

City of Augusta
Conditional Use Application
Bureau of Planning, Department of Development Services

Applicant / Owner Information

Applicant Name: Kennebec County

Mailing Address: 125 State St. Augusta ME 04330

Phone Number: 207.530.7369 email: sferguson@kennebec.gov

Authorized Agent: Scott Ferguson

Mailing/ Phone/ email: same as above

Property Owner Name: Kennebec County

Mailing/ Phone/ email: same as above

Which form of required "evidence of standing" is being submitted with this application?

Deed Signed Lease Contract Signed Purchase/Sale/Option Agreement

Signed Written Agreement from Owner

II. General Project Information

Please attach a narrative answering the below listed questions about your project and address Site Plan Review Criteria for Conditional Uses (pages 4-6 of this application)

(a) Description of development project you are proposing (e.g. expansion of existing mixed-use commercial building; new office building; expansion of manufacturing shifts; expansion of commercial parking/loading areas; different land use; etc.)

(b) Size of any proposed building expansion (total sq.ft.)

(c) Description of uses occurring on site currently and what is proposed (e.g. retail, warehouse, storage, manufacturing).

(d) Hours of operation.

(e) Number of employees on-site for your largest shift (or for unmanned sites, how often per month site is visited by vehicles).

(f) Estimated number of vehicles entering your site on a daily basis (broken down by number and size of delivery vehicles and number of customer/visitor/employee vehicles).

(g) Total square footage of impervious surface area existing on site today (total square footage of first floor of each building plus square footage of all parking areas). Total square footage of impervious surface area after proposed development occurs.

Project Location: 73 Winthrop St.

Street Assessor Tax Map # + Lot #(s) Map 34, Lot 188

Project Name: 73 Winthrop St. (change of ownership)

Lot Size: (acreage) .26 acres Lot Frontage: 86 (feet) Zoning District(s): WBP ?

Change of Use Expansion of Less Than 1,000 sf Expansion of 1,000 sf or More
(Development Review App.)

III Applicant Acknowledgements

Complete Application Required

This application is being submitted under the requirements of the Augusta Land Use Ordinance. As the applicant, I understand that this application must contain a complete submission of required materials by the application deadline date in order to be heard by the Planning Board. The deadline allows for adequate review by City Staff and the Planning Board; and as such, any applications that are not complete by the submission deadline date will not be placed on the Planning Board meeting agenda. To ensure review by the Planning Board on the date desired, the applicant should submit materials at least 7 days ahead of the deadline so that staff can determine completeness of materials.

Drawings and/or Maps are Required

For formal submittals to the Planning Board (see drawing requirements attached to this application). Generally, drawings for projects with new buildings or additions less than 1,000 sq. ft. in floor area, (or) projects that do not involve changing the existing structure, can be done by hand, as long as they are drawn to-scale. Drawings are critical to the Planning Board and City staff in adequately understanding existing and proposed site conditions, as well as seeing the relationships between proposed structures and the projected impacts of parking, traffic, stormwater runoff, buffer areas, noise, etc. on abutters.

Site Access

As part of the project review process, City Staff and/or Planning Board Members may visit the project site. Signing this application authorizes site access.

Signature of Applicant / Agent:  _____

Signature of Property Owner: Kennebec County _____

Today's Date: 12/20/22 _____

Checklist of Required Submission Materials	Included	Waiver	N/A
Paper Copies			
11 copies of application packet			
✓ Application form			
✓ Project narratives			
✓ Purchase & Sale, lease agreement or deed			
✓ Letter authorizing the agent to represent the applicant			
2 copies of Stormwater report			
2 copies of Traffic Report (projects exceeding 35 vehicles/ peak hour)			
11 reduced sized copies of the complete plan set			
2 full-sized copies of complete plan set			
Payment			
Payment in full of \$250 application fee + \$250 legal ad and signage fee (Note: an abutter notification fee will be assessed after the application is determined to be complete. The fee is \$0.15 plus the cost of first class postage for each abutter that will be notified as required by the ordinance.)			
Electronic Copy			
1 CD, USB thumb drive, or e-mailed submission including all application documents in Adobe PDF format			
For Official Use:			
<input type="checkbox"/> \$500 Conditional Use Fee Paid. Received By (Initials): _____ Date: _____			
<input type="checkbox"/> \$ _____ Abutter Notification Fee Paid. Received By (Initials): _____ Date: _____			

IV. Drawing Requirements for Site Plans

The following items are to be shown on the site plan drawing, drawn to a scale appropriate for the project (i.e. 1-inch=20 feet, 1-inch=50 feet, etc.). Plans may be hand drawn for change of use or for applications involving less than 1,000 sf of new building construction and/or impervious surface expansion.

