

City of Augusta, Maine
DEPARTMENT OF DEVELOPMENT SERVICES

AUGUSTA STATE AIRPORT
CODE ENFORCEMENT
ECONOMIC DEVELOPMENT



ENGINEERING
FACILITIES & SYSTEMS
PLANNING

MEMORANDUM

TO: Planning Board

FROM: Matthew Nazar, Director of Development Services
and Susan Redmond, Assistant Planner

DATE: July 2, 2014

RE: 2 State Street, Map 34, Lot 217

SUMMARY OF REQUEST

Request: The request is for a Conditional Use Review as per Section 6.3. The applicant proposes to change a non-conforming use to another non-conforming use. The current use is warehousing / office / retail and the proposed use is auto repair/service.

Owner: American Glass Co of Waterville Inc.

Applicant: Marshall Leavitt, Matthew Swift

Location: 2 State Street

Zoning: High Density Residential (RC) District

Tax Map Number: Map 34, Lot 217

Existing Land Use: Warehousing / office / retail

Proposed Lane Use: Auto repair / service

Acreage: 0.23

SUMMARY OF SUBMITTAL PACKAGE

In the submittal package the applicant has provided the Planning Board with the following items:

1. Conditional Use Application form
2. Narrative
3. Letter of Intent
4. Site Plan

Areas of Concern

Staff recommends that the Board discuss whether the proposal will maintain safe and healthful conditions in the neighborhood.

Staff recommends that the Board discuss the amount of traffic that will be generated and traffic movement and parking.

Michael Morey, of the Greater Augusta Utility District, comments that the installation of a RPZ backflow prevention device on the water service may be required.

Staff recommends that the Board require the applicant to:

1. Air wrenches and other noise-generating tools shall not be operated when any of the garage doors or windows are open.

Waivers

The applicant did not request any waivers.

Staff Review

The Bureau of Engineering does not have additional comments.

The Bureau of Code Enforcement does not have additional comments.

The Bureau of Planning does not have additional comments.

Lot Characteristics

Lot Area – The minimum required lot area is 7,500 square feet. The lot is 0.23 acres (10,018 square feet) in size, which meets the standard.

Lot Frontage – The minimum required lot frontage is 75 feet. The lot has 183.6 feet of frontage on Boothby Street, which meets the standard.

Lot Depth – The minimum required lot depth is 100 feet. The lot has 75 feet of depth, which does not meet the standard. It is an existing lot of record.

Neighborhood Compatibility (Section 6.3.4(1) of the LUO)

a) *Land Use/ Visual Integrity:*

- a. *Land Uses:* The site was most recently used as a glass store. There are many residences near the site.
- b. *Architectural Design:* There is an existing building on the site. No change is proposed.

- c. *Scale, Bulk, Building Height*: No change is proposed.
 - d. *Identity, Historical Character*: The neighborhood is mostly residential.
 - e. *Disposition and Orientation*: No change is proposed.
 - f. *Visual Integrity*: No change is proposed.
- b) *Privacy*: No change is proposed.
 - c) *Safety and Health*: The lot is at the corner of State Street and Boothby Street. The entrance is on Boothby Street. Lionel Cayer, City Engineer, comments that there could be traffic conflicts from vehicle traffic at the corner and vehicles entering and exiting the lot. That depends in part on the volume of traffic in and out of the lot. The application states that twelve vehicles will enter the site on a daily basis.
 - d) *Property Values*: The proposal is not expected to have a significant detrimental effect on the value of adjacent properties.

Staff recommends that the Board discuss whether the proposal will maintain safe and healthful conditions in the neighborhood.

Plans and Policies (Section 6.3.4(2) of the LUO)

The proposal is located in the Westside Residential District which is described in the 2007 Comprehensive Plan. This district is a mix of neighborhoods and commercial corridors. The protection of neighborhoods from further encroachment by businesses is critical to maintaining livability and long term security for residential investment.

Staff recommends that the Board find that the proposal is in accordance with the 2007 Comprehensive Plan.

Traffic Pattern, Flow and Volume (Section 6.3.4(3) of the LUO)

- a) *Additional Traffic*: There was formerly a glass shop on the lot. The applicant estimates that there will be twelve trips to the lot on a daily basis for the auto business. See Neighborhood Compatibility - Safety and Health.
- b) *Safe Access*: There is adequate site distance. The curb is open all along Boothby Street. Lionel Cayer, City Engineer, does not have design change recommendations regarding the curb cut.
- c) *Emergency*: The proposal provides emergency access from Boothby Street.
- d) *Movement/Parking*:

The lot is small (0.23 acres), is roughly triangular in shape, and has a 2,000 square foot building on it. Three parking spaces are proposed in front of the building and three are proposed to the rear of it. Vehicle movement may be constricted.

Three parking spaces are required per 1,000 feet of floor space. The applicant proposes to use the first floor of the building, which is 2,000 square feet in size, for the business. Marshall Leavitt verbally indicated that the basement will be used for personal storage. Six parking spaces are required for 2,000 feet of floor space. Six parking spaces are proposed. It is unclear whether any of the proposed parking is within the State Street or

Boothby Street right of way. The parking in front of the building is on an existing paved area.

Staff recommends that the Board discuss the amount of traffic that will be generated and traffic movement and parking.

Public Facilities (Section 6.3.4(4) of the LUO)

- a) *Water Supply:* The building is served by public water. Michael Morey, of the Greater Augusta Utility District, comments that the installation of a RPZ backflow prevention device on the water service may be required.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The building is on public sewer. Michael Morey, of the Greater Augusta Utility District, does not have concerns regarding sewage capacity.
- c) *Electricity/Telephone:* The building has electric power and telephone service.
- d) *Storm Drainage:* No change is proposed to storm drainage.

Michael Morey, of the Greater Augusta Utility District, comments that the installation of a RPZ backflow prevention device on the water service may be required.

Resource Protection and Environment (Section 6.3.4(5) of the LUO)

- a) *Sensitive Areas:* No site changes are proposed. No sensitive areas will be impacted.
- b) *Air Quality:* The proposal conforms to air quality standards.
- c) *Water Quality:* The proposal conforms to water quality standards.
- d) *Sewage/Industrial Waste:* Sewage will be disposed of in the public sewer. The applicant will hire a waste disposal company.
- e) *Shoreland/Wetland Districts:* The site is not in the shoreland zone. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Resource Protection and Environment.

Performance Standards (Section 6.3.4(6) of the LUO)

- a) *Performance and Dimensional Standards:* Unless stated to the contrary elsewhere in this memorandum, the proposal complies with the performance standards.
- b) *Noise:* The code enforcement officers comment that in order for the noise ordinance to be met, air wrenches and other noise-generating tools may not be operated when the garage doors or windows are open. This should be a condition of approval.
- c) *Glare/Heat:* No excessive heat or glare is proposed.
- d) *Exterior Lighting:* No changes are proposed to the exterior lights.
- e) *Screening:* No changes are proposed.
- f) *Signs:* No specific signs are proposed.

Staff recommends that the Board require the applicant to:

1. *Air wrenches and other noise-generating tools shall not be operated when any of the garage doors or windows are open.*

Financial and Technical Ability (Section 6.3.4(7) of the LUO)

The applicant has sufficient technical and financial ability to meet the terms of the ordinance.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Financial and Technical Ability.