

CITY OF PORTLAND, MAINE

PLANNING BOARD

Elizabeth Boepple, Chair
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David Eaton
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November 29, 2017

Jay Waterman
58 Boyd Street, LP
14 Baxter Boulevard
Portland, ME 04101

Patrick Carroll
Carroll Associates
217 Commercial Street, Suite 200
Portland, ME 04101

Project Name:	Boyd Street Apartments	Project ID:	2017-217, 2017-223
Address:	58 Boyd Street	CBL:	022-F-001
Applicant:	Jay Waterman		
Planner:	Matthew Grooms		

Dear Mr. Waterman and Mr. Carroll,

On November 28, 2017, the Planning Board approved with conditions the Level III Site Plan/Subdivision application for the fifty-five-unit residential apartment building proposed at 58 Boyd Street in the R-7 Compact Urban Residential District. The Board also approved with conditions the conditional use applications to Ensure Workforce Housing and to allow the use ‘place of assembly’ for the neighborhood center. This project includes demolition of an existing single-story structure and construction of a new six-story building with a mixed-use ground floor, including community meeting room and offices for the non-profit group Cultivating Community, and a mixture of one through three-bedroom units on floors one through six. Eighty-percent of the units being provided are affordable, with the remaining twenty-percent being market rate. This project takes advantage of several bonus mechanisms available to affordable housing projects through Division 30, Affordable Housing, and Division 20, Off-Street Parking Standards. These mechanisms enable this project to increase the density of units and building height, as well as reduce the overall parking requirement. Additional site improvements include construction of an off-street parking area with space for twenty-three vehicles, the installation of three street lamps, planting of twelve street trees, extensive site landscaping, installation of a raingarden stormwater quality treatment system and reconstruction of existing sidewalks along the property’s Boyd Street and Lancaster Street frontage.

The Planning Board reviewed the proposal for conformance with the standards of the Site Plan Ordinance, Subdivision Ordinance, Divisions 7.01 (R-7 Compact Urban Residential Zone), 20 (Off-Street Parking) and 30 (Affordable Housing) of the Land Use Code. The Board also reviewed the Conditional Use applications to Ensure Workforce Housing under Division 30 (Affordable Housing) and to permit the use ‘place of assembly’ as stipulated under Division 28 (Jurisdiction of Board of Appeals) of the Land Use Code. The Planning Board voted 6-0 (Stanley absent) to approve the application with the following waiver(s) and condition(s) as presented below:

WAIVERS

1. The Planning Board voted unanimously 6-0 (Stanley absent) to waive Technical Manual Standard (Section 1.14) which requires that aisle width for right-angle parking be 24 feet per Figure I-27, to allow a drive aisle measuring 22 feet within the proposed parking area.
2. The Planning Board voted unanimously 6-0 (Stanley absent) to waive the Section 14-498(b)(8)(a) standard of the Subdivision Ordinance requiring that sidewalks be constructed on each side of each street, to permit the applicant not to construct a sidewalk along their Franklin Street frontage or between the current extent of the Lancaster Street sidewalk and Franklin Street.
3. The Planning Board voted unanimously 6-0 (Stanley absent) to waive Technical Manual Standard (Section 5.C) which requires that all Level III site plans meet the Maine DEP Chapter 500 Flooding Standard.

SUBDIVISION REVIEW

The Planning Board voted 6-0 (Stanley absent) that the plan is in conformance with the subdivision standards of the Land Use Code subject to the following condition(s) of approval:

1. A final subdivision plan and recording plat shall be reviewed and approved by the Department of Public Works and the Planning Authority.

SITE PLAN REVIEW

The Planning Board voted 6-0 (Stanley absent) that the plan is in conformance with the site plan standards of the Land Use Code subject to the following condition(s) of approval:

