

Section 534. Parking Lot Redevelopment Overlay Districts

A. Purpose

The Parking Lot Redevelopment Overlay Districts are intended to bring high density housing back into Freeport Village thus infusing a new level of vitality. Starting in the early 1980's, the Village was being transformed from a small town village into a retail hub that was dominated by national retail chain stores. The shopping opportunities were in high demand and customer flocked to Freeport to shop. To accommodate the new traffic, houses were demolished and parking lots were built. With the growth of online sales, customer traffic has decreased. To encourage reuse of vacated retail spaces and new development the parking requirement in the Village Commercial 1 District was substantially reduced. As a result, fewer parking spaces are needed to serve customers.

These overlay districts are designed to concentrate new higher density residential housing and mixed use development in parking lots that are no longer needed while also maintaining an adequate level of parking for visitors. The town is optimistic that because the land is previously developed and because of the expedited review process, a diversity of housing types at a variety of price points will be built.

The purpose for having two overlay districts is to differentiate between areas that are suitable for four story buildings and three story buildings. This distinction is based on elevation changes, the height and scale of nearby buildings, and to preserve the parking lots that studies have shown are the most desirable for customers.

B. Designation as an Overlay District

This Overlay District applies to parking lots in the Village Commercial 1 District that are divided into two Parking Lot Redevelopment Overlay Districts (PLROD). As an overlay district, the requirements of the underlying zoning district and other pertinent sections of the Zoning and Subdivision Ordinance will remain in force and will apply to all uses of land and buildings within the Overlay District except as specifically modified by the provisions of this Section 534.

This section applies to existing parking lots in the Village Commercial 1 District; however, undeveloped land may be incorporated into any given project provided at least 50% of the development is on an existing parking lot.

PLROD One, on the east side of US Route One allows 4 story buildings and 80% of the site can be impervious. PLROD two, all of the areas in the Village Commercial 1 District that are not in PLROD One, allows three story buildings and 90% of the site can be impervious.

As a redevelopment, the focus of the review should be on the design of the building more than site considerations. Therefore, an expedited review process is provided.

C. Definitions Applicable in the Parking Lot Redevelopment Overlay District

TBD

D. Review Standards and Process

1. Review Process

The review process has three steps:

1. conceptual review,
2. final review, and
3. as-built plan submission.

The conceptual review step is intended to introduce the project and for the applicant to get feedback from the Project Review Board on the design of the proposed building(s) and the location of buildings, parking, the treatment of stormwater, and landscaped areas. The request for any waivers from submission requirements should be dealt with during this conceptual phase. The review standards of Section F of this Section 534 cannot be waived, but they may be found to not be applicable for a specific reason. During the conceptual phase, the Project Review Board should vote on any requests for a waiver of submission requirements or to find a that a standard is not applicable.

Applications for final review should only be submitted when all of the details of the plans have been resolved. At this time, all necessary state and federal permits must have been obtained.

A public hearing is required for all Subdivisions. This public hearing will also suffice for Site Plan Review. If, for some reason a project does not meet the definition of a Subdivision, the Project Review Board may opt to hold a public hearing if a majority of Board members present and voting agrees to a public hearing. If so, the notification process of a public hearing as outlined in Sec. 602, Site Plan Review shall be followed.

Upon a majority vote of those present and voting, the Project Review Board may require any submission requirements or apply any standard of Site Plan Review that is not included in this section.

The last step of the review process is the submission of as-built plans. The approvals of details of utility construction are required by the various utility companies, not the local review board. This step does not require approval by either staff or a board.

2. Submission Requirements

- a. **Conceptual Plan** submission requirements:

1. A narrative description of what the development will include such as the number of units, the size of the units, and other uses that are proposed. In addition, the narrative will include, the pre and post development number of parking spaces on the site, and how many parking spaces will be open to the public, if any.
2. Two plans must be submitted, existing conditions and a proposed plan of development. The existing conditions plan may be an aerial photo that accurately depicts current conditions, or a plan drawn to scale that shows existing conditions. The plan of development is superimposed on either the aerial photo or the drawn plan and includes the following information: the proposed location and size of building(s), entrances and drives, parking areas, non-developed area, how stormwater on the site will be treated if different that the existing drainage and other features the applicant wants to highlight.
3. A conceptual landscaping plan, in a bubble diagram format, that shows where landscaping will be placed and what the purpose is, for example, landscaping for the purpose of screening, or beautification and /or color, or stormwater management etc., as well as any hard scaping features that are proposed. This plan does not include actual species, number or sizes of plants, only their intended purpose. This information can be incorporated into the plan of development or it can be a separate plan.
4. Conceptual elevations of the exterior of the building. The elevation should show all sides of the building and describe the materials that are proposed. The materials for all elements of the building; siding, windows, doors, roofing, etc.
5. Adequate evidence of right, title or interest shall be submitted along with a completed application form supplied by the Town of Freeport.
6. Any requests for waivers of submission requirements and any requests to find that a standard of Section F be found to not be applicable.

