



TOWN OF KITTERY
Planning and Development Department
200 Rogers Road, Kittery, ME 03904
Telephone: 207-475-1307

TO: ECONOMIC DEVELOPMENT COMMITTEE
FROM: ADAM CAUSEY, DIRECTOR OF PLANNING & DEVELOPMENT
SUBJECT: OLD POST ROAD / DENNETT ROAD SMALL AREA PLANNING
DATE: MAY 18, 2021

Over the past few months, the Economic Development Committee has discussed ideas for regulatory changes, infrastructure needs, and investment ideas to reinvigorate the intersection of Old Post Road and Dennett Road. Staff brought this item to the EDC to engage a public process to direct investment in this neighborhood. The impetus of this small area planning exercise was the Town acquiring several parcels on Old Post Road by way of tax foreclosure. Redevelopment of these parcels is a potential catalyst to this neighborhood by removing existing blighted conditions and providing new spaces for residences, businesses, or a mix of uses. Based on discussions with the EDC and the attached analysis, staff recommends the following actions:

- Begin outreach to existing property owners, residents, businesses, and abutters to obtain buy-in for redevelopment and feedback for potential uses.
- Support the proposed amendments to the BL zoning district
- Support the rezoning of parcels on Old Post Road that abut Legion Pond (from Dennett Road intersection to Memorial Field) to be wholly within the BL zone (removing the R-U zone)
- Create & release a Request for Proposals for the redevelopment of Town-owned properties at 42 & 44 Old Post Road, to include property disposition, potential uses, environmental remediation, and other considerations.

I plan to discuss a timeframe and next steps at the EDC meeting on May 19th.

Thank you,

Adam Causey, AICP
Director of Planning & Development

Old Post Road / Dennett Road Intersection Small Area Planning Analysis

Small area plans provide a process and strategies to improve a neighborhood or defined area. A plan may address issues like zoning, infrastructure, redevelopment, design, etc. The scope of any plan depends on the issues identified as most critical by the community. For Old Post Road, staff wishes to define a scope using the Economic Development Committee. The items below will help planning staff create a timeline and tasks to complete and present to the EDC for feedback. Staff will then move on to gathering input from the community.

Issues to address:

- Purpose

- Agree on a vision of how this area should develop
- Provide for a pedestrian focused mix of residential and business uses near the intersection of Old Post Road and Dennett Road. This area provides a range of housing, employment, retail, service, and recreation opportunities within walking distance of surrounding neighborhoods.

- Zoning

- How to distinguish from other BL zones (since there are several areas that share this zoning district)
 - Proposed amendments for the BL zone are on the way to Planning Board. These amendments differentiate residential density for areas zoned BL with sewer or without sewer. This change limits development pressure in Pepperrell Cove, Lewis Square while allowing for redevelopment at scale along State Road/traffic circle, Route 1 Bypass and Old Post/Dennett corner.
 - There is current debate regarding the number of zoning districts in Kittery, which is a longer-term issue requiring conversation about multiple zones and the zoning map. Accepting the proposed changes to BL may be the fastest way to affect change here without engaging in this debate.
- Uses and Standards:
 - Uses – mixed use, residential, commercial
 - All allowed in BL currently
 - Residential density – affordable/attainable housing
 - Hard to develop now but density changes pending in BL zone should offer feasible options
 - Height & massing
 - No change in height proposed for BL
 - Setbacks, lot coverage & landscaping
 - Some tweaks for BL proposed but none yet for R-U

Old Post Road / Dennett Road Intersection Small Area Planning Analysis

- Off-street parking (requirements vs. market-driven solution)
 - Depends on uses proposed but could drive decision making on shared lots or new on-street spaces
- Existing zoning analysis/comparison
 - Planning Board is empowered to extend a zone line up to 50 feet for split-zoned properties. This may not help as the BL zone already covers the front half of Old Post Road properties, and these deep lots will require all available land for density calculations.
 - Current R-U zoned standards:
 - Building height: 35 feet maximum
 - Density: 20,000sf minimum lot size; 20,000sf required per dwelling unit
 - Setbacks: 30-foot front minimum; 15-foot rear & side minimum
 - Current BL zone standards (on Town sewer):
 - Building height: 40 feet maximum
 - Density: if 1st floor non-residential, 4,000sf per dwelling; if total building is residential, 8,000sf per dwelling
 - Setbacks: 60-foot front maximum; 10-foot rear & side minimum
 - **PROPOSED BL zoned properties (on Town sewer)**
 - Building height: 40 feet maximum
 - Density: if 1st floor non-residential, 2,500sf per dwelling; if total building is residential, 3,000sf per dwelling; if 25% or more units qualify as "affordable," 2,000sf per dwelling
 - Setbacks: 20-foot front maximum; 10-foot rear & side minimum

The area of the Town-owned parcels equals approximately .9 acres (39,204 square feet). However, currently only a portion of that land exists in the BL zone, where density allowances make a project feasible. The BL zone is exempt from net residential calculations but the RU zone is not. The portion of land in the RU district would only yield 1 dwelling unit. At the current density for BL, the dwelling unit yield would be 5 units with first floor commercial or 2 units with no first floor commercial. The Planning Board will soon review changes to the BL, including an increase in density. These proposed changes could yield 13 market rate dwelling units or 19 affordable units on the Town-owned parcels (subject to other required dimensional standards), which is a more realistic development scenario for market rate or affordable housing.

Old Post Road / Dennett Road Intersection Small Area Planning Analysis

- Rectify split zoned lots
 - Strong incentives for unifying the zoning for Old Post lots that back up to Legion Pond.
- Rezoning parcels based on frontage/connectivity or development outlook
 - Old Post lots – BL
 - Route 1 Bypass fronted lots – C-3 to remain
 - Potential to change split-zoned lots along Bypass and Old Post Road to C-3. Leave double-fronted lot as BL.
- **Data gathering**
 - Property owner outreach
 - Commercial owners
 - Footprints Food Pantry
 - Sue's Seafood
 - Ray's Auto Repair
 - Sugarz Salon and Spa (residential also on property)
 - Katy Boyd Fitness next to Memorial Field
 - Port Harbor Marine & Hamilton Marine
 - Residential owners
 - Status quo – no changes to non-conforming residential uses in BL or C-3 zones
 - Set stage for broader discussions regarding Legion Pond & KLT wetlands
 - Review Kittery Athletic Fields Master Plan for synergy with Memorial Field improvements
- **Infrastructure**
 - Roadway improvements
 - Verify dimensions
 - Curb, drainage needs
 - Intersection improvements
 - Sidewalk connectivity
 - Address gaps in sidewalk sections with upcoming Bicycle & Pedestrian Master Plan
 - Driveways and curb cuts
 - Closure and consolidation opportunities
 - Street trees
 - Possibly provided on property side

**Old Post Road / Dennett Road Intersection
Small Area Planning Analysis**

- On-street parking
 - Desired or necessary? Is there room

- **Legion Pond**
 - Verify overlay setbacks
 - Zoning code (Title 16, Table 16.9) requires 100-foot setback from the edge of Legion Pond.
 - “No further harm” from existing and proposed uses
 - Active vs passive recreation opportunities
 - “warming hut” adjacent to pond, part of Town-owned redevelopment?
 - Coordination with DPW activities to test and clean the pond
 - Connectivity to street and adjacent parcels
 - Passive recreation, walking paths