A Development Review Application will be required for applications involving 1,000 sf or more of new building construction (or over 5,000 sf in the IA or CD zones), or 10,000 sf of site disturbance and/or impervious surface expansion.

Please Note: Occasionally, in accordance with section 300-601.D(b) of the Land Use Ordinance, other drawing details and/or documentation may be required by the Planning Board/City Planner in order to determine how the provisions of the ordinance will be met by the development.

Plan Requirements ("X" indicates required)	Change of Use	Expansion	Included
1 Overall location map identifying location of site in Augusta, w/ North Arrow.			
2 Title block stating: 1) Applicant's Name, 2) Brief Title of Proposed Project, 3) Street Name of Project, 4) Date Drawn, 5) Name of Person Drawing Plan, 6) Scale of the Drawing, 7) North Arrow.			
3 Boundaries of the site, showing its actual shape, and all adjacent lots, property lines, buildings, driveways, and streets within 200' of the project property lines. Owner's name for project property and all abutting properties shall be labeled.			
4 Identification of zoning district in a note on plan (if single district) (OR) identification of multiple zoning districts (including any shoreland zoning district) with drawn and labeled district boundaries.			
5 Location and identification of existing ground cover material and vegetation (including wetlands), and location of proposed buffer yards plantings, fences, berms, and landscaping.			
6 Location of existing and proposed buildings and structures, labeled with existing and proposed building uses and square footages.			
7 Setback distances from all adjacent property lines to proposed buildings, parking areas, structures, and signs.			
8 Location of all existing and proposed streets, ways, driveways, entrances, exits, loading/drop-off areas, vehicle parking spaces (with individual spaces identified). Label with the existing and proposed surface materials.			
9 Location, height, and type of all existing and proposed lighting, fencing, and signs.			
10 Location and identification of boundaries of any easements or right-of-way's on the property.			

Important: The applicant should consult the Augusta Technical Standards Handbook for dimensional and performance requirements relating to traffic control, water quality, public safety, and street design/construction standards.

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Revision Date: October 21, 2022

V. Site Plan Review Criteria for Conditional Uses

(Land Use Ordinance § 300-603.E(1) through (7))

The following is a list of criteria which will be used by the Planning Board to evaluate your application. Please include a DETAILED narrative with your application that addresses EACH of the following questions.

(1) **NEIGHBORHOOD COMPATIBILITY:** [The intent of this section is to encourage the applicant to design the proposal in consideration of the physical impact it will have on the immediate neighborhood (within five (500) feet if the property is in the Urban Growth Area Districts and within thousand (1000) feet if the property is in the Planned Development and/or Rural Districts).]

(a) Is the proposal compatible with and sensitive to the character of the site and neighborhood relative to:

- [1] Land uses;
- [2] Architectural design;
- [3] Scale, bulk and building height;
- [4] Identity and historical character;
- [5] Disposition and orientation of buildings on the lot; and
- [6] Visual integrity?

(b) Are the elements of the site plan (e.g., buildings, circulation, open space and landscaping) designed and arranged to maximize the opportunity for privacy by the residents of the immediate area?

(c) Will the proposal maintain safe and healthful conditions within the neighborhood? This criterion shall not be limited to the standards affecting safety and health as outlined in this land use ordinance. Additional regulations may be found in the City of Augusta Code, as amended.

(d) Will the proposal have a significant detrimental effect on the value of adjacent properties (which could be avoided by reasonable modifications of the plan)? In determining whether this criterion has been met, the Planning Board may require the applicant to submit an appraisal prepared by a State of Maine certified appraiser.

