

8-A-5

#2015-090

425 Marginal Way

Map and Text Amendment

U-Haul


City of Portland
 Development Review Application
 Planning Division Transmittal Form

Application Number: 2015-090 **Application Date:** 06/01/2015
CBL: 008 A005001 **Application Type:** Zoning Map and Text Amendent
Project Name: Zone and Text Change Self
Address: 425- MARGINAL WAY
Project Description: Zone and Text Change to allow self storage on this property

Distribution List:

Planner	Barbara Barhydt	Parking	John Peverada
Zoning	Ann Machado	Design Review	Caitlin Cameron
Traffic Engineer	Tom Errico	Corporation Counsel	Jennifer Thompson
Civil Engineer	David Senus	Sanitary Sewer	John Emerson
Fire Department	Keith Gautreau	Inspections	Tammy Munson
City Arborist	Jeff Tarling	Historic Preservation	Deb Andrews
Engineering	David Margolis-Pineo	DRC Coordinator	Phil DiPierro
		Outside Agency	

• existing building x 512 built
 • outside should zone
 • need special screening standards
 11,010 sq ft • imp. surface
 built in 1962
 CU?
 performance standards
 55,566 sq ft
 1.2756 acres

Rick -
 Please see me
 about this. I
 just spoke w/
 Kevin Donoghue &
 he shared his
 thoughts -




PLANNING BOARD REPORT PORTLAND, MAINE

U-Haul B-5 Zoning Amendments
415 and 425 Marginal Way
Proposed B-5 Zoning Amendments
#2015-090

U-Haul Moving and Storage Co. of Maine and N.H, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: Sept. 29, 2015

Prepared by: Richard Knowland, Senior Planner
Report Prepared: September 25, 2015

I. INTRODUCTION

A public hearing has been scheduled to consider a proposal by U-Haul Moving and Storage Co. of New Hampshire and Maine to amend the B-5 zone text to allow self-storage facilities (on-peninsula) and moving equipment rental and outdoor storage (on-peninsula) as conditional uses.

In addition to a legal ad appearing in the September 21, 2015 and September 22, 2015 editions of the Portland Press Herald, notices were sent to the Interested Parties List.

II. APPLICANT PROPOSAL

Applicant is requesting a text amendment that would allow self-storage facilities (on-peninsula) and moving equipment rental and outdoor storage (on-peninsula) in the B-5 zone as a permitted use. The current B-5 zone does not allow self-storage uses. The closest use in the B-5 zone akin to self-storage facilities is warehousing which the Zoning Administrator has determined is not the same use.

Recently the applicant acquired a one story building at 425 Marginal Way (the old AAA building). U-Haul received staff site plan approval for a retail use and equipment storage on October 22, 2014 for this site. Upon further consideration, applicant would like to pursue a self-storage facility for this property, but presently zoning does not allow this use. U-Haul would also like to specifically amend the text by adding moving equipment rental and outdoor storage as a permitted use.

Initially U-Haul's application included a map change to I-Lb and a text amendment to the I-Lb allowing self-storage. The applicant has subsequently re-submitted the application and has requested only a B-5 text amendment.



U-Haul Properties – 425 Marginal Way on left and 411 Marginal Way on right

III. BACKGROUND

history of zoning

U-Haul has occupied their existing facility at 411 Marginal Way property for over 30 years. A review of City zoning maps reveals a **previous I-2 Industrial designation** for this site (zoning maps dated 1975 and February 1990). The parcel was rezoned along with other East Bayside properties from I-2 to B-5 when the B-5 zoning text was enacted in 1993. The B-5 was extended for all lots having frontage on Marginal Way while properties along Anderson Street (south of the rail corridor, now the Bayside Trail) remained an industrial designation (now I-Lb).

The earlier I-2 zoning text allowed the U-Haul use as a permitted use. City files indicate that U-Haul received a site plan approval in the 1980's and a site plan approval in 1992 for "three mini-self storage units" with zoning noted as I-2 zone. When the U-Haul site was later designated B-5, the U-Haul use evidently became non-conforming (at least for self-storage) on their main site.

The I-Lb that replaced the I-2 zone does not allow self-storage so extending the adjacent I-Lb district to the U-Haul site is not an option.

It appears the **B-4 zone is the lone zoning district specifically allowing a self-storage use.**

IV. Land Use Policy and Comprehensive Plan Considerations

Purpose Section

The purpose section (sec 14-230) of the B-5 Urban Commercial Mixed Use Zone is shown below.

PURPOSE SECTION

The purpose of the B-5 and B-5b zones is to provide zones in areas of the peninsula near the **central business district where a mixture of uses, including marine, industrial, commercial and residential, is encouraged.** The B-5 and B-5b zones are characterized by larger undeveloped lots with **great potential for denser, clustered, urban mixed use development and more efficient reuse of existing land and buildings.**

It is anticipated that such cleaner, mixed uses would rely on a shared

infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways.

Existing B-5 and B-5b Zones

B-5 and B-5b zones are primarily a peninsula common district

B-5 -- Aside from the existing East Bayside B-5 that runs along Marginal Way, there are several other areas of the city that have B-5 zones. At the corner of Marginal Way and Forest Avenue there is a small B-5 which includes a CMP sub-station and Enterprise Rental. This is a remnant of the old B-5 zone in West Bayside which was replaced by the B-7.

two exceptions Thompsons Point is zoned B-5 as is the Waynflete School recreation parcel along the Fore River and several other nearby parcels including land on the southerly end of Powsland Street. The Waynflete parcel and Powsland Street parcels are questionable as a B-5 designation and merit consideration for a different zone.

B-5b – There are three B-5b zones on the peninsula. B-5b districts have been implemented in intown locations where a more urban and dense development pattern is desired in context to its neighboring area. Generally “b” designations in the zoning ordinance have been used to distinguish an urban application of a zone (such as B-1b, B-2b, B-5b) in contrast to a less urban location (in the case of B-5, a site such as Thompsons Point).

Two of the B-5b zones are located east and west of the Fore River Bridge along the northerly side of Commercial Street. One zone runs west of the bridge to near Cassidy Point. The second runs from Harbor View Park to the new Marriot Courtyard Hotel. The third zone includes several blocks by Fore Street and India Street.

Zoning Implications – The applicant’s proposal limits the proposed text amendments to “on-peninsula locations”. Given the context of Thompson’s Point and the Waynflete parcels, this is an appropriate restriction as self-storage (and moving equipment rental and storage) would seem highly undesirable for these locations.

The three B-5b zones listed above are also inappropriate locations for self-storage (and moving equipment rental and storage). These districts are in urban areas in which dense development incorporating uses for housing and employment opportunities are far more appropriate than storage. Staff would therefore recommend that the proposed amendments be further refined to limit such uses to only the B-5 zone (excluding B-5b) in on-peninsula locations.

East Bayside Neighborhood Study

In 2009 the Muskie School of Public Service and the East Bayside Neighborhood Organization collaborated on a neighborhood study of East Bayside. The study is shown as Attachment 1. The study included a preliminary neighborhood asset review, business district survey and community forums to discuss neighborhood issues. The report’s recommendations focused primarily on physical improvements such as pedestrian amenities, streetscapes, open space and trail linkages with very limited discussion on land use policy. This study was not formally adopted by the City.

The study did recommend that a neighborhood master vision and long term plan be initiated. One of the suggested issues to be explored in a vision plan was the following:

3 peninsula B-2b but text is B-2 (peninsula only)

The industrial district north of Fox Street offered the greatest potential for redevelopment. A long-range vision should explore the potential of strategically modifying allowed uses, and envision the potential of future public and private development in this area to meet community needs.

East Bayside Brownfields Area Wide Plan

The Greater Portland Council of Governments and the City of Portland are cooperating with the US EPA in a brownfields planning project for East Bayside. The project will include brownfields soil testing, identification of neighborhood assets and liabilities, design charrettes, public forums, marketing study and a brownfields area wide plan. While the project will focus on particular brownfields sites, it provides the opportunity to engage the neighborhood in planning related issues. Unfortunately U-Haul and the brownfields project are on separate time lines. The brownfields project will start in September but has a two year project time line for completion.

V. DRAFT OF PROPOSED AMENDMENT

A draft of the proposed text amendment follows. The applicant's proposal and a staff version of the amendments has been presented.

Applicant's Original Proposal

Insert in Section 14-230.1 (b) (4) and (5) (Permitted Use) new text as follows:

- (4) Self-storage facilities (on-peninsula)
- (5) Moving equipment rental and outdoor storage (on-peninsula)

Staff Proposal

The Planning Board at their August 11, 2015 workshop requested a number of revisions/additions to the proposed amendments. At the direction of the Board, the text has been revised to restrict the self-storage facilities and outdoor storage of rental and moving equipment to on-peninsula locations as (a conditional use). These uses are restricted to existing buildings. Design standards were added to prevent rental equipment from migrating onto a public sidewalk or within the city right-of-way as well as landscape buffer areas. Landscape standards are referenced in the text and a new façade standard was added to the B-5/B-5b standards of the Portland Design Manual to address visual interest for blank building facades.

Insert in Section 14-230.2 (a) (1) new text [Conditional Use] as follows:

1. Commercial
 - (a) Self-storage facilities in B-5 zone (on-peninsula locations only) in buildings existing as of (enactment date)

- (b) Outdoor storage of rental and moving equipment in B-5 zone (on-peninsula locations only) on sites with buildings existing of (enactment date)
- i. Outdoor storage of rental and moving equipment shall be located on the site and not within a public right-of-way or sidewalk. A curb, guard rail or other barrier shall be provided to contain such equipment and storage on the site as well as out of landscape buffer areas.
 - ii. A landscape buffer shall be provided in accordance with the landscape and buffer requirements of the City of Portland Technical and Design Manual.

Amendment to City of Portland Design Manual

Add to B-5 and B-5b Urban Commercial Business Zones Standards the following paragraph

Facade Character: In the B-5 and B-5b zones, active and public portions of buildings (e.g. doors, windows, entries, retail displays) shall be oriented to and, where possible, be located adjacent to the public sidewalk to create an active presence along the sidewalk. Where building facades situated along a public way have no interactive use or function, such facades shall be designed to provide sufficient architectural articulation to provide visual interest along the street and relate the building, and its use, to passersby.

VI. SUMMARY

Applicant has submitted a text amendment proposal to the B-5 zone text to allow self-storage facilities and moving equipment rental and outdoor storage as a permitted use. At the direction of the Board, the text has been revised to more closely regulate these uses by restricting them to existing buildings in on-peninsula B-5 locations as conditional uses as well as incorporating design standards to address building facade and landscape buffer concerns. The practical effect of these text amendments is to limit the number of possible locations. Presently the U-Haul building and site features are more suburban than urban which is in contrast to the purpose section of the B-5 zone but the amendments are intended to help mitigate the visual impact of the uses.

East Bayside is clearly a neighborhood in transition with many changes over the past decade particularly the introduction of new uses in the B-5 and I-Lb zone. While the upcoming brownfields planning study could be a helpful forum to discuss land use policy issues and a future vision for East Bayside, the timing of that study and the applicant's present application do not mesh. Staff in reviewing the applicant's proposal has attempted to narrow the scope of the amendments since a self-storage use and outdoor storage of equipment is problematic for most of the other B-5/B-5b zones in the city.

VII. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on September 29, 2015 and on the basis of the testimony presented at the public hearing, the Planning Board finds that the proposed B-5 zoning text amendments [**Applicant Version or Planning Staff Version**] [**is or is not**] consistent with Portland's Comprehensive Plan and [**recommends or does not recommend**] adoption of the amendments to the City Council.

J-O Pamm

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on September 29, 2015 and on the basis of the testimony presented at the public hearing, the Planning Board finds that the proposed façade character amendment to the Portland Design Manual for the B-5 and B-5b standards [**is or is not**] consistent with Portland's Comprehensive Plan and therefore [**approves or does not approve**] adoption of the amendment.

J-O Pamm

ATTACHMENTS

Staff Attachments

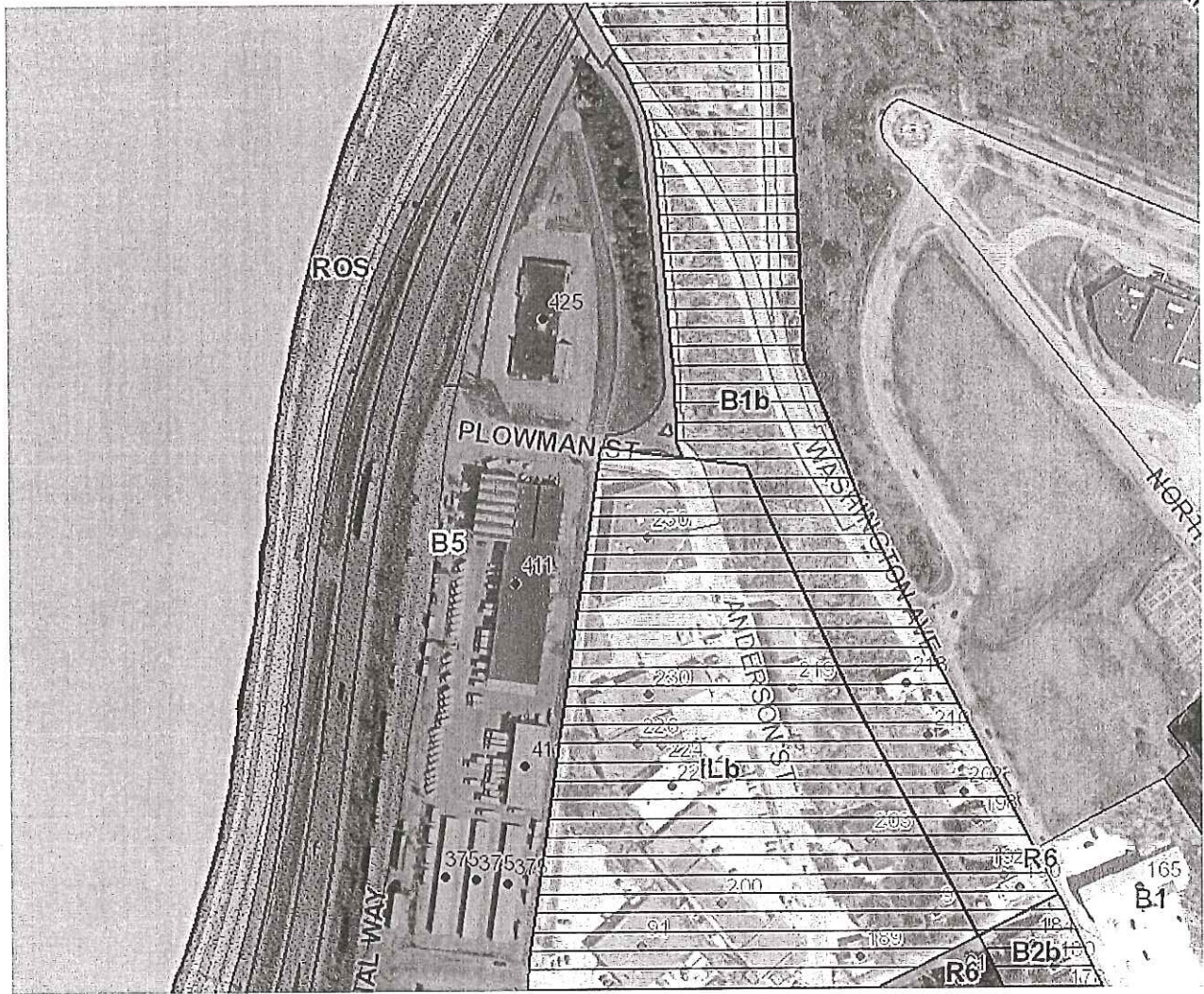
1. Vicinity Zoning Map
2. Proposed Staff Text Amendment
3. 425 Marginal Way Site Plan Administrative Review (2014)
4. East Bayside Neighborhood Study
5. Written Public Comment

Applicant Submissions

- A. U-Haul Application
- B. Original Applicant Text Amendment

PROPOSED B-5 TEXT AMENDMENTS

Zoning Districts in Vicinity of U-Haul Parcels



U-Haul Parcels at 425 Marginal Way and 411 Marginal Way

PROPOSED B-5 TEXT AMENDMENTS

Staff Proposal

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Amendment to City of Portland Design Manual

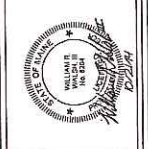
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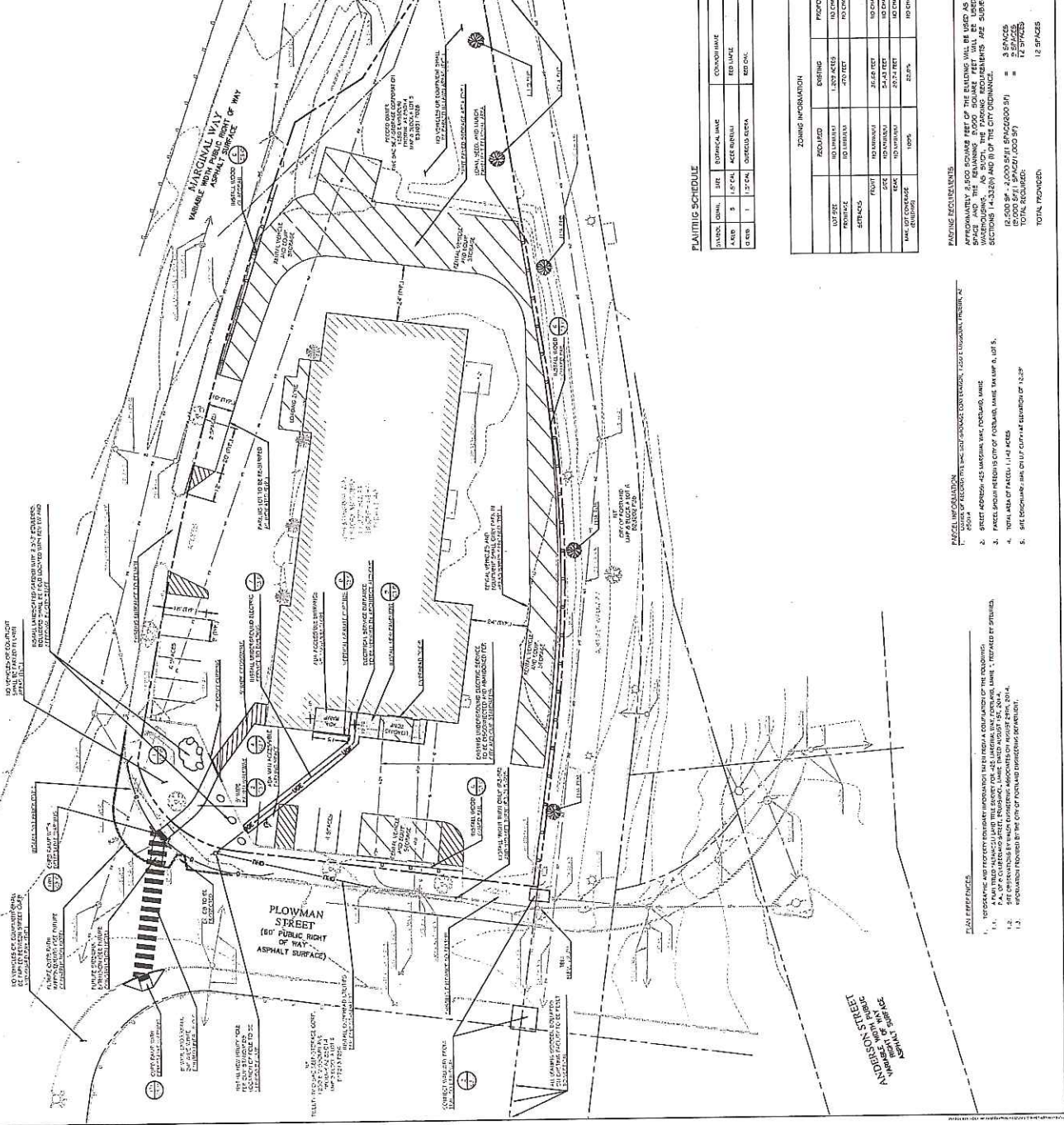
Rev	Date	Description	Drawn	Checked
1	11/17/2024	ISSUE FOR PERMIT	DMC	WVW
2	12/12/2024	REVISIONS	JAC	WVW
3	12/12/2024	REVISIONS	DMC	WVW

Site Layout and Materials Plan

Sheet No. 304
 Project: U-Haul Moving & Storage at Rte 295
 Date: 11-17-24
 Drawn: DMC
 Checked: WVW

C20

- GENERAL NOTES:**
- THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING THE STATE AND LOCAL PERMITTING COMPANIES AT LEAST THREE (3) WEEKS PRIOR TO THE START OF CONSTRUCTION. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PEABODY AND THE STATE OF MASSACHUSETTS.
 - THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE CITY OF PEABODY AND THE STATE OF MASSACHUSETTS.
 - ALL WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING ALL SAFETY REGULATIONS.
 - ALL WORK SHALL BE IN ACCORDANCE WITH ALL APPLICABLE LOCAL, STATE, AND FEDERAL REGULATIONS INCLUDING ALL SAFETY REGULATIONS.
 - ALL EXISTING UTILITIES SHALL BE IDENTIFIED PRIOR TO ANY EXCAVATION OR REMEDIATION. IF ANY UTILITIES ARE FOUND, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE ENGINEER AND THE CITY OF PEABODY.
 - ALL EXISTING UTILITIES SHALL BE IDENTIFIED PRIOR TO ANY EXCAVATION OR REMEDIATION. IF ANY UTILITIES ARE FOUND, THE CONTRACTOR SHALL STOP WORK IMMEDIATELY AND NOTIFY THE ENGINEER AND THE CITY OF PEABODY.
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PAVING SCHEDULE

ITEM	QTY	UNIT	DESCRIPTION	CONTRACTOR
1	1	1000 SQ YD	ASPHALT PAVING	CONTRACTOR
2	1	1000 SQ YD	GRAVEL PAVING	CONTRACTOR
3	1	1000 SQ YD	CONCRETE PAVING	CONTRACTOR

ZONING INFORMATION

ITEM	DESCRIPTION	PROPOSED	REMARKS
1	RESIDENTIAL	NO CHANGE	
2	COMMERCIAL	NO CHANGE	
3	INDUSTRIAL	NO CHANGE	
4	OFFICE	NO CHANGE	
5	RETAIL	NO CHANGE	
6	WAREHOUSE	NO CHANGE	
7	MANUFACTURING	NO CHANGE	
8	UTILITIES	NO CHANGE	
9	TRANSPORTATION	NO CHANGE	
10	RECREATION	NO CHANGE	

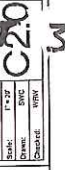
PAVING REQUIREMENTS

APPROXIMATELY 2,000 SQUARE FEET OF THE PAVING WILL BE USED AS EXTRA SPACE AND THE REMAINING 8,000 SQUARE FEET WILL BE USED FOR THE BUILDING AND DRIVEWAY. THE REMAINING 8,000 SQUARE FEET WILL BE SUBJECT TO THE CITY OF PEABODY AND THE STATE OF MASSACHUSETTS.

TOTAL PAVING: 10,000 SQ FT

PLAN REFERENCES:

- TOPOGRAPHIC AND UTILITIES INFORMATION FROM THE CITY OF PEABODY.
- AS-BUILT DRAWINGS FROM THE CITY OF PEABODY.
- CONTRACT DOCUMENTS AND SPECIFICATIONS.
- STATE AND FEDERAL REGULATIONS.
- LOCAL ORDINANCES AND ZONING REGULATIONS.

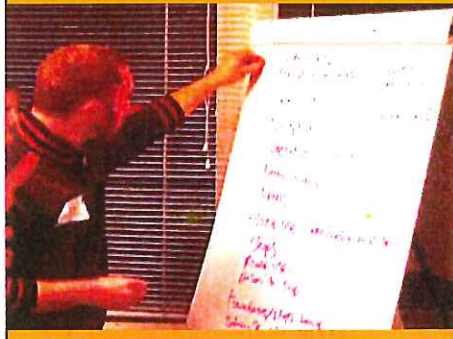
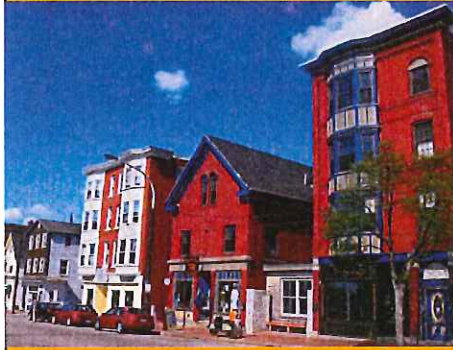


East Bayside Neighborhood Study

Prepared by the **Planning Workshop, 2009**

Muskie School of Public Service

Community Planning & Development Program



East Bayside Neighborhood Study

Planning Workshop 2009

Community Planning & Development Program, Muskie School of Public Service

Community Client:

East Bayside Neighborhood Organization
Belinda Ray, president
Ward Willis, liaison to Planning Workshop

Community Partners:

Kevin Donoghue, Portland City Councilor (District I)

Portland Housing Authority
Mark Adelson, Assistant Director

City of Portland Public Services
Mike Bobinsky, Director

Franklin Arterial Study Group
Marcos Miller, Co-Chair

Planning Workshop 2009:

Alan Holt, Adjunct Professor
Cotton Estes, Teaching Assistant
Jessa Berna, Paul Connair, Sophie DeMaio, Shelley Hodges,
Emily Reinholt, & William Walker, students.



