



City of Gardiner
Planning Office
6 Church Street
Gardiner, ME 04345
(207) 582-6892
www.gardinermaine.com

DATE: February 14, 2006

TO: City of Gardiner Planning Board

Jason Simcock, Director of Planning and Development
Jeff Kobrock, City Manager
Ingrid Stanchfield, Recreation Director

FROM: Mitchell Rasor, Planning Consultant

SUBJECT: Proposed Educational and Community Recreation District Update

Note: this memo updates the 2/7/06 memo to reflect a smaller ECR zone area.

The creation of a new “Educational and Community Recreation” District (ECR) encompassing the two parcels noted below (see attached plan) solves long standing, immediate and future land use issues:

<u>Map</u>	<u>Lot</u>	<u>District</u>	<u>Acres</u>
33	20	High Density Residential	9 (Boys and Girls Club)
25A	11	High Density Residential	37.00 (High School)

- The Boys and Girls Club and the Gardiner Area High School are located in the High Density Residential District (HDR). The size of these parcels and their consistent and focused land use is not in keeping with the purpose and overall character of the HDR District. A new district with limited allowable uses would accurately reflect the scale of existing and future needs of the area.

- The Boys and Girls Club is currently a non-conforming use within the HDR District. The Boys and Girls Club is a practical utilization of an existing facility and compatible with the intention of the proposed district.
- The proposed ECR District is comprised of two adjacent parcels and is located between the HDR and the Residential Growth (RG) Districts. This does not create an island spot zone, but rather a transitional district between intensities and types of use.
- Reclassifying “Community, non-profit activity” as an allowable use in the HDR District could create unforeseen “across the board” issues within the HDR District. The Land Use Ordinance includes a limited number of allowable uses in the HDR District. This protects the tight knit residential character of the District.
- The option of making “Community, non-profit activity” an allowable use in the proposed ECR District, while focusing the definition to exclude uses such as inpatient / outpatient medical facilities, nursing homes and fraternal / social organizations, ensures the long-term integrity and purpose of the proposed district and adjacent neighborhoods.
- The Land Use Ordinance includes an established mechanism for district changes and amendments to allowable land uses and dimensional standards. Contract zoning is not yet a planning tool in Gardiner. While it merits further review and can be an effective when carefully utilized, adoption of a contract zoning mechanism may not meet the timeline of the Boys and Girls Club. Contract zoning requires further research to understand the potential impacts throughout the community.
- Development activity within the proposed ECR District would require full Site Plan Review. This would be an opportunity to mitigate off-site impacts such as traffic and potentially create new access points to the district further distributing traffic impacts and access to the facilities.
- The proposed district boundary, allowable land uses and dimensional standards could be cleanly integrated into the existing Land Use Ordinance without creating a cascade of revisions and conflicts. For example, the Use and Dimensional Tables would require a new column for the ECR District and would not impact uses in other existing districts.

Land uses within the proposed ECR District could be limited to:

- Community, non-profit activity*
- Public buildings such as libraries, museums
- Schools and other educational buildings

*The new district would exclude inpatient / outpatient medical facilities, nursing homes and fraternal / social organizations.

Dimensional Standards for the HDR District could be utilized except for:

- An increase in the allowable lot coverage from 35% to approximately 70% (changed to 60% in final draft proposal to Council 3/9/06) reflecting the scale of land use and required parking within the proposed district
- Setbacks between the proposed district residential uses could be increased allowing for further buffering.

In summary, the proposed ECR District does not create potential land use incompatibility issues throughout the HDR Districts, matches existing and planned land uses to more accurately reflect the scale and needs of the area and can be implemented using an existing planning process as detailed in Section 1.H. Amendment of the City of Gardiner Land Use Ordinance.

Recommendation:

Begin Land Use Ordinance amendment process to introduce a new Educational and Community Recreation District in the area located at Boys and Girls Club and the Gardiner Area High School.

Process:

2/9/06: Council voted to sponsor Ordinance amendment for the creation of the new ECR zone.

2/14/06: **PB Workshop/Public Hearing. OPTIONS:**

- A) PB RECOMMEND TO COUNCIL FOR AMENDMENT ADOPTION
A. If recommended, Council follows with a majority vote

OR

- B) PB Vote to Recommend after final review of specific ordinance language. Vote could take place by PB at next (March) Meeting and still requires a Council majority vote afterwards

OR

- C) PB vote not to recommend: Council then would need a 2/3rd's vote in order to pass an amendment.

Council conducts 2 readings, before new zoning amendment becomes effective