(e) Will the proposal cause exterior queuing of vehicles or loitering of pedestrians which would have a negative impact on the surrounding neighborhood?

(2) **PLANS AND POLICIES:** (Reserved)

(3) **TRAFFIC PATTERN, FLOW AND VOLUME:**

(a) Is the proposal designed so that the additional traffic generated does not have a significant negative impact on surrounding neighborhood?

(b) Will safe access be assured by providing proper sight distance and minimum width curb cuts for safe entering and exiting? See City of Augusta Technical Standards Handbook.

(c) Does the proposal provide access for emergency vehicles and for persons attempting to render emergency services?

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d) Does the entrance and parking system provide for the smooth and convenient movement of vehicles both on and off the site? Does the proposal satisfy the parking capacity requirements of the city and provide adequate space suited to the loading and unloading of persons, materials and goods?

(4) **PUBLIC AND PRIVATE FACILITIES:** Is the proposal served by utilities with adequate capacity or have arrangements been made for extension and augmentation of the following services:

- (a) Water supply (both domestic and fire flow);
- (b) Sanitary sewer/subsurface waste disposal system;
- (c) Electricity/telephone;
- (d) Storm drainage?

(5) RESOURCE PROTECTION AND ENVIRONMENT:

- (a) If the proposal contains known sensitive areas such as erodible or shallow soils, wetlands, aquifers, aquifer recharge areas, floodplain or steep slopes (over fifteen (15) percent, what special engineering precautions will be taken to overcome these limitations?
- (b) Does the proposal conform to applicable local, State DEP and Federal EPA air quality standards including but not limited to odor, dust, fumes or gases which are noxious, toxic or corrosive, suspended solid or liquid particles, or any air contaminant which may obscure an observer's vision?
- (c) Does the proposal conform to applicable local, State DEP and Federal EPA water quality standards, including but not limited to erosion and sedimentation, runoff control, and solid wastes and hazardous substances?
- (d) Will all sewage and industrial wastes be treated and disposed of in such a manner as to comply with applicable federal, state and local standards?
- (e) Shoreland Overlay Districts: Will the proposal:
 - [1] Maintain safe and healthful conditions;
 - [2] Not result in water pollution, erosion, or sedimentation to surface waters;
 - [3] Adequately provide for the disposal of all wastewater;
 - [4] Not have an adverse impact on spawning grounds, fish, aquatic life, bird or other wildlife habitat;
 - [5] Conserve shore cover and visual, as well as actual points of access to inland and coastal waters;
 - [6] Protect archeological and historic resources as designated in the 2007 Comprehensive Plan;
 - [7] Avoid problems associated with floodplain development and use; and
 - [8] Conform with the provisions of § 300-528, Special standards applicable to shoreland areas?

(6) PERFORMANCE STANDARDS:

- (a) Does the proposal comply with all applicable performance and dimensional standards as outlined in this ordinance?

(b) Can the proposed land use be conducted so that noise generated shall not exceed the performance levels specified in the performance standards section of this ordinance? Detailed plans for the elimination of objectionable noises may be required before the issuance of a building permit.

(c) If the proposal involves intense glare or heat, whether direct or reflected, is the operation conducted within an enclosed building or with other effective screening in such a manner as to make such glare or heat completely imperceptible from any point along the property line? Detailed plans for the elimination of intense glare or heat may be required before issuance of a building permit. Temporary construction is excluded from this criterion.

(d) Is the exterior lighting, except for overhead street lighting and emergency warning or traffic signals, installed in such a manner that the light source will be sufficiently obscured to prevent excessive glare on public streets and walkways or into any residential area?

(e) Does the landscaping screen the parking areas, loading areas, trash containers, outside storage areas, blank walls or fences and other areas of low visual interest from roadways, residences, public open space (parks) and public view?

(f) Are all the signs in the proposal in compliance with provisions of this chapter?

(7) FINANCIAL AND TECHNICAL ABILITY:

(a) Does the Applicant have adequate technical ability to meet the terms of the Ordinance?

(b) Does the Applicant have adequate financial ability to construct the development in compliance with the terms of the Ordinance?