UNIVERSITY OF
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Spring 2009

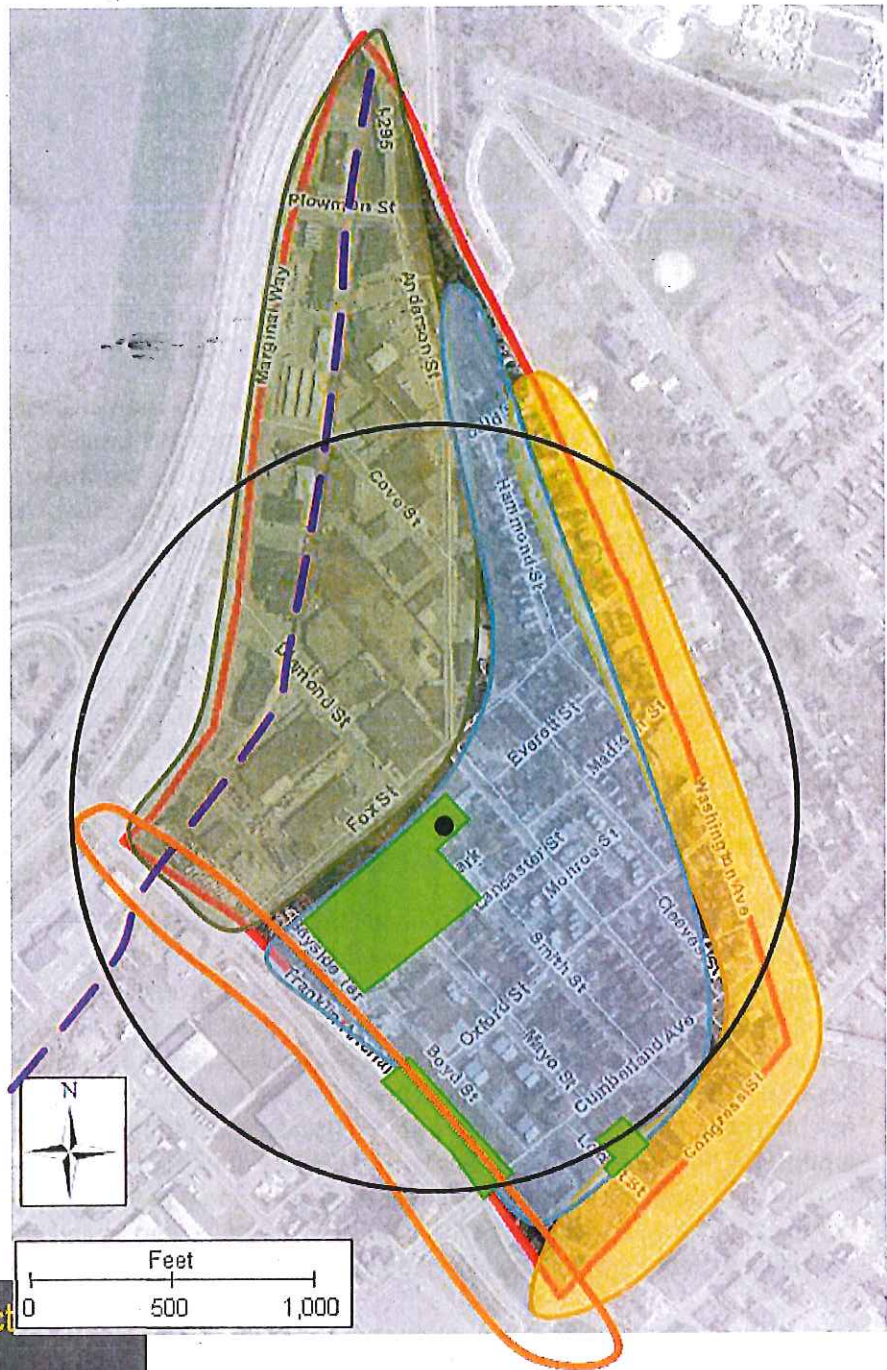
Since its establishment in 2002, the Planning Workshop has been an annual course offering in the Muskie's Community Planning and Development program that provides students with an opportunity to work directly with a client on a community planning issue. The students essentially form a consulting group that works with a community client to identify issues and execute a work plan. The Workshop aims to provide students with an opportunity to apply their planning studies to a real world situation, as well as to offer a community service.

Last fall, just about the time that I needed to find a class project for the Workshop, I wound up in a carpool with Belinda Ray, president of the East Bayside Neighborhood Organization. As we were driving upstate to canvas for a presidential campaign, a sense of hope and expectation infused our conversation as we talked about the possibility for a better country and world. I was even more inspired though by the sense of mission and passion that Belinda conveyed in talking about her own neighborhood. If ever there were a champion of town planner/activist Patrick Geddes's injunction to "Think Global, Act Local," (Evolution of Cities; 1905), Belinda was it.

Soon after, the East Bayside Neighborhood Organization and Portland City Councilor Kevin Donoghue (and Planning Workshop alum '05) formally invited the Planning Workshop to assist EBNO in their on-going capacity building, and to help empower the neighborhood's voice with a number of on-going initiatives. East Bayside, the most diversely populated census tract in the State, proved a perfect laboratory for the class, providing a textbook example of the physical elements (positive and negative) that influence neighborhood functions. Better yet, the people we met through the neighborhood organization, the Kennedy Park tenants' association, area businesses, non-profit groups, the Portland Housing Authority, and the City of Portland Public Services were ever generous to the class. So many people helped that there's not room to name everyone, though I'd be remiss not to extend special thanks to EBNO member Ward Willis who attended so many classes that he should be getting a grade along with the students (A+).

Finally I want to extend my appreciation to the students of this year's Planning Workshop. Every student fully embraced the assignment and the neighborhood, and all went beyond the call of class duty. This year's Workshop convinced my once again that the future of the planning profession in Maine is in good hands.

Alan Holt
Adjunct professor; Planning Workshop, Muskie CPD



- Commercial District
- Residential District
- Lower Bayside District
- Franklin Arterial
- Bayside Trail
- Parks
- 5-Minute Walk

East Bayside Neighborhood

East Bayside Neighborhood Study

Planning Workshop 2009

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I. Overview

Defined by I-295, Franklin Arterial, Congress Street and Washington Avenue, East Bayside constitutes a significant and very distinct neighborhood within Portland. This shape of this neighborhood has undergone tremendous physical change over the past 200 years through human intervention—with a series of filling project of Back Cove that has expanded the northern boundary periodically, nearly doubling the size of the neighborhood. The last major physical intervention came with the construction of the Franklin Arterial which effectively segregated this neighborhood from what is now referred to simply as Bayside, the area to the west of the arterial.

Besides its strong physical boundaries, East Bayside is also home to the most diverse population in the State. The Portland Housing Authority's properties in this neighborhood, comprising 197 dwellings, represent 21 countries of origin. Furthermore, East Bayside has perhaps the most diverse spectrum of land uses of any neighborhood in Portland; the neighborhood includes a range of residential property types; light industrial uses; open space and parks; and retail & commercial businesses.

The neighborhood is located within a short walk to downtown, and is a prime gateway neighborhood by virtue of its adjacency to Franklin Arterial. In short, East Bayside's location, physical parameters, diversity of people and land uses not only make the neighborhood unique in Portland, but presents unique opportunities for the future.

The East Bayside Neighborhood Organization (EBNO) was formed in 2007 to represent and promote the community's interests. In spring of 2009 the Muskie School's Planning Workshop assisted EBNO's efforts by analyzing the neighborhood from historical and planning perspectives, and assessing how future planning – locally and within the greater context of Portland-- can benefit East Bayside. The recommendations included in this report are products of the classes' analysis of East Bayside to date, and are accompanied by the hope for continued research and collaboration with EBNO in the future.

Section II of this report summarizes several background studies conducted by the Planning Workshop including historical, demographic and geographic information about East Bayside. This information was collected during the initial stages of the Planning Workshop in an effort to familiarize students with the character of East Bayside and establish a lens through which to assess and direct future research. Findings were supplemented by academic readings that focused on elements of functional neighborhoods. Readings included seminal works such as "The Image of the City" by Kevin Lynch, 1960, "The Death and Life of Great American Cities" by Jane Jacobs, 1961, "A Pattern Language" by Christopher Alexander, 1977, and "The Next American Metropolis" by Peter Calthorpe, 1993.

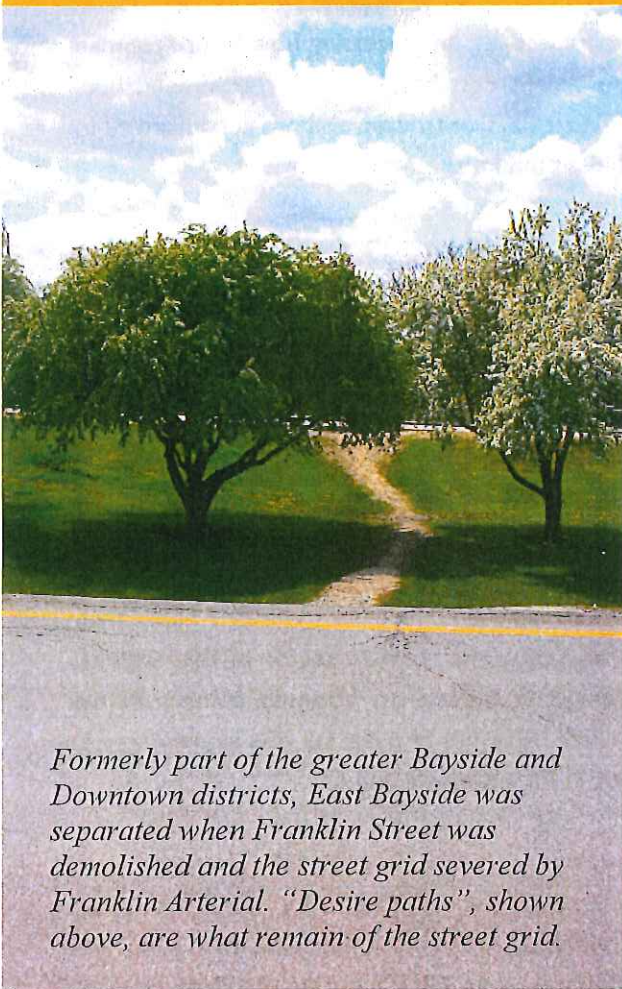
Section III, IV and V report on the classes' subsequent efforts to tap the community's opinions about their physical surroundings and ideas for improvement. In order to access the business sector of East Bayside, the Planning Workshop devised and administered 55 surveys in person, to business owners in the "Commercial" and "Lower East Bayside" districts of East Bayside. Analyses of these surveys is presented in Section III, followed by the raw data and details of the surveys in Appendices B and C.

Community outreach efforts also took form in two workshops in which East Bayside residents were invited to share their opinions and brainstorm improvements to the neighborhood. Each workshop catered to different audiences, focusing on specific issues within East Bayside. The first workshop was open to everyone in the neighborhood, and hosted in collaboration with EBNO and the Portland Housing Authority. The second forum was held at Portland High School and was directed toward East Bayside youth and focused on potential improvements for Fox Field. Sections IV and V report on the workshop process and findings, followed by the entire results in Appendix A.

Section VI presents the Planning Workshop's recommendations to the East Bayside Neighborhood Organization which are premised on the classes' research and valuable input from the community. East Bayside neighborhood requires both holistic design improvements as well as itemized material upgrades in order to preserve and enhance the quality of life here. The public concern over safety often relates to physical problems, like dead-end streets and a lack of amenities like sidewalks and lighting. The neighborhood is also in dire need of improved connectivity– both to the city, and within East Bayside. The issue of connections is especially pertinent today, in light of the Franklin Arterial redesign and Bayside Trail.

This report highlights many reasons why East Bayside neighborhood is an asset to Portland, yet also underscores many challenges facing its residents. The Planning Workshop hopes that this report can assist with the ongoing efforts of EBNO, the City of Portland, the Portland Housing Authority, and the Franklin Street Study in their ongoing efforts to improve the lives of neighborhood residents, and the beauty, safety and vitality of the neighborhood for the benefit of all of Portland.

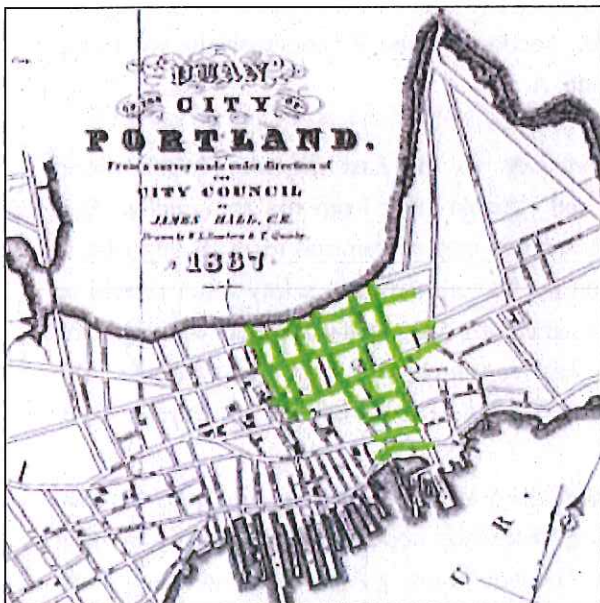
II. Preliminary Neighborhood Studies



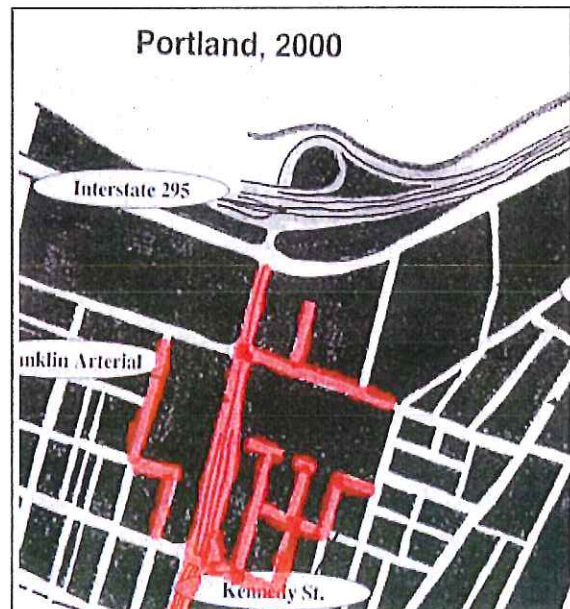
East Bayside is physically defined by major thoroughways like Congress Street and Rt. 295. Franklin Arterial also serves as a boundary, as well as a harsh edge to the neighborhood. The Arterial is the most identifiable culprit for the sense of isolation from the rest of the city that one experiences here.

Urbanists concur that human-scaled streets arranged in small street blocks with ample "connector streets" are critical to vital neighborhoods. Historically, the neighborhood was built on a grid of small, interconnected blocks that exemplify this principle of good neighborhood design. However, the building of the Franklin Arterial disrupted this block pattern. The resulting dead-end streets, superblocks, and broken pedestrian & vehicular connections present an ongoing challenge to the neighborhood.

The Planning Workshop observed and participated in the Franklin Street Reclamation Authority Study. More than any other Portland neighborhood, the outcome of this Study will affect East Bayside for generations.



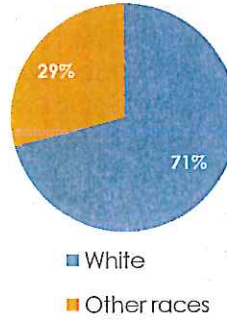
Historic street grid in Bayside



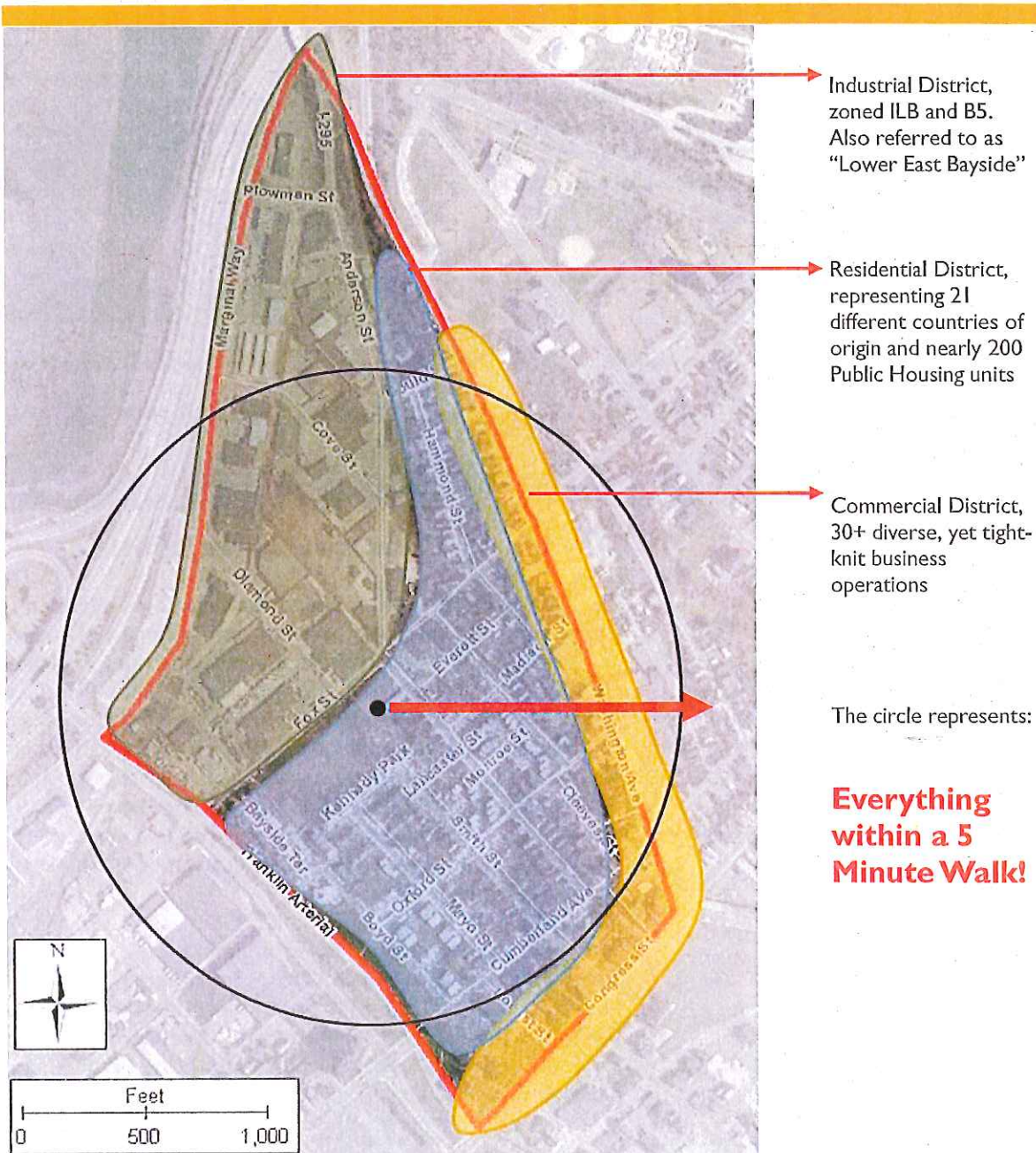
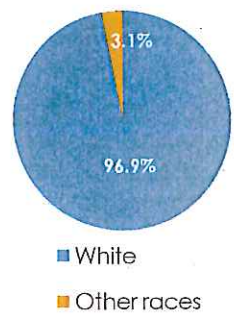
Reminiscence of the street grid after the Arterial

East Bayside is also characterized by an impressive diversity of ethnicity, culture, land-use and commercial activity. Jane Jacobs, Kevin Lynch, and Peter Calthorpe all describe diversity of land uses and of populations as fundamental ingredients to a vibrant and self-sustaining neighborhood or city. East Bayside benefits from the proximity of residential, commercial and industrial districts, as well as having representation from many different ethnic influences, all within the perimeter of a 5-minute walk. Its diversity distinguishes East Bayside from the rest of Maine, making it an asset to the City of Portland.

East Bayside



Maine

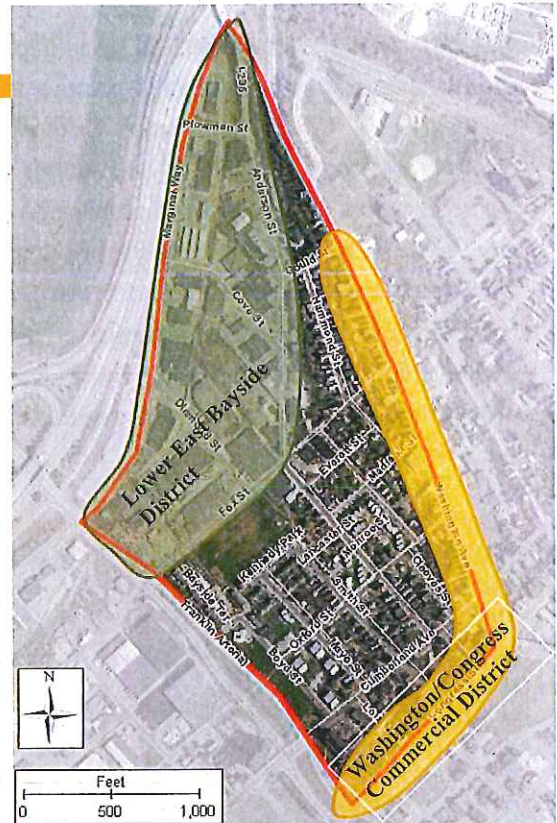


III. Business Districts Surveys

In April, 2009 the Planning Workshop conducted 55 surveys among businesses in the Lower East Bayside District and Washington/Congress Commercial Districts (see map to left) in an effort to better understand the nature of commercial activity in the area as well as the businesses' concerns and desires for the future of East Bayside.

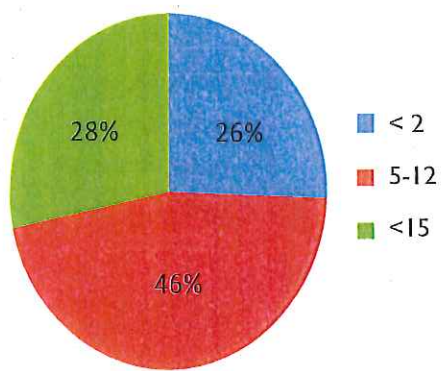
Two surveys were designed, tailoring to the particularities of each district. Common questions included background information on the businesses, as well as subjective questions regarding the businesses' physical location and connection to the larger East Bayside community.

The surveys were conducted in person with business owners, (with few exceptions for telephone interviews due to limited business hours). The raw data and surveys samples for Lower East Bayside and Commercial districts can be found in Appendices B and C.



Lower East Bayside District

Lower East Bayside: Years in Business



The 40 surveys from Lower East Bayside revealed an impressive amount and diversity of commercial activity. Businesses here range from retail, arts and crafts, non-profit, manufacturing, distribution, storage, and repair services, and more. Business size varies between one and 70 employees; the median employee count was eight. The range of business life spans also attests to the diverse commercial environment and healthy mix of new and old industry here. Roughly one-quarter of businesses are younger than two years (in their East Bayside location), and another quarter of the businesses are 15 years old or more.

The most popular reasons for locating in the district included inexpensive rent, availability of industrial-scale space, and proximity to Rt. 295 and Portland. Most customers here use vehicles, although there were several exceptions for charity services and arts related businesses that attract local pedestrians and bikers.

The majority of businesses in this area were content with current zoning, traffic and parking, and transportation in the area. The few noteworthy exceptions included: desire for permitted retail in the I-Lb (Low-Impact Industrial zone), safety concerns about overnight parking, road disrepair and traffic along Fox Street. Business owners were also discontented by inadequate or nonexistent sidewalks and lack of safety measures for bikers (particularly along Fox Street).

66% of businesses anticipate that the impending Bayside Trail will be a positive for the district. There is also considerable anxiety that the trail will diminish commercial properties by way of its physical construction, and by inviting vandalism and rent inflation. Although realty pricing was not formally addressed in the survey, many business owners in Lower East Bayside related a strong interest in maintaining affordable rent in light of future developments such as the Bayside Trail and re-design of Franklin Arterial.

65% of businesses also indicated strong interests in supporting community projects; particularly ones directed toward cleanup, youth, safety and public art.



Washington/Congress Commercial District

15 businesses were surveyed along Commercial Street, Cumberland Avenue and Washington Avenue. Compared to Lower East Bayside, these Commercial District businesses are younger (60% under five years old), and cater more frequently toward the immediate neighborhood including Munjoy Hill. Over 50% of the customer bases for the businesses surveyed are primarily pedestrians or bikers. This Commercial District is also unique because of the high concentration of arts-related businesses (40%), and ethnically oriented shops and restaurants.

The survey data indicated general consensus among business owners about their concerns related to the area and desires for improvement. Street litter is a major concern among business owners here. 80% of owners identified trash as one of the foremost issues, and several specifically identified the 7-11 gas station as the source point. Remedial suggestions included simply adding more trash cans on the streets, and potentially devising a trash removal system with help from the City of Portland. Several people also suggested neighborhood-based environmental education programs.

Trees were another popular priority for streetscape improvement (75% of votes). A few business owners suggested that trees are a good option for beautifying the street because window boxes tend to invite vandalism. General streetcaping and landscaping, especially adding bike racks, were also identified by roughly 60% of business owners as desirable means of district improvement. The idea of park benches, however, was unpopular for the same reason as window boxes. People expressed general skepticism about any amenity that may facilitate vandalism or loitering at night.



IV. The Neighborhood Forum: Process & Findings

Participants at the April forum huddle around a map to sketch potential connections between the neighborhood and the impending Bayside Trail.

Public outreach and engagement were major components of the Planning Workshop. To understand the community's likes, dislikes, hopes and fears about their local environment, students designed and conducted two planning forums. The first, outlined in the following section of this report, was open to the East Bayside public. Appendix A includes all the maps, notes and raw data produced in this forum.

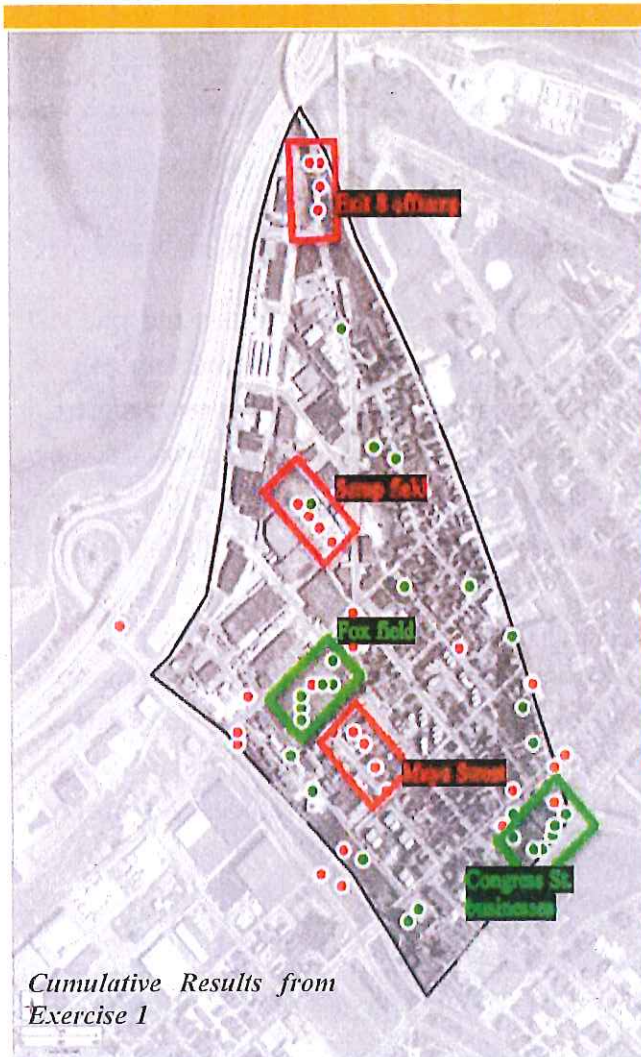
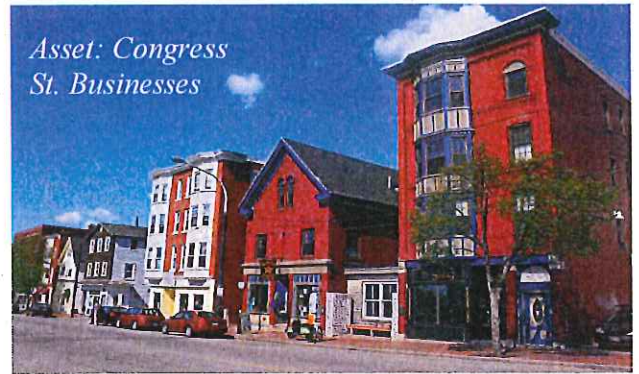
The first workshop took place on April 21st, in lieu of the monthly EBNO meeting. The Planning Workshop also coordinated with the Portland Housing Authority to plan this meeting, and used the community room of a PROP apartment building on Mayo Street to host the event. The workshop consisted of a brief introductory presentation by the Planning Workshop, followed by three brainstorming and mapping exercises. Participants were divided into three work groups and the students acted as facilitators and moderators for the forum. The data produced from the workshop is entirely a reflection of the participants' involvement. All participant's names are listed in Appendix A.1

Exercise I: Asset and Liability Mapping

The purpose of this exercise was for community members to identify assets and liabilities within East Bayside. In three groups of six to seven people each, participants were shown a map, (below), and prompted to consider assets and liabilities within the neighborhood that could be attributed to a physical location. Participants placed two green dots each, representing places they enjoy spending time, views they like, landmarks, etcetera. Next, they placed two red dots each, which represent just the opposite; unsafe places, eyesores, etc.

