



THE CITY OF AUGUSTA

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CITY MANAGER

INFORMATIONAL MEETING AGENDA

THURSDAY, NOVEMBER 13, 2014

CITY HALL (COUNCIL CHAMBERS)

6:30 P.M.

A. Items for discussion submitted by the City Council and/or the City Manager:

1. Construction Management
2. Mount Vernon Avenue road construction update
3. Land donations – Rex Turner, Chair Conservation Commission
4. Riggs Brook Village rezoning
5. Residential downtown parking
6. Council/School Board election

B. Persons wishing to address the City Council who have submitted a formal request in accordance with Section 2-61 of the Code of Ordinances:

C. Open comment period for any persons wishing to address the City Council.

To: Augusta City Council
Re: Proposed Gagne parcel donation to City of Augusta
From: Conservation Commission
Date: November 13, 2014

Tax Map: 35 Lots: 24 & 30

Acreage: Lot 24 = 1.80 acres and Lot 30 = .43 acre. Total acreage is 2.23 acres plus two paper streets.

Taxes: Lot 24 is \$184.83 and Lot 30 is \$132.56 for a total of \$317.39

The two parcels are contiguous with Mill Park. A significant portion of the area is flat that slopes/banks off to Mill Park. The Gagne family wishes to donate the parcels to the City with NO restrictions. The Conservation Commission evaluated the highest and best uses of the two parcels.

Recommendation: It is the unanimous recommendation of the Conservation Commission to the Augusta City Council that the city accept free and clear the donation of the two parcels to the City of Augusta and authorize the City Manager to sign the necessary documents required to take full possession and ownership.

To: Augusta City Council

Re: Augusta Crossing Mall Wetland Mitigation Acquisition

From: Conservation Commission

Date: November 13, 2014

The Augusta Crossing Mall project necessitated the acquisition of land to offset wetland issues at the site of the mall project. To that end, 58 acres were purchased in Augusta off of Leighton and Stony Brook Roads to satisfy the permitting agencies requirements. The holding company that acquired the land is Kennebec County Wetlands LLC. The City was approached in 2007 to consider accepting the donation of the land into the City's "Open Space/Conservation Land" inventory. This matter was referred to the Conservation Commission. By virtue of the assessment criteria, it was determined by the Conservation Commission this was a good acquisition and was going to recommend to City Council at the time to acquire the parcels. However, there was one string attached that made it unacceptable to recommend the City acquire the property at that time. The issue was a five year window that the Maine Department of Environmental Protection (DEP) had imposed that required the owner to annually monitor by a qualified person the re-vegetation and reforestation that had been done that was required in the permits. If necessary, the owner would have to re-vegetate areas that were not satisfactorily being re-established with plants and trees. This requirement had significant financial implications that made it not advisable at the time to recommend acquisition. The five year period has expired and DEP has signed off on the parcels and have indicated in a memo that all of the terms and conditions have been met and no further action is required. The only stipulation still in place are the "Declaration of Covenants and Restrictions" that are typical in most conservation land acquisitions.

The aggregate annual property taxes of the parcels are \$546.32 for the 58 acres. The critical part of the assessment is the fact the parcels are located in areas where watershed and aquifer protection is a big part of the reason for taking ownership. Specifically the parcels are in close proximity and or flow thru are Bond Brook, Stony Brook and Rockwood streams. Additionally, GAUD has a well located at Bond Brook and Leighton Road that are near the proposed acquisition parcels. Also, 21 of the acres are contiguous with 125 acres the City owns that were acquired during the development of the Market Place Mall. The other parcel is located adjacent to I-95 and Stony Brook runs through the property. This parcel lends itself for trail development that can connect with the existing or planned network of trails in the city. Deed restrictions are acceptable with the requisite conservation easements.

Document review: All documents have been reviewed by the City's Finance Director, Corporation Counsel as well as other legal review at Preti Flaherty to ensure all documents are in order.

Recommendation: The Augusta Conservation Commission is recommending the City Council authorize the City Manager to execute the necessary agreement with Kennebec County Wetlands LLC to acquire the parcels of land for inclusion into the City's "Open Space/Conservation Land" inventory.