1. The applicant shall provide a revised construction management plan per comments listed the memo from DPW dated November 21, 2017, which asks that the applicant acquire authorization from the Parks and Recreation Department for their proposed "materials storage and staging area" to be located within the Community Garden site, that proposed utility connections and their projected impacts within the public right-of-way be shown and that temporary toilets be screened from the Franklin Street; and
2. The applicant shall work with DPW to convert the existing sewer within Lancaster Street into a separated stormdrain. This design shall be reviewed and approved by DPW.
3. The applicant shall provide required 'ability to serve' letters from the Department of Public Works for wastewater capacity, and from CMP for electrical service; and
4. The applicant shall provide a street tree contribution of \$17,200, calculated at a rate of \$400 per street tree. Funds from this contribution are to be put towards acceptable landscaping improvements, as defined under Section 14-526(b)(2)(iii)(b), within Franklin Preserve/Boyd Street Urban Farm; and
5. The applicant shall be responsible for the construction of the curb extension proposed at the southwest corner of the Boyd Street and Lancaster Street intersection. Public infrastructure improvements are proposed within Lancaster Street in 2019. In the event that these improvements are completed prior to full construction of this development, then the applicant shall be fully

responsible for the design and construction of the curb extension. If, however these public infrastructure improvements are not yet complete, then the applicant shall provide a monetary contribution to the City in the full amount of the proposed work to complete the proposed improvement; and

6. Temporary construction licenses, footing licenses and public access easements for portions of the public sidewalk to be located on the applicant's property shall be submitted for review and approval by Corporation Counsel, the Department of Public Works and the Planning Authority; and
7. Based upon a projected trip generation of 23 PM peak hour trips, the applicant shall provide a contribution of \$14,950 towards implementation of adopted improvements to Franklin Street (Attachment 3).

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 (2017-217) which is attached.

CONDITIONAL USE TO PERMIT USE 'PLACE OF ASSEMBLY'

The Planning Board voted 6-0 (Stanley Absent) that the plan is in conformance with the conditional use standards of the Land Use Code.

CONDITIONAL USE FOR ENSURING WORKFORCE HOUSING

The Planning Board voted 6-0 (Stanley absent) that the plan is in conformance with the conditional use standards of the Land Use Code, subject to the following condition(s) of approval:

1. That the Applicant shall provide five units of on-site workforce housing restricted to households earning up to 120% of the Area Median Income (AMI) per the submitted application; and
2. The applicant shall enter into an Affordable Housing Agreement (AHA) with the City. This agreement shall outline the details of the affordability restrictions placed on Workforce Units and will be filed as covenant to the property's deed with the Cumberland County Registry of Deeds before a Certificate of Occupancy shall be issued.

STANDARD CONDITIONS OF APPROVAL

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

1. **Subdivision Recording Plat** A revised recording plat, listing all conditions of subdivision approval, must be submitted to the Planning and Urban Development Department for review. Once approved, the plat shall be signed by the Planning Board prior to the issuance of a performance guarantee. The performance guarantee must be issued, prior to the release of the recording plat, for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice. The plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval.

3. **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.
4. **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. Final plans meeting the conditions of approval and stamped approved by the Planning Authority must be on file in the Planning Division before applying for a building permit.
5. **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.
6. **Storm Water Management Condition of Approval** The developer/contractor/subcontractor must comply with conditions of the construction stormwater management plan and sediment and erosion control plan based on City standards and state guidelines.

The owner/operator of the approved stormwater management system, and all assigns. shall comply with the conditions of Chapter 32 Stormwater including Article III, Post Construction Stormwater Management, which specifies the annual inspections and reporting requirements.

A maintenance agreement for the stormwater drainage system, as attached, or in substantially the same form, shall be submitted for review by Corporation Counsel. Once approved, the document shall be signed and recorded at the Cumberland County Registry of Deeds prior to the issuance of a building permit. Please submit final copies to both the Department of Planning and Urban Development and the Department of Public Works.

7. **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.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **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.

10. **Department of Public Works Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
11. **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.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to Public Works prior to the issuance of a certificate of occupancy.

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 Matthew Grooms at (207) 874-8725

Sincerely,



Elizabeth Boepple, Chair
Portland Planning Board

Attachments:

1. Final Planning Review Comments
2. Final Design Review Comments
3. Final Traffic Review Comments
4. Housing Program Manager Comments
5. Final Peer Review Comments
6. Final DPW Comments
7. Preliminary Planning Review Comments
8. Preliminary Design Review Comments
9. Preliminary Traffic Review Comments
10. Preliminary Peer Review Comments
11. Preliminary DPW Comments
12. Public Comment (Ellen Bailey)
13. Planning Board Report
14. Portland City Code: Chapter 32

15. Sample Stormwater Maintenance Agreement
16. 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
Matthew Grooms, 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
Katherine Earley, Engineering Manager, 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
Keith Gautreau, Fire
Danielle West-Chuhta, 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



