

# CITY OF PORTLAND, MAINE

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## PLANNING BOARD

Sean Dundon, Chair  
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David Eaton  
David Silk  
Austin Smith  
Maggie Stanley  
Lisa Whited

March 29, 2018

Diving Rock LLC  
Attention: John Ritzo  
15 Howard St  
Portland, ME 04101

Acorn Engineering  
Attention: Will Savage  
158 Danforth Street  
Portland, ME 04101

Project Name:	Mixed Use Building	Project ID:	2017-285
Address:	147-155 Washington Avenue	CBL:	012 G001001
Applicant:	Diving Rock LLC		
Planner:	Shukria Wiar		

Dear Mr. Ritzo:

On March 27, 2018, the Planning Board considered a new four-story building (13,093 SF total floor space) with retail space on the ground level and office space on the remaining three levels. The Planning Board reviewed the proposal for conformance with the standards of the Site Plan and B-1 and B-1B Neighborhood Business Design Standards. The Planning Board unanimously voted 6-0 (Stanley absent) to approve the application with the following waiver and conditions as presented below:

### Waivers

The Planning Board unanimously voted 6-0 (Stanley absent) to waive the Technical Standard, Section 1.14, that requires an aisle width for right-angle parking of 24 feet per Figure I-27, to allow the width to be 23.58 feet.

### Site Plan Review

The Planning Board unanimously voted 6-0 (Stanley absent) that the plan is in conformance with the site plan standards of the Land Use Code and approved the application subject to the following conditions of approval to be met prior to the issuance of a building permit unless otherwise stated:

1. The applicant shall provide documentation that the parking requirements of Division 20 have been met by prior to the certificate of occupancy:
  - a. Finalizing off-site parking plans and providing evidence of control of off-site parking in accordance with *Section 14-334* for review and approval by the Planning Authority, Corporation Counsel, and the Department of Public Services, with an executed lease due at certificate of occupancy, or

- b. The applicant shall contribute \$6,280.60 to the City's Transportation Fund for the three parking spaces due at certificate of occupancy;
2. The applicant shall provide a finalized construction management plan for review and approval by the Planning Authority and Department of Public Works;
3. The applicant shall work with the Urban Designer to address the Design Review comments and screen the roof top mechanics;
4. The applicant shall work with the City Arborist to address the landscaping recommendations and either include street trees in the final site plan or pay into the Street Tree fund;
5. The applicant shall submit a final plan and specifications, for review and approval by the Planning Authority and the Department of Public Works, that are in conformance with the proposed LED fixture specifications for the street lights; and
6. The applicant shall revise the site plan to include relocating the proposed building to the south by up to three feet to meet the required driveway standard of 20' for fire access. The applicant shall also provide a turning template to confirm adequate vehicle access assuming a vehicle is parked on the east side of East Cove Street.
7. The applicant shall revise the site plan to show the use of paint or contrasting materials to delineate the pedestrian access route.
8. The Applicant shall work with staff to add landscaping on the southeast corner of the site adjacent the tandem spaces.

The approval is based on the submitted plans and the findings related to site plan review standards as contained in the Planning Report for application 2017-285 which is attached.

#### Standard Conditions of Approval

Please Note: The following standard conditions of approval and requirements apply to all approved site plans:

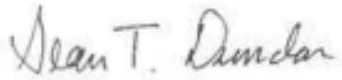
1. Develop Site According to Plan The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
2. Separate Building Permits Are Required This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Permitting and Inspections Department.
3. Site Plan Expiration The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.