The moderators then facilitated a follow-up discussion to clarify what each dot represented. The groups' maps and discussion notes are located in Appendix A.1– A.2.

Below is the map compiled from all three group, and summary list of the most commonly identified assets and liabilities.



ASSETS

- Businesses along Congress Street, such as the Snug, The North Star Café, and Knit Wit, because they bring vitality and interface with the rest of Portland
- Fox Field, because it is open, green space and provides activities for the youth. However, improvements and repairs are desired here as well.

LIABILITIES

- The Exit 8 off ramp is considered very dangerous
- The scrap yard is an eye sore
- Mayo Street traffic and safety concerns, as well as complaints of unruly behavior around the area.



Exercise 2: Franklin Arterial Map and Visioning



Looking at a new map of Franklin Arterial, participants were given three green and one red dot each. The green dots in this exercise represent frequent destinations, via foot, across Franklin Arterial from East Bayside. The red dots were placed to indicate desired pedestrian crossings along the arterial, whether they be improvements to existing crossings, new pedestrian-only crossings or new roads that also accommodate walkers. The groups' individual maps and additional comments about Franklin Arterial are located in Appendix A.4–A.7.

The most common destinations among participants were Whole Foods and Hannaford supermarkets, and downtown. The spread between common destinations, and distance between these destination and East Bayside (up to approximately .75 miles), suggests that East Bayside residents travel further on foot than most people are willing to. (Studies indicate that most people will drive versus walk to destinations further than .5 miles)

A subsequent, more in depth study on walking and biking patterns in the Franklin vicinity would lend valuable insight to the most apt locations for future crossing development. Illustrated by the cluster of red dots, participants identified Oxford Street as the most desired route across Franklin Arterial. East Bayside has been “voting with its feet”, as one resident explained, for a long time; the foot paths that extend between Oxford and Lancaster streets, between East and West Bayside, bear testimony. The safety benefits of reconnecting the street grid at Oxford Street were discussed at length. Participants voiced particular concern for children who currently frequent this shortcut to school. Many voiced support for the idea of a pedestrian bridge which could reconnect Oxford Street by foot.

There was also strong consensus about the need for more and improved sidewalks along Franklin Arterial. Existing crossings also need improvement, like the intersection between Franklin Arterial and Congress Street, as well as Marginal Way and Fox Street.



New Federal St.
Crossing

Crossing improve-
ments including
roundabouts at
Congress St. and
Cumberland Ave.

New Oxford St.
crossing

Improved crossing at
Fox St.

New Portland Trail
crossing

Left: One of the visions for Franklin Arterial generated by participants of a different public workshop, held by the Franklin Street Reclamation Authority in late April, 2009.

There is definitive desire among East Bayside residents and the broader Portland public alike to reconnect the street grid for pedestrian access.



Exercise 3: Fox Field and the Bayside Trail

In the first part of this exercise, participants shared their opinions of Fox Field area and suggestions for its improvement. The ideas were thoroughly recorded and later compared, revealing common concerns about the safety and aesthetics of the area. The main ideas are presented below. The lists produced by each group and maps from the later portion of this exercise are located in Appendices A.8– A.11.

The lack of lighting was considered the foremost safety hazard at Fox Field. Currently the only light here at night comes from the street lights on Fox Street and in Kennedy Park, creating a dark pocket across the field, courts and playground. The vast majority of residents supported the idea of lights, especially along the paved walking path that separates the field from the basketball courts. Some participants also suggested that lights may aid the police, because there would be fewer dark hiding places at night.

Fox Street was also considered a danger for pedestrians and drivers, particularly at the intersection with Anderson Street. Residents suggested adding more sidewalks along Fox Street, and crosswalks at intersections. They also discussed the merits of converting the three way stop sign at the Anderson/Fox intersection into a four way to slow traffic.

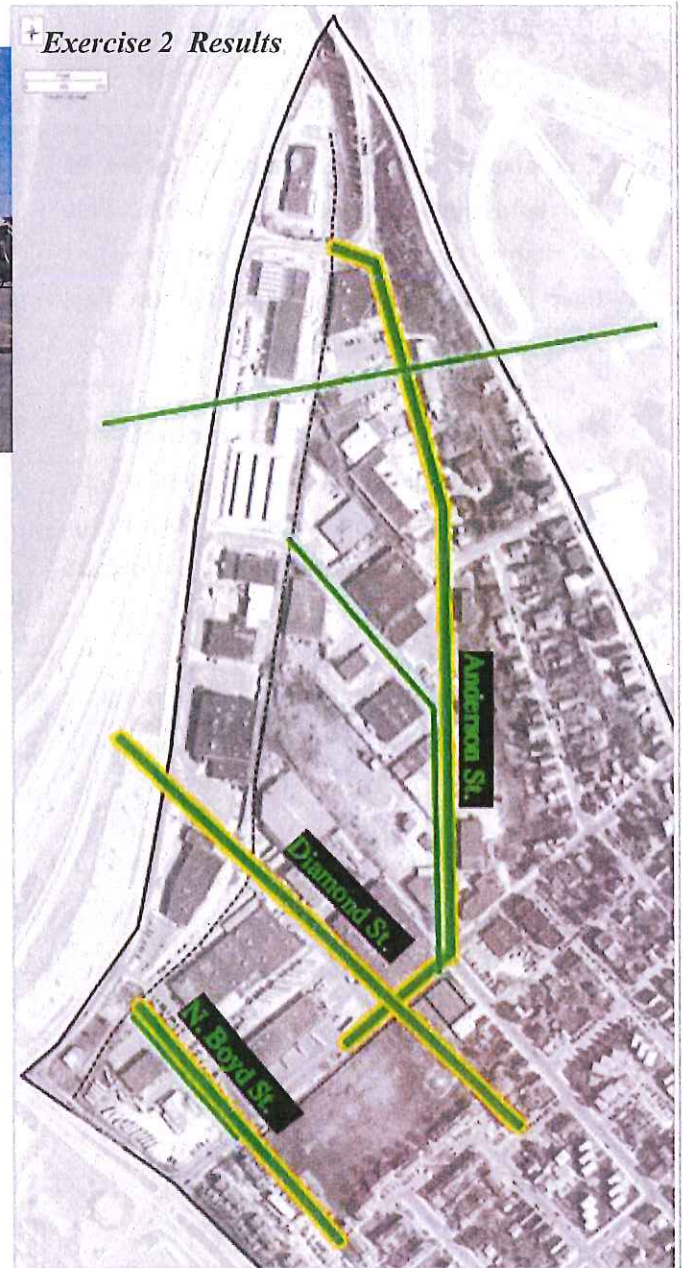
The aesthetic qualities of Fox Field were another main concern brought forth by East Bayside residents. Trash on the field is a major, yet easily remedied problem. One resident explained the cleaning procedures that are sometimes required before beginning a soccer game; the teams line up and sweep the field, collecting trash, needles, broken glass, etc. in trash bags to prevent injuries during the game. Participants felt that the addition of trash cans surrounding the field is the first and most important step in solving this problem.

Participants also expressed a common desire to beautify the park and increase its usage by developing more and diversified recreational opportunities. Additional seating areas, picnic tables, and bleachers around the field would make the field more attractive and conducive to various spontaneous recreation and “hanging out”. Other beautification suggestions included youth-created murals and enhanced landscaping with more plantings.



Boyd Street, looking north from Fox Street

The later half of Exercise 3 focused on a future recreational amenity in the area, the Bayside Trail. The trail will be completed by fall of 2009, linking East Bayside to the East End Trail and West Bayside. For the trail to succeed as an amenity and viable transit route for East Bayside, it must be accessible to the neighborhood. Currently, there is no pedestrian-friendly infrastructure for residents to access the trail. Participants discussed and sketched possible locations for pedestrian connections between the neighborhood and the trail. Participants were especially interested in the potential connection of North Boyd Street (seen as a key connection between Fox Field & Kennedy Park. Improving access on Anderson Street was also seen as especially desirable.



Participants were interested in developing an overall connection between Cumberland Street to the trail, via either Boyd, Mayo, or Smith Street. Linking the Washington Street commercial district through the residential district to the trail, would help “open” the neighborhood to the rest of the city. North Boyd and Diamond streets were suggested as the most useful connections to develop in the short-term. Developing these connections with sidewalks and streetscaping, would also serve to enhance the safety and attractiveness of the Fox Field area. Streetscaping along Anderson and Cove Streets was also suggested as a means to strengthen ties between Munjoy Hill and East Bayside.

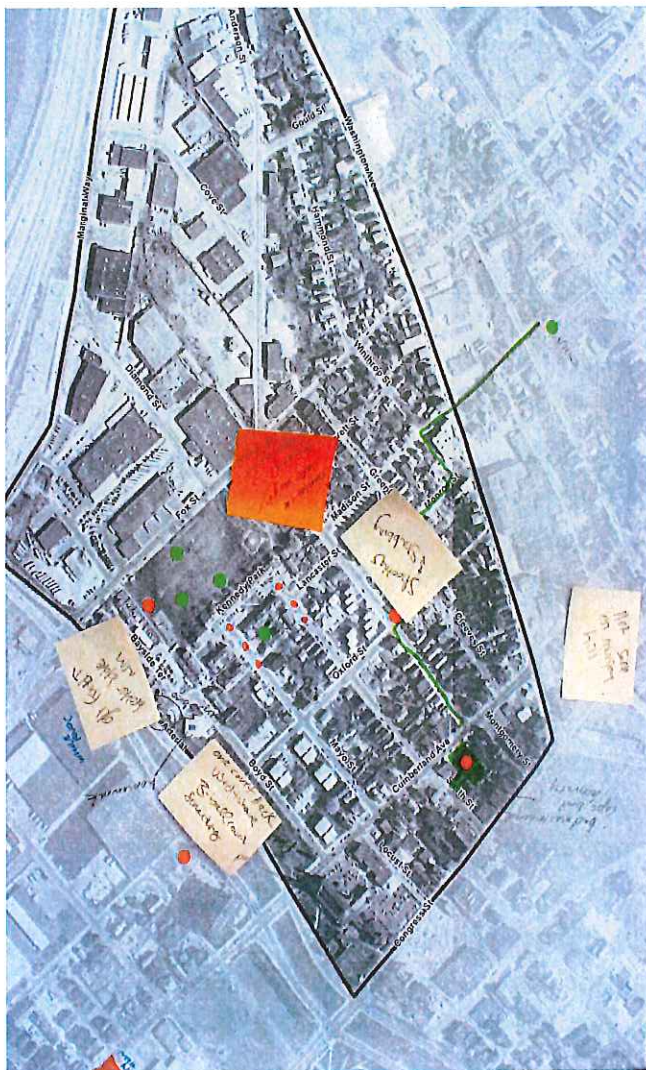
V. The Youth Forum

The class conducted a second forum at Portland High School on May 8th. This workshop was specifically tailored toward East Bayside youth and focused on Fox Field and the surrounding area.

This workshop entailed one Asset and Liability Mapping Exercise, (similar to Exercise I of the April Workshop), followed by brainstorming about improvements to Fox Field.



Above: Muskie and Portland High School students orient themselves to a map of East Bayside.



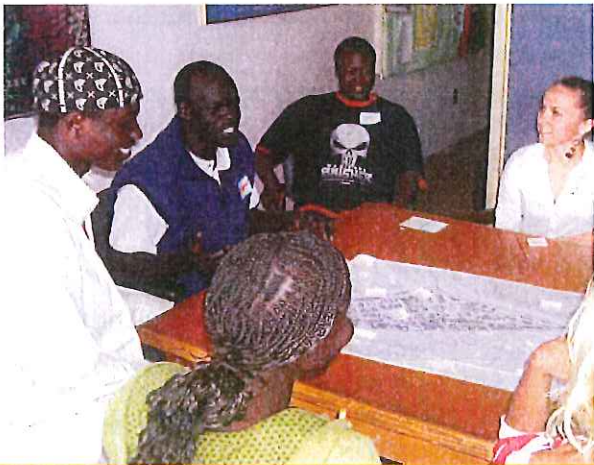
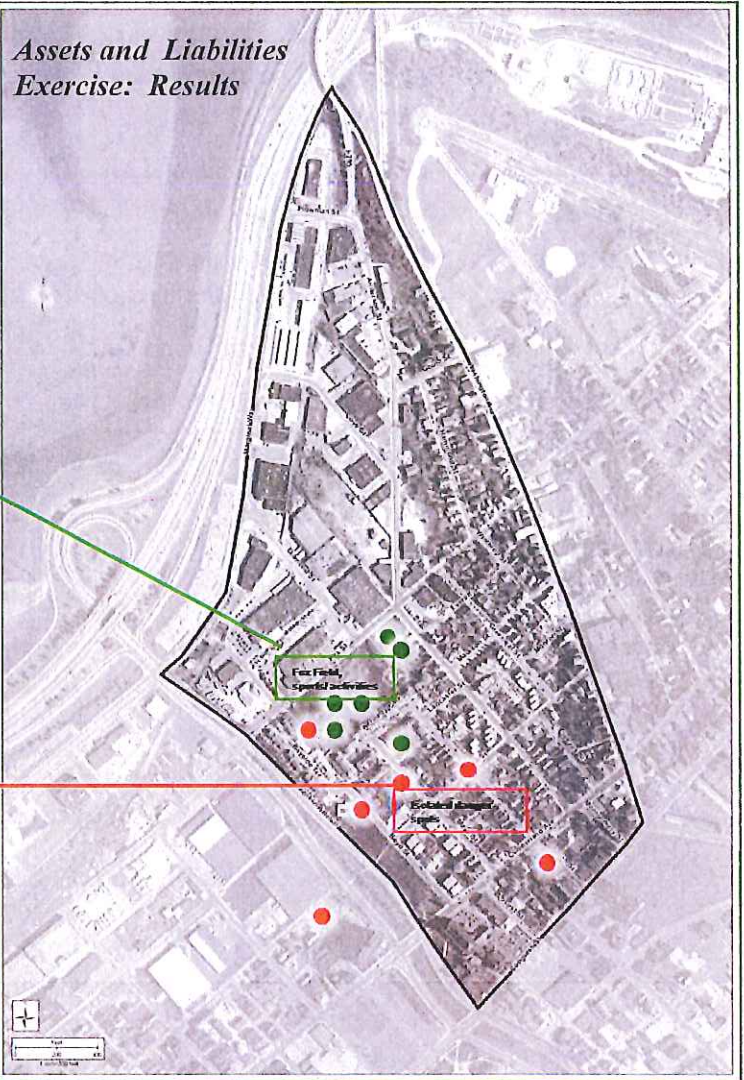
Left: Students' notes and diagrams relating to Fox Field area.

There was consensus among students that the current activities offered by Fox Field are great, but that there should be more recreational opportunities here. Ideas for these included a full basketball court, seating and picnic benches around the field, and some also vouched for a warm up field adjacent to the playground to maximize the existing open space.

Students' concern with present-day Fox Field revolved around safety. Ideas for addressing safety included nighttime lighting, taller fences bordering Fox Street and the field, and better sidewalk connections along Fox St., connecting north to the future Bayside Trail corridor.

Students were enthusiastic about the current soccer and basketball games , and want to see more space devoted to the courts/ fields, and comfortable space for spectators.

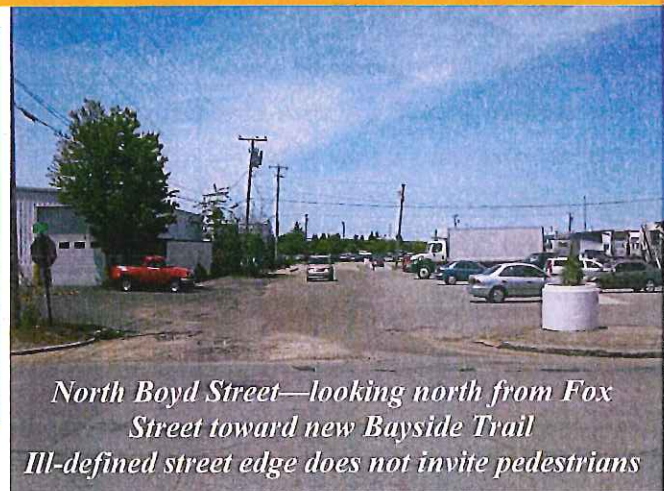
“Liabilities” here referred mostly to isolated incidents of crime. The dark alley between east and west Oxford Streets causes apprehension for pedestrians, and could be improved with lighting and landscaping. Better street connectivity in this area- would also help create more “eyes on the street” and encourage more legitimate activity on the street.



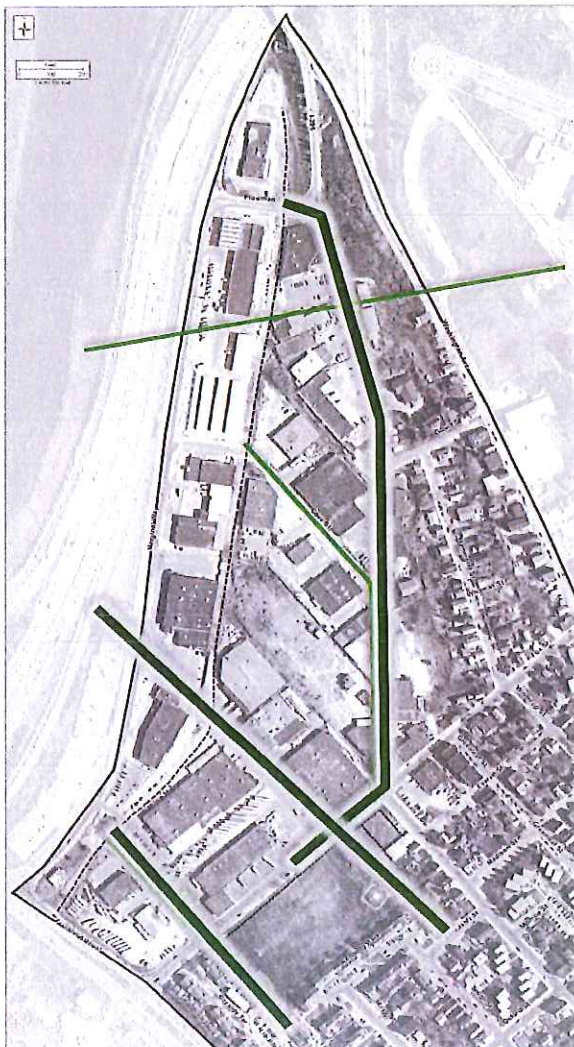
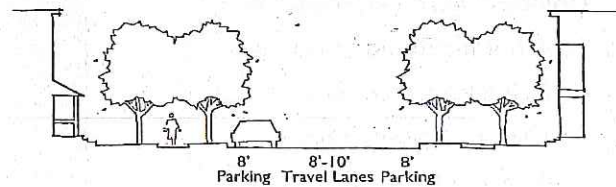
VI. Conclusions and Recommendations

Issue: Bayside Trail Connections

The new Bayside Trail will require improved connections to the residential district of East Bayside in order to become useful to residents. Fox Street is currently dangerous for pedestrian and drivers alike, and Lower East Bayside is unwelcoming to potential trail users.



Right: Example of a successful streetscape, including buffers between road and buildings, on-street parking and ample pedestrian/bike routes. (The Next American Metropolis, Peter Calthorpe)



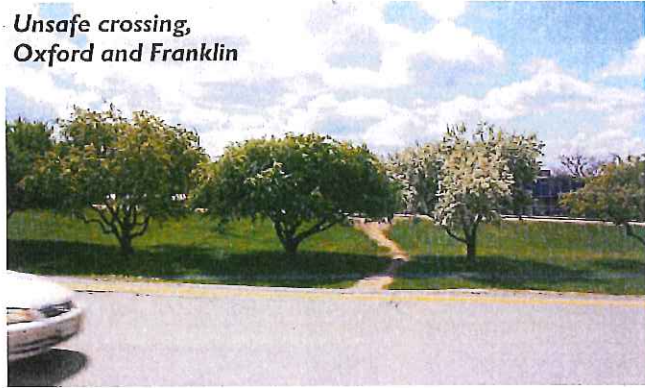
Physical Improvements:

- Create stronger pedestrian streetscapes on Fox Street and north along Anderson Street, and North Boyd Street.
- Install sidewalks, lights, and street trees where none exist, and improve side walks elsewhere.
- Provide bike lanes where possible, and bike racks at key locations and near the trail.
- Install signage along links to encourage and direct pedestrians. Creative signage by local artists will lend identity to the pedestrian route and neighborhood at large.
- In order to create a stronger sense of place, encourage façade improvements to buildings near the trail, especially to buildings that directly abut the trail.

For Further Study:

- All recommendations will require design and development. EBNO should cooperate with City of Portland Public Services, the Planning Office, and the Portland Public Art Committee to create a master plan for physical improvements.

*Unsafe crossing,
Oxford and Franklin*



Issue: Franklin Arterial Divide

The arterial is a harsh barrier/edge to the neighborhood that disrupts the historic, fine-grained street block structure. Well-worn desire paths attest to the need for street reconstruction.

Physical Improvements:

- Reconnect the historic street grid along Oxford Street (highest priority) and Lancaster Street. Establish safe pedestrian crossings at a minimum, and full intersections if feasible.
- Recapture territory on the western edge of East Bayside with the redesign of Franklin Arterial. Develop a green buffer for the neighborhood between Cumberland Avenue & Fox Street, and a mixed-use "gateway" for reclaimed land north of Fox Street.
- Incorporate sidewalks and bike trails bordering East Bayside in the Franklin Street redesign.

For Further Study:

- East Bayside residents identified the off-ramps of I-295 at Franklin Street as a major safety concern. As the City and MDOT undertake future studies for potential improvements for this exit, the concerns of the neighborhood should be expressed and considered.



Issue: Streetscape & Transit Amenities

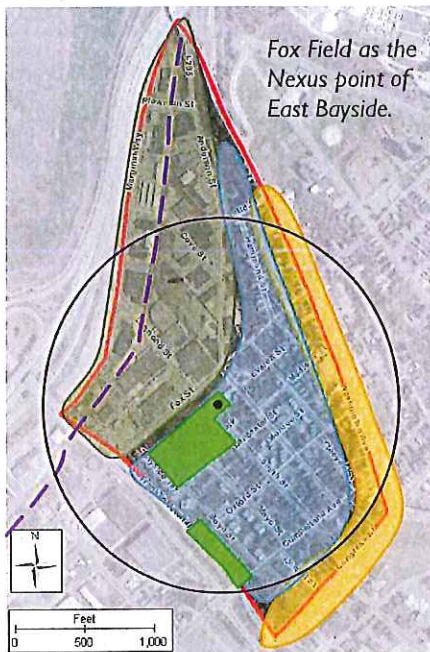
Businesses on Congress and Washington Streets identified litter, lack of trees and bicycle lanes and racks as primary problems. Lower East Bayside businesses as well as East Bayside Residents also indicated that, although there is public transportation in the neighborhood, it is difficult to navigate, and unpleasant to use.

Physical Improvements:

- Provide bike racks along Congress Street and Washington Avenue in the commercial district. Provide bicycle lanes where possible. Provide other streetscape amenities in the commercial district including additional tree wells and trash receptacles.
- Provide benches or transit shelters at bus stops where appropriate, and schedule displays at all bus stops.

For Further Study:

- Work cooperatively with the City of Portland, EBNO and businesses to create a streetscape improvement plan for the commercial district.
- Work with the City to explore ways of funding trash pick-up for commercial streetscape trash receptacles. Potential options might include methods such as a parking improvement district or a business improvement district.



Issue: Fox Field

Though Fox Field is widely considered an asset to the community due to the amenities it provides, the field itself and its relationship to the surroundings need improvement. The lack of lighting, seating, connections to surroundings and limited recreational uses undermine the field's potential as a nexus point and gateway to the neighborhood.

Physical Improvements:

- Construct a broader diversity of attractive recreational amenities, both active and passive. Install custom benches, water fountains, lighting, and attractive fencing where appropriate. Upgrade the basket-ball court to full-size and consider new uses for other underutilized areas around the field.
- The mural on the Park's Department building has not been "tagged" since its completion in 2004 which speaks to the success of a community-based approach to public art. Provide more opportunities for such community-based art projects at Fox Field and vicinity. Consider:
 - Public mural projects on buildings adjacent to Fox Field. Engage community-based artists to design site-specific benches, fences, and other site amenities.
 - Artist-designed signage for Fox Field and landscaping that will create a gateway identifier for the neighborhood.
 - Devise alternative, attractive and functional fencing devices for field perimeter that enhance connections to the neighborhood and Bayside Trail.



For Further Study:

- Initiate contact with building owners and the City's Public Art Committee (which provides grants) to explore opportunities for community-based art projects.
 - EBNO, PHA and Kennedy Park residents, the City of Portland (Public Services, Planning, Public Health) and non-profit organizations using Fox Field (e.g., Portland United Soccer League, etc.) should cooperate to develop a cohesive plan for Fox Field improvements.
- Fox Field is bordered to the north by the Lower East Bayside district which is currently zoned for low-impact industrial uses (I-Lb). Surveys of business owners in the area revealed two strains of thought regarding the re-zoning of I-Lb to B-5, which would allow housing. Some business owners thought that housing would improve the area aesthetically and functionally. Others worried that housing would cause gentrification, squeezing out the existing industrial uses in Lower East Bayside. The debate on I-Lb versus B-5 zoning warrants further study with consideration of strategic locations that may be appropriate for a B-5 zoning. For instance, with mixed-use development, North Boyd Street could become a prime pedestrian link from Fox Field, the residential area, and the Bayside Trail.

