

## MEMORANDUM

TO: Cape Elizabeth Planning Board  
FROM: Maureen O'Meara, Town Planner  
DATE: May 21, 2019  
SUBJECT: 1226 Shore Rd mixed use office/restaurant/8 apartments

### Introduction

1226 Shore Rd LLC is requesting Site Plan review of a mixed use office/restaurant/8 apartments building expansion located at 1226 Shore Rd. The application also includes conversion of an existing accessory building approved for storage to be converted to office space. The application was deemed complete at the April 22, 2019 meeting and public hearing has been scheduled for this evening. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

### Procedure

- The Board should begin by having the applicant summarize any changes to the project.
- The Board should then open the public hearing.
- At the close of the public hearing, the Board may begin discussion.
- When discussion ends, the Board has the option to approve, approve with conditions, table or deny the application.

### Site Plan Review Standards

Below is a summary of application compliance with the Site Plan standards, Sec. 19-9-5. The Town Engineer provided comments last month that he had no further comments on the application submission materials.

#### 1. Utilization of the Site

The project redevelops an existing site with demolition of all but the newest addition to the building fronting on Shore Rd. The existing footprint will be expanded with modest additions that tend to "square up" the building, which will be 3 stories in height. Remnant kitchen facilities in the basement will be removed and the basement will be used exclusively for storage supporting tenants of the building and utilities. The existing parking lot will be doubled in size and a new 8 car parking garage will be constructed adjacent to the parking lot.

Building #2 located at the rear of the site was previously approved by the Planning Board as a garage/storage area. It is now proposed to be office space. An unpermitted kitchen will be reduced in scale to be consistent with kitchen facilities supporting an office use.

It should be noted that site plan review has been conducted on a single lot with multiple buildings and that the function of the two buildings are integrated on the lot. Any effort to divide the lot may have site plan implications and should require review by the Planning Board as a site plan amendment.

2. Traffic Access and Parking

- a. Adequacy of Road System- The applicant calculated trip generation for the proposed project at 441 trips per day, and less than 100 trips during the am or pm peak hour. Shore Rd has not been identified as a high crash location. The Route 77/Shore Rd/Scott Dyer Rd intersection is currently identified as a high crash location, however, town policy does not support construction improvements at this location.
- b. Access into the Site- Existing access points will be used.
- c. Internal Vehicular Circulation-The internal circulation will be 2 access points connecting the parking lot with the abutting road easement.
- d. Parking Layout and Design- The applicant's parking requirement estimates are shown on drawing C-2. Staff is recommending the following parking requirements calculation.



Approximately 38 parking spaces are proposed and 5 "shared spaces" are proposed. Staff is recommending that the proposed parking be calculated as follows:

<b>Parking Provided</b>	
<b>Location</b>	<b>Number of spaces</b>
In front of Building #1	2
Main parking lot	24
New parking garage	8
Building #2 garage	2
Building #2 driveway (stacked)	2
Building #2 side of garage (compact)	2
<b>TOTAL</b>	<b>40</b>
Shared parking option	3
<b>TOTAL with SHARED PARKING</b>	<b>43</b>

This calculation assumes that the Planning Board will consider counting 2 stacked spaces in front of the existing 2-bay garage in Building #2. In

addition, the Planning Board may be willing to count 2 parking spaces that have evolved next to the garage portion of Building #2. The spaces exceed the "compact car" minimum dimensions of 8' x 16' (up to 20% of the total parking required may be approved as compact car spaces). The Board may want to note that these spaces are also "stacked" when 2 cars are parked in front of the Building #2 garage.

The applicant is also requesting that a number of "shared" parking spaces be approved. The Planning Board has previously approved shared parking spaces when the applicant can demonstrate that multiple uses on a site may not unduly overlap. For example, residential uses tend to require parking most often during the evenings and weekends, while office uses tend to require parking during the weekday. If the Board accepts the staff parking calculations above, approval of 3 "shared" parking spaces would align the proposed parking with Sec. 19-7-8 requirements.

The main parking lot includes parking spaces and aisle widths consistent with Sec. 19-7-8 standards.

3. Pedestrian Circulation

The site fronts on the Town Center sidewalk that connects to the Shore Rd path. An existing sidewalk runs next to the road and creates a pedestrian connection to the rear of the property. A new 4' wide walkway will connect the Shore Rd sidewalk to the relocated front door.

4. Stormwater Management

The development will increase the impervious surface by 7,060 sq. ft., which is less than the 10,000 sq. ft. threshold that requires a pre/post development analysis. For the LID, the applicant is proposing to install a porous pavement parking lot.

5. Erosion Control

An erosion and sediment control plan has been submitted by the applicant.