November 22, 2017

Jay Waterman
58 Boyd Street, LP
14 Baxter Blvd.
Portland, ME 04101

Pat Carroll, P.E.
Carroll Associates
217 Commercial Street, Suite 200
Portland, ME 04101

RE: Staff Review Comments for 58 Boyd Street – 55-Unit Affordable Housing Development (2017-217 and 2017-225) – Planning Board Review

Project Name:	58 Boyd Street	Project ID:	(2017-217, 2017-225)
Project Address:	58 Boyd Street	CBL:	022-F001
Applicant:	Jay Waterman		
Planner:	Matthew Grooms		

Dear Mr. Waterman and Mr. Carroll,

Thank you for submitting a final Level III Site Plan application for a new six-story 55 unit affordable housing project with ground-floor community space and 23 off-street parking spaces at 58 Boyd Street in the R-7 Compact Urban Residential Overlay District. This project is being reviewed as a preliminary plan subject to the following applicable Land Use Code provisions:

- Subdivision Ordinance, Article IV
- Site Plan Ordinance, Article V
- Division 7, R-6 Residential Zone
- Division 7.01, R-7 Compact Urban Residential Zone
- Division 20, Off-Street Parking Standards
- Division 30, Affordable Housing Standards
- Division 28, Jurisdiction of Board of Appeals
- Neighborhood Meeting Regulations, Section 14-32

Preliminary Plan for Planning Board Review: Staff Review Comments

I. Site Design Standards

1. The proposed site plan shows twenty-three (23) off-street parking spaces, including two spaces allocated for a shared-use vehicle. On-Street parking spaces are also counted towards the required number of spaces. Please be aware that on-street spaces are not considered when accounting for required parking under Division 20, Off-Street Parking Standards.

Status Update: It is noted that only one shared-use vehicle is being provided and that that vehicle will be located on-street. Twenty-three off-street parking spaces are being provided, and a minimum of thirteen (13) spaces are required per Division 20 for both the market rate units and neighborhood center use. It is understood that the Planning Board will establish a requirement for the remaining affordable housing units.

2. Under Division 20, Off-Street Parking Standards, this project is required to provide fifty-five (55) parking spaces at a rate of one space/residential unit, and two (2) spaces to account for the ground-floor neighborhood center uses. At present, the equivalent of thirty-six spaces are being provided, when considered in conjunction with the two (2) shared-use vehicles. Note, the Planning Board, under Section 14-332.2(b), can reduce the parking requirement for affordable housing projects. Given that eleven (11) of the units being provided are market rate, and that two (2) spaces are required for the ground-floor neighborhood space, the applicant shall provide a minimum of thirteen (13) parking spaces for these uses. The remaining discrepancy would require Planning Board approval.

Status Update: See previous comment

3. A temporary construction easement will be required for any proposed work on City property, and any element of the applicant's design which crosses the property boundary shall require an easement.

Status Update: The temporary construction easement has been made a condition of approval.

4. The Site Plan Ordinance requires that a minimum of two (2) bicycle parking spaces be provided for every five (5) residential units for a total requirement of twenty-two (22) bicycles. Staff requests that additional exterior bicycle racks be installed to serve guests and patrons of the neighborhood center.

Status Update: Comment has been addressed with two exterior bicycle racks

5. The applicant should provide a written agreement with a shared-use vehicle provider which demonstrates that the two (2) shared-use vehicles have been secured.

Status Update: The shared-use vehicle agreement has been made a condition of approval.

6. 'Ability to serve' letters shall be provided either with the final submission, or shall be made a condition of approval for this project.

Status Update: Submission of the 'ability to serve' letters has been made a condition of approval.

7. Will any of the Boyd Street entrances be ADA accessible?

Status Update: Comment has been addressed (see architectural renderings and site plan)

8. In regards to shadows generated by this structure, the applicant should provide a narrative and or analysis which demonstrates compliance with Section 14-526(d)(2) of the Site Plan Ordinance and Section 11 of the Technical Manual.

Status Update: Comment has been addressed (see architectural renderings document)

9. Please note, roof-mounted mechanical equipment shall be screened from the public view in accordance with Section 14-526(d)(7).

Status Update: Comment has been addressed (see applicant's response letter)

10. The Financial Capacity document does not appear to demonstrate sufficient funding for the proposed project. Please provide additional information for how the applicant intends to fund this development.

