



Memorandum

TO: Arundel Planning Board
CC: Ann Tardif, Land Use Assistant
FROM: Jamel Torres, Land Use Division Director, SMPDC
RE: **Site Plan Review – Birch Park Mixed-Use Development**
DATE: July 9, 2024

Project Description

Birch Park, LLC is proposing a mixed-use development located along U.S. Route 1/Portland Road on Assessor's Tax Map 33, Lot 12B. The proposal includes a variety of uses to be located in three buildings:

- Building 1: 2,400 square foot, 2-story building with proposed retail use on the first floor and two 2-bedroom apartments on the second floor.
- Building 2: 4,500 square foot, 1-story building with proposed warehouse use.
- Building 3: 5,000 square foot, 1-story building with proposed warehouse use.

The proposal also includes a new driveway and associated stormwater management, landscaping, utilities and parking elements. This review memorandum is in response to the submission materials dated July 2, 2024 submitted by Craig Sweet of Terradyn Consultants, LLC.

Applicant: Birch Park, LLC

Owner: Same as applicant

Location: U.S. Route 1/Portland Road

Zoning: Downtown Business 1 & Downtown Business 2 Districts

Tax Map Number: Map 33, Lot 12B

Existing Land Use: Undeveloped and vegetated

Proposed Land Use: Retail, Dwelling Units, Warehouse

Acreage: 2.91 acres

Complete Application: The Planning Board should determine whether the application is complete at the July 16, 2024 Board meeting.

Waivers: Land Use Ordinance:

- Section 5.2.2.6.b. – Minimum Driveway Spacing
- Section 6.5.7.4. – Parking Lot Planting Strips

Site Walk: The Planning Board should determine if they would like to schedule a site walk at the July 16, 2024 Board meeting.

Public Hearing: The Planning Board should determine when they would like to schedule a public hearing at the July 16, 2024 Board meeting.

Application Completeness

SMPDC staff has reviewed the application materials for the project and it appears that the application is missing the following site plan review submission requirements:

- Depict the proposed tree clearing limit on the site plan (sheet C-1.0)
- Provide the proposed sight distances measured from the proposed private drive intersection with U.S. Route 1/Portland Road
- Building plans for the two buildings proposed at the rear of the site
- All outside agency approvals (i.e., MaineDEP permitting)
- Letter of compliance from the Arundel Fire Chief
- Letter of compliance from the Arundel Public Works Director

Waiver Requests

The applicant is proposing two waiver requests:

- Section 5.2.2.6.b. – Minimum Driveway Spacing
 - The applicant is proposing to reduce minimum driveway spacing from a property line requirement of 20-feet to 15-feet. The applicant should be prepared to discuss this waiver request with the Board.
- Section 6.5.7.4. – Parking Lot Planting Strips
 - The applicant is proposing to eliminate the requirement for the minimum parking lot planting strip of 5-feet in width between a proposed building and parking lot. SMPDC staff would like to note that this is a zoning standard that is not able to be waived by the Board.

Section 6.4 – Downtown Business District (DB1) Zoning Standards Review

- Section 6.4.3 – Space & Bulk Requirements in the DB1 District
 - The applicant should provide the proposed conditions information in the Space and Bulk Requirements matrix on the site plan (sheet C-1.0) to ensure the requirements set forth in Section 6.4.3. in the Land Use Ordinance is being met.
- Section 6.4.4 – Design Standards for New Construction and Rehabilitation
 - The applicant should be prepared to discuss how the proposed building emulates the mass and scale of a Maine village with the Board.
 - In accordance with Section 6.4.4.1.c. in the Land Use Ordinance, roofs should be gable-ended with a minimum roof pitch of 7/12 to emulate New England style architecture. The applicant should provide the proposed roof pitch for the retail/apartment building with future submissions to the Board.
 - In accordance with Section 6.4.4.1.d.1. in the Land Use Ordinance, window and door area should not be less than 25%, nor more than 66% of the façade area facing the street or public sidewalk. The applicant should provide detailed building elevations that include the percentage of window and door areas with future submissions to the Board.
 - In accordance with Section 6.4.4.1.e. in the Land Use Ordinance, the preferred façade materials are either wood or cement board clapboards or shingles to emulate the existing built character of Arundel and a coastal Maine village. The applicant should provide the proposed building materials on detailed building elevations with future submissions to the Board.
- Section 6.4.5 – Signs
 - The applicant has provided a detail sheet of the proposed project sign. The applicant should refer to this section (6.4.5) and 5.17 in the Land Use Ordinance for the sign requirements and provide additional information as required with future submissions to the Board to ensure these standards are being met.
 - It is unclear to SMPDC staff if the applicant is proposing any building-mounted signage for the project. If building-mounted signage is proposed, the applicant should provide details for these with future submissions to the Board.

