



CITY OF WATERVILLE

CITY COUNCIL

ORDINANCE NO.: 02-2011

Publication Date: May 9, 2011

Effective Date: May 19, 2011

AN ORDINANCE PROVIDING FOR:

AMENDMENT TO ZONING, ARTICLE 2, SECTION 2.1.1  
(HARRIS-KMD)

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

THAT the Zoning Ordinance, Article 2, Section 2.1.1., the  
official zoning map dated May 10, 2010, and the written  
description of zoning boundaries dated July 6, 1971, be and  
hereby are amended as shown on the attachment.

The parcel to be rezoned (Map 37, Parcel 74), located at 104  
Kennedy Memorial Drive and owned by Luke and Tena Harris, is  
found on the Property Map of the City of Waterville dated April  
1, 1992, as updated on April 1, 2011.

S/ John O'Donnell  
John O'Donnell  
Councilor, Ward 5

IN THE CITY COUNCIL

April 5, 2011, First Public Reading, Accepted,

April 19, 2011, Second Public Reading, and Accepted;

April 19, 2011, Third Public Reading: ADOPTED.

Assessor Map 37, Parcel 74, located at 104 Kennedy Memorial Drive and owned by Luke and Tena Harris, is rezoned from Commercial-B (C-B) to Contract Zoned District/Commercial-A (CZD/C-A).

The conditions of the contract are as follows:

1. Permitted uses: Any use permitted in the Commercial-A zone except dispensing of automotive fuels.
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 the existing structure.
  - a. The intent of site plan review is to assure that any business does not exacerbate traffic safety concerns on Kennedy Memorial Drive or detract from the residential character of property on Sawyer Street.
  - 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 Sawyer Street.
3. Dimensional requirements: The building setbacks are as follows:
  - a. Ten (10) feet from the Kennedy Memorial Drive property line,
  - b. Twenty (20) feet from the west side property line,
  - c. Sixteen (16) feet from the east side property line for the first eighty-eight (88) feet from Kennedy Memorial Drive, then seven (7) feet for the next five (5) feet, then back to sixteen (16) feet, and
  - d. Ninety-five (95) feet from the Sawyer Street property line.
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 Sawyer Street 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: The developer shall supplement existing plantings along Sawyer Street with appropriate street trees and flowering shrubs, providing a landscaped strip at least fifteen (15) feet in width.

6. Signs: Signs advertising the name of the business are subject to the performance standards for signs in the Zoning Ordinance. In addition, no product brand names may be advertised. This requirement is intended to minimize visual clutter.

7. Access:

a. Vehicular traffic shall not back into Kennedy Memorial Drive. Exits onto Kennedy Memorial Drive are restricted to right turns only. The developer will install directional markings to encourage patrons to comply.

b. 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.

c. 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.

8. Dumpsters must be screened from view from Sawyer Street and set back at least twenty (20) feet from buildings.