

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: May 15, 2012
SUBJECT: Mojo Health Bar Site Plan Amendment

Introduction

Jacqueline McClure is requesting an amendment to the site plan approval granted in 1988 for 299 Ocean House Rd to change the approved use from office to 840 sq. ft. of combined personal service and restaurant. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The Board should begin by having the applicant summarize the project.
- The Board should then make a determination of completeness. If the application is deemed incomplete, Board members should identify the information needed to make the application complete and no substantive discussion of the application should occur. If the application is deemed complete, substantive discussion may begin.
- The Board should decide if a site walk and/or public hearing should be scheduled.
- The Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

Summary of Completeness

Attached are the completeness checklist and the comments of the Town Engineer. Below is a summary of possible incomplete items:

No items appear to be incomplete. The applicant has asked for waivers, most of which are based on the absence of changes to those site features.

Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5.

A. Utilization of the Site

No changes to the existing building are proposed. The applicant is proposing to add 1 outside table and 2 seats to the south side of the driveway.

B. Traffic Access and Parking

1. Adequacy of Road System- Route 77 has significant excess capacity and the uses proposed by the applicant will not cause Route 77 to reach capacity.
2. Access into the Site- Existing access points will be used.
3. Internal Vehicular Circulation-The existing circulation pattern will not be changed by this project
4. Parking Layout and Design- The existing parking layout will not be changed by this project. The applicant has submitted a calculation of parking demand for the existing and proposed uses (10 spaces) and the amount of parking on the site (12 spaces) exceeds the projected demand.

C. Pedestrian Circulation

No change is proposed. The site fronts on town center sidewalk system.

D. Stormwater Management

No change is proposed.

E. Erosion Control

No disturbance of soil is proposed.

F. Water Supply

The Portland Water District has confirmed that there is adequate water for the proposed use.

G. Sewage Disposal

The Sewer Superintendent is reviewing the information submitted by the applicant.

H. Utilities

No change to existing utility connections is proposed.

I. Water Quality Protection

No discharge of noxious chemicals is proposed.

J. Wastes

The plan includes the location of recycling bins, located adjacent to the parking spaces off the private road.

K. Shoreland Relationship

The property is not located in the Shoreland Zone.

L. Technical and Financial Capacity

The Town Manager has commented on the financial capacity. The applicant is operating similar establishments currently and no exterior changes are proposed.

M. Exterior Lighting

The applicant is using existing lighting and also proposing new lighting for the wall sign at the rear of the building and asserting that the lighting will not exceed .5 footcandles at the property line (10' away).

N. Landscaping and Buffering

No changes are proposed.

O. Noise

The proposed use is not expected to generate noise levels in excess of those permitted.

P. Storage of Materials

No exterior storage of materials is proposed.

Motion for the Board to Consider

A. Motion for Completeness

BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Jacqueline McClure for an amendment to the site plan approval granted in 1988 for 299 Ocean House Rd to change the approved use from office to 840 sq. ft. of combined personal service and restaurant be deemed (complete/incomplete).

B. Motion for Approval

Findings of Fact

1. Jacqueline McClure is requesting an amendment to the site plan approval granted in 1988 for 299 Ocean House Rd to change the approved use from office to 840 sq. ft. of combined personal service and restaurant, which requires review under Sec. 19-9, Site Plan Regulations.
2. The application substantially complies with Sec. 19-9, Site Plan Regulations.

THEREFORE BE IT ORDERED that, based on the plans and materials submitted and the facts presented, the application of Jacqueline McClure for an amendment to the site plan approval granted in 1988 for 299 Ocean House Rd to change the approved use from office to 840 sq. ft. of combined personal service and restaurant be approved.