The Next Phase: Master Vision and Long-Term Planning

The Recommendations in this report address issues associated with current planning initiatives, and respond to key ideas that surfaced from the community. The redevelopment of Franklin Arterial and the construction of Bayside Trail both pose critical opportunities for design improvements in East Bayside if EBNO can attach a clear community vision to the impetus that is underway. The issues raised by East Bayside citizens and business owners (like streetscape, transit amenities and Fox Field improvements) are also important, and are perhaps more immediate, tangible goals to address.

These topics warrant further study and can become the next steps for securing the future of the neighborhood. EBNO should also devote efforts to go beyond these immediate planning initiatives to develop a long-term, cohesive vision for the future of the neighborhood. A long-range vision should include a master plan for physical improvements (public and private) as well as implementation strategies. Besides the issues already highlighted in this report, a comprehensive long-range vision should address some of the more intractable physical issues in the neighborhood including:

- Reconnecting key components of the historic street grid, including but not necessarily limited to Oxford Street (east-west across Franklin Arterial) and Lancaster Street to the north-south. Reconnecting streets would require imagining how the PHA dwellings in this vicinity could be modified, rebuilt or potentially replaced.
- In conjunction with the above listed recommendation, a long-range vision should consider how other PHA housing development might be modified or reconstructed to be more responsive the street and better integrated with the historic development pattern. This revisioning of the PHA housing stock also provides an opportunity to image new sustainable design solutions and architectural forms that promote safer neighborhoods with “defensible space.” PHA parking lots should be considered as potential redevelopment sites for more valuable community needs including additional housing.
- The industrial district north of Fox Street offered the greatest potential for redevelopment. A long-range vision should explore the potential of strategically modifying allowed uses, and envision the potential of future public and private development in this area to meet community needs. A vision for this area should embrace the City’s Environmental Sustainability Goals, and provide a model for new urban redevelopment for the 21st century.

In creating a long-term vision, EBNO should work cooperatively with the City of Portland and the Portland Public Housing Authority, and should maximize community involvement by engaging residents, businesses, and non-profits in the neighborhood. EBNO should leverage additional community resources for this planning effort by soliciting continued involvement from the Muskie School of Public Service as well as other community partners.

VI. About The Community Partners:

Many Community Partners contributed to the efforts of the Planning Workshop. In particular, we are grateful to the members of the East Bayside Neighborhood Organization, staff at the Portland Housing Authority, City Councilor Kevin Donahue, and most importantly, the residents and citizens of the East Bayside neighborhood. More than those named above and below have made significant contribution to this work, however, and our appreciations go out to them as well.

East Bayside Neighborhood Organization (EBNO)

EBNO was incorporated in May of 2007. Its mission is to serve the Portland neighborhood of East Bayside, one of the most diverse neighborhoods in Maine. Among EBNO's primary goals are: the creation and maintenance of a safe neighborhood, the leveraging of funding opportunities for neighborhood revitalization, and the provision of assistance to low-income, elderly, and disadvantaged members of the community that they might thrive.

EBNO strives to improve the quality of life for all of its residents, to ensure that East Bayside has adequate representation in all city matters, and to promote a sense of community within the neighborhood while preserving and respecting the cultural and socioeconomic diversity of its population. More information, as well as a mailing list is available from its Yahoo Groups page at: <http://groups.yahoo.com/group/EBNO/>.

The Muskie School – USM's Public Service Program

The Edmund S. Muskie School of Public Service takes its name from one of Maine's most distinguished senators. The school has set its focus on three ways to meet its namesake's challenge of making "a real difference in the lives of the people of Maine and the nation." These three methods are: educating leaders through its graduate degree programs, informing policy and practice through applied research, and strengthening civic life through publication and involvement with the public. This report and its surrounding activities reside at the intersection of all three.

Through its Community Planning and Development master's degree program, the Muskie School offers a class called "CPD 603 - Planning Workshop." This class offers students the opportunity to take lessons learned in a classroom and apply them to real-world issues such as those faced by EBNO. You are reading the fruits of Spring 2009's Planning Workshop.

VII. The Planning Workshop - 2009:

Jessa Berna – Jessa is currently earning her master's in Community Planning and Development from The Muskie School. She holds a Bachelor's in Environmental Studies from Gettysburg College. As a volunteer on the Coeur d'Alene Reservation in Idaho, she surveyed the effectiveness of various fire treatments, and helped a local community prepare a Wildfire Protection Plan. Professionally she worked as a GIS Technician at an environmental consulting firm in Tempe, AZ.

Paul Connair – Paul is a first-year student in the Community Planning and Development program. He works as a full-time Employment Caseworker at the Preble Street Resource Center in Portland. Prior to that, he worked with youth in Boston; San Jose; Philadelphia; Chicago; Lima, Peru; and Portland over a period of eight years. He is a proud Northern New Englander and has resided in the Woodfords neighborhood in Portland for almost 6 years.

Sophia DeMaio – Sophie holds a Bachelor's Degree in Environmental Studies from Bates College and an M.S. in Forestry from the University of Maine. She has worked as a potato harvester, as an English teacher in Siberia, more recently as a community support specialist for elders, and a biological science technician for the National Park Service.

Cotton Estes (Teaching Assistant) – Cotton graduated from Bowdoin College in 2007 with degrees in Environmental Studies and Visual Arts. She continued on to Eastern Europe on a Thomas J. Watson Fellowship, to explore her interest in adaptive reuse of industrial buildings and urban regeneration strategies in post-Soviet cities. She currently writes for the *Bollard Newspaper*, and stays involved in local planning through opportunities such as the Planning Workshop. In fall of 2009, Cotton will head to Yale University to begin her masters in architecture.

Shelley Hodges – Shelley holds a degree in English with minors in Spanish and Speech Pathology from the University of New Hampshire. Originally from Durham, Maine, she has been working since 2004 at a law firm in Portland and also spent time working at a Butterfly Garden, an organic perma-culture farm in Costa Rica, and teaching pilates in Spain.

Alan Holt (Adjunct Professor) – Alan has focused his career as an architect & planner on creating healthy, vibrant communities through the power of urban design, and through the empowerment of students, citizens and decision-makers with an understanding of and influence on design decisions. A graduate of Columbia University's Master of Architecture program, he is founder and principal of the consulting firm *Community Design Studio* and since 2001 has been an adjunct professor in the Muskie CPD program where he teaches the Planning Workshop. He was the former Urban Designer for the City of Portland, and before that, served as Director of Design & Construction for the City of New Bedford, Massachusetts. He has been a visiting professor with Ball State University School of Architecture (1996) and the Norwich University School of Architecture (1997).

Emily Reinholt – Emily is a first year Community Planning and Development student at the Muskie School. She earned her bachelor's degree in Rehabilitation with a concentration in Mental Health at the University of Maine. Emily spent the past three years working as a case manager for adults with mental illness in Portland and is pursuing her Master's with the CPD program to further a career in public health.

William Walker III – William holds a Bachelor's Degree in Political Science from the University of Southern Maine. He is concluding his first year of the CPD program. He works for a recycling company, Corcoran Environmental Services of Kennebunk, as an education coordinator and has conducted research projects on recycling behavior and capture rates.

>>> Peter Bass <pbass@maine.rr.com> 6/9/2015 10:05 AM >>>

Jeff,

I got notice of U-Haul's request to change zoning for 425 Marginal Way from B5 to I-LB. I certainly have no problem with this change and the proposed uses. I know how protective the City is of this in town I-LB zone. Just thinking out loud- I wonder if you would consider at the same time, a zone change for a property from I-LB to B5 that would result in no net change to the I-LB. 50 Cove St. is nearly adjacent to the B5 across Anderson and is in a location that would actually be more appropriate as B5 than the U-Haul property. Let me know if there is a chance to pursue this. Thanks.

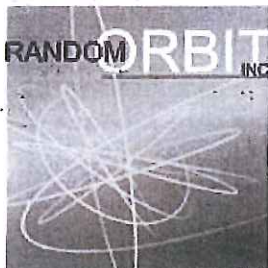
Peter

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Peter Bass
Random Orbit, Inc.

17 Chestnut St.
Portland, Maine 04101

207-772-6005 office
207-712-0954 cell



<http://www.randomorbitinc.com>

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>>> Peter Bass <pbass@maine.rr.com> 6/9/2015 10:05 AM >>>

Jeff,

I got notice of U-Haul's request to change zoning for 425 Marginal Way from B5 to I-LB. I certainly have no problem with this change and the proposed uses. I know how protective the City is of this in town I-LB zone. Just thinking out loud- I wonder if you would consider at the same time, a zone change for a property from I-LB to B5 that would result in no net change to the I-LB. 50 Cove St. is nearly adjacent to the B5 across Anderson and is in a location that would actually be more appropriate as B5 than the U-Haul property. Let me know if there is a chance to pursue this. Thanks.

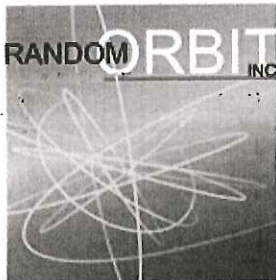
Peter

--

Peter Bass
Random Orbit, Inc.

17 Chestnut St.
Portland, Maine 04101

207-772-6005 office
207-712-0954 cell



<http://www.randomorbitinc.com>

file:///C:/Users/rwk/AppData/Local/Temp/XPgrpwise/5576D3FFPortlandCityHall1001653... 6/10/2015

ATT. A-1

WALSH
ENGINEERING ASSOCIATES, INC.

July 31, 2015

Barbara Barhydt
Development Review Manager
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

**RE: Application for Zoning Text Change
425 Marginal Way
Portland, Maine**

Dear Barbara,

On May 19, 2015 Walsh Engineering Associates, Inc. (WEA) submitted an application for Zoning Map Amendment and Text Change on behalf of the U-Haul Moving and Storage Co. of New Hampshire and Maine (Applicant). Based on our recent meetings and conversations, Walsh Engineering Associates, Inc. (WEA) is providing this revised application to request a text change to the City of Portland Zoning ordinance. The purpose of the proposed text change is to allow for the Applicant to operate a self-storage facility within the existing building at the property located at 425 Marginal Way (Tax Map 8, Block A, Lot 5) and make the existing facility at 411 Marginal Way a conforming use.

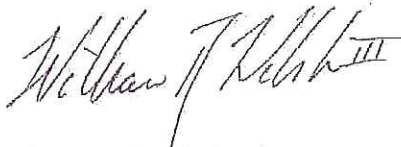
The Applicant proposes that Section 14-230.1 - Permitted Uses within the B-5 Urban Commercial and Mixed Use Zone be modified to include the following permitted uses "on-peninsula" within the B-5 zone only:

- Self Storage facilities (on peninsula)
- Moving equipment rental and outdoor storage (on peninsula)

The proposed text change is indicated on the enclosed excerpt from Section 14-230.1.

With this submission, we respectfully request to be placed on the next available Planning Board workshop agenda to discuss the project with the Planning Board. Please contact me if you have any questions or require any additional information.

Respectfully,



William R. Walsh, III, PE
Walsh Engineering Associates, Inc.

enc. Proposed Zoning Ordinance Text Change

cc. Jon Hynes, President, U-Haul Moving and Storage Co. of New Hampshire and Maine
John Loranger, U-Haul Moving and Storage Co. of New Hampshire and Maine



Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME: Uhaul Facility

PROPOSED DEVELOPMENT ADDRESS:
425 Marginal Way, Portland, Maine

PROJECT DESCRIPTION:
The Applicant is proposing a Text Change such that self-storage is an allowed use on the subject property.

CHART/BLOCK/LOT: 8/A/5

CONTACT INFORMATION:

<p>Applicant – must be owner, Lessee or Buyer Name: Jon Hynes, President U-Haul International, Inc. Business Name, if applicable: U-Haul Co. of N.H. & ME Address: 515 South Willow St City/State : Manchester, NH Zip Code: 03103</p>	<p>Applicant Contact Information Work # 603-627-9182 Home# Cell # 413-237-3048 Fax# e-mail: 790_EA@uhaul.com</p>
<p>Owner – (if different from Applicant) Name: Same as Applicant Address: City/State : Zip Code:</p>	<p>Owner Contact Information Work # Same as Applicant Home# Cell # Fax# e-mail:</p>
<p>Agent/ Representative Name: William Walsh, III, PE Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME. Zip Code: 04092</p>	<p>Agent/Representative Contact information Work # 207-553-9898 Cell # 207-650-8855 e-mail: bill@walsh-eng.com</p>
<p>Billing Information Name: Jon Hynes, President U-Haul Co. of N.H. & ME Address: 515 South Willow St City/State : Manchester, NH Zip Code:</p>	<p>Billing Information Work # 603-627-9182 Cell # 413-237-3048 Fax# e-mail: 790_EA@uhaul.com</p>

Engineer Name: William Walsh, III, PE Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME Zip Code:	Engineer Contact Information Work # 207-553-9898 Cell # 207-650-8855 Fax# e-mail: bill@walsh-eng.com
Surveyor Name: Bruce Martinson, PLS Sitelines, PA Address: 8 Cumberland Street City/State : Brunswick, ME Zip Code:	Surveyor Contact Information Work # 207-725-1200 Cell # Fax# 207-725-1114 e-mail: bmartinson@sitelinespa.com
Architect Name: Address: City/State : Zip Code:	Architect Contact Information Work # Cell # Fax# e-mail:
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

The property is currently owned by the Applicant. The deed is attached.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property.
 (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.
 (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

The property and existing building is currently being used by the Applicant for warehousing and equipment storage. A site plan application (Project ID #2014-184) was approved by the City on October 24, 2015 for exterior site improvements not related to the proposed text change.

Current Zoning Designation(s): B-5 Urban Commercial Zone

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant is proposing to use the site as a self-storage facility, warehousing, and outdoor storage of moving equipment rentals. The applicant proposes a text change to Section 14-230.1 to include "Self Storage Facilities" and "Moving equipment rental and outdoor storage" as allowed uses within the B-5 zone, on-peninsula only. No additional exterior site improvements are proposed other than what was approved per Project ID #2014-184.

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscapé and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

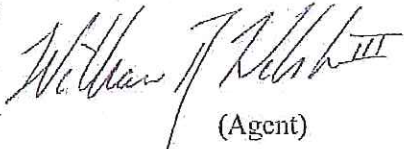
<p>Zoning Map Amendment <input type="checkbox"/> \$2,000.00 (from _____ zone to _____ zone)</p> <p>Zoning Text Amendment <input checked="" type="checkbox"/> \$2,000.00 (to Section 14-230.1) (Fee paid with previous submission)</p> <p>Combination Zoning Text Amendment and Zoning Map Amendment <input type="checkbox"/> \$3,000.00</p> <p>Conditional or Contract Zone <input type="checkbox"/> \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)</p>	<p>The City Invoices separately for the following:</p> <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) • <p>Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.</p>
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APPLICATION SUBMISSION:

1. All plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file names which can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Documents-Submittal>
2. **The submission shall include the following materials:**
 - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
 - b. Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations and compatible with the surrounding neighborhood.

APPLICANT SIGNATURE:

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

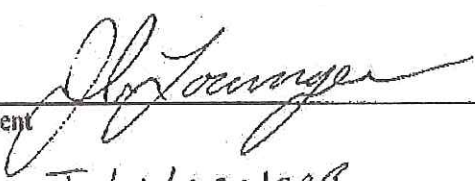
Signature of Appli  (Agent)	Date: 7/31/15
---	------------------

Date:

To Whom It May Concern,

By this letter, the undersigned authorizes Walsh Engineering Associates, Inc. to act as the agent for the undersigned in the preparation and submission of all Federal, State, and Local City permit applications and relevant documents and correspondence for all necessary permits for the site improvements at 425 Marginal Way, Portland, Maine; to attend meetings and site visits; to appear before all boards, commissions, and committees, and to provide such other services as are necessary and appropriate in furtherance of the aforementioned project.

Sincerely,


Client _____

John LORANGER
U-Haul Company of NH & MAINE
515 South Willow Street
Manchester N.H. 03103

MAINE REAL ESTATE TAX PAID

**WARRANTY DEED
(Maine Statutory Short Form)**

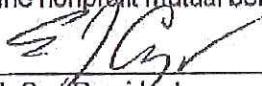
KNOW ALL PERSONS BY THESE PRESENTS, that AAA Northern New England, a Maine nonprofit mutual benefit corporation, Grantor, whose mailing address is 68 Marginal Way, Portland, Maine 04101, for consideration paid, hereby **GRANTS** to Five SAC Self-Storage Corporation, a Nevada corporation, Grantee, whose mailing address is 1250 E. Missouri, Phoenix, Arizona 85014, with **WARRANTY COVENANTS**, the land with buildings thereon situated at 425 Marginal Way, City of Portland, County of Cumberland, State of Maine, described as follows:

See attached Exhibit A

This conveyance is made subject to easements, covenants, conditions and restrictions of record, if any.

IN WITNESS WHEREOF, said Grantor has caused this instrument to be signed in its company name by Eric J. Cyr, its President pursuant to due authority, this 24th day of September, 2013.


AAA Northern New England,
a Maine nonprofit mutual benefit corporation

X 
Eric J. Cyr, President

STATE OF MAINE
COUNTY OF CUMBERLAND

Then personally appeared the above named Eric J. Cyr, President of AAA Northern New England and acknowledged the foregoing instrument to be his free act and deed in his capacity and the free act and deed of said corporation.

Before me:


Notary Public
Printed Name: Patrick Moody

PATRICK MOODY
Notary Public, Maine
Commission Expires June 04, 2018



**Exhibit A
Legal Description**

Real property in the City/Town of Portland, County of Cumberland, State of Maine, described as follows:

Parcel One:

A certain lot or parcel of land, situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the easterly side line of Marginal Way at the point of curve of the first curve in Marginal Way northerly of Plowman Street; thence southerly along the easterly side line of Marginal Way, a distance of seventy-six and seven tenths (76.7) feet to another point of curve, being the junction of the easterly side line of Marginal Way with the northerly side line of Plowman Street; thence southerly and easterly, along a curve in the northerly side line of Plowman Street, a distance of seventy-six and ninety-seven one-hundredths (76.97) feet, measured on the arc, to the point of tangent of the aforementioned curve; thence easterly along the northerly side line of Plowman Street, a distance of one hundred thirty (130) feet, more or less, to the westerly side line of land of the Portland Terminal Company, hereinafter called "Railroad Location;" thence northerly along the westerly side line of said Railroad Location, a distance of seventy-three (73) feet, more or less, to a point of curve in the westerly side line of said Railroad Location; thence northerly along the westerly side line of said Railroad Location, following a curve thereon, a distance of one hundred fifty-seven and eight one-hundredths (157.08) feet, more or less, to the point of tangent of the aforementioned curve; thence northerly along the westerly side line of said Railroad Location, a distance of two hundred nineteen and ninety-three one-hundredths (219.93) feet, more or less, to the easterly side line of land of the State of Maine; thence southwesterly, making an included angle of 25° 30' through the South with the southerly direction of the last described course and on the line of land of the State of Maine, a distance of seventy and four tenths (70.4) feet to a granite monument; thence southwesterly, making a deflection angle of 23° 06' to the right and along the line of land of the State of Maine, a distance of forty-six and nine tenths (46.9) feet to a point; thence westerly, making a deflection angle of 23° 51' to the right, a distance of sixty-one and thirty-eight one-hundredths (61.38) feet to the easterly side line of Marginal Way; thence southerly along the easterly side line of Marginal Way, a distance of one hundred sixty-two and eleven one-hundredths (162.11) feet to the point of beginning.

Parcel Two:

Also another parcel of land, bounded and described as follows:

Beginning at a point in a curve on the northerly side line of Plowman Street, distant twenty-eight and seventy-five one-hundredths (28.75) feet, more or less, from the point of curve of said curve in the northerly side line of Plowman Street nearest its junction with the westerly side line of Anderson Street; thence easterly along the curve in said northerly side line of Plowman Street to the westerly side line of Anderson Street; thence along the westerly side line of Anderson Street to land of the State of Maine; thence westerly by land of the State of Maine to a granite monument; thence westerly from said monument and on the same course to the easterly side line of land of the Portland Terminal Company; thence southerly by land of the Portland Terminal Company to the northerly side line of Plowman Street at the point of beginning.

Excepting from the above described premises such portion thereof as was conveyed by the Maine Automobile Association to the State of Maine by deed dated November 28, 1973, and recorded in said registry in Book 3488, Page 279.

Received
Recorded Register of Deeds
Sep 27, 2013 08:55:56A
Cumberland County
Pamela E. Lovley

Memorandum
Planning and Urban Development Department
Planning Division



To: Chair and Members of the Portland Planning Board
From: Richard Knowland, Senior Planner
Date: September 25, 2015
Re: U-Haul Text Amendment; 411-425 Marginal Way; U-Haul International, Inc.
Project #: 2015-090 CBL: 8-A-5
Meeting Date: September 29, 2015

I. INTRODUCTION

The Planning Board is forwarding a positive recommendation to the City Council on a series of text amendments regarding a proposal initiated by U-Haul Moving and Storage Co. of New Hampshire and Maine to amend the B-5 zone text to allow self-storage facilities and outdoor storage of moving and rental equipment. The amendments initiated by U-Haul pertain to their facility in the vicinity of 415 to 425 Marginal Way. The Board's recommendation limits the geographic location of these uses to the peninsula as a conditional use including standards that address the visual impact of outside storage.

II. APPLICANT PROPOSAL

U-Haul initially requested a text amendment that would allow self-storage facilities (on-peninsula) and moving equipment rental and outdoor storage (on-peninsula) in the B-5 zone as a permitted use. The current B-5 zone does not allow self storage uses. The closest use in the B-5 zone akin to self-storage facilities is warehousing which the Zoning Administrator has determined is not the same use.

Recently the applicant acquired a one story building at 425 Marginal Way (the old AAA building). U-Haul received staff site plan approval for a retail use and equipment storage on October 22, 2014 for this site. Upon further consideration, applicant would like to pursue a self-storage facility for this property but presently zoning does not allow this use. Applicant would also like to specifically amend the text by adding moving equipment rental and outdoor storage as a permitted use.

Initially U-Haul's application included a map change to I-Lb and a text amendment to the I-Lb allowing self storage. Applicant subsequently re-submitted the application and requested only a B-5 text amendment.



III. BACKGROUND

U-Haul has occupied their existing facility at 411 Marginal Way property for over 30 years. A review of City zoning maps reveals a previous I-2 Industrial designation for this site (zoning maps dated 1975 and February 1990). The parcel was rezoned along with other East Bayside properties from I-2 to B-5 when the B-5 zoning text was enacted in 1993. The B-5 was extended for all lots having frontage on Marginal Way while properties along Anderson Street (south of the rail corridor, now the Bayside Trail) remained an industrial designation (now I-Lb).

The earlier I-2 zoning text allowed the U-Haul use as a permitted use. City files indicate that U-Haul received a site plan approval in the 1980's and a site plan approval in 1992 for "three mini-self storage units" with zoning noted as I-2 zone. When the U-Haul site was later designated B-5, the U-Haul use evidently became non-conforming (at least for self-storage) on their main site.

The I-Lb that replaced the I-2 zone does not allow self-storage so extending the adjacent I-Lb district to the U-Haul site is not an option.

It appears the B-4 zone is the lone zoning district specifically allowing a self-storage use.

IV. Land Use Policy and Comprehensive Plan Considerations

Purpose Section

The purpose section (sec 14-230) of the B-5 Urban Commercial Mixed Use Zone is shown below.

The purpose of the B-5 and B-5b zones is to provide zones in areas of the peninsula near the central business district where a mixture of uses, including marine, industrial, commercial and residential, is encouraged. The B-5 and B-5b zones are characterized by larger undeveloped lots with great potential for denser, clustered, urban mixed use development and more efficient reuse of existing land and buildings.

It is anticipated that such cleaner, mixed uses would rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways.

Existing B-5 and B-5b Zones

B-5 -- Aside from the existing East Bayside B-5 that runs along Marginal Way, there are several other areas of the city with B-5 districts. At the corner of Marginal Way and Forest Avenue there is a small B-5 which includes a CMP sub-station and Enterprise Rental. This is a remnant of the old B-5 zone in West Bayside which was replaced by the B-7.

Thompsons Point is zoned B-5 as is the Waynflete School recreation parcel along the Fore River and several other nearby parcels including land on the southerly end of Powsland Street. The Waynflete parcel and Powsland Street parcels are questionable as a B-5 designation and merit consideration for a different zone.

B-5b – There are three B-5b zones on the peninsula. B-5b districts have been implemented in intown locations where a more urban and dense development pattern is desired in context to its neighboring area. Generally “b” designations in the zoning ordinance have been used to distinguish an urban application of a zone (such as B-1b, B-2b, B-5b) in contrast to a less urban location (in the case of B-5, a site such as Thompsons Point).

Two of the B-5b zones are located east and west of the Fore River Bridge along the northerly side of Commercial Street. One zone runs west of the bridge to near Cassidy Point. The second runs from Harbor View Park to the new Marriot Courtyard Hotel. The third zone includes several blocks by Fore Street and India Street.

Zoning Implications – The applicant’s proposal limits the proposed text amendments to “on-peninsula locations”. Given the context of Thompson’s Point and the Waynflete parcels, this is an appropriate restriction as self-storage (and moving equipment rental and storage) would seem highly undesirable for these locations.

The three B-5b zones listed above are also inappropriate locations for self-storage (and moving equipment rental and storage). These districts are in urban areas in which dense development incorporating uses for housing and employment opportunities are far more appropriate than storage. Staff would therefore recommend that the proposed amendments be further refined to limit such uses to only the B-5 zone (excluding B-5b) in on-peninsula locations.

East Bayside Neighborhood Study

In 2009 the Muskie School of Public Service and the East Bayside Neighborhood Organization collaborated on a neighborhood study of East Bayside. The study is shown as Attachment 1. The study included a preliminary neighborhood asset review, business district survey and community forums to discuss neighborhood issues. The report’s recommendations focused primarily on physical improvements such as pedestrian amenities, streetscapes, open space and trail linkages with very limited discussion on land use policy. This study was not formally adopted by the City.

The study did recommend that a neighborhood master vision and long term plan be initiated. One of the suggested issues to be explored in a vision plan was the following:

The industrial district north of Fox Street offered the greatest potential for redevelopment. A long-range vision should explore the potential of strategically modifying allowed uses, and envision the potential of future public and private development in this area to meet community needs.

East Bayside Brownfields Area Wide Plan

The Greater Portland Council of Governments and the City of Portland are cooperating with the US EPA in a brownfields planning project for East Bayside. The project will include brownfields soil testing, identification of neighborhood assets and liabilities, design charrettes, public forums, marketing study and a brownfields area wide plan. While the project will focus on particular brownfields sites, it provides the opportunity to engage the neighborhood in planning related issues. Unfortunately U-Haul and the brownfields project are on separate time lines. The brownfields project started in September but has a two year project time line for completion.

