

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: February 5, 2014

RE: Augusta Regional Church Housing Corporation

SUMMARY OF REQUEST

Request: Application of Augusta Regional Church Housing Corporation to construct a 5,500 square foot community center at Arch Beta Apartments.

Owner: Augusta Regional Church Housing Corporation

Applicant: Augusta Regional Church Housing Corporation

Location: Gray Birch Drive

Zoning: Low Density Residential (RA) District

Tax Map Number: Map 90, Lot 23B

Existing Land Use: Multi-family housing

Proposed Lane Use: Multi-family housing

Acreage: 4.68 acres

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. Narrative
3. Deed
4. Plan set

Areas of Concern

Staff recommends that the Board discuss whether the southeastern corner of the southern property lot may remain within ten feet of the property line in the Bufferyard A area.

Staff recommends that the Board require the applicant to:

1. Revise the site plan so that the entire retaining wall is setback at least five (5) feet from the property line. Retaining wall tie-ins do not have to meet setback requirements, however, they may not be on the abutting property without the permission of the abutting property owner.
2. Submit a plan which addresses the retaining wall details.
3. Revise the site plan to show a fifteen (15) foot wide entrance drive into the parking lot which is located to the south of the community center.
4. Submit an agreement that defines the ownership and maintenance of the new off-site catch basin which is located on the south side of the new entrance drive.
5. Submit a plan which addresses stormwater system details such as invert elevations, pipe type and slope.
6. Submit a lighting specifications sheet for the exterior lights which demonstrates that they will be full cutoff fixtures.
7. Revise the site plan to remove the two parking spaces from the northerly parking lot to allow room for a Bufferyard A.
8. Submit a Landscape Plan for a Bufferyard A at the following locations:
 - a. Northern parking lot: between the parking lot and the eastern property line.
 - b. Southern parking lot: between the parking lot and the eastern property line and between the parking lot and the western property line.

Waivers

Survey. The applicant requested a waiver concerning the survey. A survey is included in the plan set. It is unclear why the applicant requested this waiver. The survey is acceptable. No waiver is necessary.

Traffic study. The applicant requested a waiver from submitting a traffic study. Please see Lionel Cayer's memorandum, bullet 4. Staff recommends that the Board approve the waiver request.

Reduced access drive width. The applicant proposed a twelve (12) foot wide access drive. Please see Lionel Cayer's memorandum, bullet 3, Paragraph 2. Staff recommends that the Board approve a waiver which reduces the width of the access drive to fifteen (15) feet.

Staff Review

The Bureau of Engineering. Please see the memorandum from Lionel Cayer, City Engineer.

The Bureau of Code Enforcement does not have additional comments.

The Bureau of Planning does not have additional comments.

Lot Characteristics

Setbacks – The proposed building, which is a principal structure, is required to have at least a 10 foot setback from the front, side and rear property lines (3.6.1.1.1.b). The proposed building meets the setback requirements.

The proposed retaining wall, which is an accessory structure, is required to have at least a 5 foot setback from the property lines. The eastern end of the retaining wall is within five feet of the property line, and does not meet the standard.

Staff recommends that the Board require the applicant to:

1. Revise the site plan so that the entire retaining wall is setback at least five (5) feet from the property line. Retaining wall tie-ins do not have to meet setback requirements, however, they may not be on the abutting property without the permission of the abutting property owner.

CRITERIA FOR REVIEW OF A MAJOR 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:* The proposed community center would be in an existing multi-family housing development which is on both sides of Gray Birch Drive. Ganneston subdivision is located to the east. Maine General Rehabilitation and Nursing is located at the end of Gray Birch Drive.
 - b. *Architectural Design:* There is an elevation drawing of the proposed building. It shows a building with multiple roof lines and two types of siding.
 - c. *Scale, Bulk, Building Height:* The proposed building is one-story and is 5,500 square feet in size.
 - d. *Identity, Historical Character:* Alpha Beta apartments is an elderly housing complex. Maine General Rehabilitation and Nursing is at the end of the street. The immediate area is primarily residential.
 - e. *Disposition and Orientation:* The proposed building is oriented roughly parallel to Gray Birch Drive.
 - f. *Visual Integrity:* The proposed building will blend in with the residential development.
- b) *Privacy:* The proposed building is within an existing multi-family housing development.
- c) *Safety and Health:* Please see the memorandum from Lionel Cayer, City Engineer, bullet 3, Paragraph 1 concerning the retaining wall.
- d) *Property Values:* The proposal is not expected to have a detrimental effect on the value of adjacent properties.

