

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: April 8, 2015

RE: Rita McCollett

SUMMARY OF REQUEST

Request: The request is for a Conditional Use Review as per Section 6.3. The applicant proposes a retail use, which is a conditional use.

Owner: Rita McCollett

Applicant: Rita McCollett

Location: 42 Mount Vernon Avenue

Zoning: Resource Development (RD) District

Tax Map Number: Map 35, Lot 214

Existing Land Use: Residential (second floor), vacant space (first floor), storage (garage)

Proposed Lane Use: Retail

Acreage: .62 acres

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. Narratives
3. Deed
4. Site Plan

Areas of Concern

None.

Staff Review

The Bureau of Engineering does not have any additional concerns.

The Bureau of Code Enforcement does not have any concerns.

The Bureau of Planning. The Planning Board tabled the application on April 8, 2014. A copy of the original application materials, with the exception of the original site plan, is included in the packet. The staff review has been updated to reflect the new site plan.

Lot Characteristics

No changes are proposed to the lot characteristics.

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

- a) *Land Use/ Visual Integrity:*
 - a. *Land Uses:* There is a mix of residential and commercial property along Mount Vernon Avenue.
 - b. *Architectural Design:* No changes are proposed.
 - c. *Scale, Bulk, Building Height:* No changes are proposed.
 - d. *Identity, Historical Character:* There is a mix of residential and commercial property along Mount Vernon Avenue.
 - e. *Disposition and Orientation:* No changes are proposed.
 - f. *Visual Integrity:* No changes are proposed.
- b) *Privacy:* No changes are proposed.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions in the neighborhood.
- d) *Property Values:* The proposal will not have a significant detrimental effect on the value of adjacent properties.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Neighborhood Compatibility.

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.

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:* The applicant estimates that approximately twelve (12) vehicles will enter the site per day. The volume of traffic is not expected to have a significant negative impact on the neighborhood.
- b) *Safe Access:* Lionel Cayer, City Engineer, comments that the sketch plan does not address the uncontrolled ingress and egress from the site. The MaineDOT will be starting work on Mount Vernon Avenue this year. Lionel recommended that the applicant ask the MaineDOT to install curbing along the property frontage on Mount Vernon Avenue that would allow for two curb openings: one located 20 to 25 feet from the southerly property line and which is no wider than 24 feet, and another one where the existing driveway to the garage and gravel parking area are located and which is no wider than 35 feet. Subsequently, the applicant contacted Ernest Martin of MaineDOT and requested the curbing.
- c) *Emergency:* Lt. Freeman, of the Augusta Fire Department, comments that the proposal provides access for emergency vehicles and for people attempting to render emergency services.
- d) *Movement/Parking:* Sufficient parking is proposed. A handicapped parking space is proposed near the store entrance.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Traffic Pattern, Flow and Volume.

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

- a) *Water Supply:* The building is connected to public water. Mike Morey, of the Greater Augusta Utility District, comments that he does not have any concerns about the proposal.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The building is on public sewer. Mike Morey, of the Greater Augusta Utility District, comments that he does not have any concerns about the proposal.
- c) *Electricity/Telephone:* The building has electric power.
- d) *Storm Drainage:* No increase to the amount of impervious area on the site is proposed. Mike Morey, of the Greater Augusta Utility District, comments that he does not have any concerns about the proposal.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Public Facilities.

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

- a) *Sensitive Areas:* No sensitive areas will be impacted by the proposal.
- b) *Air Quality:* The proposal complies with air quality standards.
- c) *Water Quality:* The proposal complies with water quality standards.
- d) *Sewage/Industrial Waste:* The sewage will be disposed of in the public sewer. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts:* The proposal is in the Resource Protection District.
 - i) *Safe and healthful conditions:* The proposal will maintain safe and healthful conditions.

- ii) *Pollution, erosion, sedimentation*: The proposal will not result in water pollution, erosion, or sedimentation.
- iii) *Waste water*: The proposal will adequately provide for the disposal of wastewater.
- iv) *Spawning grounds, fish aquatic life, bird, wildlife*: The proposal will not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat.
- v) *Shore cover, access to inland and coastal waters*: The proposal will conserve shore cover and visual, as well as actual points of access to inland and coastal waters.
- vi) *Archeological, historic resources*: The proposal will protect archeological and historic resources.
- vii) *Flood plain*: The proposal will avoid problems associated with flood plain development and use.
- viii) *Section 5.3.1*: The proposal will conform to the provisions of Section 5.3.1, Special Shoreland Standards.

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*: The proposal complies with the performance and dimensional standards
- b) *Noise*: Noise is not a concern.
- c) *Glare/Heat*: No excessive heat or glare is proposed.
- d) *Exterior Lighting*: No new exterior lighting is proposed.
- e) *Screening*: The site is an existing developed site. There is some buffering to the north of the gravel parking area. No new landscaping is proposed.
- f) *Signs*: The applicant intends to have a wall sign and to reuse the self-standing sign.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Performance Standards.

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

The applicant has the 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.