

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: May 17, 2016
SUBJECT: 535 Shore Rd Change of Use Site Plan

Introduction

Michael Friedland is requesting Site Plan review of the change of use of a developed property located at 535 Shore Rd. The building includes retail on the first floor and a multifamily unit on the second floor. The building predates site plan review. The applicant would like to operate an office on the first floor, which is a change of use triggering site plan review because no site plan has been approved for the site. In order to maximize his options, Mr. Friedland is asking for approval of a "category 3 village retail shop." See Zoning Ordinance BA District, Sec. 10-6-5 (F). If he obtains this approval, he can operate a category 3 or 2 use without further review as long as there are no exterior changes. The application will be reviewed for compliance with Sec. 19-9 Site Plan Review.

Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should then make a finding 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 review may begin.
- If the application is deemed complete, a public hearing has been advertised for this meeting.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Summary of Completeness

The completeness checklist is attached. No comments have been solicited from the Town Engineer because there are very limited physical changes to the site.

Since the last meeting, the applicant has submitted 3 pages with parking calculations based on a revised first floor square footage of 2,389 sq. ft.

Motions 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 Michael Friedland for Site Plan review of a change of use of 2,389 sq. ft. to village retail for the property located at 535 Shore Rd be deemed (complete/incomplete).

B. Motion for Approval

1. Michael Friedland is requesting Site Plan review of the change of use to 2,389 sq. ft. of village retail located at 535 Shore Rd, which requires review under Sec. 19-9, Site Plan Regulations.
2. The property is developed with a 2 story building and parking area and no exterior construction is proposed.
3. 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 Michael Friedland for Site Plan review of a change of use of 2,389 sq. ft to village retail for the property located at 535 Shore Rd be approved.