4. Performance Guarantee and Inspection Fees A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning and Urban Development Department and Public Works Department prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
5. Defect Guarantee A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
6. Preconstruction Meeting Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Works representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. Construction Management Plans The applicant, contractor and subcontractors are required to conform to the approved Construction Management Plan, and all conditions contained within the project's approval, for the entire duration of the project. Any amendments to the approved Construction Management Plan shall be reviewed and approved by the Department of Public Works prior to the execution. The Planning Authority and the Department of Public Works have the right to seek revisions to an approved Construction Management Plan. The applicant shall coordinate the project's construction schedule with the timing of nearby construction activities to avoid cumulative impacts on a neighborhood and prevent unsafe vehicle and pedestrian movements. Accordingly, nearby construction activities could involve a delay in the commencement of construction.
8. Department of Public Works Permits If work or obstructions will occur within the public right-of-way, such as utilities, curb, sidewalk, driveway construction, site deliveries and equipment siting, a Street Opening and/or Occupancy Permit (s) is required for your site. Please contact the Department of Public Works Permit Clerk at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
9. As-Built Final Plans Final sets of as-built plans shall be submitted digitally to the Planning and Urban Development Department, on a CD or DVD, in AutoCAD format (\*.dwg), release AutoCAD 2005 or greater.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning and Urban Development Department at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Shukria Wiar at 207.756-8083 or via [shukriaw@portlandmaine.gov](mailto:shukriaw@portlandmaine.gov)

Sincerely,



Sean Dundon, Chair  
Portland Planning Board

Attachments:

1. 155 Washington B1 Design Review\_prelim2
2. City Arborist Comments 3.23.2018
3. Planning Board Report
4. Performance Guarantee Packet

**Electronic Distribution:**

cc: Jeff Levine, AICP, Director of Planning and Urban Development  
Stuart G. O'Brien, City Planning Director, Planning and Urban Development  
Barbara Barhydt, Development Review Services Manager, Planning and Urban Development  
Shukria Wiar, Planner, Planning and Urban Development  
Philip DiPierro, DRC, Planning and Urban Development  
Mike Russell, Director of Permitting and Inspections  
Ann Machado, Zoning Administrator, Permitting and Inspections  
Jonathan Rioux, Deputy Director, Permitting and Inspections  
Jeanie Bourke, Plan Reviewer/CEO, Permitting and Inspections  
Chris Branch, Director of Public Works  
Keith Gray, Senior Engineer, Public Works  
Doug Roncarati, Stormwater Coordinator, Public Works  
Jane Ward, Engineering, Public Works  
Rhonda Zazzara, Construction Engineering Coordinator, Public Works  
Jeff Tarling, City Arborist, Public Works  
Jeremiah Bartlett, Transportation Systems Engineer, Public Works  
William Scott, Chief Surveyor, Public Works  
Mike Thompson, Fire  
Danielle West-Chuhta, Corporation Counsel  
Jennifer Thompson, Associate Corporation Counsel  
Victoria Volent, Housing Program Manager, Housing and Community Development  
Thomas Errico, P.E., TY Lin Associates  
Lauren Swett, P.E., Woodard and Curran  
Christopher Huff, Assessor

# Planning and Urban Development Department

## Planning Division

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**Subject:** B-1 Design Review – 155 Washington Avenue  
**Written by:** Caitlin Cameron, Urban Designer  
**Date of Review:** Tuesday, March 6 2018

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The project at 155 Washington Avenue was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Nell Donaldson, Senior Planner, against the *B1 Commercial Business Zones Standards* (Section (d) of the Design Manual) and *Multiple-Family Standards*.

**Design Review Comments:** *(questions and unmet standards in red)*

**(d) B-1 Commercial Business Zones**

*Standard (1) a. Urban Street Wall* – Building placement is near the property line and maintains the desired street wall.

*Standard (1) b. Mixed Uses* – Building includes retail and office uses.

*Standard (1) c. Building Entrances* – Both building entrances (office and retail) face and are directly accessible from the street and include building overhangs as canopies.

*Standard (1) d. Windows* – Windows are provided along street frontage as required – high level of fenestration. **VT of .7 or greater is required.**

*Standard (1) e. Façade Character* – Building has two entrances facing the street as well as retail storefront adjacent to the street. Blade sign placement should be as near the retail entrance as feasible to differentiate the retail from the office entrances.

