

## **Conditional Use Narrative**

### **Overview**

In review of the Code of Ordinances, Chapter 14, Land Use, Article III, *Division 6, R-5 Residential Zone Section 14-117, Permitted Uses*, the former Stevens Avenue Armory use as a training center for the Maine Army National Guard Reserves is not identified as a permitted use. The Armory use is also not specifically identified as a conditional use in *Section 14-118*. The use of the Armory site historically has been “institutional” in nature, and we understand that the Planning Office opinion is that the Stevens Avenue Armory is a legal non-conforming institutional use within the R-5 Zone.

As per *Section 14-118.b.6* it is clear that a University use is considered a permitted Conditional Use in the R5 Zone. Therefore, we submit this *Conditional Use for Planning Board Review, Development Review Application*, to the Planning Board to request that the former Stevens Avenue Armory property use be changed to Institutional, College/University use under the R5 Zone.

### **Conditional Use Standards – Section 114.118(b)6.**

Section 114.118 (b) 6.a. The proposed use will be located within the lot on which the principal use is located.

Section 114.118 (b) 6.b. The proposed use will not cause any displacement or conversion of residential uses.

Section 114.118 (b) 6.c. Minimum lot size standards are met.

Section 114.118 (b) 6.d.,e.,f., g. Not applicable.

### **Conclusion**

Section 14-474.

Standards.

The Board shall, after review of required materials, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:

a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone; and

**The proposed use of the existing facility will result in a minimal increase in trip generation and parking requirements. See attached traffic study by Eaton Traffic Engineering. The site is abutted to the south and west by UNE owned property, to the north by the Stevens Avenue Congregational Church, where UNE leases additional parking spaces, and to the east by Stevens Avenue and the Park Danforth parking lot and development. The hours of operation are similar to the adjacent university use, opening at 7am and closing at 11pm, with a concentrated occupancy between 8am and 7pm. The paved area will not be expanded, and the site characteristics are generally similar to the surrounding uses.**

**The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone, which include schools, colleges/universities, and hospitals.**

b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

**No unsanitary conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter will be created. With very minimal site work, dust will not be an issue. There will be no loading dock/receiving area at this facility, and trash will be transported across the adjacent parking lot to the dumpster behind Alexander Hall. The existing sewer connection will remain in service. No new emissions are proposed, and lighting will remain as existing.**

c. the design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

**As previously noted, the site is abutted by university uses to the west and south, the large Park Danforth residential development to the east, and the congregational church and parking to the north.**

**The building will operate similar to the other facilities on campus, opening at 7am and closing at 11pm, with a concentrated occupancy between 8am and 7pm. The study rooms will most likely be available to students after hours via card access. There will be no loading dock/receiving area at this facility, and trash will be transported across the adjacent parking lot to the dumpster behind Alexander Hall. The MEARNG fleet service area will continue to be serviced as they are now. So, from hours of operation to activity level, there is no significant change from the previous or as compared to the ongoing surrounding uses, and the anticipated operation will not have a substantially greater impact on surrounding properties as compared to other allowable uses within the zone.**

Any impacts due to the proposed conditional use would not differ substantially from impacts which would normally occur from an allowable use in the R-5 zone. In fact, given that the facility will be incorporated into an existing college campus, any impacts due to the proposed use at this site would be much less than those which could occur in other R-5 zones.

It is apparent that the proposed use meets the applicable conditional use standards outlined in the ordinance.