

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: June 4, 2014

RE: Maine Army National Guard

Handwritten initials, possibly "MR" or "SR", in blue ink.

SUMMARY OF REQUEST

Request: Major Development as per Section 4.5 and Conditional Use as per section 6.3.4. The applicant proposes to construct a 100,791 square foot building, parking lot and access drives. The facility will be used for government services, which is a conditional use.

Owner: State of Maine

Applicant: Maine Army National Guard

Location: Blue Star Avenue

Zoning: Planned Development (PD) District

Tax Map Number: Map 5, Lot 13A

Existing Land Use: Vacant land

Proposed Land Use: Government Services

Acreage: 43.4 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 / Waiver Requests

Staff recommends that the Board discuss the following proposals:

1. The applicant submitted a parking demand study and requests a reduction in the number of required parking spaces to 230 parking spaces.
2. The applicant proposed 8 handicap-accessible parking spaces. The Land Use Ordinance requires 4% of the parking spaces to be handicap-accessible (Land Use Ordinance, 5.1.14.2.1.b), which would be 10 parking spaces (out of 230 parking spaces). The Americans with Disabilities Act requires 7 parking spaces.
3. The applicant requested a waiver to reduce the parking lot aisle width from 26 feet to 24 feet (Land Use Ordinance, 5.1.14.2.1.a).
4. The applicant requested a waiver regarding buffering within parking lots serving more than 70 vehicles (Land Use Ordinance, 5.1.1.3.g.ii). The applicant proposes to paint island areas, which would be at the same grade as the parking lot, instead of providing buffering.

Staff Review

The Bureau of Engineering. See the memorandum from Lionel Cayer, City Engineer. After Lionel wrote the memorandum, the applicant submitted an executive summary of the stormwater report on December 3, 2013.

The Bureau of Code Enforcement does not have any additional comments.

The Bureau of Planning. Construction is scheduled to start in 2015.

Lot Characteristics

Density – The floor area factor is .63. The maximum allowed floor area is 22.4 acres. The proposed floor area is 2.31 acres. The proposal meets the density standard.

Impervious Surface Ratio – The maximum allowed impervious surface ratio is .80. The maximum allowed impervious surface area is 28.4 acres. The proposed impervious surface area is 9.52 acres. The proposal meets the impervious surface requirement.

Setbacks – The minimum required front setback from Civic Center Drive is 35 feet (5.1.16(3)(h)). The minimum required front setback from Blue Star Avenue is 20 feet (3.6.1.5(2)). The minimum required side and rear setbacks are 5 feet. The proposal meets the setback requirements.

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:* There is a mix of commercial and residential land uses in the neighborhood. The applicant proposes a helicopter landing pad for emergency purposes only. It is 110

feet from the nearest property line, 325 feet from the nearest structure, and is buffered by at least 100 feet of existing forest.

- b) *Architectural Design*: There are renderings of the architectural design.
 - c) *Scale, Bulk, Building Height*: The proposed building has 100,791 square feet and is a two-story building (59,333 square foot footprint).
 - d) *Identity, Historical Character*: The project is located in a growth area.
 - e) *Disposition and Orientation*: The proposed building is oriented parallel to Civic Center Drive.
 - f) *Visual Integrity*: The proposed building will be separated from the development along Civic Center Drive and the Maine Veterans' Cemetery by the existing wooded area. The buffering will help the project blend in.
- b) *Privacy*: There are a several residences along Civic Center Drive that are within 1000 feet of the proposal. There is a forested area between the residences and the proposal.
 - c) *Safety and Health*: The proposal will maintain safe and healthful conditions in the area.
 - d) *Property Values*: The proposal is not expected to have a detrimental effect on the value of the 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 Economic Growth Area 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*: See the memorandum from Lionel Cayer, City Engineer. Maine DOT will do all of the off-site work associated with traffic. Gorrill-Palmer is the Maine DOT's consultant. Lionel will be available at the Planning Board meeting to answer questions about off-site improvements.
- b) *Safe Access*: The Maine Department of Transportation proposes to realign the Blue Star Avenue/Civic Center Drive intersection across from Darin Drive and install a traffic light.
- c) *Emergency*: Prior to his retirement, Dan Guimond, Battalion Chief, Augusta Fire, reviewed the application.
- d) *Movement/Parking*: Based on the standard in the Land Use Ordinance, 303 parking spaces are required. This is based on the standard for an office building which requires 3 spaces per 1,000 square feet of building. This is not a typical office building. There will be an auditorium, assembly hall, classrooms, locker rooms, emergency response areas, etc. The applicant submitted a parking demand study and requests a reduction in the number of required parking spaces to 230 parking spaces. The ordinance allows parking to be reduced by up to 50%, and the proposal is for a reduction of approximately 24%.

