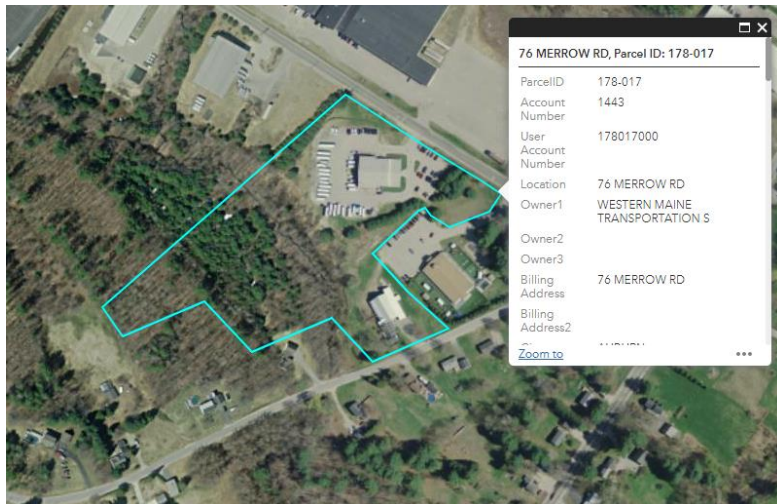


To: Auburn Planning Board
 From: Megan Norwood, City Planner
 Re: Site Plan/Special Exception: Construction of a 5,100 Square Foot Building Addition and Parking Expansion for a Total of 139 Parking Spaces at the 76 Merrow Road Western Maine Transportation Services Building, (PID: 178-017)
 Date: May 11, 2021



I. BACKGROUND (APRIL MEETING) – Samuel Bennett of CHA, on behalf of Western Maine Transportation Services, is applying for Site Plan Review for the construction of a 5,100 square foot building addition and parking expansion for a total of 139 parking spaces at the 76 Merrow Road facility. As the Planning Board is aware, Special Exception review in the Industrial District for permitted uses or expansions of existing permitted uses is only required if the expansion exceeds 10,000 square feet

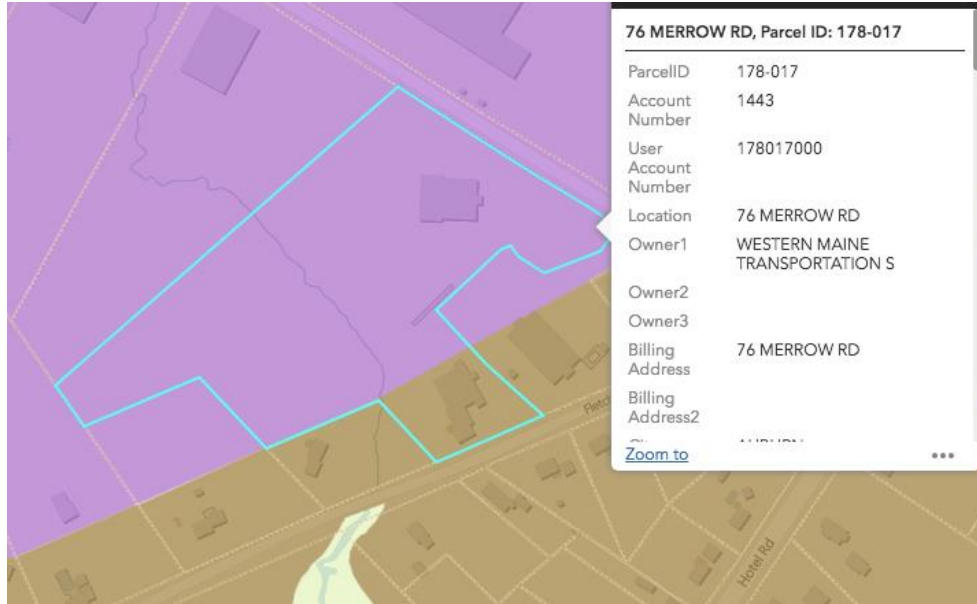
or more. In this case, where the proposed expansion is less than the 10,000 square feet, Staff began reviewing it internally. However, due to the number and nature of requested waivers, Staff recommended it be reviewed by the Planning Board. The existing home, which is located in the Rural Residential portion of the parcel is proposed to be demolished and the parking lot expanded in that area to accommodate the existing WMTS vehicle fleet.

