

MEMORANDUM

TO: Cape Elizabeth Planning Board
FROM: Maureen O'Meara, Town Planner
DATE: February 24, 2020
SUBJECT: 287 Ocean House Rd Site Plan

Introduction

Yam Yams LLC is requesting site plan review to convert a vacant building and site into a retail lumber store, with a business office, workshop and class space, food truck, farmers' market and live music located at 287 Ocean House Rd. The application will be reviewed for compliance with Sec. 19-9 Site Plan regulations and Sec. 19-6-4, Town Center Design requirements.

Procedure

- The Board should begin by having the applicant introduce the project.
- The Board should allow public comment on completeness.
- 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.
- The Board should decide if a site walk and/or public hearing will be scheduled.
- At the close of discussion, the Board has the option to approve, approve with conditions, deny or table the application.

Summary of Completeness

The Town Engineer's comments and the site plan completeness checklist are attached. Below is a summary of possible incomplete items:

- e. Existing conditions. The existing conditions plan should be updated to show the actual surface materials on adjacent sidewalks, which are a combination of asphalt and concrete, as well as location, width, curbing, etc.
- g. Buildings. Total building square footage sizes must be measured from exterior walls.

SEC. 19-1-3. DEFINITIONS

Building Footprint: The area of a building measured from *the exterior surface of the exterior walls* at grade level, exclusive of cantilevered portions of buildings and temporary structures. Where a building is elevated above grade level, the building footprint is the area the building would cover if it were located at ground level. (*emphasis added*)

Once the total building square footage has been revised, the floor plans should show the location of the proposed uses with labels for square footage.

Elevations of the proposed storage building are not provided. All building elevations should include exterior materials labeled, as well as roof pitch. The total area of the first floor front facade should be provided, as well as the total area of openings (windows and doors) on the first floor front facade, to demonstrate that 50% of the area is openings. If the outdoor storage structure is anchored to the ground, that detail should be provided and then coordinated with the VRAP requirements.

- h. Traffic. Location of loading and unloading areas should be identified. Calculation of parking for classes may need further detail on the frequency of classes and number of students.

SEC. 19-7-8 OFF-STREET PARKING

3. Schools:

Grades K-8	1 space per classroom plus 1 space for each employee plus parking in accordance with the places of public assembly for the largest assembly space
Secondary	8 spaces per classroom plus parking in accordance with the places of public assembly for the largest assembly space
Post Secondary	1 space for each 2 students plus 1 space for each employee plus parking in accordance with the places of public assembly for the largest assembly space
Nursery Schools and Day Care Facilities	1 space per employee plus a safe off- street area for vehicle pickup and drop-off of students/children

Schools not listed above: 1 space per each 2 students at capacity plus 1 space for each employee plus parking in accordance with the places of public assembly for the largest assembly space.

Calculation of parking for the food truck appears to be based on seating at the picnic tables. The expected number of seats at each picnic table and the size of the picnic table should be specified.

The number of anticipated trips based on the proposed uses should be provided. Based on information provided on the Site and Layout Plan, retail sales, contractor's office, restaurant (food truck), farm market, classes, and potentially musical entertainment will all be operating on the site at the same time. For this reason, and due to the location of the site immediately adjacent to a High Crash Location intersection (HCL), Ocean House Rd/Scott Dyer Rd/Shore Rd, a traffic study may be needed to estimate traffic to be generated by the proposed development, as well as assessing impacts on adjacent roadways.

- i. Stormwater. A Low Impact development (LID) feature should be included in the design to treat stormwater.
- k. Utilities. The location of existing sanitary sewer and proposed utilities should be shown on the site. Ability to serve letters should be provided as the proposed use of the property as a contractor's workshop may have

unique electrical demands. The proposed restaurant (food truck) and entertainment uses may have unique water supply and sanitary sewer demands.

- m. Lighting. The applicant notes that the proposed sign will be "lightly" lit but that lighting is not included on the lighting analysis.
- n. Signs. Proposed signs should be shown with dimensions and materials labeled. Also, it appears that approximately 124 sq. ft. - 148 sq. ft. of signage is proposed and total site signage is limited to 75 sq. ft by the Sign Ordinance.
- o. Noise. Estimated decibel levels for the proposed uses have not been provided.

Discussion

The Board may want to discuss the following items:

1. Overlap of uses. The applicant is proposing that multiple uses will operate simultaneously on the site. Information should be augmented to demonstrate compliance with site plan standards for *each* use. If proposed uses are operated on areas needed for other uses, there could be public safety consequences.

For example, a farm market is proposed one day a week and at the same time identified for all other uses. Where on the site will the market stalls be set up? If located on paved areas, which is typically the case, the market stalls will occupy parking and circulation areas needed for the other uses. If located on grassed areas, which is not typically how area farmers' markets are set up, then the grass will not survive.

Another example is the proposed entertainment. How often will entertainment be offered? What will the decibel levels be at the property line? How many attendees at the event are expected? The applicant has cited a Zoning Ordinance provision for "one time" events which can obtain Town Council approval. It does not appear that any request for Town Council approval has been submitted.

2. Sidewalk. The site is located in the Town Center District, which includes a requirement that a sidewalk be constructed along the property road frontage. The sidewalk is typically 6' wide and separated from the road

with a 5' wide grassed esplanade. The esplanade includes street trees and pedestrian lighting.

The frontage of this lot already includes both new and dated sidewalks. Consistent with the standards required by other Town Center developments, the board may want to require that the applicant add pedestrian lighting to the esplanade along the Ocean House Rd frontage of the property.

3. Tree planting. Maples are proposed and should be replaced with a tree species from Appendix C in the Subdivision Ordinance.
4. VRAP report. The property has received a Voluntary Response Action Program (VRAP) No Further Action Assurance Letter based on several conditions, including:

Redevelopment of the site that will involve the demolition of the onsite building, *excavation of soils, and/or construction of new onsite structures* will require an Environmental Management Plan ("EMP") be submitted to the Department for approval prior to the commencement of any of these activities. *(emphasis added)*

The site plan includes an outdoor materials storage structure which needs to be anchored to the ground, footings for the gate/fencing, lighting and tree planting, all of which are likely to require excavation of soils.

Motions for the Board to Consider

A. Motion for Completeness

BE IT ORDERED that, based on the plans and the materials submitted and the facts presented, the application of Yam Yams LLC for site plan review to include a retail lumber store, with a business office, workshop and class space, food truck, farmers' market and live music located at 287 Ocean House Rd be deemed (complete/incomplete).

B. Motion to Table (with public hearing)

BE IT ORDERED that, based on the plans and the materials submitted and the facts presented, the application of Yam Yams LLC for site plan review to

include a retail lumber store, with a business office, workshop and class space, food truck, farmers' market and live music located at 287 Ocean House Rd be tabled to the regular March 17, 2020 meeting of the Planning Board, at which time a public hearing will be held.

Site Plan Review Submission Checklist
[Section 19-9-4(c)]

Date: February 24, 2020

Project: 287 Ocean House Rd Site Plan

Applicant: Yam Yams LLC

- Y a. Evidence of right, title, and interest in the property
- Y b. Written description
- Y c. Name of project/applicant
- Y d. Survey
- P e. Existing conditions
- Y f. Topography
- P g. Buildings
- P h. Traffic access and parking
- P i. Stormwater
- Y j. Erosion
- P k. Utilities
- Y l. Landscaping
- P m. Lighting
- Y n. Signs
- P o. Noise
- Y p. Exterior storage
- Y q. Financial and Technical Capability

Y	Yes, complete
N	No, not complete
W	Waiver
P	Partially complete
N/A	Not applicable