Status Update: Comment has been addressed (see revised financial capacity document)

11. Please note, under Division 30, Section 14-487, it states that projects providing ten (10) or more residential units for sale or rent, shall submit a conditional use application for Inclusionary Zoning to be reviewed by the Planning Board. The Housing Program Manager has reviewed the submitted materials and finds the project as proposed in compliance with the standards of Section 14-487.

Status Update: Application was submitted separate from site plan/subdivision application, and was received with preliminary submittal. Comment has been addressed.

12. Please label the ground-floor site plan with relevant square footage figures. These figures are utilized in zoning calculations.

Status Update: Ground floor site plan has been revised as requested. Comment has been addressed.

13. The applicant should provide a written narrative elaborating how the propose project is compliant with the City Council approved Franklin Street Redevelopment Plan.

Status Update: Written explanation was provided with applicant's response letter. It is anticipated that site integration will occur following redevelopment of Franklin Arterial. A contribution has been calculated by the city's consulting traffic engineer for those improvements. Payment of this contribution has been made a condition of approval.

Additional Submittals Required: Final plans and revised documents addressing Planning Board conditions of approval.

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only one set of revised plans may be submitted for review. This item is scheduled to go before the Planning Board as a public hearing item on November 28, 2017.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,
Matthew Grooms
Planner

Planning and Urban Development Department

Planning Division



Subject: R-7 Preliminary Design Review – 58 Boyd Street
Written by: Caitlin Cameron, Urban Designer
Date of Review: Wednesday, November 15 2017

The project at 58 Boyd Street was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Matt Grooms, Planner, and Nell Donaldson, Senior Planner against the R-7 Design Standards and the *Multiple-family Design Standards* (Section (i) of the Design Manual).

Design Review Comments:

Sec. 14-143. R-7 Design Standards

Residential development in the R-7 Zone shall be reviewed by the Planning Board . . . The general intent of these development standards is to achieve an **attractive and comfortable city neighborhood environment**. **Varied** and **human-scaled building facades** are key to making a place “**pedestrian-oriented**.” Building designs should provide a **high level of visual interest**, without creating a chaotic image. Residences should include **design elements that enhance the streetscape and address the street**.

Standard a. Porches and bays should face the street. – Not applicable

Standard b. Primary ground floor residential entries to multi-family buildings must orient to street – Met – Primary residential entrance faces Boyd Street. A secondary, ADA entrance is provided from the surface parking lot. Several more entrances to office, meeting rooms, and medical office are provided on Boyd Street. **Staff is concerned that the residential entrance is not legible among all the entrances on the Boyd Street façade – can the hierarchy of that entrance be made more prominent?**

Standard c. Design approach, visible and permanent expression of the character of the neighborhood – This standard is a challenge to interpret in that the building is the first multi-family building of this scale in this neighborhood and should not be expected to adopt the architectural language of a single-family, or smaller-scale building. The project is meeting the goal of providing taller development on Franklin Street, a pattern begun further down towards the India Street neighborhood. The building is introducing some new architectural expressions for this neighborhood. **Planning Board members commented during the workshop on the roofline – some height variation has been added to the roofline in response.**

Standard d. Façade shall be varied and articulated to provide visual interest to pedestrians – The project does use a combination of change in materials, massing and plane changes, recessed entries, and canopies to create visual interest.

Standard e. Reinforce the public realm – appropriately scaled entries, porches, fenestration, landscaping, and architectural details – Public realm is defined with landscaped areas, high level of fenestration on ground floor, active ground floor uses with frequent entries, and canopies/overhangs. Fenestration patterns and types were revised in response to staff comment to improve the scale and proportional relationship to the pedestrian level and the overall building composition. Score lines are also proposed in the façade to add some texture, scale, and visual interest.

Standard f. Visual and acoustical privacy – Met

Standard g. Natural Light and Ventilation – Met

(i) Multiple-Family Design Standards

(1)a.1. Building Design: There are a limited number of residential buildings near this site – predominantly townhouses or duplexes often setback from the street and with a stoop. Multi-family buildings are closer to the street with three to four stories, orientation to the street, and flat roofs. The proposed building is significantly bigger than most residential projects in this neighborhood at 6 stories but includes features that complement the nearest residential types such as vertically proportioned windows, flat roof, raised stoop with canopy. The proposal is also a mixed-use building and has an active ground floor providing variation in the window pattern and spacing, articulation, and landscaping – incorporating positive visual interest.