At the April meeting, the Planning Board began reviewing the proposal and tabled pending the following:

- a. Regarding the waiver request submitted for Sec. 60-607(8): In any residential district, off-street parking may not include more than one commercial vehicle per lot. The Planning Board requested a plan modification to reduce or eliminate the number of “commercial” vehicles parked in the portion of the property zoned Rural Residential.
- b. The Planning Board requested the buffering requirements be further reviewed and adjusted along the neighboring residential properties.

II. UPDATED ITEMS – The Applicant has prepared plan revisions showing revised vegetative buffering in the area of the residential zone and chain-link fencing with privacy slats for added buffering in the residential area. A Cover Letter has been prepared by Stoneybrook Land Use addressing the Planning Boards concerns at the April meeting regarding the parking of WMTS vehicles in the residential district and buffering. In addition, Western Maine Transportation Services held two neighborhood meetings and notified Abutters of the proposed building/parking expansion to work with them on coming up with a plan that works for all parties.

It is important to note that the plan being reviewed by the Planning Board at this time has evolved from discussions over several years that started with parking proposed almost entirely within the Industrial District. The Zoning Map below shows how this parcel is split between the Industrial and Residential districts. The original parking configuration in the Industrial District would have the parking in the backyard of the Wall property and Toodle Inn. Staff recommended reviewing the plans with the neighboring properties to identify a solution that would provide adequate buffering and reduce any potential impacts from the vehicles.



In their cover letter, the Applicant also lays out the argument that, as a transit district, they are considered a municipal use (which are permitted in all zoning districts). In addition, the vehicles operated by WMTS are registered as busses, rather than commercial vehicles. Our ordinance defines a commercial automobile as “a vehicle the primary use of which is commercial in character...” which is not very helpful to put in bluntly. Without a specific definition, one could reasonably argue that “commercial” is a profit-oriented endeavor and WMTS is a non-profit.

WMTS has made a significant effort to increase the amount of buffering provided around the property and to consciously park vehicles in a way that the parking proposed in the Rural Residential area will not contain vehicles operating on a daily basis.

III. APPLICABLE ORDINANCE STANDARDS (REVIEWED AT APRIL MEETING – UPDATED INFORMATION **HIGHLIGHTED IN YELLOW**)

Below are the applicable ordinance requirements for the Industrial Zoning District and Off-Street Parking/Loading requirements that apply to this project:

Section 60-579(3)(g) *Landscaping*. Landscaping shall be provided and maintained as follows:

1. Within a parking lot, landscaping shall be provided in an amount equal to ten percent of the area of the parking lot. *The landscaping provided within the parking lot is closer to 20% so it exceeds this standard.*
2. The perimeter of a principal building, except for entrances and loading doors, shall be landscaped in an amount equal to 20 percent of the building footprint. Emphasis shall be given to the front

and sides of the building. *As we have done with projects in the past, Staff will apply this standard only to the portion of the building that is *new* so 20% of the perimeter of 5,100 square feet of the building (except for entrances and loading doors) has to be landscaped with an emphasis on the front/sides of the building. Where the proposed addition contains loading doors, it does not make sense to landscape that new area, so the Applicant agreed to landscape the front/sides of the building, not the addition portion. The most recently Site Plan submittal dated April 27, 2021 shows buffering around the parking areas with emphasis on the neighboring properties.*