V. PLANNING BOARD RECOMMENDED ZONING TEXT AMENDMENTS

The applicant's original proposal and the Planning Board's recommendation are presented below.

Applicant's Original Proposal

Insert in Section 14-230.1 (b) (4) and (5) new text as follows:

(4) Self-storage facilities (on-peninsula)

(5) Moving equipment rental and outdoor storage (on-peninsula)

Planning Board Recommendation

The Planning Board recommendation makes a number of revisions to the original U-Haul's proposal. Rather than a permitted use, the Board's recommendation requires self-storage facilities and outdoor storage of rental and moving equipment as a conditional use. Such uses are restricted to on-peninsula locations and self-storage is limited to existing buildings. Design standards were added to prevent rental equipment from migrating onto public sidewalks or within the city right-of-way as well as landscape buffer areas. Landscape standards are referenced in the text and a new façade standard was added to the B-5/B-5b standards of the Portland Design Manual to address visual interest for blank building facades.

Insert in Section 14-230.2 (a) (1) new text as follows:

Sec. 14-230.2 (a) Conditional Use

1. Commercial

(a) Self-storage facilities in B-5 zone (on-peninsula locations only) in buildings

existing as of (enactment date)

(b) Outdoor storage of rental and moving equipment in B-5 zone (on-peninsula locations only) on sites with buildings existing as of (enactment date)

- i. Outdoor storage of rental and moving equipment shall be located on the site and not within a public right-of-way or sidewalk. A curb, guard rail or other barrier shall be provided to contain such equipment and storage on the site and not within landscape buffer areas.
- ii. A landscape buffer shall be provided in accordance with the landscape and buffer requirements of the City of Portland Technical and Design Manual.

VI. SUMMARY

U-Haul submitted an application to the B-5 zone text to allow self-storage facilities and moving equipment rental and outdoor storage as a permitted use. The Planning Board's recommended zoning text more closely regulate these uses by restricting them to existing buildings in on-peninsula B-5 locations as conditional uses as well as incorporating design standards to address building façade and landscape buffer concerns. The practical effect of these text amendments is to limit the number of possible locations. Presently the U-Haul building and site features is more suburban than urban which is in contrast to the purpose section of the B-5 zone but the amendments are intended to help mitigate the visual impact of the uses.

East Bayside is clearly a neighborhood in transition with many changes over the past decade particularly the introduction of new uses in the B-5 and I-Lb zone. While the upcoming brownfields planning study could be a helpful forum to discuss land use policy issues and a future vision for East Bayside, the timing of that study and the applicant's present application do not mesh. The Planning Board in reviewing the U-Haul proposal has attempted to narrow the scope of the amendments since a self-storage use and outdoor storage of equipment is problematic for most of the other B-5/B-5b zones in the city. Several Board members commented they initially had mixed feelings about the U-Haul proposal, but realizing U-Haul had been at the Marginal Way location for a while and the business service they provide, tried to draft a zoning proposal that worked for U-Haul while addressing the impacts associated with this use.

VII. PLANNING PROCESS AND PLANNING BOARD RECOMMENDATION

The Planning Board held a workshop on the U-Haul proposal on August 11, 2015. In addition to a legal ad appearing in the Portland Press Herald on August 3, 2015 and August 4, 2015, notices were also sent to the Interested Parties List.

The Board held a public hearing on September 29, 2015. In addition to a legal ad appearing in the Portland Press Herald on September 21, 2015 and September 25, 2015, notices were also sent to the Interested Parties List.

At the public hearing the Planning Board voted 5 to 0 (Dundon absent) on the following motion.

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for the public hearing on September 29, 2015 and on the basis of the testimony presented at the public hearing, the Planning Board finds that the proposed B-5 zoning text amendments (Planning Board version) is consistent with Portland's Comprehensive Plan and recommends adoption of the amendments (Planning Board version) to the City Council.

ATTACHMENTS

Staff Attachments

1. Vicinity Zoning Map
2. Planning Board Recommended Text Amendment
3. 425 Marginal Way Site Plan Administrative Review (2014)
4. East Bayside Neighborhood Study
5. Written Public Comment

Applicant Submissions

- A. U-Haul Application
- B. Applicant Text Amendment

Memorandum
Planning and Urban Development Department
Planning Division



To: Stuart O'Brien, Chair and Members of the Portland Planning Board
From: Richard Knowland, Senior Planner
Date: August 8, 2015
Re: U-Haul Text Amendment; 411-425 Marginal Way; U-Haul International, Inc.
Project #: 2015-090 CBL: 8-A-5
Meeting Date: August 11, 2015

I. INTRODUCTION

A workshop has been scheduled to consider a proposal by U-Haul Moving and Storage Co. of New Hampshire and Maine to amend the B-5 zone text to allow self-storage facilities (on-peninsula) and moving equipment rental and outdoor storage (on-peninsula).

In addition to a legal ad appearing in the August 3, 2015 and August 4, 2015 editions of the Portland Press Herald, notices were sent to the Interested Parties List.

II. APPLICANT PROPOSAL

Applicant is requesting a text amendment that would allow self-storage facilities (on-peninsula) and moving equipment rental and outdoor storage (on-peninsula) in the B-5 zone as a permitted use. The current B-5 zone does not allow self storage uses. The closest use in the B-5 zone akin to self-storage facilities is warehousing which the Zoning Administrator has determined is not the same use.

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Initially U-Haul's application included a map change to I-Lb and a text amendment to the I-Lb allowing self storage. Applicant has subsequently re-submitted the application and has requested only a B-5 text amendment.

III. BACKGROUND

U-Haul has occupied their existing facility at 411 Marginal Way property for over 30 years. A review of City zoning maps reveals a previous I-2 Industrial designation for this site (zoning maps dated 1975 and February 1990). The parcel was rezoned along with other East Bayside properties from I-2 to B-5 when the B-5 zoning text was enacted in 1993. The B-5 was extended for all lots having frontage on Marginal Way while properties along Anderson Street (south of the rail corridor, now the Bayside Trail) remained an industrial designation (now I-Lb).

The earlier I-2 zoning text allowed the U-Haul use as a permitted use. City files indicate that U-Haul received a site plan approval in the 1980's and a site plan approval in 1992 for "three mini-self storage units" with zoning noted as I-2 zone. When the U-Haul site was later designated B-5, the U-Haul use evidently became non-conforming (at least for self-storage) on their main site.

The I-Lb that replaced the I-2 zone does not allow self-storage so extending the adjacent I-Lb district to the U-Haul site is not an option.

It appears the B-4 zone is the lone zoning district allowing a self-storage use.

IV. Land Use Policy Considerations

Purpose Section

The purpose section (sec 14-230) of the B-5 Urban Commercial Mixed Use Zone is shown below.

The purpose of the B-5 and B-5b zones is to provide zones in areas of the peninsula near the central business district where a mixture of uses, including marine, industrial, commercial and residential, is encouraged. The B-5 and B-5b zones are characterized by larger undeveloped lots with great potential for denser, clustered, urban mixed use development and more efficient reuse of existing land and buildings.

It is anticipated that such cleaner, mixed uses would rely on a shared infrastructure system, including service alleys, parking lots, public transportation facilities, stormwater management, and driveways.

Existing B-5 and B-5b Zones

B-5 -- Aside from the existing East Bayside B-5 that runs along Marginal Way, there are several other areas of the city that have B-5 zones. At the corner of Marginal Way and Forest Avenue there is a small B-5 which includes a CMP sub-station and Enterprise Rental. This is a remnant of the old B-5 zone in West Bayside which was replaced by the B-7.

Thompsons Point is zoned B-5 as is the Waynflote School recreation parcel along the Fore River and several other nearby parcels including land on the southerly end of Oowsland Street. The Waynflote parcel and Powsland Street parcels are questionable as a B-5 designation and merit consideration for a different zone.

B-5b – There are three B-5b zones on the peninsula. B-5b districts have been implemented in intown locations where a more urban and dense development pattern is desired in context to its neighboring area. Generally “b” designations in the zoning ordinance have been used to distinguish an urban application of a zone (such as B-1b, B-2b, B-5b) in contrast to a less urban location (in the case of B-5, a site such as Thompsons Point).

Two of the B-5b zones are located east and west of the Fore River Bridge along the northerly side of Commercial Street. One zone runs west of the bridge to near Cassidy Point. The second runs from Harbor View Park to the new Marriot Courtyard Hotel. The third zone includes several blocks by Fore Street and India Street.

Zoning Implications – The applicant’s proposal limits the proposed text amendments to “on-peninsula locations”. Given the context of Thompson’s Point and the Waynflete parcels, this is an appropriate restriction as self-storage (and moving equipment rental and storage) would seem highly undesirable for these locations.

The three B-5b zones listed above are also inappropriate locations for self-storage (and moving equipment rental and storage). These districts are in urban areas in which dense development incorporating uses for housing and employment opportunities are far more appropriate than storage. Staff would therefore recommend that the proposed amendments be further refined to limit such uses to only the B-5 zone (excluding B-5b) in on-peninsula locations.

East Bayside Neighborhood Study

In 2009 the Muskie School of Public Service and the East Bayside Neighborhood Organization collaborated on a neighborhood study of East Bayside. The study is shown as Attachment 1. The study included a preliminary neighborhood asset review, business district survey and community forums to discuss neighborhood issues. The report’s recommendations focused primarily on physical improvements such as pedestrian amenities, streetscapes, open space and trail linkages with very limited discussion on land use policy. This study was not formally adopted by the City.

The study did recommend that a neighborhood master vision and long term plan be initiated. One of the suggested issues to be explored in a vision plan was the following:

The industrial district north of Fox Street offered the greatest potential for redevelopment. A long-range vision should explore the potential of strategically modifying allowed uses, and envision the potential of future public and private development in this area to meet community needs.

East Bayside Brownfields Area Wide Plan

The Greater Portland Council of Governments and the City of Portland are cooperating with the US EPA in a brownfields planning project for East Bayside. The project will include brownfields soil testing, identification of neighborhood assets and liabilities, design charrettes, public forums, marketing study and a brownfields area wide plan. While the project will focus on particular brownfields sites, it provides the opportunity to engage the neighborhood in planning related issues. Unfortunately U-Haul and the brownfields project are on separate time lines. The brownfields project will start in September but has a two year project time line for completion.

V. DRAFT OF PROPOSED AMENDMENT

A draft of the proposed text amendment follows. The applicant's proposal and a staff version of the amendments has been presented.

Applicant's Proposal

Insert in Section 14-230.1 (b) (4) and (5) new text as follows:

(4) Self-storage facilities (on-peninsula)

(5) Moving equipment rental and outdoor storage (on-peninsula)

Staff Proposal

Insert in Section 14-230.1 (a) (26) and (27) new text as follows:

(26) Self-storage facilities in B-5 zone (on-peninsula)

(27) Moving equipment rental and outdoor storage in B-5 zone (on-peninsula)

Note: A minor housekeeping note. Staff proposal lists the amendments under the commercial section (a) of the B-5 text while the applicant lists the amendments under the industrial section (b). There is no significant issue either way.

VI. SUMMARY

Applicant has submitted an application to the B-5 zone text to allow self-storage facilities and moving equipment rental and outdoor storage as a permitted use. Both uses would be restricted to on-peninsula locations. This would allow the existing U-Haul facility to become a conforming use and allow this use to be extended into the building at 425 Marginal Way.

Staff is recommending that amendments be further restricted to the B-5 zone exclusively since the B-5 and B-5b share the same zoning text. The B-5b by all accounts is an inappropriate zone for this use. Staff would further recommend that this use include a specific screening and buffer standard so that equipment is properly screened and equipment remains on-site and not within the public right of way.

East Bayside is clearly a neighborhood in transition with many changes over the past decade particularly the introduction of new uses in the B-5 and I-Lb zone. While the upcoming brownfields planning study could be a helpful forum to discuss land use policy issues and a future vision for East Bayside, the timing of that study and the applicant's present application do not mesh. Staff in reviewing the applicant's proposal has attempted to narrow the scope of the amendments since a self-storage use is problematic for most of the other B-5/B-5b zones in the city.

Board guidance on an appropriate text to advertise for purposes of holding a public hearing is requested.

ATTACHMENTS

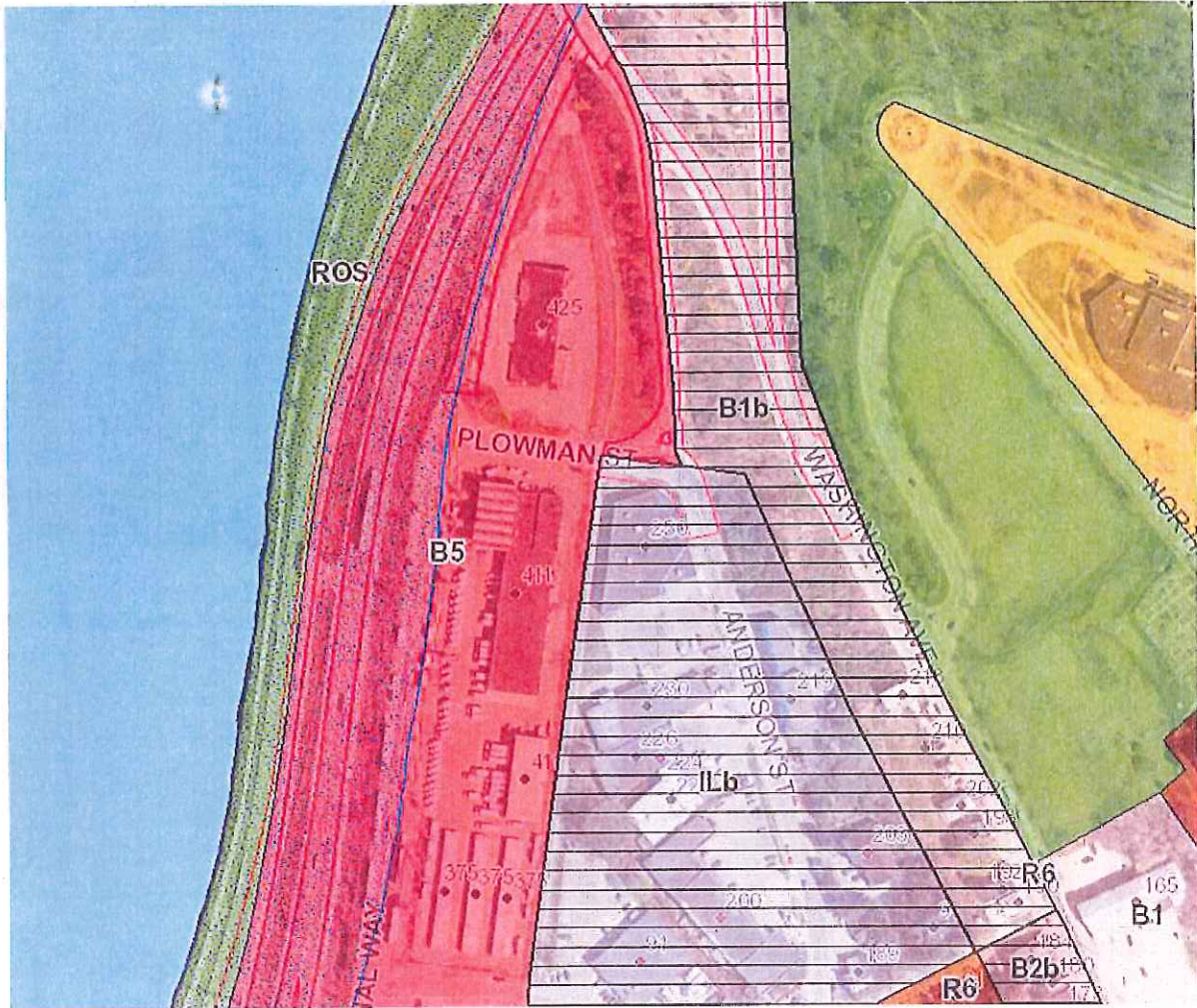
Staff Attachments

1. Vicinity Zoning Map
2. 425 Marginal Way Site Plan Administrative Review (2014)
3. East Bayside Neighborhood Study
4. Written Public Comment

Applicant Submissions

- A. U-Haul Application
- B. Proposed Text Amendment

Zoning Districts in Vicinity of U-Haul Parcels



U-Haul Parcels at 425 Marginal Way and 411 Marginal Way

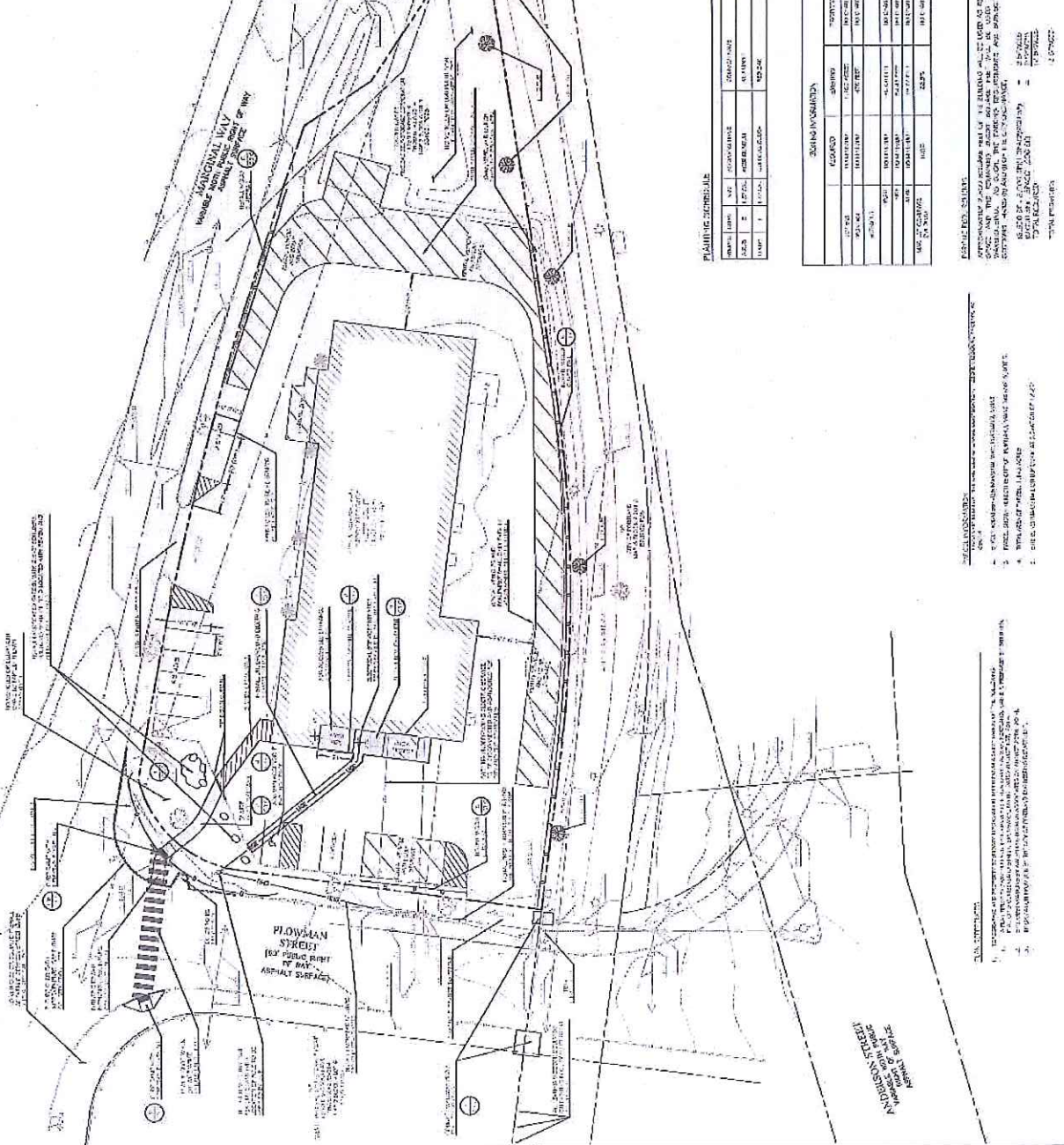


REV	DATE	DESCRIPTION
1	10/11/17	ISSUED FOR PERMIT
2	10/11/17	ISSUED FOR PERMIT
3	10/11/17	ISSUED FOR PERMIT
4	10/11/17	ISSUED FOR PERMIT

Site Layout and Material Plan
 SHEET NO. 1
 OF 1
 SCALE: AS SHOWN
 DATE: 10/11/17

NOTES:

1. ALL DIMENSIONS ARE IN FEET AND INCHES. DIMENSIONS ARE SHOWN TO THE CENTERLINE UNLESS OTHERWISE NOTED.
2. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
3. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
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9. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.
10. ALL DISTANCES ARE TO THE CENTERLINE UNLESS OTHERWISE NOTED.



PARKING ZONE TABLE

ZONE	AREA (SQ FT)	PERMITTED VEHICLES
1	10,000	100
2	15,000	150
3	20,000	200

STORAGE ZONE TABLE

ZONE	AREA (SQ FT)	PERMITTED MATERIAL
1	5,000	500
2	10,000	1,000
3	15,000	1,500

- PERMIT CONDITIONS:**
1. THE PERMITTEE SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AT ALL TIMES.
 2. THE PERMITTEE SHALL MAINTAIN ALL EXISTING UTILITIES AND STRUCTURES.
 3. THE PERMITTEE SHALL MAINTAIN ALL EXISTING EASEMENTS AND RIGHTS.
 4. THE PERMITTEE SHALL MAINTAIN ALL EXISTING SURVEY DATA.
 5. THE PERMITTEE SHALL MAINTAIN ALL EXISTING RECORDS.

GENERAL NOTES:

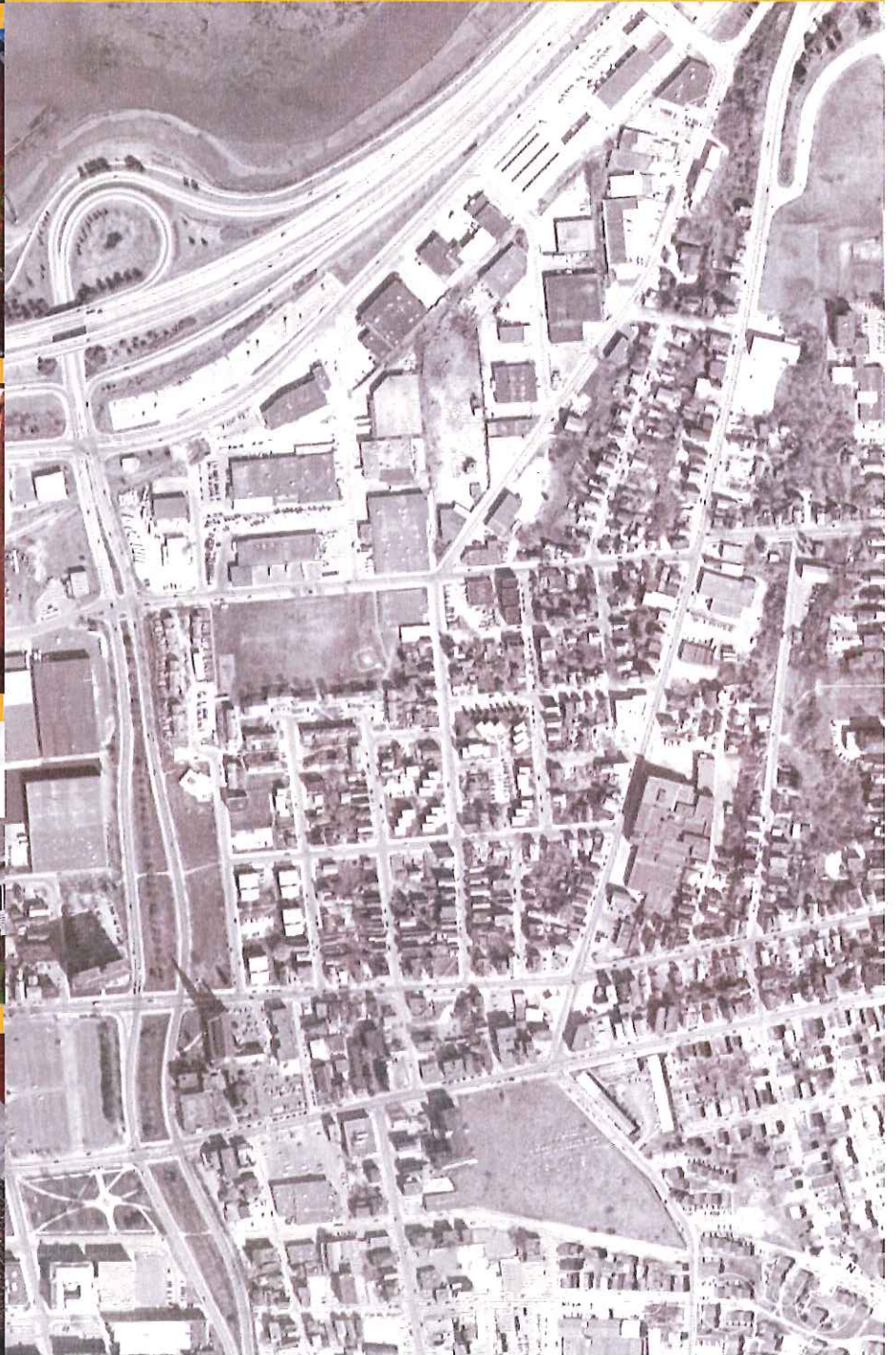
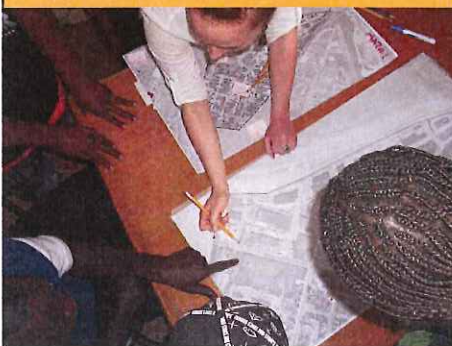
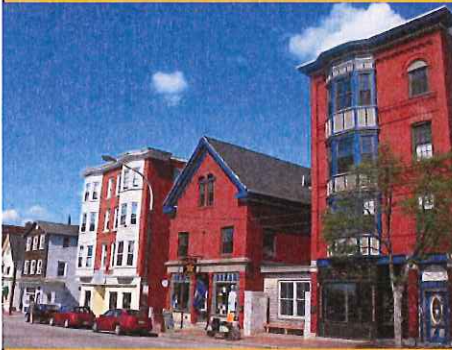
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East Bayside Neighborhood Study

Prepared by the **Planning Workshop, 2009**

Muskie School of Public Service

Community Planning & Development Program



East Bayside Neighborhood Study

Planning Workshop 2009

Community Planning & Development Program, Muskie School of Public Service

Community Client:

East Bayside Neighborhood Organization
Belinda Ray, president
Ward Willis, liaison to Planning Workshop

Community Partners:

Kevin Donoghue, Portland City Councilor (District I)

Portland Housing Authority
Mark Adelson, Assistant Director

City of Portland Public Services
Mike Bobinsky, Director

Franklin Arterial Study Group
Marcos Miller, Co-Chair

Planning Workshop 2009:

Alan Holt, Adjunct Professor
Cotton Estes, Teaching Assistant
Jessa Berna, Paul Connair, Sophie DeMaio, Shelley Hodges,
Emily Reinholt, & William Walker, students.