City of Augusta, Maine
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT
CODE ENFORCEMENT
ECONOMIC DEVELOPMENT



ENGINEERING
FACILITIES & SYSTEMS
PLANNING

MEMORANDUM

TO: City Council
William Bridgeo, City Manager

FROM: Matt Nazar, Director of Development Services

DATE: October 20, 2014

RE: Riggs Brook Village Rezoning

The proposal below is a significant reworking of the Riggs Brook Village zone from the subcommittee created by the Planning Board. The new district is effectively a reworking of the existing district putting it into a format far more similar to the format of the existing zoning districts and eliminating or modifying some of the more confusing aspects of the district. This would be a complete repeal and replace of the district and I have not attempted to do a line by line analysis of the differences between the two districts. The Planning Board unanimously recommends this text amendment to the Land Use Ordinance.

The significant changes include:

1. Removal of the quadrants. The existing RBV district has four quadrants with slightly different uses and rules. This is gone in favor of one single district.
2. Removal of the difference between subdivision lots and lot splits. The existing RBV district attempted to favor subdivision lots as a way to encourage developers to create larger, more coordinated mixed use developments. Unfortunately, that type of development style is simply not employed by most developers in Maine, leaving the penalty for not developing this way as a significant impediment to any development.
3. Reduction in allowed lot sizes, but maintenance of fairly significant road frontage requirements. The intent is to encourage internal roads, and limit curb cuts along major highways.
4. Removal of the building design requirements for additions to existing buildings. This proved to be a serious impediment on a number of projects. New buildings are still required to meet the new building design standards.
5. There remained the desire to keep many of the design guidelines for site development, sign construction, new utilities, and building appearance. The hope is that new

development will be high quality development, but that there is enough flexibility for developers to be able to reasonably create projects at a manageable cost.

Purpose: The Riggs Brook Village District (RBV), establishes commercial and residential land uses, land development requirements, infrastructure requirements, development design standards and open space amenities appropriate to fostering development of a new economic sector in Augusta. Riggs Brook Village will be a geographically and visually unique area wherein people can live, work, shop, converse, and recreate within walking, bicycling and quick commuting distance of one other. Attracting development of a new economic sector is critical to the improvement of the general welfare of current and future residents and businesses of Augusta, and the incorporation of higher design standards and amenities in the RBV District will be required to make Augusta competitive with other Maine cities as a location for knowledge-based businesses, workers and residents.

It has been proven that allowance of a linear pattern of land-use development results in a very inefficient use of land, resulting in vacant back-lands, excessive infrastructure costs, and added commuting costs, known collectively as development sprawl. The prevention of development sprawl is identified as the first of ten goals of the Maine Growth Management Program (see 30-A M.R.S.A. subsection 4312(3)). The pattern of land development that will be strongly encouraged in Riggs Brook Village (the Village) in support of this goal shall be that of "development parks" that will create multiple lots or land uses out of a larger tract/parcel of land.

Internal streets, stormwater, sewer, and water infrastructure will be required to achieve an appropriate density of Village development. The creation of independent, small lots in a linear fashion along Route 3 and Church Hill Road shall be strongly discouraged, and the creation of development parks that efficiently utilize back lands will be strongly encouraged so that the Village can economically support sewer, water and road infrastructure without subsidization from the remainder of the community.

The design and scale of development projects in Riggs Brook Village shall be that of small and medium-sized structures that, along with defined setbacks, buffering, landscaping and sidewalks, encourage pedestrian and bicycle travel and human interaction. Residential land uses are encouraged throughout the Village in several configurations: townhouse/rowhouse; two-family; and single-family. The identification of the Village as a unique and unified area shall be encouraged via the use of signage, lighting, and other streetscape improvements. Village Greens should be created along Church Hill Road to provide a common Village focal point for each side of Route 3.