*Standard (1) f. Building Design* – Building design conveys its commercial/mixed use nature. Use of brick and storefront is consistent with commercial buildings on this street – though many existing commercial buildings on Washington Ave are converted from different uses. Emphasis to the vertical members at the ground floor is created by the recess of the panels below the windows. **Staff suggest this treatment either be applied to the full height of the building, or at the ground floor only to delineate the different uses. The current design suggests the first and second floor are apart from the upper floors – instead, a more typical approach to the transom of the ground floor retail would be a strong horizontal line created by a lintel or transom or similar element to tie the ground level together and separate from the floors above. The ground floor windows may need to be shortened to achieve this effect.**

*Standard (1) g. Building Materials* – Given the predominant context of simple material palette, staff found the building to include **too many materials** and that material **placement is not helping the overall proportion and massing of the building. The red brick is incongruous with the wood tone corners. Possible revision may be a grey brick with the natural tone, or that the natural tone be grey with the red brick.** Articulation details include the canopies, recessed

entries, and 3" reveal between materials creates a good transition details between materials and provides some shadow line.

*Standard (1) h. Building Scale* – Building is four stories – one to two stories taller than immediately abutting neighbors – predominantly residential buildings on this stretch of Washington Avenue. The existing scale of building on Washington Ave varies in height from one to four stories with the majority of buildings being too short compared with the street width. Therefore, staff support new development that is appropriately scaled for the street and for a mixed-use urban corridor and finds four stories meets the standard (as well as the zoning). In addition, this project has some massing variation at the third floor that varies the height of the building at the street.

*Standard (1) i. Landscaping and Buffers* – Parking is to the rear of the property and is screened from view by the building.



Shukria Wiar <shukriaw@portlandmaine.gov>

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## 147 Washington Avenue

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Jeff Tarling <jst@portlandmaine.gov>

Fri, Mar 23, 2018 at 8:47 AM

To: Shukria Wiar <shukriaw@portlandmaine.gov>

Hi Shukria -

I checked the tree and landscape plan and wanted to offer the following comments as conditions of approval.

a) Street trees - none proposed, would like to replace the missing tree and perhaps add a second one. The spacing would be between the proposed on-street parking spaces.

Rectangular shaped tree pit, with no tree grate or raised granite planter.

Recommended tree type ornamental due to overhead utilities, Species type include: 'Accolade' or 'Pink Flair' Cherry, or 'Adirondack' Crabapple.

b) Red Maple, on the right side of the building should be an upright shaped cultivar like, 'Armstrong' or 'Bowhall' Red Maple.

c) Landscape elements - Juniper virginiana (7) on the right side of the building, and on [East Cove Street \(4\)](#) these plants should be of a larger size than proposed 5 gal. Recommend 5 - 6' Height, 4 - 5' minimum.

Landscape planting near Dumpsters - the proposed treatment is 50 Panicum (Switch grass). It would be recommended to use perhaps 22 grasses in the snow storage area and include woody tree(s) or shrubs near the back of the dumpster for more year around and taller screening. Overall this space seems to have just a LOT of grasses as an easy fix vs optimize the space with some creativity and interest.

Thanks,

Jeff  
Jeff Tarling  
City Arborist - City of Portland Maine  
Parks, Recreation & Facilities Department  
Forestry & Horticulture  
[212 Canco Road](#)  
[Portland, ME. 04103](#)  
[\(207\) 808-5446](#)  
[jst@portlandmaine.gov](mailto:jst@portlandmaine.gov)



# PLANNING BOARD REPORT PORTLAND, MAINE

Office and Retail Building  
147-155 Washington Avenue  
Level III Site Plan  
2017-285  
Diving Rock, LLC, Applicant

Submitted to: Portland Planning Board: Public Hearing Date: March 27, 2018	Prepared by: Shukria Wiar, Planner Date: March 23, 2018
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## I. INTRODUCTION

On behalf of the applicant Diving Rock, LLC, William Savage of Acorn Engineering has requested Site Plan approval for a proposed new four-story building (10,855 SF total floor space) with retail space on the ground level and office space on the remaining three levels. The development site is located within the Neighborhood Business B-1 zoning district and complies with the permitted uses within the zone. The lot is currently occupied by an 1,850 SF workshop/bicycle retail space utilized by Gear Hub that will remain.