It is incumbent upon the Planning Board to approve the application unless it makes one (1) or more negative written findings with respect to the above applicable criteria. All decisions of the Planning Board shall be accompanied by a written statement that sets forth the precise reasons why the findings were made. Once a decision is made, the Planning Board shall inform, in writing, the applicant and the Code Enforcement Officer of its decision and its reasons therefor. Upon notification of the decision of the Planning Board, the Code Enforcement Officer, as instructed, shall immediately issue, issue with conditions prescribed by the Planning Board, or deny a Conditional Use Permit.



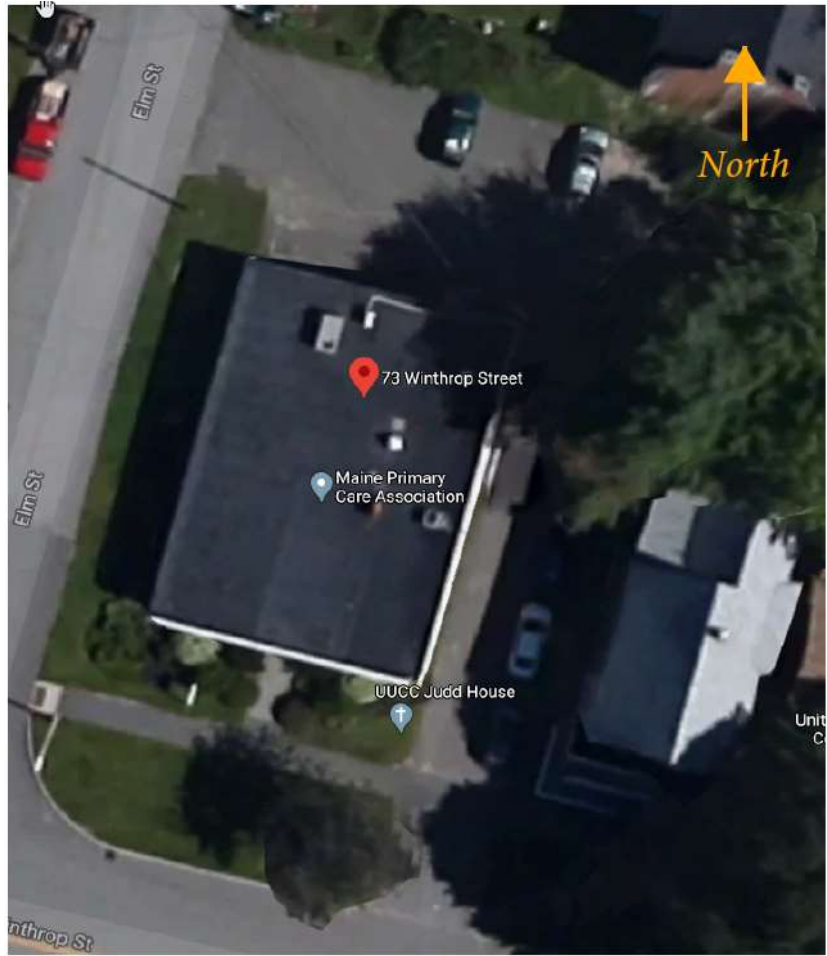
Application Narrative

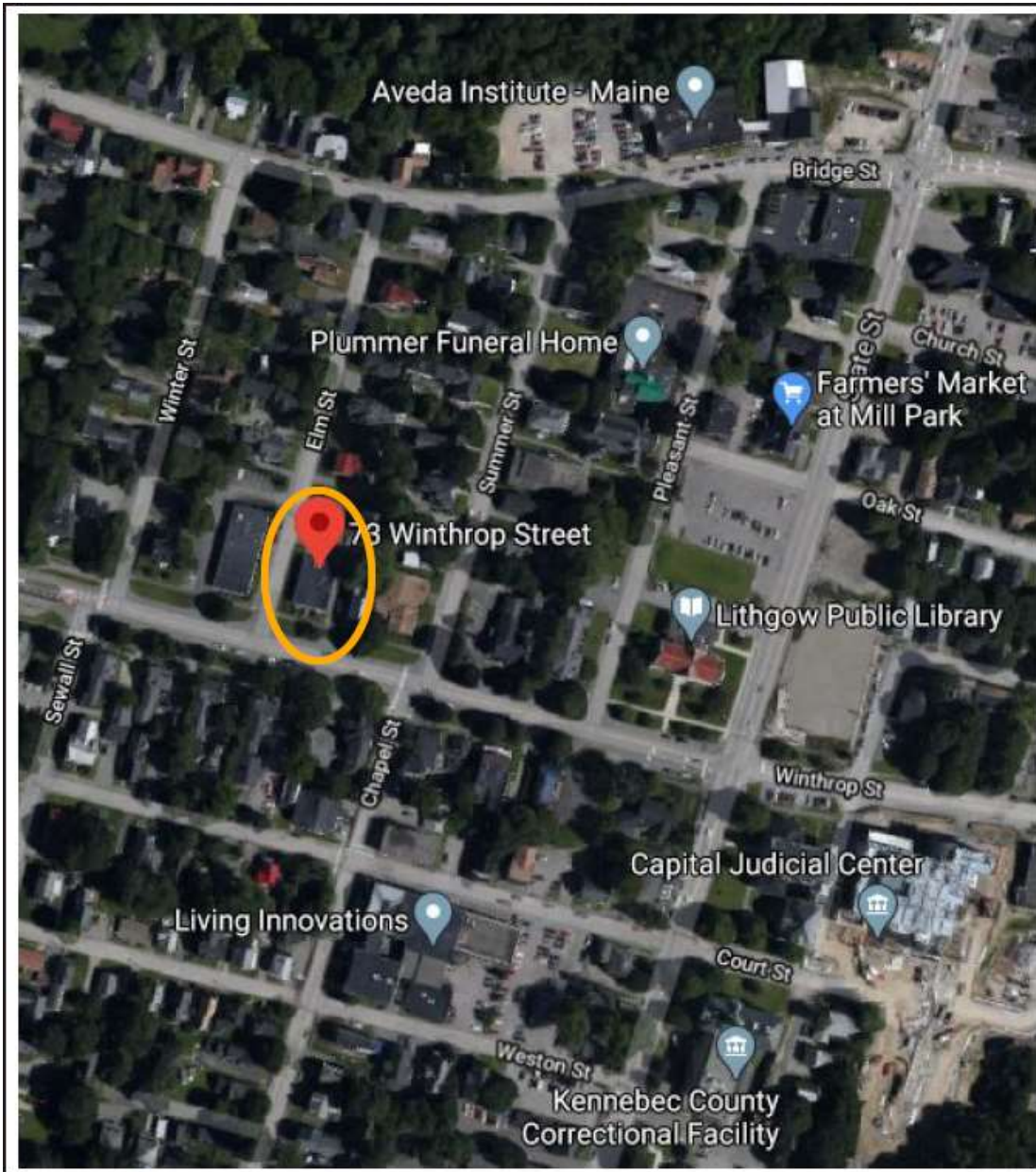
(a) Description of development project you are proposing (e.g. expansion of existing mixed-use commercial building; new office building; expansion of manufacturing shifts; expansion of commercial parking/loading areas; different land use; etc.)	This is a transfer of ownership from the Maine Primary Care Association to Kennebec County. There is no development or expansion and will be used by the County Sheriff's office for administrative purposes.
b) Size of any proposed building expansion (total sq.ft.)	N/A