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Spring 2009

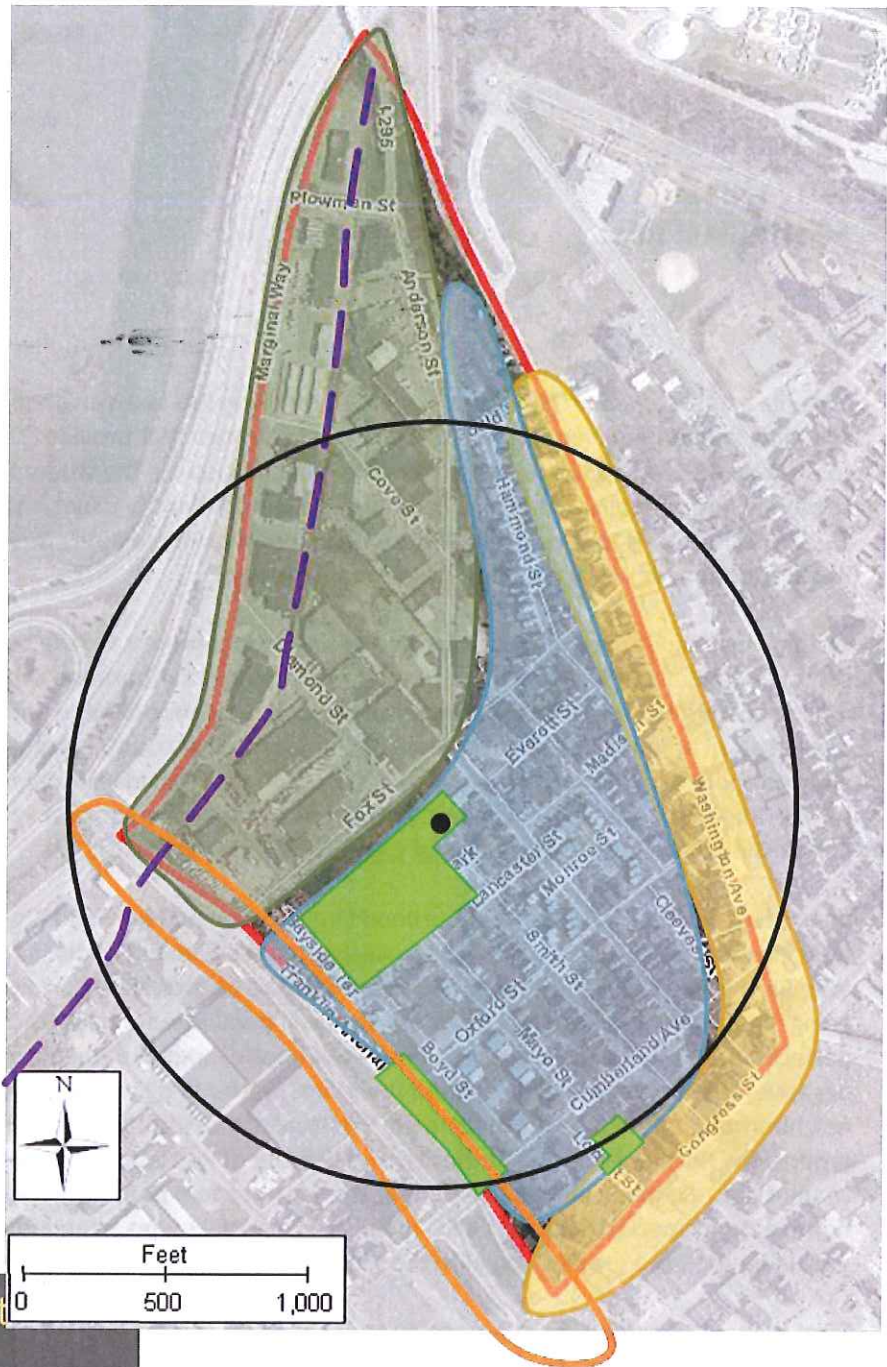
Since its establishment in 2002, the Planning Workshop has been an annual course offering in the Muskie's Community Planning and Development program that provides students with an opportunity to work directly with a client on a community planning issue. The students essentially form a consulting group that works with a community client to identify issues and execute a work plan. The Workshop aims to provide students with an opportunity to apply their planning studies to a real world situation, as well as to offer a community service.

Last fall, just about the time that I needed to find a class project for the Workshop, I wound up in a carpool with Belinda Ray, president of the East Bayside Neighborhood Organization. As we were driving upstate to canvas for a presidential campaign, a sense of hope and expectation infused our conversation as we talked about the possibility for a better country and world. I was even more inspired though by the sense of mission and passion that Belinda conveyed in talking about her own neighborhood. If ever there were a champion of town planner/activist Patrick Geddes's injunction to "Think Global, Act Local," (Evolution of Cities; 1905), Belinda was it.

Soon after, the East Bayside Neighborhood Organization and Portland City Councilor Kevin Donoghue (and Planning Workshop alum '05) formally invited the Planning Workshop to assist EBNO in their on-going capacity building, and to help empower the neighborhood's voice with a number of on-going initiatives. East Bayside, the most diversely populated census tract in the State, proved a perfect laboratory for the class, providing a textbook example of the physical elements (positive and negative) that influence neighborhood functions. Better yet, the people we met through the neighborhood organization, the Kennedy Park tenants' association, area businesses, non-profit groups, the Portland Housing Authority, and the City of Portland Public Services were ever generous to the class. So many people helped that there's not room to name everyone, though I'd be remiss not to extend special thanks to EBNO member Ward Willis who attended so many classes that he should be getting a grade along with the students (A+).

Finally I want to extend my appreciation to the students of this year's Planning Workshop. Every student fully embraced the assignment and the neighborhood, and all went beyond the call of class duty. This year's Workshop convinced my once again that the future of the planning profession in Maine is in good hands.

Alan Holt
Adjunct professor; Planning Workshop, Muskie CPD



- Commercial District
- Residential District
- Lower Bayside District
- Franklin Arterial
- Bayside Trail
- Parks
- 5-Minute Walk

East Bayside Neighborhood

East Bayside Neighborhood Study

Planning Workshop 2009

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I. Overview

Defined by I-295, Franklin Arterial, Congress Street and Washington Avenue, East Bayside constitutes a significant and very distinct neighborhood within Portland. This shape of this neighborhood has undergone tremendous physical change over the past 200 years through human intervention— with a series of filling project of Back Cove that has expanded the northern boundary periodically, nearly doubling the size of the neighborhood. The last major physical intervention came with the construction of the Franklin Arterial which effectively segregated this neighborhood from what is now referred to simply as Bayside, the area to the west of the arterial.

Besides its strong physical boundaries, East Bayside is also home to the most diverse population in the State. The Portland Housing Authority's properties in this neighborhood, comprising 197 dwellings, represent 21 countries of origin. Furthermore, East Bayside has perhaps the most diverse spectrum of land uses of any neighborhood in Portland; the neighborhood includes a range of residential property types; light industrial uses; open space and parks; and retail & commercial businesses.

The neighborhood is located within a short walk to downtown, and is a prime gateway neighborhood by virtue of its adjacency to Franklin Arterial. In short, East Bayside's location, physical parameters, diversity of people and land uses not only make the neighborhood unique in Portland, but presents unique opportunities for the future.

The East Bayside Neighborhood Organization (EBNO) was formed in 2007 to represent and promote the community's interests. In spring of 2009 the Muskie School's Planning Workshop assisted EBNO's efforts by analyzing the neighborhood from historical and planning perspectives, and assessing how future planning – locally and within the greater context of Portland-- can benefit East Bayside. The recommendations included in this report are products of the classes' analysis of East Bayside to date, and are accompanied by the hope for continued research and collaboration with EBNO in the future.

Section II of this report summarizes several background studies conducted by the Planning Workshop including historical, demographic and geographic information about East Bayside. This information was collected during the initial stages of the Planning Workshop in an effort to familiarize students with the character of East Bayside and establish a lens through which to assess and direct future research. Findings were supplemented by academic readings that focused on elements of functional neighborhoods. Readings included seminal works such as "The Image of the City" by Kevin Lynch, 1960, "The Death and Life of Great American Cities" by Jane Jacobs, 1961, "A Pattern Language" by Christopher Alexander, 1977, and "The Next American Metropolis" by Peter Calthorpe, 1993.

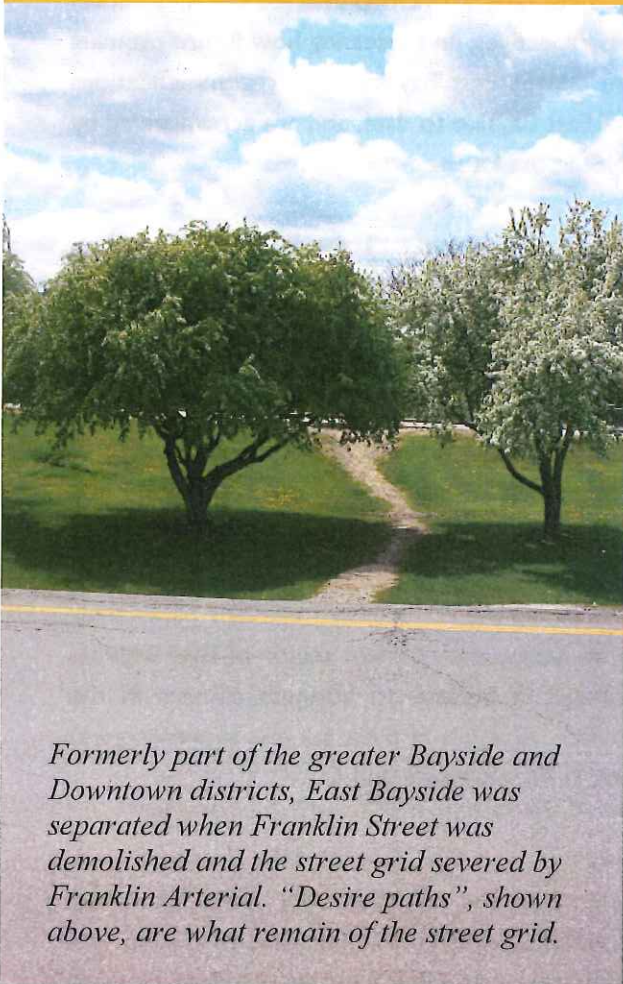
Section III, IV and V report on the classes' subsequent efforts to tap the community's opinions about their physical surroundings and ideas for improvement. In order to access the business sector of East Bayside, the Planning Workshop devised and administered 55 surveys in person, to business owners in the "Commercial" and "Lower East Bayside" districts of East Bayside. Analyses of these surveys is presented in Section III, followed by the raw data and details of the surveys in Appendices B and C.

Community outreach efforts also took form in two workshops in which East Bayside residents were invited to share their opinions and brainstorm improvements to the neighborhood. Each workshop catered to different audiences, focusing on specific issues within East Bayside. The first workshop was open to everyone in the neighborhood, and hosted in collaboration with EBNO and the Portland Housing Authority. The second forum was held at Portland High School and was directed toward East Bayside youth and focused on potential improvements for Fox Field. Sections IV and V report on the workshop process and findings, followed by the entire results in Appendix A.

Section VI presents the Planning Workshop's recommendations to the East Bayside Neighborhood Organization which are premised on the classes' research and valuable input from the community. East Bayside neighborhood requires both holistic design improvements as well as itemized material upgrades in order to preserve and enhance the quality of life here. The public concern over safety often relates to physical problems, like dead-end streets and a lack of amenities like sidewalks and lighting. The neighborhood is also in dire need of improved connectivity— both to the city, and within East Bayside. The issue of connections is especially pertinent today, in light of the Franklin Arterial redesign and Bayside Trail.

This report highlights many reasons why East Bayside neighborhood is an asset to Portland, yet also underscores many challenges facing its residents. The Planning Workshop hopes that this report can assist with the ongoing efforts of EBNO, the City of Portland, the Portland Housing Authority, and the Franklin Street Study in their ongoing efforts to improve the lives of neighborhood residents, and the beauty, safety and vitality of the neighborhood for the benefit of all of Portland.

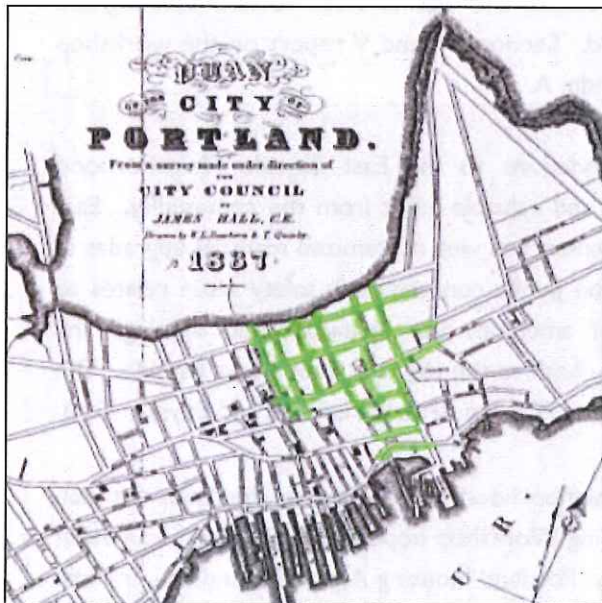
II. Preliminary Neighborhood Studies



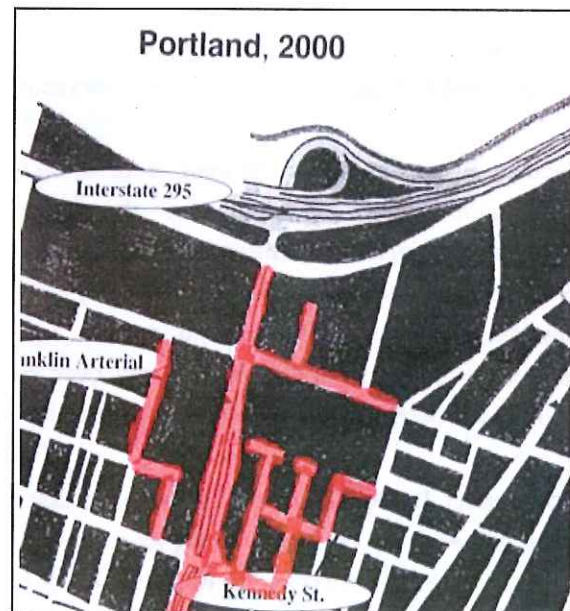
East Bayside is physically defined by major thoroughways like Congress Street and Rt. 295. Franklin Arterial also serves as a boundary, as well as a harsh edge to the neighborhood. The Arterial is the most identifiable culprit for the sense of isolation from the rest of the city that one experiences here.

Urbanists concur that human-scaled streets arranged in small street blocks with ample "connector streets" are critical to vital neighborhoods. Historically, the neighborhood was built on a grid of small, interconnected blocks that exemplify this principle of good neighborhood design. However, the building of the Franklin Arterial disrupted this block pattern. The resulting dead-end streets, superblocks, and broken pedestrian & vehicular connections present an ongoing challenge to the neighborhood.

The Planning Workshop observed and participated in the Franklin Street Reclamation Authority Study. More than any other Portland neighborhood, the outcome of this Study will affect East Bayside for generations.



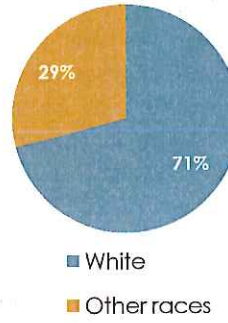
Historic street grid in Bayside



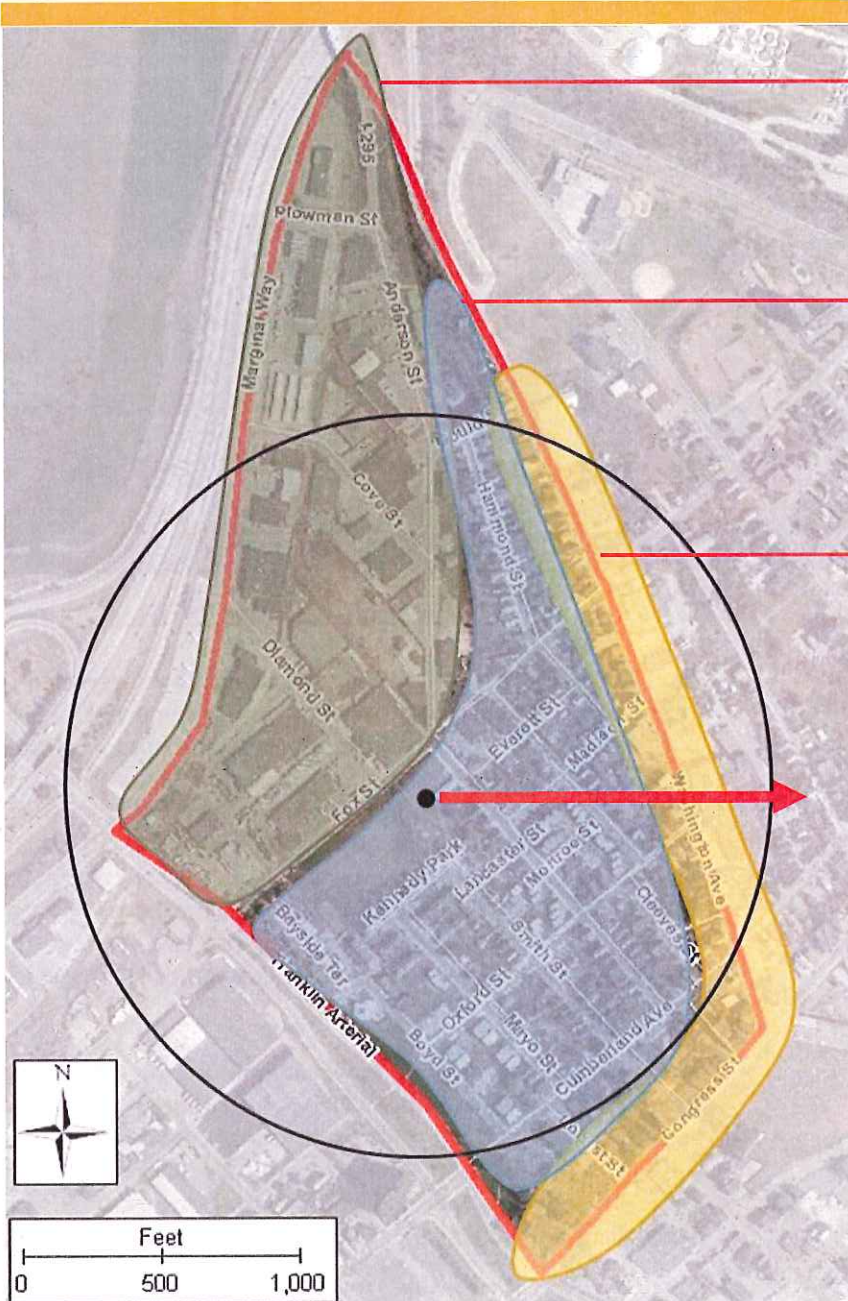
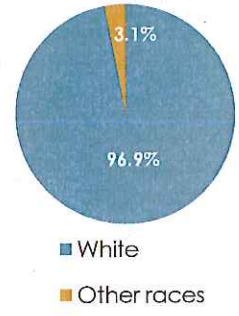
Reminisce of the street grid after the Arterial

East Bayside is also characterized by an impressive diversity of ethnicity, culture, land-use and commercial activity. Jane Jacobs, Kevin Lynch, and Peter Calthorpe all describe diversity of land uses and of populations as fundamental ingredients to a vibrant and self-sustaining neighborhood or city. East Bayside benefits from the proximity of residential, commercial and industrial districts, as well as having representation from many different ethnic influences, all within the perimeter of a 5-minute walk. Its diversity distinguishes East Bayside from the rest of Maine, making it an asset to the City of Portland.

East Bayside



Maine



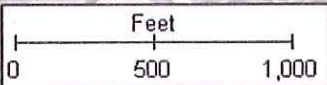
Industrial District, zoned ILB and B5. Also referred to as "Lower East Bayside"

Residential District, representing 21 different countries of origin and nearly 200 Public Housing units

Commercial District, 30+ diverse, yet tight-knit business operations

The circle represents:

Everything within a 5 Minute Walk!

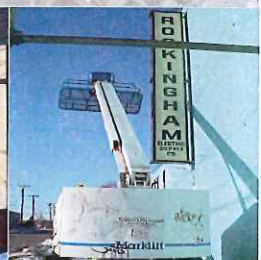
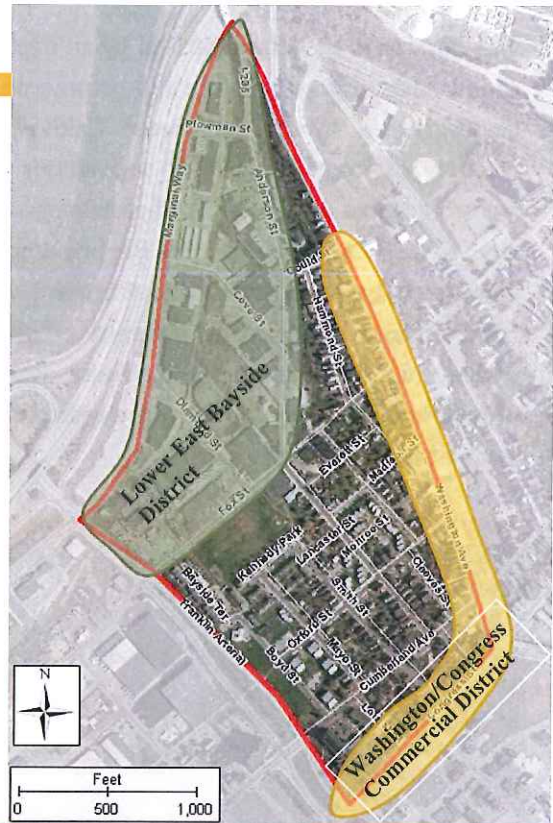


III. Business Districts Surveys

In April, 2009 the Planning Workshop conducted 55 surveys among businesses in the Lower East Bayside District and Washington/Congress Commercial Districts (see map to left) in an effort to better understand the nature of commercial activity in the area as well as the businesses' concerns and desires for the future of East Bayside.

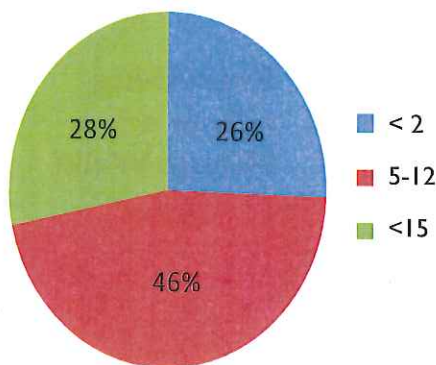
Two surveys were designed, tailoring to the particularities of each district. Common questions included background information on the businesses, as well as subjective questions regarding the businesses' physical location and connection to the larger East Bayside community.

The surveys were conducted in person with business owners, (with few exceptions for telephone interviews due to limited business hours). The raw data and surveys samples for Lower East Bayside and Commercial districts can be found in Appendices B and C.



Lower East Bayside District

Lower East Bayside: Years in Business



The 40 surveys from Lower East Bayside revealed an impressive amount and diversity of commercial activity. Businesses here range from retail, arts and crafts, non-profit, manufacturing, distribution, storage, and repair services, and more. Business size varies between one and 70 employees; the median employee count was eight. The range of business life spans also attests to the diverse commercial environment and healthy mix of new and old industry here. Roughly one-quarter of businesses are younger than two years (in their East Bayside location), and another quarter of the businesses are 15 years old or more.

The most popular reasons for locating in the district included inexpensive rent, availability of industrial-scale space, and proximity to Rt. 295 and Portland. Most customers here use vehicles, although there were several exceptions for charity services and arts related businesses that attract local pedestrians and bikers.

The majority of businesses in this area were content with current zoning, traffic and parking, and transportation in the area. The few noteworthy exceptions included: desire for permitted retail in the I-Lb (Low-Impact Industrial zone), safety concerns about overnight parking, road disrepair and traffic along Fox Street. Business owners were also discontented by inadequate or nonexistent sidewalks and lack of safety measures for bikers (particularly along Fox Street).

66% of businesses anticipate that the impending Bayside Trail will be a positive for the district. There is also considerable anxiety that the trail will diminish commercial properties by way of its physical construction, and by inviting vandalism and rent inflation. Although realty pricing was not formally addressed in the survey, many business owners in Lower East Bayside related a strong interest in maintaining affordable rent in light of future developments such as the Bayside Trail and re-design of Franklin Arterial.

65% of businesses also indicated strong interests in supporting community projects; particularly ones directed toward cleanup, youth, safety and public art.



Washington/Congress Commercial District

15 businesses were surveyed along Commercial Street, Cumberland Avenue and Washington Avenue. Compared to Lower East Bayside, these Commercial District businesses are younger (60% under five years old), and cater more frequently toward the immediate neighborhood including Munjoy Hill. Over 50% of the customer bases for the businesses surveyed are primarily pedestrians or bikers. This Commercial District is also unique because of the high concentration of arts-related businesses (40%), and ethnically oriented shops and restaurants.

The survey data indicated general consensus among business owners about their concerns related to the area and desires for improvement. Street litter is a major concern among business owners here. 80% of owners identified trash as one of the foremost issues, and several specifically identified the 7-11 gas station as the source point. Remedial suggestions included simply adding more trash cans on the streets, and potentially devising a trash removal system with help from the City of Portland. Several people also suggested neighborhood-based environmental education programs.

Trees were another popular priority for streetscape improvement (75% of votes). A few business owners suggested that trees are a good option for beautifying the street because window boxes tend to invite vandalism. General streetcaping and landscaping, especially adding bike racks, were also identified by roughly 60% of business owners as desirable means of district improvement. The idea of park benches, however, was unpopular for the same reason as window boxes. People expressed general skepticism about any amenity that may facilitate vandalism or loitering at night.



IV. The Neighborhood Forum: Process & Findings

Participants at the April forum huddle around a map to sketch potential connections between the neighborhood and the impending Bayside Trail.

Public outreach and engagement were major components of the Planning Workshop. To understand the community's likes, dislikes, hopes and fears about their local environment, students designed and conducted two planning forums. The first, outlined in the following section of this report, was open to the East Bayside public. Appendix A includes all the maps, notes and raw data produced in this forum.