- Section 6.4.7 – Lighting
 - In accordance with Section 6.4.7.5. in the Land Use Ordinance, all outdoor lighting shall have a Color rendering index (CRI) of no less than 80 in the front yard area and no less than 65 in the side or rear yards. The applicant should provide this information on the photometrics plan (sheet C-5.0) with future submissions to the Board.
- Section 6.4.8 -- Landscaping
 - In accordance with Section 6.4.8.2. in the Land Use Ordinance, street trees shall be installed in the front yard of any property fronting a public street at no less than one (1) street tree for every fifty (50) feet of frontage. It does not appear that the applicant is providing enough street trees along the U.S. Route 1/Portland Road frontage. The applicant should modify the plans to include additional street trees as required by this standard.
 - In accordance with Section 6.4.8.5. in the Land Use Ordinance, a 10-foot wide landscape strip meeting the buffering standards of section 5.9 shall be installed along the side lot lines. It does not appear that the required 10-foot wide landscape strip is being proposed by the applicant. The applicant should modify the plans accordingly in order to meet this standard.
 - The applicant should depict the DB1 and DB2 Zoning District boundary on the landscape plan (sheet L-1.0).

Section 6.5 – Downtown Business District 2 (DB2) Zoning Standards Review

- Section 6.5.3 – Space & Bulk Requirements in the DB1 District
 - The applicant should provide the proposed conditions information in the Space and Bulk Requirements matrix on the site plan (sheet C-1.0) to ensure the requirements set forth in Section 6.5.3. in the Land Use Ordinance is being met.
- Section 6.5.4 – Signs
 - It is unclear to SMPDC staff if the applicant is proposing any building-mounted signage for the project. If building-mounted signage is proposed, the applicant should provide details for these with future submissions to the Board.
- Section 6.5.6 – Lighting
 - In accordance with Section 6.5.6.5. in the Land Use Ordinance, all outdoor lighting shall have a Color rendering index (CRI) of no less than 65 in the front yard area and no less than 50 in the rear yards. The applicant should provide this information on the photometrics plan (sheet C-5.0) with future submissions to the Board.
- Section 6.5.7 – Landscaping
 - In accordance with Section 6.5.7.5. in the Land Use Ordinance, a 10-foot wide landscape strip meeting the buffering standards of section 5.9 shall be installed along the side lot lines. It does not appear that the required 10-foot wide landscape strip is being proposed by the applicant. The applicant should modify the plans accordingly in order to meet this standard.
 - The applicant should depict the DB1 and DB2 Zoning District boundary on the landscape plan (sheet L-1.0).