(c) Description of uses occurring on site currently and what is proposed (e.g. retail, warehouse, storage, manufacturing).	Current: Administrative Offices. Proposed: Administrative Offices.
(d) Hours of operation.	Normally 8a to 5p, unless a Deputy requires access on off hours to file/ print reports.
(e) Number of employees on-site for your largest shift (or for unmanned sites, how often per month site is visited by vehicles).	10
(f) Estimated number of vehicles entering your site on a daily basis (broken down by number and size of delivery vehicles and number of customer/visitor/employee vehicles).	10-13 cars/ SUVs The County will have additional parking at 77 Winthrop St. (Register of Deeds), if needed, but not anticipated.
(g) Total square footage of impervious surface area existing on site today (total square footage of first floor of each building plus square footage of all parking areas). Total square footage of impervious surface area after proposed development occurs.	Building 3500 sq ft Driveway 3,300 sq ft (estimated) All existing – no changes

Letter authorizing the agent to represent the applicant: The County Administrator is the authorizing agent as defined in MRS A Title 30-A: MUNICIPALITIES AND COUNTIES Part 1: COUNTIES Chapter 1: COUNTY OFFICERS Subchapter 2: COUNTY COMMISSIONERS Article 4: CLERK: COUNTY ADMINISTRATOR §82. County administrator subsection 3 Duties.