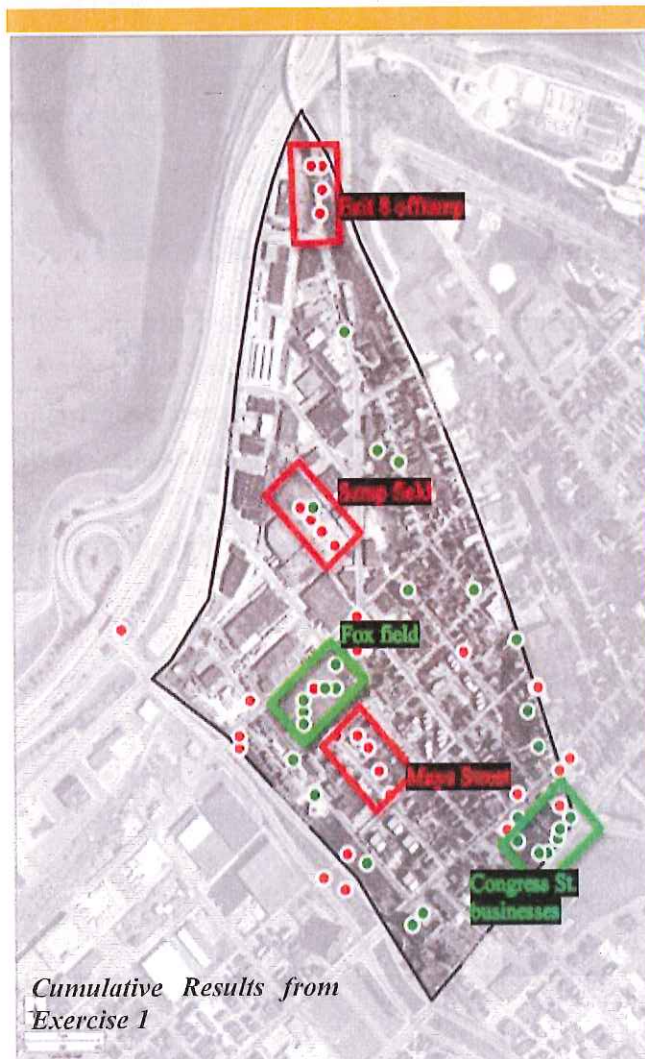
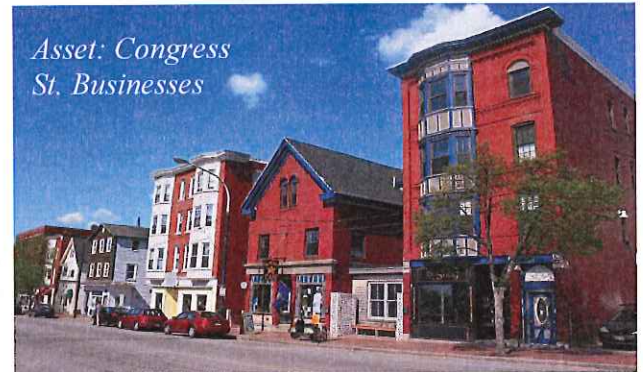
The first workshop took place on April 21st, in lieu of the monthly EBNO meeting. The Planning Workshop also coordinated with the Portland Housing Authority to plan this meeting, and used the community room of a PROP apartment building on Mayo Street to host the event. The workshop consisted of a brief introductory presentation by the Planning Workshop, followed by three brainstorming and mapping exercises. Participants were divided into three work groups and the students acted as facilitators and moderators for the forum. The data produced from the workshop is entirely a reflection of the participants' involvement. All participant's names are listed in Appendix A.1

Exercise 1: Asset and Liability Mapping

The purpose of this exercise was for community members to identify assets and liabilities within East Bayside. In three groups of six to seven people each, participants were shown a map, (below), and prompted to consider assets and liabilities within the neighborhood that could be attributed to a physical location. Participants placed two green dots each, representing places they enjoy spending time, views they like, landmarks, etcetera. Next, they placed two red dots each, which represent just the opposite; unsafe places, eyesores, etc.

The moderators then facilitated a follow-up discussion to clarify what each dot represented. The groups' maps and discussion notes are located in Appendix A.1– A.2.

Below is the map compiled from all three group, and summary list of the most commonly identified assets and liabilities.



ASSETS

- Businesses along Congress Street, such as the Snug, The North Star Café, and Knit Wit, because they bring vitality and interface with the rest of Portland
- Fox Field, because it is open, green space and provides activities for the youth. However, improvements and repairs are desired here as well.

LIABILITIES

- The Exit 8 off ramp is considered very dangerous
- The scrap yard is an eye sore
- Mayo Street traffic and safety concerns, as well as complaints of unruly behavior around the area.



Exercise 2: Franklin Arterial Map and Visioning



Looking at a new map of Franklin Arterial, participants were given three green and one red dot each. The green dots in this exercise represent frequent destinations, via foot, across Franklin Arterial from East Bayside. The red dots were placed to indicate desired pedestrian crossings along the arterial, whether they be improvements to existing crossings, new pedestrian-only crossings or new roads that also accommodate walkers. The groups' individual maps and additional comments about Franklin Arterial are located in Appendix A.4–A.7.

The most common destinations among participants were Whole Foods and Hannaford supermarkets, and downtown. The spread between common destinations, and distance between these destination and East Bayside (up to approximately .75 miles), suggests that East Bayside residents travel further on foot than most people are willing to. (Studies indicate that most people will drive versus walk to destinations further than .5 miles)

A subsequent, more in depth study on walking and biking patterns in the Franklin vicinity would lend valuable insight to the most apt locations for future crossing development. Illustrated by the cluster of red dots, participants identified Oxford Street as the most desired route across Franklin Arterial. East Bayside has been “voting with its feet”, as one resident explained, for a long time; the foot paths that extend between Oxford and Lancaster streets, between East and West Bayside, bear testimony. The safety benefits of reconnecting the street grid at Oxford Street were discussed at length. Participants voiced particular concern for children who currently frequent this shortcut to school. Many voiced support for the idea of a pedestrian bridge which could reconnect Oxford Street by foot.

There was also strong consensus about the need for more and improved sidewalks along Franklin Arterial. Existing crossings also need improvement, like the intersection between Franklin Arterial and Congress Street, as well as Marginal Way and Fox Street.



New Federal St. Crossing

Crossing improvements including roundabouts at Congress St. and Cumberland Ave.

New Oxford St. crossing

Improved crossing at Fox St.

New Portland Trail crossing

Left: One of the visions for Franklin Arterial generated by participants of a different public workshop, held by the Franklin Street Reclamation Authority in late April, 2009.

There is definitive desire among East Bayside residents and the broader Portland public alike to reconnect the street grid for pedestrian access.



Exercise 3: Fox Field and the Bayside Trail

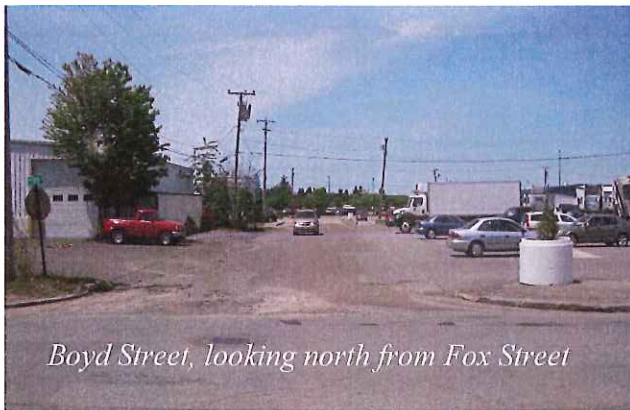
In the first part of this exercise, participants shared their opinions of Fox Field area and suggestions for its improvement. The ideas were thoroughly recorded and later compared, revealing common concerns about the safety and aesthetics of the area. The main ideas are presented below. The lists produced by each group and maps from the later portion of this exercise are located in Appendices A.8– A.11.

The lack of lighting was considered the foremost safety hazard at Fox Field. Currently the only light here at night comes from the street lights on Fox Street and in Kennedy Park, creating a dark pocket across the field, courts and playground. The vast majority of residents supported the idea of lights, especially along the paved walking path that separates the field from the basketball courts. Some participants also suggested that lights may aid the police, because there would be fewer dark hiding places at night.

Fox Street was also considered a danger for pedestrians and drivers, particularly at the intersection with Anderson Street. Residents suggested adding more sidewalks along Fox Street, and crosswalks at intersections. They also discussed the merits of converting the three way stop sign at the Anderson/Fox intersection into a four way to slow traffic.

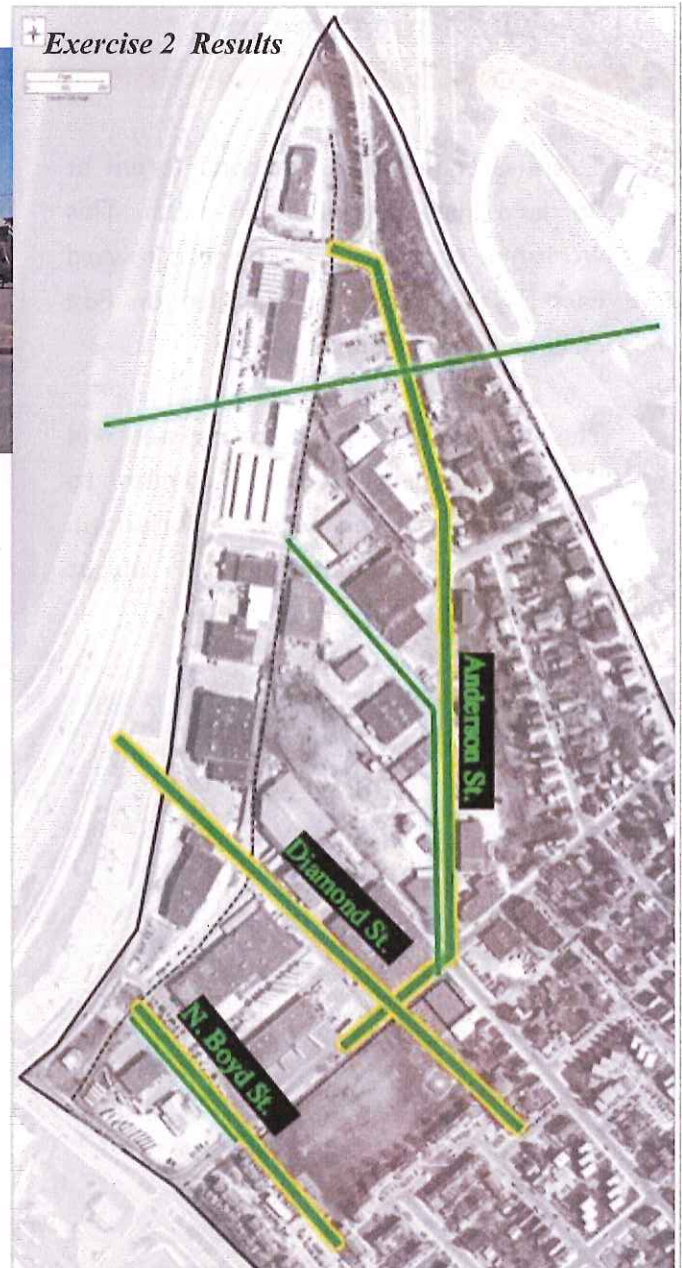
The aesthetic qualities of Fox Field were another main concern brought forth by East Bayside residents. Trash on the field is a major, yet easily remedied problem. One resident explained the cleaning procedures that are sometimes required before beginning a soccer game; the teams line up and sweep the field, collecting trash, needles, broken glass, etc. in trash bags to prevent injuries during the game. Participants felt that the addition of trash cans surrounding the field is the first and most important step in solving this problem.

Participants also expressed a common desire to beautify the park and increase its usage by developing more and diversified recreational opportunities. Additional seating areas, picnic tables, and bleachers around the field would make the field more attractive and conducive to various spontaneous recreation and “hanging out”. Other beautification suggestions included youth-created murals and enhanced landscaping with more plantings.



Boyd Street, looking north from Fox Street

The later half of Exercise 3 focused on a future recreational amenity in the area, the Bayside Trail. The trail will be completed by fall of 2009, linking East Bayside to the East End Trail and West Bayside. For the trail to succeed as an amenity and viable transit route for East Bayside, it must be accessible to the neighborhood. Currently, there is no pedestrian-friendly infrastructure for residents to access the trail. Participants discussed and sketched possible locations for pedestrian connections between the neighborhood and the trail. Participants were especially interested in the potential connection of North Boyd Street (seen as a key connection between Fox Field & Kennedy Park. Improving access on Anderson Street was also seen as especially desirable.



Participants were interested in developing an overall connection between Cumberland Street to the trail, via either Boyd, Mayo, or Smith Street. Linking the Washington Street commercial district through the residential district to the trail, would help “open” the neighborhood to the rest of the city. North Boyd and Diamond streets were suggested as the most useful connections to develop in the short-term. Developing these connections with sidewalks and streetscaping, would also serve to enhance the safety and attractiveness of the Fox Field area. Streetscaping along Anderson and Cove Streets was also suggested as a means to strengthen ties between Munjoy Hill and East Bayside.

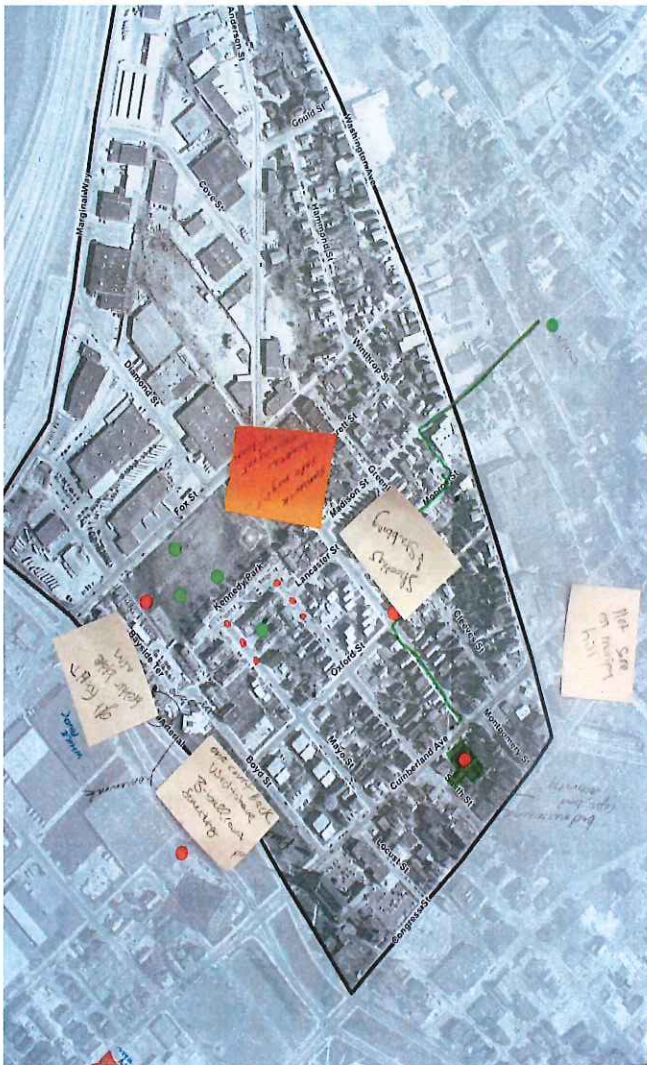
V. The Youth Forum

The class conducted a second forum at Portland High School on May 8th. This workshop was specifically tailored toward East Bayside youth and focused on Fox Field and the surrounding area.

This workshop entailed one Asset and Liability Mapping Exercise, (similar to Exercise I of the April Workshop), followed by brainstorming about improvements to Fox Field.



Above: Muskie and Portland High School students orient themselves to a map of East Bayside.



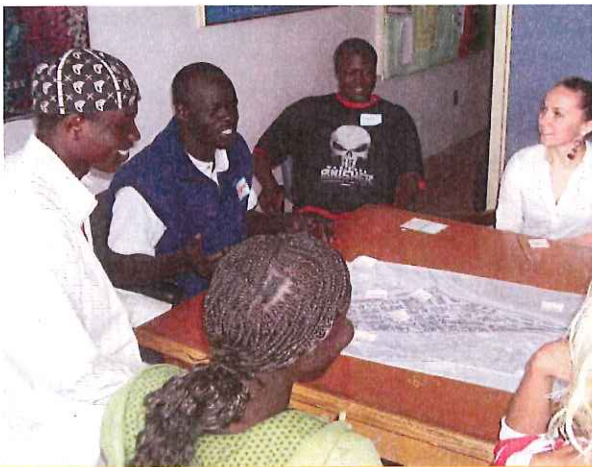
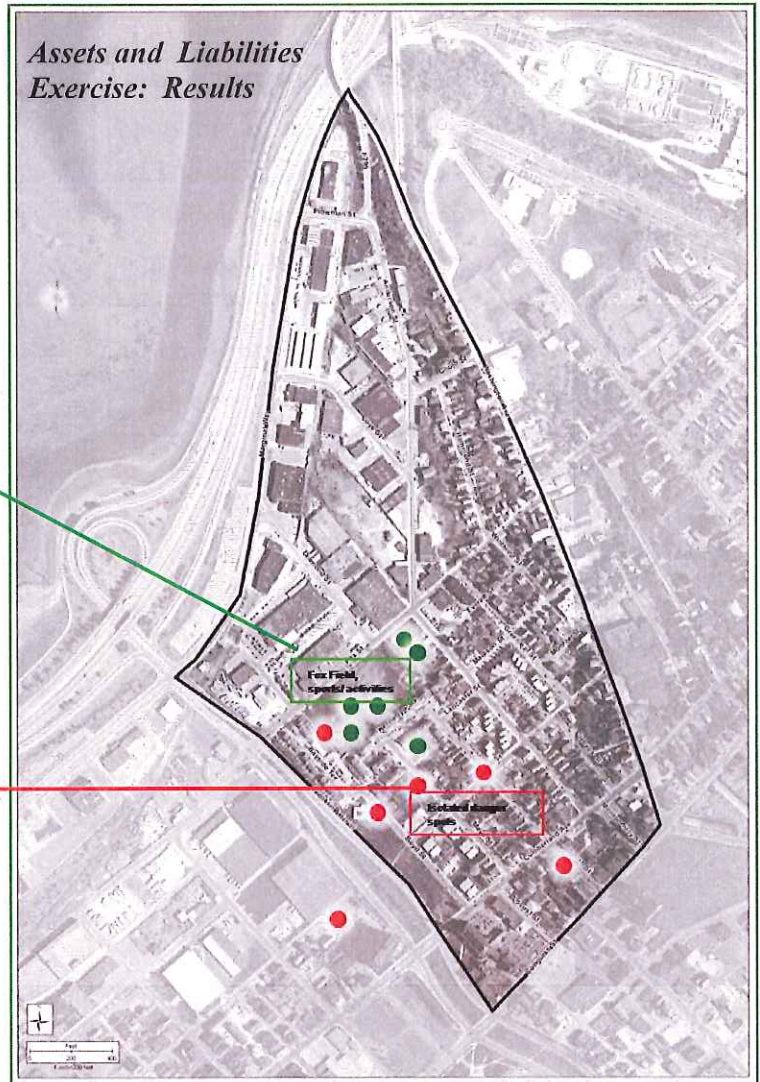
Left: Students' notes and diagrams relating to Fox Field area.

There was consensus among students that the current activities offered by Fox Field are great, but that there should be more recreational opportunities here. Ideas for these included a full basketball court, seating and picnic benches around the field, and some also vouched for a warm up field adjacent to the playground to maximize the existing open space.

Students' concern with present-day Fox Field revolved around safety. Ideas for addressing safety included nighttime lighting, taller fences bordering Fox Street and the field, and better sidewalk connections along Fox St., connecting north to the future Bayside Trail corridor.

Students were enthusiastic about the current soccer and basketball games , and want to see more space devoted to the courts/ fields, and comfortable space for spectators.

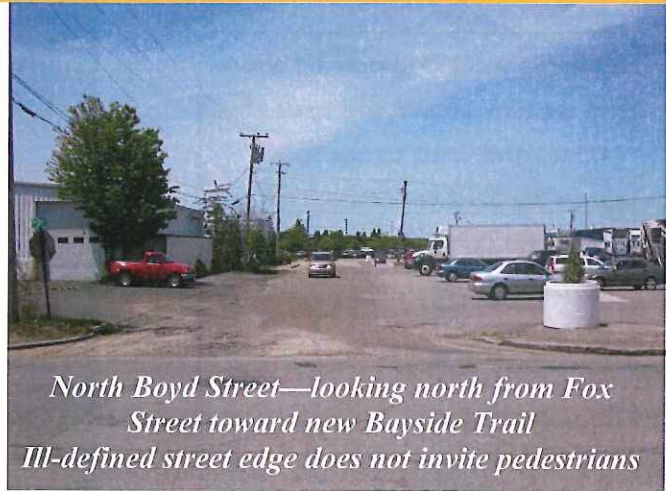
“Liabilities” here referred mostly to isolated incidents of crime. The dark alley between east and west Oxford Streets causes apprehension for pedestrians, and could be improved with lighting and landscaping. Better street connectivity in this area would also help create more “eyes on the street” and encourage more legitimate activity on the street.



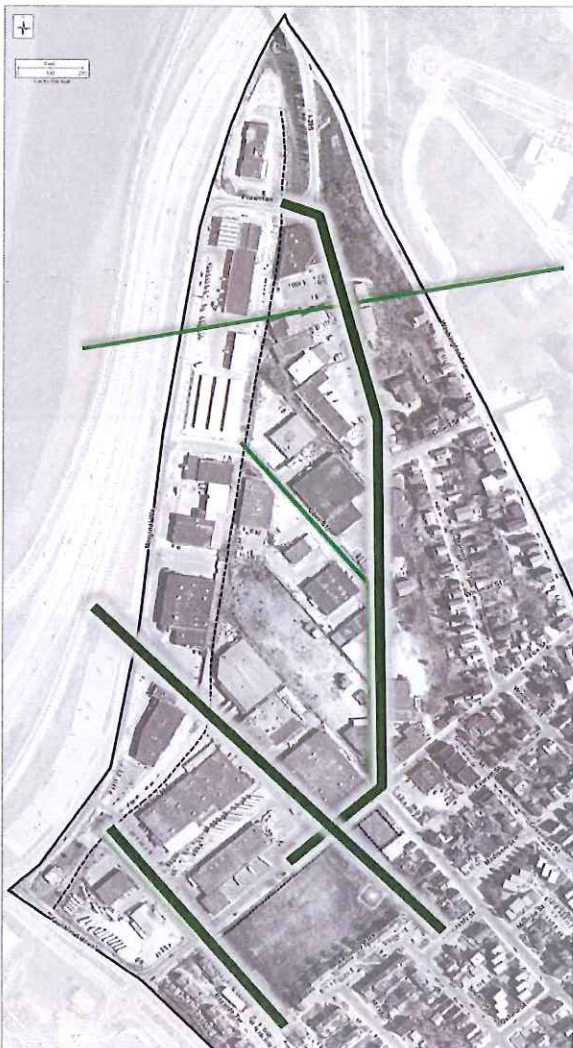
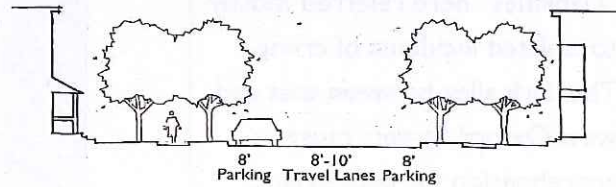
VI. Conclusions and Recommendations

Issue: Bayside Trail Connections

The new Bayside Trail will require improved connections to the residential district of East Bayside in order to become useful to residents. Fox Street is currently dangerous for pedestrian and drivers alike, and Lower East Bayside is unwelcoming to potential trail users.



Right: Example of a successful streetscape, including buffers between road and buildings, on-street parking and ample pedestrian/bike routes. (The Next American Metropolis, Peter Calthorpe)



Physical Improvements:

- Create stronger pedestrian streetscapes on Fox Street and north along Anderson Street, and North Boyd Street.
- Install sidewalks, lights, and street trees where none exist, and improve side walks elsewhere.
- Provide bike lanes where possible, and bike racks at key locations and near the trail.
- Install signage along links to encourage and direct pedestrians. Creative signage by local artists will lend identity to the pedestrian route and neighborhood at large.
- In order to create a stronger sense of place, encourage façade improvements to buildings near the trail, especially to buildings that directly abut the trail.

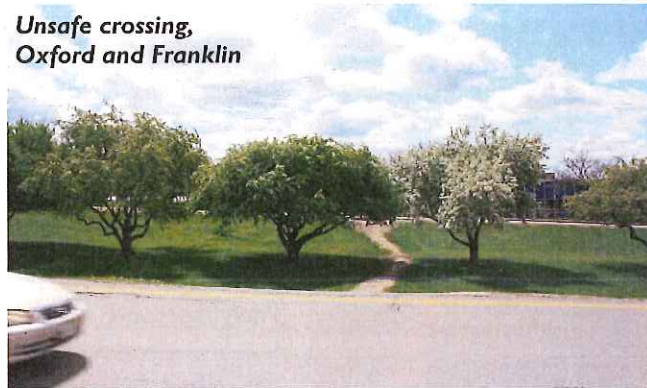
For Further Study:

- All recommendations will require design and development. EBNO should cooperate with City of Portland Public Services, the Planning Office, and the Portland Public Art Committee to create a master plan for physical improvements.

Issue: Franklin Arterial Divide

The arterial is a harsh barrier/ledge to the neighborhood that disrupts the historic, fine-grained street block structure. Well-worn desire paths attest to the need for street reconstruction.

**Unsafe crossing,
Oxford and Franklin**



Physical Improvements:

- Reconnect the historic street grid along Oxford Street (highest priority) and Lancaster Street. Establish safe pedestrian crossings at a minimum, and full intersections if feasible.
- Recapture territory on the western edge of East Bayside with the redesign of Franklin Arterial. Develop a green buffer for the neighborhood between Cumberland Avenue & Fox Street, and a mixed-use "gateway" for reclaimed land north of Fox Street.
- Incorporate sidewalks and bike trails bordering East Bayside in the Franklin Street redesign.

For Further Study:

- East Bayside residents identified the off-ramps of I-295 at Franklin Street as a major safety concern. As the City and MDOT undertake future studies for potential improvements for this exit, the concerns of the neighborhood should be expressed and considered.