The conceptual master plan shall be prepared by a registered landscape architect, registered architect, or registered professional engineer.

c. Final Plan submission requirements:

1. From Sec. 602.D – Site Plan Review submission requirements, the following items: 602.D. 1, 2,3, 4a,b,c,e,f,i, j, l, m, n, o, and s.
2. The project Review Board may require additional information as listed in Sec. 602.D, if the need for additional information arises.

3. Letters from the water and sewer district stating they have the capacity to handle the proposed development.
4. The location and cut sheets of all exterior lighting fixtures, both building mounted and free standing.
5. Paint chips of any surface of the exterior of the building that will be painted.
6. Any necessary state or federal permits. The applicant may request that necessary state and federal permits be submitted as a condition of approval.

d. As-built plan

An as-built plan shall be submitted before the Certificate of Occupancy is issued. The purpose of the plan is to confirm the constructed location and details of all utilities, public and private, especially those that are underground. This includes the depth of pipes, the size and material of pipes as well as the location of all components necessary to shut off a utility. The final as-built plan must be in a field marked form translated into a record drawing. The plan must include a signature by a representative of the water district, sewer district, electric company only if power is installed underground, solar company if any of the system is underground and the natural gas company. The purpose of the signature is to confirm that utility companies are in agreement that all of the pipe and other facilities are accurately shown.

E. Amendments or Expansions

The Town Council may modify or expand the boundaries of a Parking Lot Redevelopment Overlay District at any time, following the same procedures of a Zoning Map amendment outlined in Sec. 203 of this Ordinance.

F. Subdivision, Site Plan Approval and Design Review approval

1. Site Plan Review Parking lot redevelopments are subject to the following standards of Site Plan Review, Sec. 602.F:
 - c – Vehicular Access,
 - d – Parking and Circulation,
 - e – Surface Water Drainage,
 - f - Utilities.
 - i – Exterior Lighting,
 - j – Emergency Vehicle Access
 - k – Landscaping, and
 - l – Environmental Considerations (1) - and (5)

2. If the number of units meets the definition of a Subdivision, Subdivision review is necessary. All Parking Lot Redevelopment Overlay projects are classified as minor subdivisions and are subject the process, submission requirements of Article 6 – Minor Subdivisions of the Subdivision Ordinance. These projects are not subject to Article 5 – Preapplication Procedures.

3. New construction in these overlay districts are not subject to the Design Review Ordinance provided the standards of Sec. M- Design Elements, below are met. If a project does not meet the standards of Sec.-M Design Elements, then Design Review approval is required.

G. Additional Permitted Uses

In addition to the uses allowed in the underlying zoning district, the following uses shall be permitted uses in any Parking Lot Redevelopment Overlay District:

1. Mixed use development
2. Art Galleries and Museums
3. Day care centers for adults (needs definition)
4. Up to 25% of all of the units may be short term rental units (includes kitchen, bathroom, living and sleeping area – needs definition)
5. Dwelling units on the ground level

H. Space and Bulk Standards

Notwithstanding the requirements of the underlying zoning district, a Parking Lot Redevelopment and all uses, buildings and structures associated with it shall be governed by the following provisions:

	District 1	District 2
Minimum lot size	0	0
Land area per dwelling unit	0	0
Maximum lot coverage	90%	80%
Height limitation	3 stories	4 stories
Studio, 1BR res unit parking requirement	1	1
2 BR, 3BR and greater	1.5	1.5

1. Building location requirements –

- a. Front building location requirements
 - i. Build to: Buildings shall be built 7 feet to 17 feet from the property line along a public road. If the building has two sides of a building along a public road, the build to requirement applies to both sides. Side and rear setbacks are the same as the Village Commercial 1 District.
 - ii. Setback: Buildings that are proposed to be built on sections of parking lots that are not adjacent to the public road will use the setback requirement. In these cases, the setback requirements are used to create a break from any existing parking lots and the new building.
 - b. Side and rear Setback requirement –
 - i. None - if non-combustible construction is used and the roof does not pitch in that direction.
 - ii. Five feet (5') – if non-combustible construction is used and the roof pitches in that direction.
 - iii. Fifteen feet (15') – if combustible construction is used
2. Developments with more than one building in a parking lot can have a combination of built to requirements and setbacks depending on a buildings relationship to a public road.
 3. All buildings must sited in compliance with NFPA-80A.

I. Parking requirements and access

Notwithstanding the standards of Sec. 514 – Parking Requirements of this Ordinance. the following off –street parking requirement shall apply for developments in this overlay district. Off-street parking spaces may be provided on the same parcel as the use they serve, and/or on another lot held under the same ownership provided the parking spaces are within the Village Commercial 1 District, and/or with a credit issued pursuant to Article 6 of the Traffic and Parking ordinance, and/or they may be leased from another entity as per the Traffic and Parking Ordinance, Chapter 48, Article V Leased Parking Standards.