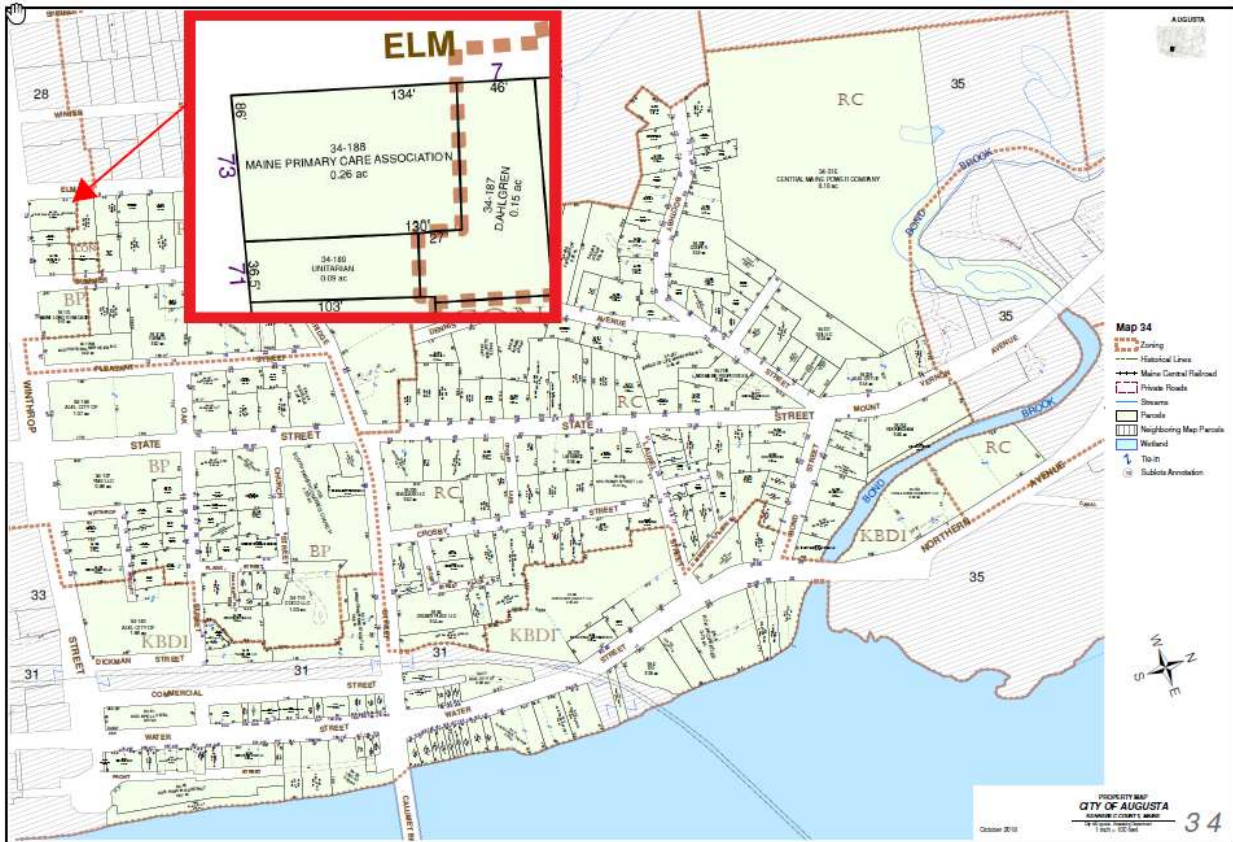
Project Narrative: Transfer of Ownership from the Maine Primary Care Association to Kennebec County for continued use as administrative offices.

