

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: October 20, 2020
SUBJECT: 1226 Shore Rd /High Tide Dental Site Plan Amendments

Introduction

Red Tail Properties LLC is requesting Site Plan review of proposed amendments to the site plan for 1226 Shore Rd to add an 8 space parking lot and change the use of Building B from storage to village retail. The application is amending the Site Plan approval granted on September 17, 2002, and subsequently amended on September 21, 2004, August 18, 2009 and October 19, 2010. The application has been deemed complete and public hearing scheduled for this evening. The application will be reviewed for compliance with Sec. 19-9, Site Plan Regulations.

Procedure

- The applicant should summarize revisions made to the project.
- The Board should then open the public hearing advertised for this evening.
- 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, that relate to the proposed amendments. The comments of the Town Engineer are attached.

1. Utilization of the Site

The applicant is proposing to add a parking lot to an existing lawn area located between the existing parking lot and Building A. Most of the existing trees adjacent to the proposed parking area, including a 34" pine, will be preserved, so the design has been accomplished with the minimal amount of impact to the area.

2. Traffic Access and Parking

- a. Adequacy of Road System- The only change to anticipated traffic is that Building B, at 1,192 sq. ft., will be converted from storage to village retail.

An estimated 7 am peak hour and 8 pm peak hour daily trips is expected to be generated by Building A, which has previously been approved as a medical office. No traffic counts have been provided for the village retail use proposed in Building B, however the

increase in the number of trips is expected to be minimal. Both Shore Rd and Ocean House Rd has capacity to safely accommodate the expected additional trips.

- b. Access into the Site- Existing access points will be used.
- c. Internal Vehicular Circulation-The existing circulation pattern will be augmented with the proposed parking lot.
- d. Parking Layout and Design- The site plan includes an analysis of the proposed used and parking required in accordance with Sec. 19-7-8 of the Zoning Ordinance. A total of 22 parking spaces is required with 1 being handicapped accessible. The site will provide 26 parking spaces, which will include 2 handicapped parking spaces and two garage spaces.

The number of spaces in the existing parking lot has been reduced 7 spaces to create space for a handicapped ramp to provide access to Building B.

The new 8 space parking lot has been revised to push the dumpster enclosure back to allow room for cars within the parking lot to reverse direction.

3. Pedestrian Circulation

There is an existing sidewalk along the Shore Road frontage of the lot. A portion of the existing sidewalk located next to Building A will be repaired by the Town of Cape Elizabeth. The applicant is proposing new internal walkway from the new parking lot to the staff entrance.

4. Stormwater Management

The impervious surface of the property will increase by approximately 2,700 sq. ft. The applicant will be constructing a rain garden to capture runoff from the new parking lot which meets the requirement for a Low Impact Development (LID) stormwater feature. The Town Engineer generally supports the stormwater management approach.

5. Erosion Control

The applicant has provided erosion control measures (See Sheet C1-1).

6. Utilities

The site will utilize existing utility connections for public sewer, public water, electrical, and communications.

7. Shoreland Relationship

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

8. Landscaping and Buffering

The site includes a significant 50' wide buffer on the east side of the lot where existing vegetation provides a buffer and should not be disturbed. The applicant has revised note 7, as requested by staff, with a note previously approved by the Planning Board.

9. Exterior Lighting

The site includes minimal new lighting and the applicant has asserted (10-2-2020 submission) that lighting levels will not exceed 0.5 footcandles at the property line.

10. Signs

The existing freestanding sign located on the Shore Road side of the building will be replaced and relocated onto the property. A new sign will be installed at the entrance to the new parking lot. Both signs are in compliance with the Town Sign Ordinance.

11. Noise

The applicant will be adding an emergency generator to the southeast side of the building. The south and east sides of the generator will be shielded with a 6' high stockade fence. The noise limit at the property line from 10 pm to 7 am is 55 decibels and the applicant asserts that the generator will not exceed that level at the property.

12. Storage of Materials

No exterior storage of materials is proposed.

13. Technical and Financial Capacity

The applicant has provided a letter from Norway Savings Bank attesting to the financial capability of the applicant.

Town Center Design Standards

The site is located in the Town Center District and the proposed project must also comply with the following Town Center Design Requirements.

- a. Footprint. No change proposed, except for the addition of a handicapped accessibility ramp for Building B.
- b. Scale. No change.
- c. Height and Roof Pitch. No change.

- d. Building and Parking Orientation. The building is oriented toward Shore Rd, primarily with the building design of a prominent front door. The new parking lot has been located in the rear. The existing parking is proposed to be used as handicapped parking and is not expanding the existing parking area.
- e. Openings. No change.
- f. Exterior Materials. No change.
- g. Landscaping and Site Development. There are no changes proposed in the front yard setback. The proposed parking Lot is located to the rear of Building A. Existing buffering will be preserved. No village green is proposed to those requirements are not applicable.

Motion for the Board to Consider

Findings of Fact

1. Red Tail Properties LLC is requesting Site Plan review of proposed amendments to the site plan for 1226 Shore Rd to add an 8 space parking lot and change the use of Building B from storage to village retail, 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.
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 Red Tail Properties LLC for Site Plan review of proposed amendments to the site plan for 1226 Shore Rd to add an 8 space parking lot and change the use of Building B from storage to village retail be approved, subject to the following condition:

1. That the plans be revised to address the comments of the Town Engineer in his letter dated October 14, 2020.