6. Utilities

The site is currently served by public sewer and applicant is evaluating if the existing systems will be sufficient for the proposed uses. There is capacity in the public sewer system to serve the project.

The applicant is working with the Portland Water District to install a new 2" domestic water line and 6" line for fire suppression.

Utility connections for the existing building will be utilized for the new construction.

Solid waste on the site will be stored in a 10' x 12' solid wood enclosure located at the rear of the site next to the parking lot and Building #2. The enclosure will not be accessible for servicing when the parking space in front of it is occupied.

7. Shoreland Relationship

The property is not located in the Shoreland Overlay Performance District.

8. Landscaping and Buffering

The site is currently manicured lawn and statement trees, except for a naturally vegetated buffer strip of up to 50' in width on the east side of the property. The east property line abuts the Residence A District, and is subject to greater buffering standards. The applicant is proposing to leave the naturally vegetated area as is for the most part. Some trees will need to be removed to facilitate construction of the garage. The applicant is proposing to do selective thinning.

Plan C-2, Note 7 requires preservation of existing vegetation in the buffer. The note should be revised to refer to a buffer area instead of a building envelope and the buffer area should be clearly defined and labeled on the plan.

A mix of ground shrubs, perennials and grasses are proposed along the foundation at the front of the building. A 36" existing oak tree located on the western front of the building is proposed to be preserved, but will require trimming as it currently arches over the 1 story structure. At the rear of the parking lot, three deciduous ornamental trees are proposed in an area graded as a swale.

9. Exterior Lighting

The applicant has provided lighting fixture specifications and a photometric study that demonstrates that lighting levels at the property line will not exceed .5 footcandles.

10. Signs

The application includes information on lighting for a sign, located east of the front walkway. No information on the sign size, or materials is provided.

11. Noise

The applicant estimates that the residential uses will generate the loudest noise, which will not exceed 40 dBa at the property line.

12. Storage of Materials

Except for solid waste, no exterior storage is proposed.

13. Technical and Financial Capacity

The applicant has provided a letter from Camden National Bank as a financial reference.

Motion for the Board to Consider

Findings of Fact

1. Patrick Tinsman is requesting Site Plan review of a mixed use office/20 seat restaurant/8 apartments development in two buildings located at 1226 Shore Rd, which requires review under Sec. 19-9, Site Plan Regulations.
2. The plan for the development (reflects/ does not reflect) the natural capabilities of the site to support development.
3. Access to the development (will/ will not) be on roads with adequate capacity to support the traffic generated by the development. Access into and within the site (will/ will not) be safe. Parking (will/ will not) be provided in accordance with Sec. 19-7-8, Off-Street Parking as is based on the tables included on pages 2-3 above.

4. The plan (does/does not) provide for a system of pedestrian ways within the development.
5. The plan (does/does not) provide for adequate collection and discharge of stormwater.
6. The development (will/will not) cause soil erosion, based on the erosion plan submitted.
7. The development (will/will not) be provided with an adequate quantity and quality of potable water.
8. The development (will/will not) provide for adequate sewage disposal.
9. The development (will/will not) be provided with access to utilities.
10. The development (will/will not) locate, store or discharge materials harmful to surface or ground waters.
11. The development (will/will not) provide for adequate disposal of solid wastes.
12. The development (will/will not) adversely affect the water quality or shoreline of any adjacent water body.
13. The applicant (has/has not) demonstrated adequate technical and financial capability to complete the project.
14. The development (will/will not) provide for adequate exterior lighting without excessive illumination.
15. The development (will/will not) provide a vegetative buffer throughout and around the site and screening as needed.
16. The development (will/will not) substantially increase noise levels and cause human discomfort.
17. Storage of exterior materials on the site that may be visible to the public (will/will not) be screened by fencing or landscaping.
18. 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 Patrick Tinsman for Site Plan review of mixed use office/8 seat restaurant/8 apartments buildings(2) located at 1226 Shore Rd be approved, subject to the following conditions:

1. That the plans be revised to satisfy the concerns of the Town Engineer in his letter dated
2. That site plan review has been conducted on a single lot with multiple buildings and integrated functions, therefore, no division of the lot should occur unless the division complies with current zoning requirements and has obtained Planning Board approval of a site plan amendment;
3. That the storage areas for Building #1 and #2 shall only be used as storage by the tenants of the respective buildings;
4. That the parking table on plan C-2 be replaced with the parking tables on pages 2 and 3 of this memorandum;
5. That the only dwelling units included in this approval are 8 multi-family units located on floors 2 and 3 in Building #1. Building #2 shall not be occupied as a dwelling unit;
6. That there be no issuance of a building permit not alteration of the site until the above conditions have been satisfied and a performance guarantee has been provided to the town.