Purchase & Sale Agreement: Attached.

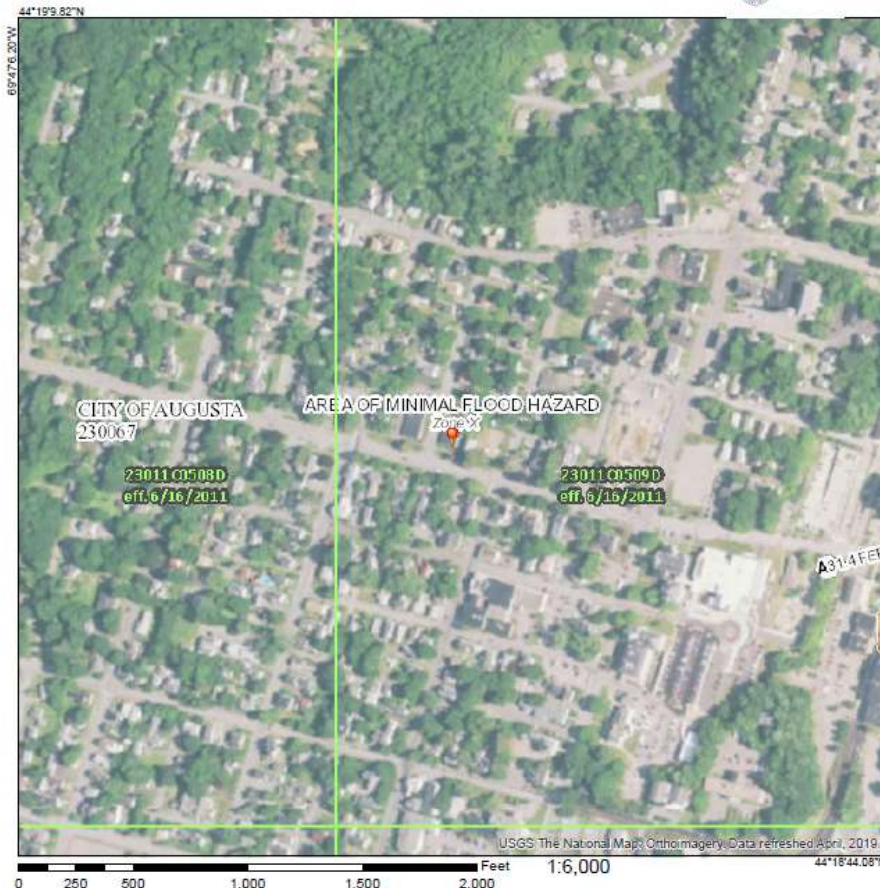




Source: Google Maps



National Flood Hazard Layer FIRMette



Legend

SEE FIS REPORT FOR DETAILED LEGEND AND INDEX MAP FOR FIRM PANEL LAYOUT

- SPECIAL FLOOD HAZARD AREAS**
- Without Base Flood Elevation (BFE) Zone A, X, Z
 - With BFE or Depth Zone AE, AO, AH, VE, AR
 - Regulatory Floodway
- OTHER AREAS OF FLOOD HAZARD**
- 0.2% Annual Chance Flood Hazard, Areas of 1% annual chance flood with average depth less than one foot or with drainage areas of less than one square mile Zone F
 - Future Conditions 1% Annual Chance Flood Hazard Zone F
 - Area with Reduced Flood Risk due to Levees, Zone D
 - Area with Flood Risk due to Levees Zone D
- OTHER AREAS**
- Area of Minimal Flood Hazard Zone X
 - Effective LOMRs
 - Area of Undetermined Flood Hazard Zone D
- GENERAL STRUCTURES**
- Channel, Culvert, or Storm Sewer
 - Levee, Dike, or Floodwall
- CROSS SECTIONS WITH 1% ANNUAL CHANCE WATER SURFACE ELEVATION**
- 20.2
 - 17.8
 - Water Surface Elevation
 - Coastal Transect
 - Base Flood Elevation Line (BFE)
 - Limit of Study
 - Jurisdiction Boundary
 - Coastal Transect Baseline
 - Profile Baseline
 - Hydrographic Feature
- OTHER FEATURES**
- Digital Data Available
 - No Digital Data Available
 - Unmapped
- MAP PANELS**
- The pin displayed on the map is an approximate point selected by the user and does not represent an authoritative property location.

