**Level III Site Plan Review**

**Seaport Lofts**

**101-121 Newbury Street**

**113 Newbury Street, LLC**

**BACKGROUND & REVIEWS**

113 Newbury Street, LLC is requesting Level III site plan and subdivision review for a four-story housing complex, now being called the Seaport Lofts (formerly Bay House Phase II), at the corner of Hancock & Newbury Streets in the eastern waterfront. The site, which is currently occupied by surface parking, sits directly across Newbury Street from Bay House Phase I. Residential development surrounds the site on all sides. When completed, the development will include:

* 7 townhomes, with doors fronting Newbury Street
* 32 flats with access via elevator or stair from a main entrance on Newbury Street, a secondary entrance in the rear. There is an additional door, intended for egress only, on Hancock Street
* 43 parking spaces at the rear of the site (an increase of one since the preliminary plans), with access via a driveway which cuts through the building from Newbury Street
* New brick sidewalks, street trees, and street lights, as well as landscaping on the frontages and at the building’s rear

Held a workshop in mid-August to consider preliminary plans. Concerns regarding design and neighborhood compatibility, parking, and construction impacts were raised.

**CHANGES IN REVISED PLANS**

Since the workshop, the applicant has made a number of changes to the preliminary plans:

* Removed dumpster in parking area, replacing it with a ‘trash room’ at building’s rear
* Added one off-street parking space
* Revised landscaping plans to show smaller trees at building’s rear and replacement trees and plants as suggested by Jeff Tarling
* Added subsurface stormwater detention in a Stormtech Isolator Row system at the request of David Senus
* Relocated fire department connections at rear and front of building to comply with Fire Prevention Bureau
* Modified lighting at building’s rear in order to eliminate trespass issues
* Addressed concerns regarding transformer area, adding arborvitae and azalea, and adding two locking gates
* Made minor modifications in design in order to address the design guidelines, including modifying the Hancock Street elevation to include additional windows, modifying color to accentuate trim, adding awnings (one has been offered on Hancock as well)

These changes generally address staff concerns, with the exception of several outstanding issues.

**OUTSTANDING ISSUES/CONDITIONS OF APPROVAL**

***1. Subdivision Plat***

For subdivision review, the applicant will need to provide a revised subdivision plat, evidence of public access easement for sidewalk area, license agreement for foundation footings and/or awnings, and condominium documents.

***2. Site Plan Edits***

Applicant has been asked to make minor modifications to the site plan, including several edits as requested by David Senus, prior to building permit.

***3. PWD***

David Margolis-Pineo, of the city’s DPS, has asked the project engineer to confirm the suitability of a storm drain location, as it is proposed in proximity to existing water mains.

***4. Zoning***

Confirmation is still needed from the zoning administrator that the project is meeting the height limit of 45 feet as well as lot coverage requirements. It appears that they are.

***5. Parking Schedule***

The applicant is proposing changes to the city’s on-street parking schedule, including the addition of approximately 4 spaces. This will require council approval, and the applicant will need to supply materials for the council’s review.

***6. CMP***

The applicant has provided a draft construction management plan, which will need to be finalized prior to building permit.

***7. Financial Contributions for India/Middle/Traffic Monitoring Study***

As with prior projects in the area, the consulting traffic engineer has requested that the applicant make contributions towards the improvement of the India/Middle Street intersection and the East End Traffic Monitoring Study.

***8. HVAC Verification***

The city has not confirmed that the applicant’s proposed HVAC system meets applicable standards.

***9. Addressing***

The addressing plan for individual units in the development remains to be resolved with the Fire Prevention Bureau.

***10. Design***

The applicant has made minor modifications to the building design, which appear in the renderings provided and in new renderings distributed today. It should be noted that these renderings were provided following the publication of the board report. There are several outstanding design concerns:

* Two alcoves now appear on the site and building plans, one at the rear of the building near the bike racks, and one on the Hancock Street façade near the door. These areas raise public safety concerns. The applicant has offered to install metal screens in these locations to prevent access. The city is requesting review of materials and design.
* The city has also requested an alternative bracket be used on one of the building mounted lights at the building’s rear
* The gray color proposed for the building raises the potential that the building may appear dark. The updated renderings show alternate color schemes. The color remains to be resolved.
* As members of the public and the Board itself has noted, in renderings all sides of the building read fairly flat, including the rear which is visually prominent from neighboring properties. City staff asked the applicant to consider articulating windows and/or balconies in order to provide more variation and thereby enhance compatibility. The applicant has responded that structural changes of the type requested conflict with the budgetary limitations of the project.

**WAIVERS**

Should also note that the plans include five waiver requests:

1. Technical Standard (*Section 1.7.2.7*) regarding the minimum separation between driveways to allow the driveway of Seaport Lofts within the 100-150 separation requirement (10 ft).
2. Technical Standard *(Section 1.7.2.3)* regarding the minimum driveway width of 20 feet to allow a driveway of 19 feet.
3. Technical Standard represented in Figures I-27 to I-29 regarding the parking lot dimensional requirements to allow parking as designed on the final plans.
4. Technical Standard *(Section 1.14)* regarding the compact parking space limit to allow 12 compact parking spaces.

*All supported by city’s transportation engineer.*

1. Site Plan Standard (Section 14-526 (b) (iii) regarding street trees due to site constraints. Applicant being asked to contribute $5,800 for 29 street trees to Portland’s tree fund. *Supported by staff and city arborist.*

**ADDITIONAL PUBLIC COMMENTS**

Has been public input on project in the time since workshop. The applicant held a neighborhood meeting in early August. According to the meeting minutes, neighbors were concerned regarding the shadow and view impacts of the building and construction impacts.

In addition to the comments from the public meeting, the Planning Division received several letters from property owners in the vicinity. One of these letters concerned view and shadow impacts. The other raised issues regarding the loss of existing parking on site and the adequacy of parking proposed. This property owner suggested on-street parking restrictions for Bay House residents. As an alternative, they have suggested deeded parking to discourage on-street parking.

Additional email today expressing general opposition to proposal.

**QUESTIONS/CLARIFICATION**

Staff is recommending approval of the plans, subject to conditions designed to address the outstanding comments above.