The plan will be reviewed for conformance with the site plan standards of the Land Use Code. The project will also be reviewed against the *B-1 and B-1B Neighborhood Business Design Standards* (Appendix 2 of the Design Manual).

Notices were sent upon receipt of the application and one hundred and eighty-three (183) notices were sent to area residents within 500 feet of the site and the interested party list for the public hearing. A notice also appeared in the March 19<sup>th</sup> and 20<sup>th</sup> 2018 editions of the *Portland Press Herald*.



Figure 1: Aerial of Proposed Site

**Applicant Name and Owner**  
**Agent**  
**Consultants:**  
**Engineer**  
**Architect**  
**Surveyor**

Diving Rock, LLC  
Johnny Ritzo  
  
William Savage of Acorn Engineering, Inc.  
Ryan Senatore of Ryan Senatore Architecture  
RW Eaton Associates

### Project Reviews

<b><i>Waiver Requests</i></b>	<b><i>Applicable Standards</i></b>
Aisle width – To allow a 23,58’ aisle in the parking area. <i>Supported by consulting traffic engineer</i>	Technical Manual, <i>Section 1.14</i> , requiring that aisle width for right-angle parking be 24 feet per Figure I-27
<b><i>Review</i></b>	<b><i>Applicable Standards</i></b>
Site Plan	<i>Section 14-526</i>
Subdivision	<i>Section 14-497</i>
Design Manual	B-1 and B-1B Neighborhood Business Design Standards (Appendix 2 of the Design Manual)



**II. PROJECT DATA**

Existing Zoning	Neighborhood Business B-1		
Existing Use	Workshop/storage/office		
Proposed Use	Workshop/storage/office/retail		
Parcel Size	13,111 SF		
Total Disturbed Area	10,650 SF		
	Existing	Proposed	Net Change
Building Footprint	1,810 SF	3,866 SF	
Building Floor Area	1,870 SF	13,093 SF	9,682 SF
Impervious Surface Area	12,947 SF	12,252 SF	29,046 SF
Parking Spaces (on site)			
- Required for Development	0	23	
- Being Proposed	13	20 – see Paragraph VII Zoning Assessment	
Bicycle Parking Spaces	0	4	4
Estimated Cost of Project	\$1.7 Million		

**III. EXISTING CONDITIONS**

The proposed project site is located at the corner of Washington Avenue and East Cove Street. The site currently housed the Portland Gear Hub, a bicycle shop, as well as a thirteen (13) surface parking lot that has access through a curb cut on Washington Avenue. The Portland Gear hub sits farther back from the street on the site, with the parking lot along Washington Avenue. In addition to the main building on the site, there are a couple of accessory buildings that will be demolished for the project. The site also abuts East Cove Street, which a vacated street. Below is Camille Alden, City Surveyor, research on the street:

**OVERVIEW:**

*East Cove Street: This street appears to be statutorily vacated due to omission.*

*Poplar Street (on the north side of Walnut St.): This street also appears to be statutorily vacated due to omission.*

**DETAIL:**

*Poplar Street is dedicated on two plans. The first plan is recorded in 1802 in Deed Book 36, Page 247 (attached); this plan does NOT show East Cove St. because it has not yet been created. The second (and entirely different plan) is recorded in 1866 in PB 2 Page 54 (attached). I believe this is the first recorded plan that dedicates or shows East Cove Street.*

The site has street frontage on Washington Avenue, which is an accepted city street. The applicant submitted evidence (Attachment D) from Tom Jewell, Attorney, that they have the legal rights for access over East Cove Street. Jenifer Thompson, Associate Corporation Counsel, reviewed the documentation and concluded with his assessment.

