

**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 Betsy Poulin, Assistant Planner

**DATE:** October 27, 2015

**RE:** AMMA LLC, Annalee Morris-Polley, 841 Riverside Drive



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**SUMMARY OF REQUEST**

**Request:** The request is for a Minor Development and Conditional Use review as per section 4.5 and 6.3.4. The applicant proposed to convert the existing non-confirming retail use building, into a social services building. The social services use was adopted into the LUO September 20, 2015 as a conditional use. The non-confirming retail use was approved at the July 8, 2014 Planning Board meeting. As part of the proposed development, over 16,000 sf of pavement is to be removed, triggering the Minor Development review.

**Owner:** AMMA LLC, Annalee Morris-Polley

**Applicant:** AMMA LLC, Annalee Morris-Polley

**Location:** 841 Riverside Drive

**Zoning:** Planned Development 2 (PD2) District

**Tax Map Number:** Map 2, Lot 20

**Existing Land Use:** Retail

**Proposed Land Use:** Retail and Social Services

**Acres:** 9.5 Acres

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**SUMMARY OF SUBMITTAL PACKAGE**

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

1. Development Review Application Form
2. Conditional Use Application Form
3. Narrative
4. Deed
5. Settlement Agreement
6. Site Plan

#### **Areas of Concern**

1. None.

#### **Waivers**

1. The applicant has requested a waiver of the Stormwater Management requirements from the ordinance. Staff recommends granting this waiver as the impervious surface is decreasing on the site.
2. The applicant has requested a waiver of the Traffic Report requirements from the ordinance.

#### **Staff Review**

The **Bureau of Engineering** does not have any additional concerns.

The **Bureau of Code Enforcement** does not have any additional concerns.

The **Bureau of Planning** does not have any additional concerns

#### **Lot Characteristics**

*Minimum Lot Size* - 10,000 SF with public water and sewer. The existing lot meets this standard.

*Minimum Road Frontage* - 100 Feet. The existing lot meets this standard.

*Minimum Lot Depth* - 100 Feet. The existing lot meets this standard.

*Minimum Front Setback* - 35 Feet. The existing lot meets this standard.

#### **CRITERIA FOR REVIEW OF A MINOR DEVELOPMENT (Section 4.5 of the LUO; includes Section 6.3.4. Conditional Use Review)**

##### **Neighborhood compatibility (Section 6.3.4(1) of the LUO)**

###### *a) Land Use/Visual Integrity:*

- a. *Land Uses:* Peabody's Tractors, a tractor sales and repair business, abuts the lot to the north. The most recent use of the lot was for social services then retail. Otherwise the neighborhood is primarily residential.

- b. *Architectural Design*: The building already exists. The façade is being redesigned and interior reconfigured for social service use.
  - c. *Scale, Bulk, Building Height*: The building already exists. No change proposed.
  - d. *Identity, Historical Character*: The site has been used for commercial purposes since 1973.
  - e. *Disposition and Orientation*: The building already exists. No change proposed.
  - f. *Visual Integrity*: The mass of the building will remain unchanged. The façade and entrances will be improved.
- b) *Privacy*: No change 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 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 in the North River Mixed Use 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 amount of traffic anticipated by the applicant is not anticipated to cause concerns.
- b) *Safe Access*: No change.
- c) *Emergency*: The proposal provides access for emergency services.
- d) *Movement/Parking*: Pavement at the rear of the building will be removed with parking primarily to the front and side of the building in the existing lot.

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

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

- a) *Water Supply*: The site has public water. Mike Morey of the Greater Augusta Utility District comments that he does not have any concerns.
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: There is a private septic system. Not applicable.
- c) *Electricity/Telephone*: The site has electric power.
- d) *Storm Drainage*: Removal of pavement behind the building will improve infiltration.