Section 5.0 – Performance Standards Review

- Section 5.2 – Driveway Design Standards
 - In accordance with Section 10.5.2.7. in the Land Use Ordinance, the Planning Board may require a traffic impact assessment that analyzes the potential trip generation created by the proposed project and its cumulative impact upon traffic capacity of servicing public highways and level of performance at off-site intersections. The traffic impact study could also help to inform what type of driveway (i.e., low, medium, high volume) will be required for the project. It appears that the applicant has not provided a traffic impact study with the submission materials. The Planning Board should determine whether a traffic impact study should be required to help inform the review and traffic-related requirements of the project.
- Section 5.7 – Fire Protections
 - The applicant should coordinate with the Fire Department in regards to the requirements set forth in this section of the Land Use Ordinance. Additionally, the applicant shall provide a letter from the Fire Chief indicating they are comfortable with the proposed design of the project (buildings and site design).
- Section 5.9 – Landscaping & Buffering
 - In accordance with Section 5.9.4.1. in the Land Use Ordinance, screening shall achieve between 25-74% visual obstruction from established viewpoints as specified by the Planning Board. In general, screening shall be applied between non-residential uses on adjacent properties. The applicant should be prepared to discuss how they meet this screening standard with the Board.
 - In accordance with Section 5.9.4.2. in the Land Use Ordinance, buffering shall achieve 75-100% year-round visual obstruction as specified by the Planning Board. In general, buffering shall be applied to separate residential and non-residential uses in all zoning districts. The applicant should be prepared to discuss how they meet this screening standard with the Board.
 - The landscape plan appears to depict that the existing vegetation along the western and southern property lines/street frontages will be maintained for buffering purposes. The applicant should be prepared to discuss this element with the Board to help them determine whether additional street trees should be provided within these portions of the site.
 - Please refer to the comments above in the “zoning standards” section of this memorandum referencing the landscaping requirements set forth in the DB1 and DB2 Zoning Districts.
- Section 5.10 – Lighting
 - In accordance with Section 5.10.1.1. in the Land Use Ordinance, lighting fixtures shall be shielded or hooded so that the lighting elements are not exposed to normal view by motorists, pedestrians, or from adjacent dwellings. Additionally, Section 5.10.4.3.a. in the Land Use Ordinance requires all lighting fixtures serving parking lots shall be full cut-off fixtures. The applicant should provide additional information

with future submissions to the Board to ensure that the proposed light fixtures are full cut-off fixtures.

- In accordance with Section 5.10.1.5. in the Land Use Ordinance, whenever practicable, lighting installations shall include timers, dimmers, and/or sensors to reduce overall energy consumption and eliminate unneeded lighting. SMPDC staff recommends that the applicant provide timers or dimmers on the site to reduce unneeded lighting.
- Please refer to the comments above in the “zoning standards” section of this memorandum referecing the lighting requirements set forth in the DB1 and DB2 Zoning Districts.
- Section 5.12 – Off-Street Parking and Loading
 - The applicant should coordinate with the Public Works Director in regards to the proposed drainage adjacent to the proposed driveway/private access drive to ensure the proposed design is adequate. Additionally, the applicant shall provide a letter from the Public works Director indicating they are comfortable with the proposed design of the project (buildings and site design).
 - Given that the applicant is proposing the two rear buildings to include a warehouse use, the parking cacluation matrix on the site plan (sheet C-1.0) should reflect this accordingly (not service business).
- Section 5.12 – Private Ways
 - It is unclear to SMPDC staff if the applicant is proposing a driveway or a private access drive for the project. The applicant should provide additional information regarding the proposed access to the site with future submissions to the Planning Board.
- 5.17 – Signs
 - The appilcant should refer to Section 5.17.3. in the Land Use Ordinance in regards to the required E911 address sign requirements. The project sign and proposed buildings shall meet these requirements accordingly.
 - Please refer to the comments above in the “zoning standards” sections of this memorandum referecing the sign requirements set forth in the DB1 and DB2 Zoning Districts.
- Section 5.20 – Stormwater Management
 - In accordance with Section 5.20.3.2. in the Land Use Ordinance, all development plans shall define maintenance requirements and identify parties responsible for maintenance of the stormwater control system. The applicant should provide this information on the site plan (sheet C-1.0) accordingly.
 - The applicant has indicated that the project will require a MaineDEP Stormwater Permit By Rule and Self Verification Permit with the Army Corp of Engineers. The applicant should provide the approved permit with future submissions to the Board.

- Section 5.21 – Street Access & Traffic Impacts
 - The applicant should provide the required sight distances from the proposed driveway/private drive intersection with U.S. Route 1/Portland Road in accordance with Section 5.21.1 in the Land Use Ordinance.

Recommendations

A determination of application completeness by the Planning Board is required to advance further in the review process for the project. SMDPC staff's review of the application materials finds it to be missing several required items as set forth in the site plan review submission requirements.

Next Steps

The application will be before the Planning Board at its July 16, 2024 meeting as a pending business item. At the meeting, the applicant's team will present the project to the Planning Board and the public. The Board will also deliberate on the provided application materials and waivers, determine application completeness, and set a date for the public hearing. The Planning Board should also determine whether a site walk should be completed for the project at the meeting.