**IV. PROPOSED DEVELOPMENT**

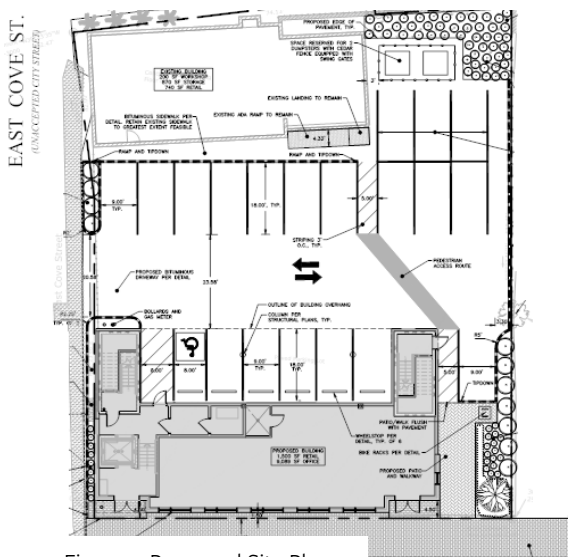


Figure 2: Proposed Site Plan

The proposed project is a four-story building with retail space on the ground level and office space on the remaining three levels. Pedestrian access to the site will be provided off Washington Avenue. The development will consist of a new office building with an associated surface parking lot containing twenty (20) parking spaces. The existing Gear Hub building will remain, which is located to the rear of the site with the pedestrian pathway leading from the sidewalk. The applicant is proposing to close the curb cut on Washington Avenue with the main vehicular entrance from East Cove Street. Two entrances to the building will be 5' off of the Washington Avenue sidewalk.

Pedestrian access to the rear of the site will be provided by a combination of a patio/walkway and striped access aisles adjacent to parking. The development's proximity to residential housing will allow bicyclists and pedestrians to effectively link housing, jobs, and services. Along with the new construction, the site will also be improved with landscaping and new utilities. Below are the elevations of the proposed building.



Figure 3 and 4: Renderings of Proposed Building



**V. PUBLIC COMMENT**

No comments have been received to date. A neighborhood meeting was held on January 2, 2018 at the Root Cellar and sixteen (16) members of the public attended (Attachment V).

**VI. RIGHT, TITLE AND INTEREST AND FINANCIAL/TECHNICAL CAPACITY**

- a. The owner of the property is Diving Rock, Inc. The applicant has provided a copy of a warranty deed, recorded at the Cumberland County Registry of Deeds (Book 33456 Page 304), which demonstrates their right, title and interest in the property.
- b. The estimated cost of the development is \$ 1.7 Million. The applicant has submitted a letter from Norway Savings Bank, dated November 3, 2017, as demonstration of their financial and technical capacity to complete the proposed development.

**VII. ZONING ASSESSMENT**

The project meets the requirements of the B-1 zone use and dimensional standards. The B-1 zone allows for a wide range of commercial and mixed uses and encourages urban patterns of development. The project is not meeting the off-street standards of Division 20. Division 20 requires one parking space per four hundred (400) square feet of office space. Therefore, the proposed office use requires twenty-three (23) spaces. The development will also have a retail use on the first floor as well as in the Gear Hub building. The standard requires one parking space per two hundred (200) square feet after the first 2,000 square feet. The new building will have 1,500 square feet of retail, whereas, the Gear Hub has 750 square feet of retail. The parking is calculated based on retail per building and per site, hence no parking spaces are needed for the retail portion. Thus, only 23 spaces are needed for the project and the applicant is proposing 20 spaces on site. The applicant wants to meet the zoning requirement by either securing off-site leased spaces for a 5-year term or pay a fee-in-lieu of \$6,280.60 per space into Portland’s Sustainable Transportation Fund. A proposed condition of approval requires the applicant to provide documentation of meeting the parking requirement prior to the issuance of a certificate of approval.

**B. SITE PLAN STANDARDS (Section 14-526)**

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland’s site plan ordinance and applicable regulations. Staff comments are listed below.