3. All lots which abut the side or rear lot line of a lot in a residential district or use shall be screened from said lot by an evergreen tree line planted in staggered rows having the base of the trees not more than ten feet apart. The minimum width of the screened buffer line shall be 30 feet. *Since a portion of the lot is located in a residential zoning district and abuts the Rural Residential zoning district on Fletcher Road. The ordinance requires that the parking lot be screened from those lots by an evergreen tree line planted in staggered rows with the base of the trees not more than 10 feet apart. The minimum width of the screened buffer line is required to be 30-feet. Where this is a corner lot, the "front setbacks" are on Merrow and Fletcher and the other setbacks are considered sides. Six foot coniferous trees are proposed around the side lot lines in the Rural Residential portion of the property.*
4. Side and rear lot lines between nonresidential uses shall be planted with evergreen trees in the same manner as subsection (3)g3 of this section, except that the width of the screened buffer line shall not be less than 15 feet. *They will talk with the neighbors and notices have been sent out for the Public Hearing. Buffering that meets this standard has been proposed.*
5. Landscaping is considered to be vegetative treatment with trees, shrubs, flowering plants and grass and/or bark mulch. Grass only is not deemed to satisfy this requirement. Evergreen trees shall be used as required in subsections (3)g3 and (3)g4 of this section. Trees shall be a minimum of six feet at the time of planting. Where possible, existing trees shall be preserved, building shall be oriented with respect to natural landscape features, topography and natural drainage areas.

Section 60-607. – General Provision and Design Standards

(1) There shall be provided, at the time of erection of any main building or structure or development of a site in its permitted use, the minimum number of off-street parking and loading spaces specified in the following subsections, within or without a structure. In calculating the spaces, any fractions shall be rounded to the nearest whole number. *The ordinance requires 1 space per 200 square feet of floor area for office, business, medical or dental uses. 41 spaces exist on the lot currently and 51 spaces are proposed for a total of 139 parking spaces (85 reserved for fleet vehicles).*

(2) Each individual parking space shall consist of an effective area of nine feet by 18 feet in dimension and shall be accessible to a public way, except for residential uses in Multifamily Urban Districts (MFU) containing five or more dwelling units. Such uses may develop tandem parking spaces but shall be limited to not more than two vehicles in depth. *The spaces provided for passenger vehicles meet the 9x18 requirement.*

(3) Loading spaces shall have the following dimensions:

- a) Buildings having a gross floor area of 10,000 square feet or less: 25-foot length, 20-foot width;

- 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. Required loading spaces shall not be counted as meeting part of the parking space requirements. – Garage bays serve as potential loading spaces. *The building is proposed to be 15,489 square feet. Garage bays are already provided which satisfy this requirement.*

(4) Interior driveways and ingress and egress points serving parking areas shall be at least 20 feet in width to allow safe and expeditious movement of vehicles. Ingress and egress points shall be separated wherever possible and so signed. Ingress and egress points for one-way vehicular movement only, may be reduced to not less than 14 feet for angle parking areas or 12 feet for perpendicular parking areas. *This requirement is satisfied.*

(5) The required parking and/or loading spaces shall be provided on the same lot as the principal use, building or structure they are required to serve. For buildings other than dwellings, parking spaces may be located not more than 300 feet there from should practical difficulties prevent their provision on the same lot. *This requirement is satisfied.*

(6) No required parking area or driveways servicing same shall be used for the sale, repair, dismantling or servicing of any vehicle, equipment, material, supplies or merchandise. *This should be satisfied as the garage can serve this purpose.*

7-9 apply to residential uses and are not applicable to this project.

(10) Any parking or loading space serving a business or industrial use which abuts the side or rear lot line of a lot in a residential district or use shall be screened from said lot by a tight evergreen shrub hedge or similar landscaping, a fence, a solid wall or a combination of two or more of the foregoing. The screen landscaping, wall or fence shall be at least six feet high and may be extended no closer than 15 feet from the street line. *Where this is a corner lot, there is a front setback on Merrow Road and a side setback on Fletcher road, all other setbacks are considered "sides." The side lot lines abutting the neighboring properties on Fletcher Road are in the Rural Residential District. The Applicant has increased the amount of landscaping provided in these areas and most of the rear lot line is already heavily buffered. The most recent iteration of the plan dated April 27th has substantially increased the buffering around the neighboring properties.*