Dimensional Requirements

<u>Min. Lot Size</u>	<u>Minimum Frontage on new internal roads (Feet)</u>	<u>Minimum Frontage on Rt 3, Church Hill Rd, and South Belfast Ave (Feet)</u>	<u>Min. Depth (Feet)</u>	<u>Area Per Dwelling Unit</u>	<u>Min. Front Setback ** (Feet)</u>	<u>Max. Height (Feet)</u>
<u>20,000 Square feet</u>	<u>100</u>	<u>300</u>	<u>200</u>	<u>20,000*** Square feet</u>	<u>10/80</u>	<u>60</u>

Minimum side/rear setbacks are flexible; see sections 5.1.1 and 5.1.16.

**Minimum front setback: 80 feet from street ROW line of arterial and collector streets; 10 feet from the street ROW line of all other streets.

***May be reduced to 2,500 square feet per dwelling unit if served by public sewer.

a) Design Criteria. The following minimum design criteria shall be met within the Riggs Brook Village (RBV) District.

1. Utilities: All utility services for new building/structure construction shall be placed underground.
2. Outdoor Lighting Standards: The purpose of this section is to provide Outdoor Lighting Standards to help ensure compatibility with neighboring uses, preserve our dark skies, and provide a more pleasant and comfortable nighttime environment while preserving the ability to install effective security lighting.
 - i. Use of motion sensing devises are encouraged; and
 - ii. Lighting shall not blink, flash or be of unusually high intensity or brightness; and

- iii. All lighting fixtures shall be appropriate in scale, intensity and height to the use they are serving.
 - iv. Lighting shall also conform to Section 5.1.11.1, 5.1.11.3, 5.1.11.4, 5.1.11.5, and 5.1.11.6 of the Land Use Ordinance.
3. Location of Parking, Servicing, and Loading Areas for non-residential uses: All off-street parking lots/areas/stalls, vehicle servicing areas (including gasoline/diesel pumps), and delivery and garage bay doors shall be located at the side or rear of buildings, the only exception being for handicapped parking spaces, which may be located at the front of the building. Bufferyard standards for Urban, Industrial, and Planned Development Districts identified in section 5.1.1 of the Land Use Ordinance are applicable to all parking lots with 6 or more spaces.
4. Screening of Machinery, Equipment, Storage Areas, and other appurtenances for non-residential uses: Open storage areas; exposed machinery, electrical/electronic equipment, heating and/or air conditioning equipment, fuel tanks, etc (whether located above the ground on structures or on the ground); areas used for storage & collection of rubbish; and areas determined to be similar to those listed, must be visually screened from roads and surrounding land uses. Suitable types of screening for above-ground equipment, storage areas and appurtenances includes landscaping (e.g. shrubs, plants, trees, fencing) and/or architectural elements (e.g. false walls, false roofing, masonry, blocks, etc.). Suitable types of screening on the ground include opaque wood fences and dense evergreen hedges of five (5) feet or more in height. Where evergreen hedges are proposed, a temporary fence shall be built to provide screening until the evergreens are of sufficient height to hide the unit(s) being screened.
5. Building Design Standards for new structures:
- i. Exterior Building Design: Buildings with exterior walls greater than fifty (50) feet in horizontal length shall be constructed using a combination of architectural features and a variety of building materials and landscaping near the walls. Walls which can be viewed from public streets shall be designed using architectural features and landscaping (abutting the building) for at least fifty (50) percent of the wall length. Other walls shall incorporate architectural features and landscaping for at least thirty (30) percent of the wall length.