**1. Transportation Standards**

a. Impact on Surrounding Street Systems

The site is located along Washington Avenue, which is classified as an arterial. A minimal traffic increase along Washington Avenue is expected for this project due to the low turnover of the proposed principal land use.

b. Access and Circulation

The existing driveway perpendicular to Washington Avenue that currently serves the site will be closed and the main entrance to the site is through a proposed two-way driveway perpendicular to East Cove Street that will

serve as the sole vehicle ingress and egress. East Cove Street is a vacated street by omission (accidentally not listed in the Council Order for unaccepted streets in 1997). The paved width of this street is approximately 28 feet, which includes an approximately 4-5 feet sidewalk. According to Tom Errico's review, access will be tight, but acceptable for vehicles. However, the Fire Department is looking at the access for public safety vehicles and is seeking a clear travel lane of 20 feet. The applicant's consultants are working with the city staff to develop a site plan that meets this standard. A more detail site plan will be available at the Board's public hearing.

c. Parking

The applicant is proposing twenty (20) parking spaces with one handicapped space. The zoning requirement for parking is twenty-three (23) spaces. The applicant is seeking to obtain either a parking lease for the three-required on-site space or will pay into the Transportation Fund prior to the issuance of a certificate of occupancy; refer to Paragraph VII (A), above, for a detail review.

d. Sidewalk

Currently, a brick sidewalk exists along Washington Avenue. The existing sidewalk will be rebuilt from the neighbor's driveway to East Cove Street.

e. Bicycle Spaces

The site plan includes two proposed bicycle racks located near the entrance of the proposed building. This will provide four bicycles to be parked in a secure location, meeting the requirement. Additional bicycle storage may be included within the building.

f. Construction Management Plan

A construction management plan and write-up has been submitted and reviewed by Lauren Swett, Consultant Engineer, on behalf of the Department of Public Services, and states the following:

*Finalization of the construction management plan will need to be a condition of approval. The contractor is still to be determined, and the plan notes that a "Maintenance of Traffic" plan will be submitted in the future, so there are no specific conditions identified. They include a statement "Adequate parking for construction workers shall be provided along Washington Avenue or arrangements for off-street parking at an off-site location shall be provided."*

## 2. **Environmental Quality Standards**

a. Preservation of Significant Natural Features and Landscaping and Landscape Preservation

The applicant has submitted a landscaping plan for review. The project has 102.5 feet of frontage along Washington Ave and per requirement, it is required that a minimum of six shrubs or shrub alternatives per 45 feet of frontage are planted. The requirement is met through a combination of landscaping within the setbacks and internally within the site.

Street trees are to be provided every 30 to 45 feet along the street frontage. This ratio equates to a minimum of two trees. Given the limited area, one street tree is proposed just into the private property. A street tree is not proposed within the public right-of-way because there is a sewer main that runs beneath the sidewalk. Jeff Tarling, City Arborist, has reviewed the landscaping plan and recommended on March 22, 2018, the following:

*a) Street trees - none proposed, would like to replace the missing tree and perhaps add a second one. The spacing would be between the proposed on-street parking spaces.*

*Rectangular shaped tree pit, with no tree grate or raised granite planter.*

*Recommended tree type ornamental due to overhead utilities, Species type include: 'Accolade' or 'Pink Flair' Cherry, or 'Adirondack' Crabapple.*

*b) Red Maple, on the right side of the building should be an upright shaped cultivar like, 'Armstrong' or 'Bowhall' Red Maple.*

*c) Landscape elements - Juniper virginiana (7) on the right side of the building, and on East Cove Street (4) these plants should be of a larger size then proposed 5 gal. Recommend 5 - 6' Height, 4 - 5' minimum.*

Prior to the public hearing, staff will clarify Jeff Tarling's recommendations regarding street trees, as it is unclear if he is aware that the sewer line is in the sidewalk. The applicant has the option to contribute to the City's Street Tree Fund in place of the one tree that will not be planted.

b. Water Quality, Storm Water Management and Erosion Control

The proposed project will decrease the site's impervious area by approximately 700 square-feet. Therefore, stormwater management features for quality control that meet Maine DEP's Chapter 500 General Standards have not been designed. Furthermore, features for quantity control are not required and have not been analyzed; however, the project is anticipated to meet Chapter 500 Flooding Standards by decreasing peak flows from the site. The applicant has addressed all of Ms. Swett's stormwater comments.