This map complies with FEMA's standards for the use of digital flood maps if it is not void as described below. The basemap shown complies with FEMA's basemap accuracy standards.

The flood hazard information is derived directly from the authoritative NFHL web services provided by FEMA. This map was exported on 3/29/2020 at 12:15:46 PM and does not reflect changes or amendments subsequent to this date and time. The NFHL and effective information may change or become superseded by new data over time.

This map image is void if the one or more of the following map elements do not appear: basemap imagery, flood zone labels, legend, scale bar, map creation date, community identifiers, FIRM panel number, and FIRM effective date. Map images for unmapped and unmodernized areas cannot be used for regulatory purposes.



OPR BK 14658 PGS 310-311 12/20/2022 12:57:23
INSTR # 2022030326 # OF PAGES 2
ATTEST: DIANE WILSON
REGISTER OF DEEDS KENNEBEC COUNTY, ME

TRANSFER TAX PAID

DLN 1002340221987
WARRANTY DEED

MAINE PRIMARY CARE ASSOCIATION, a body corporate created under the laws of the State of Maine with a principal office at 73 Winthrop Street, Augusta, Maine, for consideration paid, grants to the **COUNTY OF KENNEBEC**, a political instrumentality organized and existing under the laws of the State of Maine with a principal office located at 125 State Street, Augusta, Maine, with **WARRANTY COVENANTS**, the following described property, together with any improvements thereon, located in the City of Augusta, County of Kennebec, and State of Maine, as more fully described in **Exhibit A** attached hereto and made a part hereof.

IN WITNESS WHEREOF, the said Maine Primary Care Association has caused this instrument to be sealed with its corporate seal and signed in its corporate name by Darcy Shargo, its Chief Executive Officer hereunto duly authorized this 20 day of December 2022.

WITNESS:

MAINE PRIMARY CARE ASSOCIATION

Patsy G. Crockett
Commissioner, Chair

Darcy Shargo, Chief Executive Officer
Its Authorized Officer

**STATE OF MAINE
KENNEBEC, ss.**

12-20-22, 2022

Personally appeared the above-named Darcy Shargo, Chief Executive Officer of Maine Primary Care Association, as aforesaid, and acknowledged the above instrument to be her free act and deed and the free act and deed of said corporation.

Before me,

Notary Public/~~Attorney at Law~~

Karen J. Trussell
Printed Name

Commission Expires: 04-30-24

EXHIBIT A

A certain lot or parcel of land, together with any buildings thereon, situated in Augusta, County of Kennebec, State of Maine, bounded and described as follows:

Beginning at the corner of Winthrop and Elm Streets in the north line of Winthrop Street and the easterly line of Elm Street;

Thence northerly by the easterly line of Elm Street to the southwest corner of the lot formerly owned by Betsey Ann Howe and now or formerly of Caroline S. Fogg;

Thence easterly by the southerly line of said Howe lot and the westerly and southerly lines of the lot formerly owned by Stephen Branch and now or formerly by said Fogg, to the northwesterly corner of the lot owned by the Universalist Church;

Thence southerly by the westerly line of said Church lot to the northerly line of Winthrop Street;

Thence westerly by the northerly line of Winthrop Street to the point of beginning.

Excepting and reserving a lot of land conveyed by George W. Stanley to Charles B. Morton by warranty deed, dated October 8, 1879, recorded at the Kennebec County Registry of Deeds in Book 323, Page 368.

Meaning and intending to convey the same premises described in the deed from Edward C. Gall to Maine Primary Care Association dated August 26, 2002, recorded at the Kennebec County Registry of Deeds in Book 7038, Page 306. Reference is also made to the deed from Wendell R. Davidson and Mary S. Davidson to Edward C. Gall, dated April 1, 1982, recorded at the Kennebec County Registry of Deeds in Book 2461, Page 126.