Staff recommends that the Board require the applicant to:

1. Submit a plan which addresses retaining wall details.

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

The proposal is 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 use of the community center will be limited to the residents of Arch Beta Apartments and support personnel. See the waiver section.
- b) *Safe Access:* Please see the memorandum from Lionel Cayer, City Engineer, under bullet 3, Paragraph 2 and the Waiver section.
- c) *Emergency:* The Augusta Fire Chief comments that the project provides for emergency access.
- d) *Movement/Parking:* Some residents and support personnel may walk to the building. There is a small parking lot located adjacent to the building.

Staff recommends that the Board require the applicant to:

1. Revise the site plan to show a fifteen (15) foot wide entrance drive into the parking lot which is located to the south of the community center.

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

- a) *Water Supply:* The building will be on public water. There will not be a significant increase in demand on the water supply within the development.
- b) *Sanitary/Sewer/Subsurface Waste Disposal:* The building will be on public sewer. There will not be a significant increase in wastewater flow within the development.
- c) *Electricity/Telephone:* There is electricity and phone service available on Gray Birch Drive.
- d) *Storm Drainage:* Please see the memorandum from Lionel Cayer, City Engineer.

Staff recommends that the Board require the applicant:

1. Submit an agreement that defines the ownership and maintenance of the new off-site catch basin which is located on the south side of the new entrance drive.
2. Submit a plan which addresses stormwater system details such as invert elevations, pipe type and slope.

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

- a) *Sensitive Areas:* There are no known sensitive areas.
- 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 public sewer.
- e) *Shoreland/Wetland Districts:* The project is not in the shoreland zone.

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 project does not comply with the setback requirement for the retaining wall, as noted in the Lot Characteristics section.
- b) *Noise:* Noise is not a concern.
- c) *Glare/Heat:* No glare or heat is proposed.
- d) *Exterior Lighting:* Several exterior lights are proposed. The lights must be full cutoff lights (5.1.11.1).
- e) *Screening:* A Bufferyard A is required around the perimeter of the parking lots. A Bufferyard A is 15-feet wide or 10-feet wide with a fence.
 - Northerly parking lot: Two parking spaces need to be eliminated and a Bufferyard A installed to the east of the parking lot.
 - Southerly parking lot: A Bufferyard A needs to be installed between the parking lot and the western property line. A Bufferyard A needs to be installed between the parking lot and the eastern property line. Some flexibility in the bufferyard requirements is allowed (5.1.1.3.b.2). Staff recommends that the Board consider whether the southeast corner of the parking lot may fall within 10 feet of the property line.
- f) *Signage:* No signs appear to be proposed.

See the Lot Characteristics section.

Staff recommends that the Board discuss whether the southeastern corner of the southern property lot may remain within ten feet of the property line in the Bufferyard A area.

Staff recommends that the Board require the applicant to:

1. Submit a lighting specifications sheet for the exterior lights which demonstrates that they will be full cutoff fixtures.
2. Revise the site plan to remove the two parking spaces from the northerly parking lot to allow room for a Bufferyard A.
3. Submit a Landscape Plan for a Bufferyard A at the following locations:
 - a. Northern parking lot: between the parking lot and the eastern property line.
 - b. Southern parking lot: between the parking lot and the eastern property line and between the parking lot and the western property line.

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

The application states that the applicant has adequate financial ability to complete the project. Black Diamond Consultants has adequate technical ability to complete the project.

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:* Wastewater will be disposed of in the public sewer. Not applicable.
- c) *Slopes effect on effluents:* Wastewater will be disposed of in the public sewer. Not applicable.

- d) *Streams for disposal of effluents:* Wastewater will be disposed of in the public sewer. Not applicable.
- e) *Applicable health and water resource rules:* The proposal will comply with health and water resource rules.

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)

See the Public Facilities section.

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 the Public Facilities section.

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)

An erosion and sedimentation control plan is included.

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)

See the Traffic Pattern, Flow and Volume section.

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)

See the Public Facilities section.

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)

The proposal will not have an undue adverse effect on aesthetic, cultural or natural values.

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)

See the Plans and Policies and Performance Standards sections.

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.

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)

The project is not within the watershed of a pond or lake or within 250 feet of a wetland, great pond or river. Not applicable.

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 groundwater.

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)

There are no wetlands on the parcel.

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)

Attachment 8 addresses whether a stream exists on the property. The applicant's agent contacted the Maine DEP and requested a stream determination. DEP staff was not available to fulfill the request within the agent's timeframe. The agent hired Main-Land Development Consultants, Inc. to do a stream determination at the property. Main-Land found that there was not a stream on the property.

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 memorandum from the City Engineer.

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 proposal 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.