(11) Exterior lighting provided in any parking or loading area shall be arranged and shielded so that it is deflected away from adjacent properties used for residential purposes and from any public highway. *Lighting is provided in the parking areas a photometrics plan has been included.*

(12) All uses containing over five parking and/or loading spaces shall either contain such spaces within structures or be subject to the following requirements:

- a) 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 this criteria include but are not limited to: bituminous pavement, concrete, geotextiles and brick or cobblestone or other paving block provided that it is mortared.
- b) Parking and loading spaces shall be suitably marked by painted lines or other appropriate markings.

- c) 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 right-of-way, or landscaped area to prevent vehicles from rolling into such areas.
- d) Where, in nonresidential districts, parking is planned to occupy a portion of the required front yard area, parking shall not be placed nearer than ten feet from the street right-of-way line. The area between the parking area and the street right-of-way line shall be landscaped.

Plantings are shown on the plan in the portion of the front-yard setback that do not contain garage doors.

(13) Parking and loading spaces shall be so arranged as not to require backing of vehicles onto any public street. No loading platforms or receiving doors shall be located on the street side of any retail store or other commercial building unless such platforms or receiving doors be located not less than 60 feet from the sideline of any street right-of-way lines. *This requirement is satisfied.*

(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. No portion of any entrance or exit driveway serving a commercial or industrial use of building shall be closer than 100 feet from the nearest public street intersection unless prevented by dimensional or physical difficulties. *The curb-cuts are almost 600 feet away from Hotel Road.*

(15) On lots where one entrance and exit driveway or curb-cut is constructed, the curb-cut 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. For automotive service stations, the curb cut widths may be increased to 32 feet for each driveway or access, but shall not exceed two driveways. These widths may be increased up to a maximum of 44 feet on arterial roads if required by the city engineering department or the state department of transportation. *This standard is satisfied as the site falls into the automotive service station land use category (see waiver request below).*

(16) A parking lot cluster containing more than 80 stalls shall contain landscaped areas within the perimeter of the overall lot, in the form of landscaped perimeter and islands. *This requirement is satisfied as part of the other landscaping requirements.*

(17) For those developments subject to site plan review (division 2 of article XVI of this chapter) the relaxation of the requirements of this section shall be reviewed by the planning board. *Please see below waiver requests.*

(18) Required off-street parking in the Auburn Downtown Action Plan for Tomorrow area for lots which cannot provide their own parking because of location, lot size or existing development may be substituted by parking facilities which, in the public's interest may be provided for by the municipality or private parking resources. No such public or private off-street parking shall be considered as a substitute unless located within 1,000 feet of the principal building or use as measured along lines of public access. *This provision is not applicable to this project.*

(19) In calculating the required number of off-street parking spaces, the gross leasable area shall be used. *This requirement has been satisfied.*

Applicable Sec. 60-579 (Dimensional Requirements) Industrial District:

- *Density*. Not more than 40% of the total lot area shall be covered by buildings.
 - The total acreage for the parcel is 9.62. Therefore, roughly 3.84 acres are allowed for lot coverage by buildings. Including the addition, the building footprint is proposed to be 15,489 square feet, therefore, meeting this requirement.
- *Setbacks*. Where the project is located on a corner lot, it has 2 front setbacks and 2 side setbacks. The requirements are:
 - Front/Side: 35 Feet. The building satisfies these setback requirements.
- *Landscaping*. (See above)

Waiver Requests:

(1) The Applicant has requested a waiver from Sec. 60-607: On lots where one entrance and exit driveway or curb-cut is constructed, the curb-cut 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. For automotive service stations, the curb cut widths may be increased to 32 feet for each driveway or access, but shall not exceed two driveways. These widths may be increased up to a maximum of 44 feet on arterial roads if required by the city engineering department or the state department of transportation.