1. Parking Lot Redevelopment residential units:
 - a. One parking space for each studio or one bedroom apartment and
 - b. One and a half parking spaces for each two or more bedroom units,
2. Parking Lot Redevelopment commercial uses:

- a. As per the parking requirement of Sec. 514 of this Ordinance
3. Access:
- a. If possible, the redevelopment of the parking lot should maintain the existing access point from the public road. If the access point has to be moved, the standards of Sec. 512.D must be met.

J. Landscaping

- 1. Maintain existing street trees and landscaping – parking lots tend to have landscaping around the perimeter rather than internally. The design of the building should be done in such a way to incorporate existing street trees and landscaping around the perimeter. If the existing trees cannot be maintained because they are in poor health, or if construction damages the plant such that its life span is significantly reduced, one new tree of a similar caliber should be planted for each tree lost.
- 2. Create a new landscaped strip - If the parking lot doesn't have any perimeter street trees or landscaping or if the redevelopment is happening on the part of a parking lot that is not adjacent to a public street, a landscaped area with a combination of street trees, shrubs and flowers shall be established to create a new perimeter for the new development and to separate the development from the parking lot.
- 3. All landscaping must be proposed by a landscape professional.

M. Design Elements *These design elements were developed by borrowing excerpts from a number of different documents, one of which is the Freeport Village Overlay District. They are intended to provide guidance, but to not be so prescriptive as to stifle creativity. Not sure if they accomplish that or not.*

This section, Design Elements, applies to the portions of the buildings that are visible from a public road

All new construction shall meet the following standards:

- 1. Design Character

The design buildings in the Parking Lot Redevelopment Overlay District shall reflect common character but need not be similar in either design or scale. **New buildings should not imitate past architectural styles but instead should reflect the era of their construction.** *this language is from the village overlay district, the Board thinks it's too restrictive, any thoughts?*
- 2. Siding and trim materials, texture, details, color:
 - a. The following materials are appropriate: wood clapboards, wood shingles, brick, granite, composite material that resemble wood clapboards or shingles, architectural pre-cast stone. Standing seam metal siding and stucco siding are

allowed on sides of the building that are not visible from the road. The highest quality materials shall be used on the ground level. Asphalt shingle siding is prohibited on all sides of the building.

- b. If composite materials are used the siding should be smooth, not stamped or embossed with a wood-like or other type of pattern.
- c. Brick material shall be of a New England character, normally red to reddish brown in color and shall be laid with three courses in eight inches. Multi-colored brick product or patterns are prohibited
- d. Typically siding materials are installed horizontally; however, vertical siding patterns integrated into the overall building design are acceptable.
- e. Belt or spring courses emphasizing the junction between floors and/or a material change are encouraged. Any of the materials listed in subsection a above are acceptable
- f. Buildings with flat roofs must have a cornice. If less than 30' from the ground the cornice must be at least 18" deep, if greater than 30 feet above the ground, the cornice must be at least 24" deep

3. Window and door arrangement:

- a. The arrangement of windows and doors shall provide a visual rhythm. Symmetry and consistency are encouraged.

b. Percentage of transparent material required

	Residential	Commercial
% of transparent material at ground level	≥ 25%	60- 90%
% of transparent material at levels other than ground level	≥ 25%	≥ 40%

- c. Windows, doors and other wall opening shall be trimmed
- d. Energy efficient glass and windows are encouraged.

4. Entrances

- a. Each building shall have at least one principle entrance on the side of the road facing a public road. Buildings that have a front on two roads or with a significant corner, one entrance on the corner of the building will meet this standard.

- b. The entrance must be visually prominent from the public street using methods such as a recessed façade, a projecting façade, double doors, lighting flanking or on top of the entry, canopy, or a change of material

5. Foundation walls

- a. Foundation walls faced with granite, brick, natural stone or architectural pre-cast stone are allowed to be up to 24 inches above the ground.

- b. Exposed concrete foundations are allowed up to 18 inches above the ground.
 - c. If site conditions require foundation walls to be exposed beyond the heights listed in subsection a and b above, the exposed surface shall be clad with a material consistent with that of other parts of the façade.
6. Roof shapes
- a. Three and four story building must have an internally drained flat roof.
 - b. One and two story roofs shall have a roof with a pitch in the range of 6 in 12 inches to 12 in 12 inches with roof forms such as gable, hipped or slight variations of a pitched roof.
 - c. Acceptable roofing materials for pitched roofs include asphalt shingles, metal,
7. Exterior Lighting, notwithstanding the standards of Sec. 521.A Exterior lighting,
- a. All exterior light fixtures shall be full cut-off fixtures and shall use LED technology
 - b. Up lighting is prohibited.
 - c. The maximum illuminance level at grade along the property line shall be 0.1 footcandles
 - d. The maximum height of free-standing lights shall be twenty feet (20') unless the project will be maintaining the existing light poles on the site that are higher than twenty feet, in which case the taller lights are allowed until the time comes that they have to be replaced.
8. Color – for any portion of the exterior of a building the following standards apply:
- a. Any color that is included on the palette of historical colors of any paint manufacturer is allowed without Board approval
 - b. Any color not included on the palette of historical colors by any paint manufacturer must be approved by the Project Review Board