



CITY OF WATERVILLE

CITY COUNCIL

ORDINANCE NO.: 11- 2004

Publication Date: _____

Effective Date: _____

AN ORDINANCE PROVIDING FOR:

AMENDMENT TO APPENDIX A (ZONING), ARTICLE 2, SECTION 2.1.1. THE OFFICIAL ZONING MAP AND THE WRITTEN DESCRIPTION OF THE ZONING BOUNDARIES

BE IT ENACTED by the City Council of the City of Waterville, acting as the municipal officers as follows:

THAT Appendix A (Zoning) Article 2, Section 2.1.1., the official zoning map dated April 6, 1999, and the written description of zoning boundaries dated July 6, 1971, be and hereby are amended by rezoning Assessor Map 37, Parcel 237, from Contract Zoned District/Commercial-A (CZD/C-A) and Residential-B (R-B) to Contract Zoned District Commercial-A (CZD/C-A).

That property, located at 155 Kennedy Memorial Drive and owned by New England Management Family LLC, is found on the Property Map of the City of Waterville, dated April 1, 1992, as updated on April 1, 2004.

Conditions of the contract are as follows:

1. Permitted uses: Professional offices.
2. Site plan review and approval by the Planning Board in accordance with the Subdivision/Site Plan Review Ordinance is required, regardless of the size of the proposed structure or addition to an existing structure. Such review also is required for any new business proposing to use an existing structure.
 - a. The intent of site plan review is to assure that any new office does not exacerbate traffic safety concerns on Kennedy Memorial Drive or detract from the residential character of property on Merryfield Avenue.

Tara Adams
155 KMD
CZD/C-A-6

- b. The Board shall review proposed driveways, off-street parking, screening, lighting, and signs. In addition, the Board shall determine that the height of any proposed building is compatible with residences on Merryfield Avenue.
3. Dimensional requirements: The building setback is twenty (20) feet from all property lines.
4. Off-street parking and loading requirements:
 - a. In order to minimize the visual impact of parking lots, parking should be kept to a minimum.
 - b. Parking shall be set back a minimum of fifteen (15) feet from the Kennedy Memorial Drive and Merryfield Avenue property lines, and a minimum of five (5) feet from side property lines.
 - c. If the property is redeveloped, any new driveway shall be set back a minimum of 5 feet from side property lines.
5. Screening and landscaping requirements:
 - a. The developer shall supplement existing plantings along Merryfield Avenue with appropriate street trees and flowering shrubs, providing a landscaped strip at least fifteen (15) feet in width. Sufficient planting shall be installed to prohibit vehicular access to or from Merryfield Avenue.
 - b. The developer shall retain existing trees wherever possible along all property lines, unless removal is recommended by the City Arborist.
5. Signs: Signs advertising the name of a business may be no larger than twenty-four (24) by thirty-six (36) inches in size. No product brand names may be advertised. This requirement is intended to minimize visual clutter.
6. Access:

- a. No driveway shall provide vehicular access to or from Merryfield Avenue.
 - b. Vehicular traffic shall not back into Kennedy Memorial Drive. Exits onto Kennedy Memorial Drive are restricted to right turns only.
 - c. The developer must submit applications to both the City Public Works Department and the Fairfield office of the Maine Department of Transportation for any new curb cut requested on Kennedy Memorial Drive. Efforts shall be made to minimize the number of curb cuts.
 - d. The developer must provide the Planning Board with a letter from the City Engineer stating that traffic generated by the proposed use will not create a safety hazard on adjacent public streets.
7. Dumpsters must be fenced and set back at least twenty (20) feet from buildings.



Lee Bushey,
City Councilor Ward 5

IN THE CITY COUNCIL

October 5, 2004, First Public Reading, Accepted

October 19, 2004, Second Public Reading, and Accepted;

October 19, 2004, Third Public Reading: ADOPTED.

APPROVED, October 21, 2004



Mayor