

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: April 5, 2016

RE: Danny McCarthy/JODON LLC - The Copy Center Plus
179 State Street

SUMMARY OF REQUEST

Request: The request is for a Conditional Use review as per section 300-603.E. The applicant proposes to convert the former Cumberland Farms to The Copy Center Plus. The previous use, neighborhood grocery/variety store, was a non-conforming use in the Institutional / Business / Professional District (BP). The proposed use, specialty print shop, is also a non-conforming use. Conditional Use review is required to determine whether the proposed use will have less impact than the previous non-conforming use.

Owner: Jersey Augusta, Inc.

Applicant: Danny McCarthy/JODON LLC

Location: 179 State Street

Zoning: Institutional/Business/Professional District (BP)

Tax Map Number: Map 33, Lot 55

Existing Land Use: Neighborhood grocery/variety store

Proposed Land Use: Specialty print shop

Acreage: 0.63 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. Narrative
3. Deed
4. Purchase and Sale Agreement
5. Site Plans

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 developed area of the site will not change.
2. The applicant has requested a waiver of the Traffic Report requirements from the ordinance. Staff recommends granting this waiver due to the low traffic volume of the proposed use.
3. The applicant has requested a waiver of both the reduced, 11x17 plan copies and the full sized plan copies. Plans submitted as part of the application are sufficient. Staff recommends granting this waiver due to the fact that this is an existing property.

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 Front Setback – 35 Feet required. The building meets this standard.

Impervious Surface Ratio – 0.95. The development on the lot meets this standard.

Floor Area Ratio – 0.74. The building on the lot meets this standard.

Maximum Height – 42 feet. The building meets this standard.

CRITERIA FOR REVIEW OF A CONDITIONAL USE DEVELOPMENT

Neighborhood compatibility (Section 300-603.E(1) of the LUO)

(a) *Land Use/Visual Integrity:*

- [1] *Land Uses:* The site is located on the eastern side of State Street, south of the intersection with Glendon Street. The abutter to the south is a professional office building and further to the south is an attorney's office and State of Maine office buildings. To the west, across State Street is a large parking lot, professional offices and Bay Wrap restaurant. To the north, across Glendon Street, is a barber shop and travel agency. Across Powhattan Street adjacent to Memorial Circle is a vacant building and Moody's Collision Center. To the east down a steep slope is a residential building and a City of Augusta park.
- [2] *Architectural Design:* The building already exists and minor renovations to the façade are anticipated, the size of the building will remain unchanged.
- [3] *Scale, Bulk, Building Height:* The building already exists. No change proposed.
- [4] *Identity, Historical Character:* The site has been used as a gas station since 1927.
- [5] *Disposition and Orientation:* The building already exists. No change proposed.
- [6] *Visual Integrity:* The mass of the building will remain unchanged. The façade and building entrances will be improved.

(b) *Privacy:* No change proposed.

(c) *Safety and Health:* No change proposed. 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 finds the proposed use is in compliance with the ordinance regarding Neighborhood Compatibility.



Existing Building

Plans and Policies (Section 300-603.E(2) of the LUO)

The proposal is in accordance with the adopted elements of the 2007 Comprehensive Plan.

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



View on State Street looking North toward Memorial Circle. Building on Right.

Traffic Pattern, Flow and Volume (Section 300-603.E(3) of the LUO)

- (a) *Additional Traffic:* The amount of traffic expected by the applicant is not anticipated to cause concerns.
- (b) *Safe Access:* No change is proposed in the access points. Access will remain as enter/exit at both points.
- (c) *Emergency:* The proposal provides access for emergency services.
- (d) *Movement/Parking:* The pavement on the site will be repaired from the damage caused during the underground fuel storage tank removal project. The limits of the parking lot will remain unchanged.

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

Public Facilities (Section 300-603.E(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:* The site has public sewer. Mike Morey of the Greater Augusta Utility District comments that he does not have any concerns.
- (c) *Electricity/Telephone:* The site has electric power.
- (d) *Storm Drainage:* The flow of stormwater on the property will remain unchanged.

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



View Looking South on State Street. Project Site on Left.

Resource Protection and Environment (Section 300-603.E(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. The underground storage tanks were removed in 2009. Phase I and II Environmental Site Assessments were conducted by Summit Environmental Consultants. Contaminated soils were removed from the site. Soils remaining on the site can be reused on the property.
- (d) *Sewage/Industrial Waste:* Sewage will be disposed of in the sewer 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 finds the proposed use is in compliance with the ordinance regarding Resource Protection and Environment.

Performance Standards (Section 300-603.E(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*: Building mounted lighting to be replaced shall meet standards for full-cutoff fixtures.
- (e) *Screening*: No change proposed.
- (f) *Signs*: A new sign is proposed in the same location as the existing sign. Signage could be proposed on the building façade. All signage will need to comply with sign ordinances.

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



View Looking South from Parking Lot.

Financial and Technical Ability (Section 300-603.E(7) of the LUO)

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

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