**3. Public Infrastructure and Community Safety Standards**

a. Consistency with Master Plans

The project is designed to be consistent with the City's Zoning Ordinance and off-site infrastructure.

b. Public Safety and Fire Prevention

An ambulance will be able to access all 4 side of the building and a fire truck will be able to access a minimum of 3 sides. A fire hydrant is located directly across the street from the intersection of Washington Avenue and East Cove St. There is adequate lighting on site for pedestrians.

For adequate emergency access on site, please refer to Paragraph VII(B)1(b) above.

c. Availability and Adequate Capacity of Public Utilities

The applicant has provided letters indicating the capacity to serve for water, sewer, gas, and power. All utility work has been reviewed with conformance with the city's Technical Manual, including all stormwater management standards. Trash will be stored in dumpsters, eventually to be served by a contracted waste management company. Jeff Tarling, City Arborist, has reviewed the landscaping around the dumpsters and recommends the following for year-round screening:

*Landscape planting near Dumpsters - the proposed treatment is 50 Panicum (Switch grass). It would be recommended to use perhaps 22 grasses in the snow storage area and include woody tree(s) or shrubs near the back of the dumpster for more year around and taller screening. Overall this space seems to have just a LOT of grasses as an easy fix vs optimize the space with some creativity and interest.*

**4. Site Design Standards**

a. Massing, Ventilation and Wind Impact

These standards are concerned primarily with bulk, location, or height of buildings incurring health, safety, unsafe wind conditions, and direct impact of buildings on abutters. This standard is not applicable.

b. Shadows

The shadows created by the building will not influence public open spaces and therefore this standard is not applicable.

c. Snow and Ice Loading

The snow storage area can be seen on the site plan near the rear of the parcel. In addition, the applicant may have snow removed from the site when necessary. The snow storage will not adversely impact the functionality of any part of the site.

d. View Corridors

This standard is in regard to impacts on public view corridors and is not applicable.

e. Historic Resources

The property is not in an historic district and contains no designated landmarks. There are no known archeological resources on site.

f. Exterior Lighting

Lighting information and a photometric plan have been submitted as Attachment Q. The proposed lighting will all be full cutoff. Any lighting that may adversely impact the abutting residential properties will feature house-side shielding. All exterior site lighting including lighting of building entrances will have to be cutoff with no light emitted above the horizontal plane or spilled onto adjacent properties or streets. Illumination levels will be

adequate but not excessive for the safety, comfort and convenience of occupants and user of the site and will conform to all applicable standards of Section 12 of the Technical Manual. The lowest wattage possible will need to be used for the LED lighting fixtures.

Staff has recommending and specifying the city's Bayside Medium (black) fixtures on Washington Avenue frontage. The landscaping plan will need to be revised to depicted one Bayside Medium LED street light fixtures on the frontage as requested by staff.

g. Noise and Vibration

The HVAC system will meet the applicable state and federal emissions requirements and will also be screened and directed away from abutters. The proposal does not anticipate exceeding current noise levels for the permanent uses on the site.

h. Signage and Wayfinding

All signage being proposed will be reviewed and approved by the Department of Public Works separately. The applicant will need separate permits from DPW.

i. Zoning Related Design Standards

The project at 155 Washington Avenue was reviewed according to the City of Portland Design Manual standards by Caitlin Cameron, Urban Designer, Shukria Wiar, Planner, and Nell Donaldson, Senior Planner, against the B1 Commercial Business Zones Standards (Section (d) of the Design Manual).