Issue: Streetscape & Transit Amenities

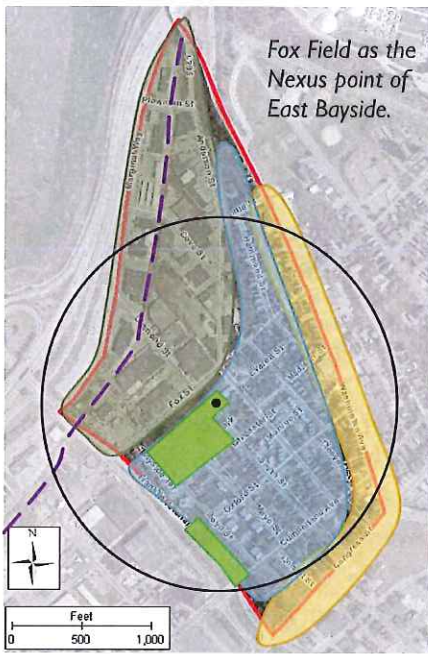
Businesses on Congress and Washington Streets identified litter, lack of trees and bicycle lanes and racks as primary problems. Lower East Bayside businesses as well as East Bayside Residents also indicated that, although there is public transportation in the neighborhood, it is difficult to navigate, and unpleasant to use.

Physical Improvements:

- Provide bike racks along Congress Street and Washington Avenue in the commercial district. Provide bicycle lanes where possible. Provide other streetscape amenities in the commercial district including additional tree wells and trash receptacles.
- Provide benches or transit shelters at bus stops where appropriate, and schedule displays at all bus stops.

For Further Study:

- Work cooperatively with the City of Portland, EBNO and businesses to create a streetscape improvement plan for the commercial district.
- Work with the City to explore ways of funding trash pick-up for commercial streetscape trash receptacles. Potential options might include methods such as a parking improvement district or a business improvement district.



Issue: Fox Field

Though Fox Field is widely considered an asset to the community due to the amenities it provides, the field itself and its relationship to the surroundings need improvement. The lack of lighting, seating, connections to surroundings and limited recreational uses undermine the field's potential as a nexus point and gateway to the neighborhood.

Physical Improvements:

- Construct a broader diversity of attractive recreational amenities, both active and passive. Install custom benches, water fountains, lighting, and attractive fencing where appropriate. Upgrade the basket-ball court to full-size and consider new uses for other underutilized areas around the field.
- The mural on the Park's Department building has not been "tagged" since its completion in 2004 which speaks to the success of a community-based approach to public art. Provide more opportunities for such community-based art projects at Fox Field and vicinity. Consider:
 - Public mural projects on buildings adjacent to Fox Field. Engage community-based artists to design site-specific benches, fences, and other site amenities.
 - Artist-designed signage for Fox Field and landscaping that will create a gateway identifier for the neighborhood.
 - Devise alternative, attractive and functional fencing devices for field perimeter that enhance connections to the neighborhood and Bayside Trail.



For Further Study:

- Initiate contact with building owners and the City's Public Art Committee (which provides grants) to explore opportunities for community-based art projects.
 - EBNO, PHA and Kennedy Park residents, the City of Portland (Public Services, Planning, Public Health) and non-profit organizations using Fox Field (e.g., Portland United Soccer League, etc.) should cooperate to develop a cohesive plan for Fox Field improvements.
- Fox Field is bordered to the north by the Lower East Bayside district which is currently zoned for low-impact industrial uses (I-Lb). Surveys of business owners in the area revealed two strains of thought regarding the re-zoning of I-Lb to B-5, which would allow housing. Some business owners thought that housing would improve the area aesthetically and functionally. Others worried that housing would cause gentrification, squeezing out the existing industrial uses in Lower East Bayside. The debate on I-Lb versus B-5 zoning warrants further study with consideration of strategic locations that may be appropriate for a B-5 zoning. For instance, with mixed-use development, North Boyd Street could become a prime pedestrian link from Fox Field, the residential area, and the Bayside Trail.

The Next Phase: Master Vision and Long-Term Planning

The Recommendations in this report address issues associated with current planning initiatives, and respond to key ideas that surfaced from the community. The redevelopment of Franklin Arterial and the construction of Bayside Trail both pose critical opportunities for design improvements in East Bayside if EBNO can attach a clear community vision to the impetus that is underway. The issues raised by East Bayside citizens and business owners (like streetscape, transit amenities and Fox Field improvements) are also important, and are perhaps more immediate, tangible goals to address.

These topics warrant further study and can become the next steps for securing the future of the neighborhood. EBNO should also devote efforts to go beyond these immediate planning initiatives to develop a long-term, cohesive vision for the future of the neighborhood. A long-range vision should include a master plan for physical improvements (public and private) as well as implementation strategies. Besides the issues already highlighted in this report, a comprehensive long-range vision should address some of the more intractable physical issues in the neighborhood including:

- Reconnecting key components of the historic street grid, including but not necessarily limited to Oxford Street (east-west across Franklin Arterial) and Lancaster Street to the north-south. Reconnecting streets would require imagining how the PHA dwellings in this vicinity could be modified, rebuilt or potentially replaced.
- In conjunction with the above listed recommendation, a long-range vision should consider how other PHA housing development might be modified or reconstructed to be more responsive the street and better integrated with the historic development pattern. This revisioning of the PHA housing stock also provides an opportunity to image new sustainable design solutions and architectural forms that promote safer neighborhoods with “defensible space.” PHA parking lots should be considered as potential redevelopment sites for more valuable community needs including additional housing.
- The industrial district north of Fox Street offered the greatest potential for redevelopment. A long-range vision should explore the potential of strategically modifying allowed uses, and envision the potential of future public and private development in this area to meet community needs. A vision for this area should embrace the City’s Environmental Sustainability Goals, and provide a model for new urban redevelopment for the 21st century.

In creating a long-term vision, EBNO should work cooperatively with the City of Portland and the Portland Public Housing Authority, and should maximize community involvement by engaging residents, businesses, and non-profits in the neighborhood. EBNO should leverage additional community resources for this planning effort by soliciting continued involvement from the Muskie School of Public Service as well as other community partners.

VI. About The Community Partners:

Many Community Partners contributed to the efforts of the Planning Workshop. In particular, we are grateful to the members of the East Bayside Neighborhood Organization, staff at the Portland Housing Authority, City Councilor Kevin Donahue, and most importantly, the residents and citizens of the East Bayside neighborhood. More than those named above and below have made significant contribution to this work, however, and our appreciations go out to them as well.

East Bayside Neighborhood Organization (EBNO)

EBNO was incorporated in May of 2007. Its mission is to serve the Portland neighborhood of East Bayside, one of the most diverse neighborhoods in Maine. Among EBNO's primary goals are: the creation and maintenance of a safe neighborhood, the leveraging of funding opportunities for neighborhood revitalization, and the provision of assistance to low-income, elderly, and disadvantaged members of the community that they might thrive.

EBNO strives to improve the quality of life for all of its residents, to ensure that East Bayside has adequate representation in all city matters, and to promote a sense of community within the neighborhood while preserving and respecting the cultural and socioeconomic diversity of its population. More information, as well as a mailing list is available from its Yahoo Groups page at: <http://groups.yahoo.com/group/EBNO/>.

The Muskie School – USM’s Public Service Program

The Edmund S. Muskie School of Public Service takes its name from one of Maine’s most distinguished senators. The school has set its focus on three ways to meet its namesake’s challenge of making “a real difference in the lives of the people of Maine and the nation.” These three methods are: educating leaders through its graduate degree programs, informing policy and practice through applied research, and strengthening civic life through publication and involvement with the public. This report and its surrounding activities reside at the intersection of all three.

Through its Community Planning and Development master’s degree program, the Muskie School offers a class called “CPD 603 - Planning Workshop.” This class offers students the opportunity to take lessons learned in a classroom and apply them to real-world issues such as those faced by EBNO. You are reading the fruits of Spring 2009’s Planning Workshop.

ATT. A-1

WALSH
ENGINEERING ASSOCIATES, INC.

July 31, 2015

Barbara Barhydt
Development Review Manager
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

**RE: Application for Zoning Text Change
425 Marginal Way
Portland, Maine**

Dear Barbara,

On May 19, 2015 Walsh Engineering Associates, Inc. (WEA) submitted an application for Zoning Map Amendment and Text Change on behalf of the U-Haul Moving and Storage Co. of New Hampshire and Maine (Applicant). Based on our recent meetings and conversations, Walsh Engineering Associates, Inc. (WEA) is providing this revised application to request a text change to the City of Portland Zoning ordinance. The purpose of the proposed text change is to allow for the Applicant to operate a self-storage facility within the existing building at the property located at 425 Marginal Way (Tax Map 8, Block A, Lot 5) and make the existing facility at 411 Marginal Way a conforming use.

The Applicant proposes that Section 14-230.1 - Permitted Uses within the B-5 Urban Commercial and Mixed Use Zone be modified to include the following permitted uses "on-peninsula" within the B-5 zone only:

- Self Storage facilities (on peninsula)
- Moving equipment rental and outdoor storage (on peninsula)

The proposed text change is indicated on the enclosed excerpt from Section 14-230.1.

With this submission, we respectfully request to be placed on the next available Planning Board workshop agenda to discuss the project with the Planning Board. Please contact me if you have any questions or require any additional information.

Respectfully,



William R. Walsh, III, PE
Walsh Engineering Associates, Inc.

enc. Proposed Zoning Ordinance Text Change

cc. Jon Hynes, President, U-Haul Moving and Storage Co. of New Hampshire and Maine
John Loranger, U-Haul Moving and Storage Co. of New Hampshire and Maine



Zoning Map/Text Amendment/Contract or Conditional Rezoning Application Portland, Maine

Planning and Urban Development Department
Planning Division

Portland's Planning and Urban Development Department coordinates the review of requests for zoning map amendments, zoning text amendments and contract or conditional re-zoning. The Division also coordinates site plan, subdivision and other applications under the City's Land Use Code. Attached is the application form for a Zone Change.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14) which is available on our website:

Land Use Code: <http://me-portland.civicplus.com/DocumentCenter/Home/View/1080>

Design Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2355>

Technical Manual: <http://me-portland.civicplus.com/DocumentCenter/View/2356>

Planning Division
Fourth Floor, City Hall
389 Congress Street
(207) 874-8719

Office Hours
Monday thru Friday
8:00 a.m. – 4:30 p.m.

PROJECT NAME: Uhaul Facility

PROPOSED DEVELOPMENT ADDRESS:
425 Marginal Way, Portland, Maine

PROJECT DESCRIPTION:
The Applicant is proposing a Text Change such that self-storage is an allowed use on the subject property.

CHART/BLOCK/LOT: 8/A/5

CONTACT INFORMATION:

Applicant – must be owner, Lessee or Buyer Name: Jon Hynes, President U-Haul International, Inc. Business Name, if applicable: U-Haul Co. of N.H. & ME Address: 515 South Willow St City/State : Manchester, NH Zip Code: 03103	Applicant Contact Information Work # 603-627-9182 Home# Cell # 413-237-3048 Fax# e-mail: 790_EA@uhaul.com
Owner – (if different from Applicant) Name: Same as Applicant Address: City/State : Zip Code:	Owner Contact Information Work # Same as Applicant Home# Cell # Fax# e-mail:
Agent/ Representative Name: William Walsh, III, PE Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME Zip Code: 04092	Agent/Representative Contact information Work # 207-553-9898 Cell # 207-650-8855 e-mail: bill@walsh-eng.com
Billing Information Name: Jon Hynes, President U-Haul Co. of N.H. & ME Address: 515 South Willow St City/State : Manchester, NH Zip Code:	Billing Information Work # 603-627-9182 Cell # 413-237-3048 Fax# e-mail: 790_EA@uhaul.com

Engineer Name: William Walsh, III, PE Walsh Engineering Associates, Inc. Address: 1 Karen Drive, Suite 2A City/State : Westbrook, ME Zip Code:	Engineer Contact Information Work # 207-553-9898 Cell # 207-650-8855 Fax# e-mail: bill@walsh-eng.com
Surveyor Name: Bruce Martinson, PLS Sitelines, PA Address: 8 Cumberland Street City/State : Brunswick, ME Zip Code:	Surveyor Contact Information Work # 207-725-1200 Cell # Fax# 207-725-1114 e-mail: bmartinson@sitclincspa.com
Architect Name: Address: City/State : Zip Code:	Architect Contact Information Work # Cell # Fax# e-mail:
Attorney Name: Address: City/State : Zip Code:	Attorney Contact Information Work # Cell # Fax# e-mail:

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

The property is currently owned by the Applicant. The deed is attached.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property.
(For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use.
(Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

The property and existing building is currently being used by the Applicant for warehousing and equipment storage. A site plan application (Project ID #2014-184) was approved by the City on October 24, 2015 for exterior site improvements not related to the proposed text change.

Current Zoning Designation(s): B-5 Urban Commercial Zone

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

The Applicant is proposing to use the site as a self-storage facility, warehousing, and outdoor storage of moving equipment rentals. The applicant proposes a text change to Section 14-230.1 to include "Self Storage Facilities" and "Moving equipment rental and outdoor storage" as allowed uses within the B-5 zone, on-peninsula only. No additional exterior site improvements are proposed other than what was approved per Project ID #2014-184.

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1' = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEES:

Check all reviews that apply. (Payment may be made by Credit Card, Cash or Check payable to the City of Portland.)

<p>Zoning Map Amendment <input type="checkbox"/> \$2,000.00 (from _____ zone to _____ zone)</p> <p>Zoning Text Amendment <input checked="" type="checkbox"/> \$2,000.00 (to Section 14-230.1) (Fee paid with previous submission)</p> <p>Combination Zoning Text Amendment and Zoning Map Amendment <input type="checkbox"/> \$3,000.00</p> <p>Conditional or Contract Zone <input type="checkbox"/> \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)</p>	<p>The City invoices separately for the following:</p> <ul style="list-style-type: none"> • Notices (\$.75 each) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) • <p>Third party review fees are assessed separately. Any outside reviews or analysis requested from the Applicant as part of the development review, are the responsibility of the Applicant and are separate from any application or invoice fees.</p>
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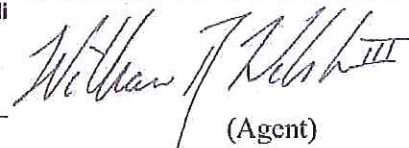
APPLICATION SUBMISSION:

1. All plans and written application materials must be submitted electronically on a CD or thumb drive with each plan submitted as separate files, with individual file names which can be found on the **Electronic Plan and Document Submittal** page of the City's website at <http://me-portland.civicplus.com/764/Electronic-Plan-and-Document-Submittal>

2. **The submission shall include the following materials:**
 - a. One (1) paper set of the zoning amendment application, concept plan and written narrative.
 - b. Contract and conditional rezoning applications must include site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations and compatible with the surrounding neighborhood.

APPLICANT SIGNATURE:

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

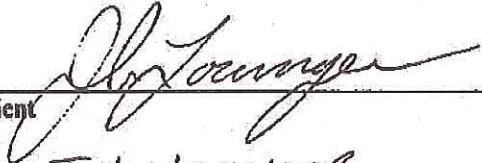
Signature of Appli  (Agent)	Date: 7/31/15
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Date:

To Whom It May Concern,

By this letter, the undersigned authorizes Walsh Engineering Associates, Inc. to act as the agent for the undersigned in the preparation and submission of all Federal, State, and Local City permit applications and relevant documents and correspondence for all necessary permits for the site improvements at 425 Marginal Way, Portland, Maine; to attend meetings and site visits; to appear before all boards, commissions, and committees, and to provide such other services as are necessary and appropriate in furtherance of the aforementioned project.

Sincerely,


Client _____

John LORANGER
U-Haul Company of NH & Maine
515 South Willow Street
Manchester N.H. 03103

MAINE REAL ESTATE TAX PAID

**WARRANTY DEED
(Maine Statutory Short Form)**

KNOW ALL PERSONS BY THESE PRESENTS, that AAA Northern New England, a Maine nonprofit mutual benefit corporation, Grantor, whose mailing address is 68 Marginal Way, Portland, Maine 04101, for consideration paid, hereby GRANTS to Five SAC Self-Storage Corporation, a Nevada corporation, Grantee, whose mailing address is 1250 E. Missouri, Phoenix, Arizona 85014, with WARRANTY COVENANTS, the land with buildings thereon situated at 425 Marginal Way, City of Portland, County of Cumberland, State of Maine, described as follows:

See attached Exhibit A

This conveyance is made subject to easements, covenants, conditions and restrictions of record, if any.

IN WITNESS WHEREOF, said Grantor has caused this instrument to be signed in its company name by Eric J. Cyr, its President pursuant to due authority, this 24th day of September, 2013.

AAA Northern New England,
a Maine nonprofit mutual benefit corporation
X [Signature]
Eric J. Cyr, President

STATE OF MAINE
COUNTY OF CUMBERLAND

Then personally appeared the above named Eric J. Cyr, President of AAA Northern New England and acknowledged the foregoing instrument to be his free act and deed in his capacity and the free act and deed of said corporation.

Before me:

[Signature]
Notary Public
Printed Name: Patrick Moody

PATRICK MOODY
Notary Public, Maine
My Commission Expires June 04, 2018



Exhibit A
Legal Description

Real property in the City/Town of Portland, County of Cumberland, State of Maine, described as follows:

Parcel One:

A certain lot or parcel of land, situated in the City of Portland, County of Cumberland and State of Maine, bounded and described as follows:

Beginning on the easterly side line of Marginal Way at the point of curve of the first curve in Marginal Way northerly of Plowman Street; thence southerly along the easterly side line of Marginal Way, a distance of seventy-six and seven tenths (76.7) feet to another point of curve, being the junction of the easterly side line of Marginal Way with the northerly side line of Plowman Street; thence southerly and easterly, along a curve in the northerly side line of Plowman Street, a distance of seventy-six and ninety-seven one-hundredths (76.97) feet, measured on the arc, to the point of tangent of the aforementioned curve; thence easterly along the northerly side line of Plowman Street, a distance of one hundred thirty (130) feet, more or less, to the westerly side line of land of the Portland Terminal Company, hereinafter called "Railroad Location;" thence northerly along the westerly side line of said Railroad Location, a distance of seventy-three (73) feet, more or less, to a point of curve in the westerly side line of said Railroad Location; thence northerly along the westerly side line of said Railroad Location, following a curve thereon, a distance of one hundred fifty-seven and eight one-hundredths (157.08) feet, more or less, to the point of tangent of the aforementioned curve; thence northerly along the westerly side line of said Railroad Location, a distance of two hundred nineteen and ninety-three one-hundredths (219.93) feet, more or less, to the easterly side line of land of the State of Maine; thence southwesterly, making an included angle of 25° 30' through the South with the southerly direction of the last described course and on the line of land of the State of Maine, a distance of seventy and four tenths (70.4) feet to a granite monument; thence southwesterly, making a deflection angle of 23° 06' to the right and along the line of land of the State of Maine, a distance of forty-six and nine tenths (46.9) feet to a point; thence westerly, making a deflection angle of 23° 51' to the right, a distance of sixty-one and thirty-eight one-hundredths (61.38) feet to the easterly side line of Marginal Way; thence southerly along the easterly side line of Marginal Way, a distance of one hundred sixty-two and eleven one-hundredths (162.11) feet to the point of beginning.

Parcel Two:

Also another parcel of land, bounded and described as follows:

Beginning at a point in a curve on the northerly side line of Plowman Street, distant twenty-eight and seventy-five one-hundredths (28.75) feet, more or less, from the point of curve of said curve in the northerly side line of Plowman Street nearest its junction with the westerly side line of Anderson Street; thence easterly along the curve in said northerly side line of Plowman Street to the westerly side line of Anderson Street; thence along the westerly side line of Anderson Street to land of the State of Maine; thence westerly by land of the State of Maine to a granite monument; thence westerly from said monument and on the same course to the easterly side line of land of the Portland Terminal Company; thence southerly by land of the Portland Terminal Company to the northerly side line of Plowman Street at the point of beginning.

Excepting from the above described premises such portion thereof as was conveyed by the Maine Automobile Association to the State of Maine by deed dated November 28, 1973, and recorded in said registry in Book 3488, Page 279.

Received
Recorded Register of Deeds
Sep 27, 2013 08:55:56A
Cumberland County
Pamela E. Lovley

City of Portland
Code of Ordinances
Sec. 14-230.1

Land Use
Chapter 14
Rev.2-22-2012

- 2. Low impact industrial uses with total floor area of less than ten thousand (10,000) square feet and which meet the performance standards of the I-L zone;
- 3. Breweries, including associated bottling activities.

(c) Marine: 

**INSERT: 4. Self Storage Facilities (on-peninsula)
5. Moving equipment rental and outdoor storage (on-peninsual)**

- 3. Harbor and marine supplies and services and ship supply;
- 4. Reserved;
- 5. Shipbuilding and facilities for construction, maintenance and repair of vessels;
- 6. Marine museums and aquariums;
- 7. Reserved;
- 8. Boat repair yards;
- 9. Boat storage facilities;
- 10. Seafood processing for human consumption;
- 11. Seafood packing and packaging;
- 12. Seafood distribution;

(d) Residential:

- 1. Attached single-family, two-family and multifamily dwellings;
- 2. Handicapped family units;
- 3. Lodging houses;
- 4. Combined living/working spaces, including but not limited to artist residences with studio space.

PROPOSED B-5 U-HAUL AMENDMENTS (9-15-2015)

Add the following section under Sec. 14-230.2 as a conditional use (commercial)

1. Commercial

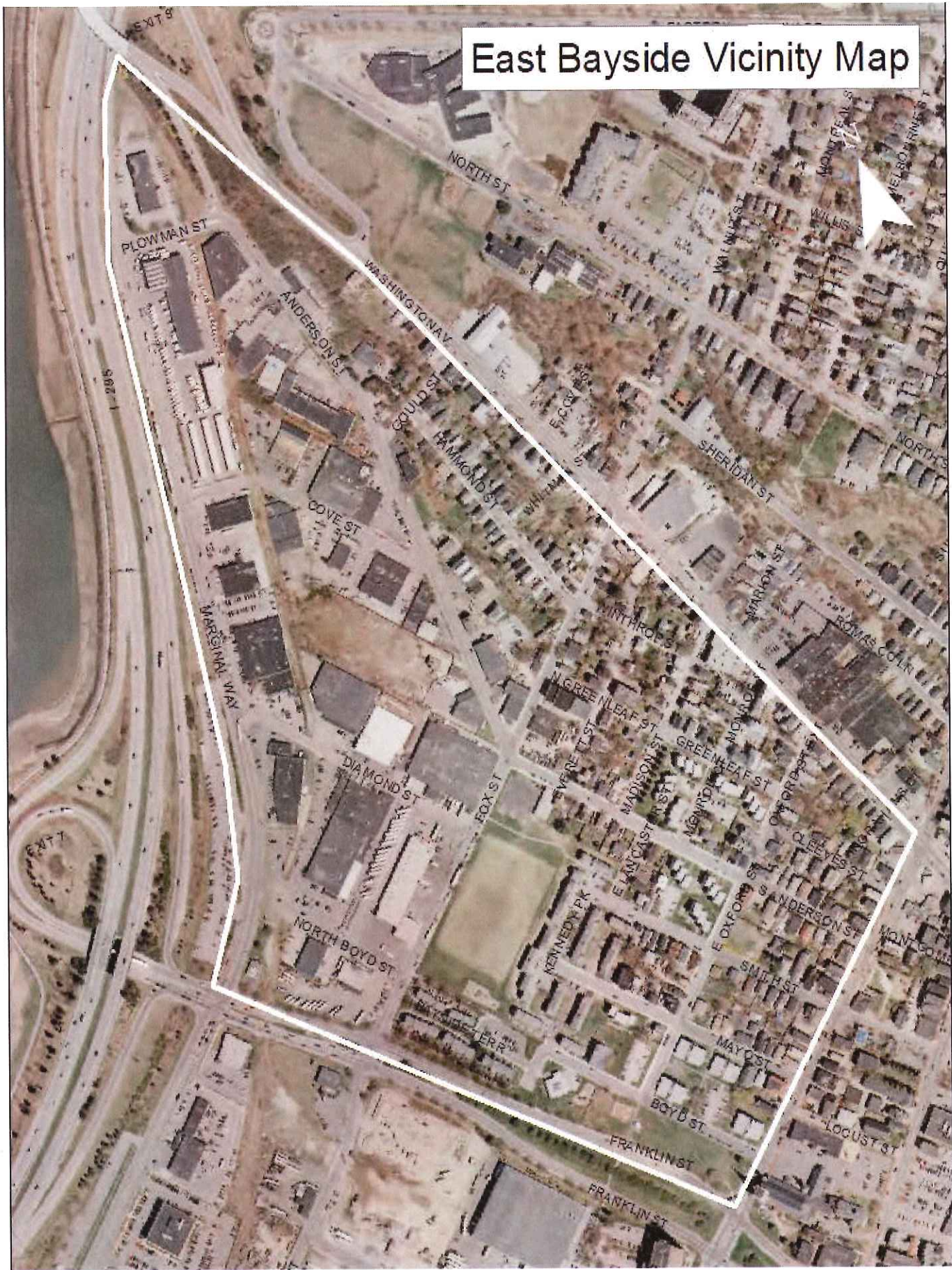
- (a) Self-storage facilities in B-5 zone (on-peninsula locations only) in buildings existing as of (enactment date)
- (b) Outdoor storage of rental and moving equipment rental in B-5 zone (on-peninsula locations only) in buildings existing of (enactment date)
 - i. Outside storage of rental and moving equipment shall be located on the site and not within a public right-of-way or sidewalk. A curb, guard rail or other barrier shall be provided to contain such equipment and storage on the site.
 - ii. A landscape buffer shall be provided in accordance with the landscape and buffer requirements of the City of Portland Technical and Design Manual. No equipment or vehicles shall be parked in landscape buffer areas.

Amendment to City of Portland Design Manual

Add to B-5 and B-5b Urban Commercial Business Zones Standards the following paragraph:

Façade Character: In the B-5 and B-5b zones, active and public portions of buildings (e.g. doors, windows, entries, retail displays) shall be oriented to and, where possible, be located adjacent to the public sidewalk to create an active presence along the sidewalk. Where building facades situated along a public way have no interactive use or function, such facades shall be designed to provide sufficient architectural and graphic amenities to provide visual interest along the street and relate the building, and its use, to passersby.

East Bayside Vicinity Map



facade with such features as windows, doors, cornices, reveals, trim, facade modulation, changes in color and texture and other architectural details that

provide visual interest and variation along the facade. The facility shall feature a visually prominent pedestrian entrance that is oriented to a public right of way.

I was thinking of adding a phrase to #3 stating : "The redesign of a building to a self-storage facility shall not the diminish the existing design features of the building which provide visual interest and variation along the facade.

Note I wanted to use the "blank or undifferentiated wall" standard in the B-7 but I'm not sure the old AAA building (425 Marginal Way) could meet this standard even in its present state.

Barbara, Let me know what you think. I'm around to mid-afternoon today, out tomorrow but back on Tuesday. We can also talk about commercial kitchens.

Caitlin, I've copied you in case you have some random thoughts on the subject although I know you have a lot going on.

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