deflected away from adjacent properties used for residential purposes and from any public way. *Planning Staff recommends the Planning Board require information on lighting be shown on the final plan.*
- Per Section (12): All uses with over 5 parking and/or loading spaces are required to meet the following standards:
  - All access drives, parking, loading and service spaces are required to meet four standards: All access drives, parking, loading and service spaces shall be graded and surfaced with a solid paving material that is impermeable to water and so as to be dust free and properly drained. Materials which satisfy these criteria include:
    - Bituminous pavement, concrete, geotextiles and brick or cobblestone or other paving block provided that it is mortared. *The Applicant plans to use pavement for the walkways and parking spaces.*
    - Parking/loading spaces shall be suitably marked by painted lines or other appropriate markings. *The Applicants are showing marked lines for the parking spaces on the Site Plan provided.*
    - A substantial bumper of concrete, masonry, steel or heavy timber or a curb of similar material or an earthen berm shall be placed at the head of each parking or loading stall that abuts a structure, rear or side setback or property line, sidewalk, street ROW, or landscaped area to prevent vehicles from rolling into such areas. *A 5' x 5' level landing is proposed on the Minot side between the parking area and building. As discussed above, curbing is provided between the spaces fronting onto Poland Road and the Road, however, curbing is not provided between the parking areas and the grassed area between the building.*
    - Parking cannot be placed nearer than 10 feet from the street ROW line, the area between the parking area and the street ROW line is required to be landscaped. *The parking on the Minot Avenue side meets this standard, however, the curb area on the Poland Road side is not landscaped.*
- Per Section (14): No portion of any entrance or exit driveway serving a residential use or building shall be closer than 50 feet from the nearest public street intersection unless prevented by dimensional or physical difficulties. *The curb-cuts already exist and meet these standards.*
- Per Section (15): On lots where 1 entrance and exit driveway or curb-cut is constructed, the curb-cut shall not exceed 32 feet in width. Where 2 or more driveways or curb-cuts are constructed, the curb-cuts shall not exceed 20 feet in width. *The curb-cuts do not meet these standards; however, they are already existing. The Planning Board can determine if they should be reduced. Staff recommends the Applicant seek an opinion from the Engineering Department on this and plan to reduce the size of the curb-cuts or seek a waiver from the Planning Board.*

**Sec. 60-608. – Parking Requirements.** The minimum number of parking spaces required for a multifamily land use is 1 ½ spaces per dwelling unit. *With the proposed 23 dwelling units, the number of parking spaces required is 34.5. They have provided 39 parking spaces, including 3 handicapped accessible spaces.*

**Article X, Sec. 60-608: Access Management Standards**

**Sec. 60-799. – Safe Sight Distance.**

- *These curb-cuts already exist.*

**Sec. 60-800. – Curb Cut and Driveway Spacing.**

- *These curb-cuts already exist.*

**Sec. 60-801. – Number of Driveways per Lot.** There are three standards that govern the maximum number of driveways on a particular site depending on the type of traffic generated.

- Per Section (2): No medium or high-volume traffic generator shall have more than one two-way access or two one-way accesses in total onto a single roadway. *The existing access points do not meet this standard. We recommend again that the Applicant seek an opinion from the Engineering Department and adjust as accordingly or submit a waiver request.*

**Comprehensive Plan Considerations:**

The Future Land Use Map continues to keep this area as General Business Development. The objective of the General Business Development District is to allow a wide range of nonresidential uses including uses that involve the sales of motor vehicles and/or that generate significant truck traffic. In addition to nonresidential activity the General Business Development District should allow for both existing and new residential use at a density of up to 12-18 units per acre. The current General Business District allows for up to 17 units per acre.

The Future Land Use Plan proposes the following development standards: *The City’s development standards for the General Business Development District should provide property owners and developers flexibility in the use and development of the property. The standards should include provisions to manage the amount and location of vehicular access to the site, minimize stormwater runoff and other potential environmental impacts, require an attractive treatment along the boundary between the lot and the street, and provide for the buffering of adjacent residential districts.*

In addition, it is important to point out that as referenced in other projects, the language in the Comprehensive Plan 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.

**II. DEPARTMENT REVIEW –**

- a. **Police:** No comments received.
- b. **Auburn Water and Sewer:** No comments received.
- c. **Fire Department:** No comments received.
- d. **Engineering:** No comments received.
- e. **Public Services:** No comments.
- f. **Addressing:** Add a condition to the final plan that an addressing plan be coordinated with the Addressing Officer before a building permit is issued.

**III. PLANNING BOARD ACTION –**

**Sec. 60-1336. – Site Plan/Special Exception Conditions (Staff Suggested Review Criteria)**

- (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.

**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);
- (2) Has sufficient water available for the reasonably foreseeable needs of the subdivision;
- (3) Will not cause an unreasonable burden on an existing water supply, if one is to be utilized;
- (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;
- (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;
- (6) Will provide for adequate sewage waste disposal;
- (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;
- (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;
- (9) Is in conformance with a duly adopted subdivision regulation or ordinance, comprehensive plan, development plan, or land use plan, if any;
- (10) Is funded by a subdivider which has adequate financial and technical capacity to meet the standards of this section;
- (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;
- (12) Has provisions for on-site landscaping that are adequate to screen neighboring properties from unsightly features of the development;
- (13) Will not create a fire hazard and has provided adequate access to the site for emergency vehicles;

- (14) Will not, alone or in conjunction with existing activities, adversely affect the quality or quantity of groundwater;
- (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.

**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. c. No personal 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.

**IV. STAFF RECOMMENDATIONS** – As discussed in the Staff Report, it is Staff’s opinion that the Site Plan process is as stringent as the subdivision process and where the building and parking areas will remain the same on the site, it makes sense to follow the Site Plan review process.

Staff recommends the Applicant address the items above and if the Planning Board is comfortable, approve the amended Site Plan.

***Suggested Motion:*** *I make a motion to approve the Site Plan/Special Exception/Subdivision (choose) for the proposed building renovations and creation of 5 apartment units with associated parking at 386 Minot Avenue (PID: 209-061), Terrace Apartments located in the General Business II Zoning District with the following conditions:*

- *An addressing plan shall be provided to the Addressing Officer before the issuance of a building permit.*

*Megan Norwood*

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Megan Norwood  
City Planner