

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
DATE: September 8, 2015
RE: **Hannaford To Go**

SUMMARY OF REQUEST

Request: The request is for a Minor Development review as per Section 4.5. The applicant proposes to construct a drive through grocery pick up for the Whitten Road Hannaford Store.

Owner: Hannaford Bros. Co., LLC.

Applicant: Hannaford Bros. Co., LLC.

Location: 29 Whitten Road

Zoning: Regional Business (CC)

Tax Map Number: Map 92, Lot 4

Existing Land Use: Retail

Proposed Land Use: Retail

Acreage: 8.21

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. Agent authorization letter
5. Site Plan

Areas of Concern

There are no areas of concern.

Waivers

The applicant has requested the following waivers:

1. Waiver from Section 4.5.2.5 requiring a surveyor's name, address, signature, and seal.
Staff recommends approval of this waiver request. The proposed modification is in the middle of the existing developed site. There is no question that it is on the applicant's property and meets setback requirements.
2. Waiver from Section 4.5.2.14 requiring drainage and erosion control.
Staff recommends approval of this waiver request. No changes to the site are proposed.
3. Waiver from Section 4.5.2.15 requiring information about existing and proposed utilities.
Staff recommends approval of this waiver request. No changes to the site are proposed.
4. Waiver from Section 4.5.2.20 requiring a boundary survey and associated information.
Staff recommends approval of this waiver request. The proposed modification is in the middle of the existing developed site. There is no question that it is on the applicant's property and meets setback requirements.
5. Waiver from Section 4.5.2.22 requiring fire protection plans.
Staff recommends approval of this waiver request. No changes to the site are proposed.
6. Waiver from Section 4.5.2.23 requiring landscaping.
Staff recommends approval of this waiver request. No changes to the site are proposed related to impervious surfaces that might require landscaping.
7. Waiver from Section 4.4.1.14 requiring delineation of freshwater wetlands.
Staff recommends approval of this waiver request. No changes to the site are proposed related to impervious surfaces.
8. Waiver from Section 4.4.1.15 requiring delineation of streams, river, and brooks.
Staff recommends approval of this waiver request. No changes to the site are proposed related to impervious surfaces.
9. Waiver from Section 4.4.1.16 requiring a stormwater report.
Staff recommends approval of this waiver request. No changes to the site are proposed related to impervious surfaces.
10. Waiver from Section 6.3.4.3 requiring traffic patten, flow, and volume reports.
Staff recommends approval of this waiver request. No change to off-site flow is anticipated, and no significant modification to on-site flow is anticipated.

Staff Review

The Bureau of Engineering does not have any concerns.

The Bureau of Code Enforcement did not comment.

The Bureau of Planning does not have any concerns.

Lot Characteristics

Minimum Lot Size – There is no minimum lot size in the CC district.

Minimum Road Frontage – There is no minimum road frontage in the CC district.

Minimum Lot Depth – There is no minimum lot depth in the CC district.

Minimum Front Setback – The minimum setback from Whitten Road is 25 feet and the minimum setback from I-95 is 35 feet. The existing building is set back over 50 feet, which meets the 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:* The property is currently occupied by a full size Hannaford Supermarket.
 - b. *Architectural Design:* The design is propose to be a small canopy drive through with a call station to inform employees that a customer has arrived for a pick-up of previously ordered groceries.
 - c. *Scale, Bulk, Building Height:* The canopy and drive up area are small and will not add to the existing scale or bulk of the building on site.
 - d. *Identity, Historical Character:* The area is a developed commercial corridor.
 - e. *Disposition and Orientation:* The canopy will be on the east side of the front of the bulding, more than 450 feet from the nearest adjacent land use.
 - f. *Visual Integrity:* The canopy and order pick up area will be small in the sope of the existing site development and will likely add to the visual interest of that side of the store, which is currently dominated by a large blank exterior wall.
- b) *Privacy:* The use is more than 450 feet from the nearest adjacent land use and is blocked from the adjacent hotel by the entire bulk of the supermarket.
- c) *Safety and Health:* The proposal will maintain safe and healthful conditions.
- 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 project is located in the Rural East District which is described in the 2007 Comprehensive Plan. Development patterns need to be progressively more rural as one moves east.

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 does not expect a significant change in the amount of traffic.
- b) *Safe Access*: No change is proposed to the access.
- c) *Emergency*: No change is proposed to emergency access.
- d) *Movement/Parking*: No significant change is proposed to the parking lot.

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*: Not applicable.
- b) *Sanitary/Sewer/Subsurface Waste Disposal*: Not applicable.
- c) *Electricity/Telephone*: The drive through will be served by existing on site power
- d) *Storm Drainage*: There is no change to the existing on site drainage.

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)

- a) *Sensitive Areas*: No wetland impact is proposed.
- b) *Air Quality*: The proposal conforms to air quality standards.
- c) *Water Quality*: The proposal conforms to water quality standards.
- d) *Sewage/Industrial Waste*: Not applicable.
- e) *Shoreland/Wetland Districts*: 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 the performance and dimensional standards.
- b) *Noise*: Noise is not a concern, given the distance to the nearest property line and nearest land use. The proposal will have to meet the ordinance noise standards.

- c) *Glare/Heat*: No glare or heat is proposed.
- d) *Exterior Lighting*: The canopy has a proposed up-light under the red translucent canopy. The fixtures will not be full cut off and the canopy will be lit by them from underneath. Section 5.1.11.1 of the land use ordinance gives the Planning Board the authority to approve lights that are not full cutoff. The Board would have to specifically approve the proposed lighting of this canopy.
- e) *Screening*: The proposed drive through is effectively part of the existing parking field and screening beyond what exists in the parking field is not required.
- f) *Signage*: New signage on site will have to comply with existing sign ordinances.

Staff recommends that the Board find that the proposed use is in compliance with the ordinance regarding Performance Standards under the following conditions:

1. The Planning Board approves the proposed under-canopy lighting.

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

The applicant plans to pay for the addition with cash that is currently available. The applicant's agent, Maple Rock, has the technical ability to complete the project in compliance with the standards and the applicant has the financial ability to install the drive through.

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*: Not applicable.
- c) *Slopes effect on effluents*: Not applicable.
- d) *Streams for disposal of effluents*: Not applicable.
- e) *Applicable health and water resource rules*: Not applicable.

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 site is served by public water and the proposed use will not have an impact on existing water usage on site.

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 municipal water supply will not be used for this addition. Not applicable.

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)

The proposal does not create any new impervious surface. Not applicable.

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 not be generated by this proposed addition. 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.

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 proposal creates no new impervious surface and will not adversely affect the quality of the surface waters.

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)

Not applicable.

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.