1. Architectural Features Architectural features include, but are not limited to the following: recesses, projections, wall insets, arcades, window display areas, awnings, balconies, window projections, landscape structures or other features that complement the design intent of the structure and are acceptable to the review authority. A portion of the on-site landscaping shall abut the walls so that the vegetation combined with the architectural features significantly reduce the visual impact of the building mass as viewed from the street.
- ii. Building Materials. The predominant building materials shall be materials that are characteristic of Central Maine such as brick, wood, native stone and tinted/textured concrete masonry units and/or glass products. Other materials such as smooth-faced concrete block, undecorated tilt-up concrete panels, or pre-fabricated steel panels should only be used as accents and not dominate the building exterior of the structure. Metal roofs may be allowed if compatible with the overall architectural design of the building. Materials shall be of low reflectance, subtle, neutral or earth tone colors. The use of high intensity colors such as neon, metallic or florescent colors for the facade and/or roof of the building are prohibited except as approved for building trim. The use of trademark colors will require approval by the Planning Board.
- iii. Roof Design. Roofs shall be designed to reduce the apparent exterior mass of a building, add visual interest and be appropriate to the architectural style of the building. Variations within one (1) architectural style are highly encouraged. Visible rooflines and roofs that project over the exterior wall or a building enough to cast a shadow on the ground are highly encouraged. Architectural methods shall be used to conceal flat roof tops. Overhanging eaves, sloped roofs and multiple roof elements are highly encouraged. Mansard style roofs are discouraged.
- iv. Customer Entrance(s). Each building shall have at least one (1) clearly defined, highly visible customer entrance using a combination of the following architectural features: canopies, porticos, arcades, arches, wing walls, and permanent above grade integral planters.

6. Additions to Existing Structures: The Planning Board may waive any of the design criteria outlined in this section via a Conditional Use permit process.

Sections of the bufferyard ordinance would need to be amended to add the new district, as would sections of the sign ordinance. Those amendments, are as follows:

Amend Table 5.1.1-A to add the RBV district to the cell that says "Bufferyard requirements in the Urban Area (RA, RB1, RB2, BP, KBD1, KL, RBV, CB, CC, CD zones):"

This would require the same bufferyard standard as in most of the rest of the urban core. Sign ordinance issues can be dealt with as follows:

5.1.17.1.1 **Size, setback, and height regulations.** Ground graphics must comply with the following size, setback, and height regulations. Size shall be reduced by 10 percent for every 10 feet, or portion thereof, that a sign does not meet the proper distance between ground graphics in §5.4.3.

District	Size (Sq. Feet)	Setback (side and rear only) (Feet)	Height (Feet)
CD, PD, IA	200	10	25
CB, CC, KBD2, MED, PD2, RBV	120	10	25
GS, KBD1, KL, RD, RV	50	10	15
BP, RA, RB1, RB2, RC, RPDS, RR, RR2, RRES	15	10	15
All Shoreland zoning districts, except GD	12	10	15
GD Shoreland zoning district	Regulations shall be identical to the underlying base zoning district		

5.1.17.9.2 **Illumination permitted.** A street graphic may be illuminated in the following zoning districts:

RA, RB1, RB2, All Shoreland Zones (except GD Zone)	KBD1, KBD2, RBV, Shoreland GD Business Professional	CB, CC, CD, MED, PD, PD2, KL, IA, RD, RC, RR, RRES, RPDS, RV, RR2

External Illumination only	Internal and External Illumination	Internal and External Illumination
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5.1.17.9.5.1 Internal Illumination Color Requirements. In the Medical (MED), Kennebec Lockes (KL), and Riggs Brook Village District (RBV) all internally illuminated signs must use a dark colored background with a light colored copy.

MEMORANDUM

TO: William R. Bridgeo, City Manager

FROM: Deputy Chief Jared Mills

DATE: November 7, 2014

RE: Amendment to City Ordinance.

In an attempt to make parking user friendly to residents in the downtown, the Parking District Committee has been working with the Augusta Downtown Alliance and city staff to create designated overnight parking on Commercial Street and some other areas during the winter months. The group has agreed the parking spaces on the east side of Commercial Street between Bridge Street and Oak Street should be designated as overnight parking during the winter months so residents do not have to park unreasonable distances away from their residence during the evening and nighttime hours. I respectfully request that the following amendment to the City Ordinance be presented to the City Council for their consideration at the next scheduled meeting.

BE IT ORDAINED, By the City Council of the City of Augusta, as follows:

That Chapter 18, section 68 nighttime parking not to hinder snow removal, as amended, be further amended by adding the following:

No person shall park or permit a vehicle to remain parked in any street of the city, with the exception of the east side of Commercial Street between Bridge Street and Oak Street and Commercial Street Extension between Water Street and Bridge Street, between 12:00 p.m. and 7:00 a.m. from November 15 to April 15, since such parking or remaining parked may interfere with snowplowing or the loading or removal of snow from such street.