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 site changes are proposed. No sensitive areas will be impacted.
- b) *Air Quality*: The proposal complies with air quality standards.
- c) *Water Quality*: The proposal complies with water quality standards.
- d) *Sewage/Industrial Waste*: Sewage will be disposed of in the septic system. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts*: The proposal 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*: The proposal complies with all performance and dimensional standards.
- b) *Noise*: Noise is not expected to be an issue.
- c) *Glare/Heat*: No excessive heat or glare is proposed.
- d) *Exterior Lighting*: Five additional pole mounted lights are proposed in the parking lot and at the building entrances. The proposal complies with standards.
- e) *Screening*: No change proposed.
- f) *Signs*: A sign is proposed to hang below the existing sign on the site.

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 financial and technical 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.

#### **Pollution (Section 4.4.1.1 of the LUO)**

- a) *Floodplain*: The project is not in the 100 year floodplain.
- b) *Ability of Soils to support waste disposal*: Sewage will be disposed of in the existing septic system.
- c) *Slopes effect on effluents*: The site is flat. No effect.
- d) *Streams for disposal of effluents*: No streams in the vicinity.
- e) *Applicable health and water resources rules*: The proposal complies with water quality standards.

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

#### **Sufficient Water (Section 4.4.1.2 of the LUO)**

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The site is served by public water.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding sufficient water.

#### **Municipal Water Supply (Section 4.4.1.3 of the LUO)**

See above.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding municipal water supply.

#### **Soil Erosion (Section 4.4.1.4 of the LUO)**

See comments above about stormwater.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding soil erosion.

#### **Highway or Public Road Congestion (Section 4.4.1.5 of the LUO)**

No significant change in traffic volume is proposed.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding highway or public road congestion.

#### **Sewage Waste and Municipal Solid Waste Disposal (Sections 4.4.1.6 and 4.4.1.7) of the LUO)**

Sewage will be disposed of in the septic system. No change in the amount of solid waste is expected.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding sewage waste and municipal solid waste disposal.

#### **Aesthetic, Cultural, and Natural Values (Section 4.4.1.8 of the LUO)**

No undue adverse effect on aesthetic, cultural or natural values is expected.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Aesthetic, Cultural and Natural Values.

#### **Conformity with City Ordinances and Plans (Section 4.4.1.9 of the LUO)**

The proposal conforms with city ordinances and plans, except as noted in other sections of this review.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding city ordinances and plans.

**Financial and Technical Ability (Section 4.4.1(10) of the LUO)**

See the Financial and Technical Ability section above.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding financial and technical ability.

**Surface Waters; Outstanding River Segments (Section 4.4.1(11) of the LUO)**

This proposal is not in proximity to any surface waters or outstanding river segments.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding surface waters; outstanding river segments.

**Ground Water (Section 4.4.1(12) of the LUO)**

The proposal is not expected to adversely affect ground water.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding ground water.

**Flood Areas (Section 4.4.1(13) of the LUO)**

The proposal is not in the 100 year floodplain.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding flood areas.

**Freshwater Wetlands (Section 4.4.1(14) of the LUO)**

See comments in the Public Facilities section above.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding freshwater wetlands.

**River, Stream, or Brook (Section 4.4.1(15) of the LUO)**

There is no river stream or brook on or immediately adjacent to the project site.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding rivers, streams, or brooks.

**Stormwater (Section 4.4.1(16) of the LUO)**

See the Public Facilities section.

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

**Access to Direct Sunlight (Section 4.4.1(17) of the LUO)**

The proposal will not block access to direct sunlight to any structures utilizing solar energy.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding direct sunlight.

**Title 38 M.R.S.A. Section 484, Chapters .371 and 373-377 (Section 4.4.1(18) of the LUO)**

The project is not regulated by the Site Location of Development Act. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Title 38 M.R.S.A/ Section 484, Chapters 371 and 373-377.

**Spaghetti-Lots Prohibited (Section 4.4.1(19) of the LUO)**

A subdivision is not proposed. Not applicable.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding spaghetti-lots.

**Outdoor Lighting (Section 4.4.1(20) of the LUO)**

See the Performance Standards section.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding outdoor lighting.