Ms. Cameron has found the proposal to be in general compliance, however, there is recommended improvement under a couple of the standards have not been met. Excerpt from Ms. Cameron memo is below:

Standard (1) d. Windows –Windows are provided along street frontage as required – high level of fenestration. *VT of .7 or greater is required.*

Standard (1) f. Building Design – Building design conveys its commercial/mixed use nature. Use of brick and storefront is consistent with commercial buildings on this street – though many existing commercial buildings on Washington Ave are converted from different uses. Emphasis to the vertical members at the ground floor is created by the recess of the panels below the windows. *Staff suggest this treatment either be applied to the full height of the building, or at the ground floor only to delineate the different uses. The current design suggests the first and second floor are apart from the upper floors – instead, a more typical approach to the transom of the ground floor retail would be a strong horizontal line created by a lintel or transom or similar element to tie the ground level together and separate from the floors above. The ground floor windows may need to be shortened to achieve this effect.*

Standard (1) g. Building Materials – Given the predominant context of simple material palette, staff found the building to include *too many materials* and that material *placement is not helping the overall proportion and massing of the building. The red brick is incongruous with the wood tone corners. Possible revision may be a grey brick with the natural tone, or that the natural tone be grey with the red brick.* Articulation details include the canopies, recessed entries, and 3” reveal between materials creates a good transition details between materials and provides some shadow line.

## VIII. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve with conditions the proposed development.

## IX. PROPOSED MOTIONS

### WAIVERS

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 2017-285 relevant to Portland's Technical and Design Standards and other regulations, and the testimony presented at the Planning Board hearing:

The Planning Board [waives or does not waive] Technical Standard, Section 1.14, requiring that aisle width for right-angle parking be 24 feet per Figure I-27, to allow the width to be 23.58 feet.

## DEVELOPMENT REVIEW

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in Planning Board Report for application 2017-285 relevant to the Site Plan and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds the following:

1. The applicant shall provide documentation that the parking requirements of Division 20 have been met by prior to the certificate of occupancy:
  - a. Finalizing off-site parking plans and providing evidence of control of off-site parking in accordance with *Section 14-334* for review and approval by the Planning Authority, Corporation Counsel, and the Department of Public Services, with an executed lease due at certificate of occupancy, or
  - b. The applicant shall contribute \$6,280.60 to the City's Transportation Fund for the three parking spaces;
2. The applicant shall provide a finalized construction management plan for review and approval by the Planning Authority and Department of Public Works;
3. The applicant shall work with the Urban Designer to address the Design Review comments;
4. The applicant shall work with the City Arborist to address the landscaping recommendations and either include street trees in the final site plan or pay into the Street Tree fund; and
5. The applicant shall submit a final plan and specifications, for review and approval by the Planning Authority and the Department of Public Works, that are in conformance with the proposed LED fixture specifications for the street lights.

## X. Attachments:

### Planning Board Report Attachments

1. 155 Washington B1 Design Review\_prelim2
2. Peer Review Comments 3.23.2018
3. City Arborist Comments 3.23.2018

### A - Applicant's Submittal

- A. Cover Letter
- B. Level III Final Site Plan Application
- C. Wastewater Capacity
- D. Right, Title, Interest
- E. Financial Capacity
- F. Construction Management Plan
- G. Stormwater Management Report
- H. Erosion and Sedimentation Control Report
- I. Utility Cover
- J. Solid Waste Disposal
- K. Fire Department Letter
- L. Conformity with Land Use Ordinance
- M. Request for Waivers
- N. Summary of Written Easements
- O. Architectural Design Narrative
- P. Parking Analysis
- Q. Lighting
- R. Comment Response Letter
- S. Certification Letter
- T. Neighborhood Invitation
- U. Sign-In Sheet
- V. Neighborhood Meeting Minutes

### B - Plans

- Plan 1. Cover Sheet
- Plan 2. General Notes

Plan 3. Existing Conditions  
Plan 4. Construction Management Plan  
Plan 5. Site & Landscape Plan  
Plan 6. Utility Plan  
Plan 7. Grading & Drainage Plan  
Plan 8. Site Details – 1  
Plan 9. Site Details – 2  
Plan 10. Landscaping Details  
Plan 11. Utility Details – 1  
Plan 12. Utility Details – 2  
Plan 13. Erosion & Sedimentation Control Details  
Plan 14. Floor Plans  
Plan 15. West Elevation  
Plan 16. North Elevation  
Plan 17. East Elevation  
Plan 18. South Elevation  
Plan 19. Section View  
Plan 20. Rendering  
Plan 21. Streetscape  
Plan 22. Rendering 2