The applicant proposed 8 handicap-accessible parking spaces. The Land Use Ordinance requires 4% of the parking spaces to be handicap-accessible (Land Use Ordinance, 5.1.14.2.1.b), which would be 10 parking spaces (out of 230 parking spaces). The Americans with Disabilities Act requires 7 parking spaces.

The applicant requested a waiver to reduce the parking lot aisle width from 26 feet to 24 feet (Land Use Ordinance, 5.1.14.2.1.a).

The applicant requested a waiver regarding buffering within parking lots serving more than 70 vehicles (Land Use Ordinance, 5.1.1.3.g.ii). The applicant proposes to paint island areas, which would be at the same grade as the parking lot, instead of providing buffering.

All four of these requests seem reasonable.

Staff recommends that the Board discuss the following proposals:

1. The applicant submitted a parking demand study and requests a reduction in the number of required parking spaces to 230 parking spaces.
2. The applicant proposed 8 handicap-accessible parking spaces. The Land Use Ordinance requires 4% of the parking spaces to be handicap-accessible (Land Use Ordinance, 5.1.14.2.1.b), which would be 10 parking spaces (out of 230 parking spaces). The Americans with Disabilities Act requires 7 parking spaces.
3. The applicant requested a waiver to reduce the parking lot aisle width from 26 feet to 24 feet (Land Use Ordinance, 5.1.14.2.1.a).
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Public Facilities (Section 6.3.4(4) of the LUO)

- Water Supply:* The project will be on public water. The Greater Augusta Utility District comments that they have adequate capacity to supply the project with water. A fire hydrant will be located near the building.
- Sanitary/Sewer/Subsurface Waste Disposal:* The project will be on public sewer. The Greater Augusta Utility District comments that they have adequate capacity to dispose of waste water.
- Electricity/Telephone:* There is electric power along Civic Center Drive.
- Storm Drainage:* See the memorandum from Lionel Cayer, City Engineer. After Lionel wrote the memorandum, the applicant submitted a Stormwater Executive Summary.

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

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

- Sensitive Areas:* There are vernal pools and wetlands on the site. The applicant has applied for a Natural Resources Protection Act permit from the Maine DEP.
- Air Quality:* The project will conform to air quality standards.

- c) *Water Quality:* The applicant has applied for a Site Location of Development Law permit from the MaineDEP for the development of the parcel. The applicant transferred a portion of Site Location of Development Law permit L-16144-29-A-N, which was held by the Bureau of Veterans Services, to the Military Bureau. The transfer is associated with the division of the parcel that included the Maine Veterans' Cemetery and the land that will be developed for this project.
- d) *Sewage/Industrial Waste:* Sewage will be disposed of in the public sewer. No industrial waste is proposed.
- e) *Shoreland/Wetland Districts:* Stone Brook, which is to the east of the project, has a Shoreland Zone. None of the project will be 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 complies with the performance and dimensional standards.
- b) *Noise:* There will be two diesel-powered generators on site. The generators will be exercised periodically. The Planning Board may wish to specify hours that the generators may be exercised.
A helicopter landing pad is proposed. See the Neighborhood Compatibility section for more information.
- c) *Glare/Heat:* No glare or heat is proposed.
- d) *Exterior Lighting:* In Exhibit 10, the applicant indicates that the exterior lights will comply with the lighting performance standards. The lighting specifications sheet is for a full cutoff light.
- e) *Screening:* A buffer is required within the minimum 35 foot front setback from Civic Center Drive (the property line abuts the Civic Center Drive right of way in a few places). The planting multipliers listed in Bufferyard C must be used in this area. A Bufferyard C is required between the proposal and the residential properties. A Bufferyard A is required between the parking lot and adjacent uses and right of ways. The applicant proposes to use a mixture of the existing wooded area and plantings for buffering. The bufferyard proposal is acceptable.
- f) *Signage:* No specific signs are proposed as part of the application.

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

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

The applicant has the financial ability to complete the project. The applicant's agent has the 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:* Stone Brook has a floodplain. The project is located outside of the floodplain area.
- b) *Ability of Soils to support waste disposal:* The project will connect to the public sewer.
- c) *Slopes effect on effluents:* The project will connect to the public sewer.
- d) *Streams for disposal of effluents:* The project will connect to the public sewer.
- e) *Applicable health and water resource rules:* The project will comply with applicable state and local rules and regulations.

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)

The project will connect to public water supply. 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)

The project will connect to public water supply. 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)

The project will connect to the public sewer. Pine Tree Waste indicates that it has the capacity to dispose of the waste.

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 project 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 two hundred and fifty feet of any wetland, great pond or river as defined in Title 38, Chapter 3, subchapter I, Article 2-B.

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 project 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 project is not located in a flood plain.

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 the Resource Protection and Environment section.

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)

The streams are shown on the site plans.

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 applicant has applied for a Site Location of Development Act permit.

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.