The Waiver has been requested based on the type of traffic anticipated to use the site. The Applicant has proposed two 30 foot curb-cuts to accommodate the fleet vehicles. The two curb-cuts and their locations on the project site will help separate operation bus traffic from employee/visitor traffic. Currently, there are two curb cuts on the property, one on Fletcher and one on Merrow Road. Both curb-cuts will be removed and two new curb-cuts placed on Merrow Road. The Fire Department and Engineering Department have signed off on the request.

(2) The Applicant has requested a waiver from Sec. 60-801(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 Waiver has been requested based on the two types of traffic anticipated to use the site (see above). The Applicant has proposed two 30-foot curb-cuts. The Fire Department and Engineering Department have signed off on the request.

(3) The Applicant has requested a waiver from Sec. 60-607(8): In any residential district, off-street parking may include not more than one commercial vehicle per lot. (*NOTE: This waiver may not be necessary based on the items discussed and if the vehicles are not classified as "commercial"*).

The waiver has been requested based on the topography and wetlands on the site, making the Industrial District portion of the parcel unable to be used for the parking of WMTS vehicles. In the Rural Residential District portion of the site, the Applicant has including additional plantings between the proposed parking and the adjacent residences. They have also proposed changes to the project lighting in the residential area to reduce light pole heights to 12' based on discussions with the neighbor. Full cut off fixtures with shields to prevent light spill outside of the paved parking area are proposed. In addition, WMTS has agreed to limit the use of the parking area within the Rural Residential portion of the parcel for storage of 20 seasonal vehicles, 4 vehicles waiting for disposal and 4 service vehicle spaces. They are

also proposing to limit the timing vehicles will be moved in and out of the area to 7:00AM-7:00PM to reduce potential noise impacts from the vehicles occupying the residential portion of the parcel.

II. DEPARTMENT REVIEW-

- a. **Police-** No Comments Received.
- b. **Auburn Water and Sewer** – No comments Received.
- c. **Fire Department/Code Enforcement** – Will Review during Building Permit Phase.
- d. **Engineering** – Show locations for snow storage on the plans: Sheet C-301 shows locations proposed for snow storage.
- e. **Public Services-** No comments Received.
- f. **Airport** – No comments Received.

III. PLANNING BOARD ACTION- The proposed project requires review and findings for approval of Sections 60-1277, 60- 1336 and 60-771:

A. Site Plan Review, Section 60-1277:

1. Does the site plan protect 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?
2. Is the convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent areas adequately addressed?
3. Are the proposed methods of disposal for wastes adequately addressed?
4. Does the site plan provide adequate protection of environment features on the site and adjacent areas?

B. Special Exception, Section 60-1336. - 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.

- III. STAFF RECOMMENDATIONS- The Staff recommends the Planning Board review/discuss the waiver requests and questions posed in the Staff Report. If the waivers can be granted, Staff recommends the Planning Board find that the Site Plan for the proposed development, meets the requirements of Sec. 60-1277, and further that the application meets the requirements of Special Exception Law, Sec. 60-1336, and APPROVE the project application. Staff recommends the following conditions:
- a. *No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.*
 - b. *The Auburn Airport shall be notified a minimum of five days in advance of any crane higher than 75-feet in height used on-site: 1-207-786-0631.*

If the waivers cannot be granted, Staff recommends the Planning Board inform the Applicant of necessary changes to the Site Plan and either table or request the changes as additional conditions of approval.

Suggested Motion for Proposed Expansion: I make a motion to approve the Site Plan for the construction of a 5,100 Square Foot Building Addition and Parking Expansion for a Total of 139 Parking Spaces at the 76 Merrow Road Western Maine Transportation Services Building, (PID: 178-017) with the following conditions:

- a. *No development activity until any bonding or inspection fees is determined by the Auburn Engineering Department.*
- b. *The Auburn Airport shall be notified a minimum of five days in advance of any crane higher than 75-feet in height used on-site: 1-207-786-0631.*

Megan Norwood

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City Planner