(1)a.2. Building Relationship to the Street: The project is oriented to Boyd Street though also has a prominent face to Franklin Street. On Boyd Street, the project is located 5’ to 12’ from the sidewalk to allow room for stoops, ramps, and landscaped areas. The building is close to the property line on Lancaster. There are no other buildings on this side of the street and only a handful on the street as a whole – the project reasonably establishes a street wall close to the sidewalk similar to the limited pattern established and in proportion to the scale of the building height.

(1)a.3. Open Space: Met - Some landscaped areas provided between sidewalk and building.

(1)a.4. Light and Air: Met – Each unit has adequate windows.

(1)a.5. Screened Parking: Per design and site plan standards, the surface parking is screened from Franklin Street and the adjacent properties with landscape buffers.

(1)a.6. Lodging House Conversion: Not applicable



Matthew Grooms <mgrooms@portlandmaine.gov>

58 Boyd Street - Final Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Tue, Nov 21, 2017 at 9:04 PM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Cc: Keith Gray <kgray@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, "Jeff Tarling (JST@portlandmaine.gov)" <JST@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>

Hi Matt – The following represents our Final Traffic comments following a review of revised application materials.

- It is my understanding that Lancaster Street is designated as an accepted street and thus design details should meet City standards. Some comments include:

- The roadway cross-section width.
- Typically, the back of sidewalk is located on the property boundary.
- Vehicle turnaround accommodations shall be included.

Status: Given site conditions, coordination with DPW staff, and that Lancaster Street is currently a dead end street, the street design is acceptable. I have no further comment.

- Dimensions for roadway width shall be provided for all areas, including but not limited to, the turn area from Boyd Street onto Lancaster Street.

Status: The plans have been revised and I have no further comment.

- The applicant shall provide a sidewalk waiver criteria analysis for Lancaster Street (to Franklin Street) and along the Franklin Street property boundary.

Status: The applicant has provided supporting information and given the schedule of the Franklin Street improvement project, construction of a sidewalk on Franklin Street at the time of this project is not recommended. Given that a formal pedestrian crossing of Franklin Street is not provided, a sidewalk on Lancaster Street to Franklin Street is not recommended. I support the request for sidewalk waivers.

- The City acknowledges the need to work collaboratively in developing an ADA compliant ramp on the southeastern corner of Boyd Street and Lancaster Street.

Status: The applicant has committed to working with the City in the future during the City's Storm Water project. I have no further comment.

- The applicant shall provide documentation in support of a waiver request for the parking lot aisle width. Greater justification on constraints should be provided than provided in the current application.

Status: Given low parking turnover and site conditions, I support a waiver from City standards.

- The plans should note that delineation of the on-street parking spaces is for illustrative purposes only. The City does not mark on-street parking spaces.

Status: The plans have been revised and I have no further comment.

- The applicant should provide documentation for providing the on-street handicap parking space, when on-site handicap parking spaces are provided.

Status: The applicant has provided supporting documentation on need and I find the provision of a space to be reasonable.

- The applicant shall provide details on changes to on-street parking signage in the project area.

Status: The plans have been revised and I have no further comment.

- Construction details for the sidewalk ramps shall be provided by the applicant.

Status: It is my understanding that Bruce Hyman has reviewed the sidewalk details and is providing comments.

- It is my understanding that DPW staff will be providing comments regarding the proposed curb extension and future City projects that may disturb the area.

Status: I have no further comment.

- The applicant has conducted a parking demand and supply analysis and notes (per City Ordinance) that 47 parking spaces are required. The applicant also notes that 0.75 parking spaces per residential unit or 42 parking spaces can be expected. In general, I find the general approach to be reasonable, although I need to review the data in greater detail. I would note that use of on-street public parking spaces is generally not permitted as part of satisfying Site Plan parking requirements.

Status: I find the parking demand and supply analysis to be acceptable given the campus-wide parking management provisions. I have no further comment.

- The applicant has conducted a trip generation analysis and estimates the project will add 10 vehicle trips during the AM peak hour and 23 vehicle trips during the PM peak hour. I find the base ITE Trip Generation methodology to be acceptable, but continue to review local trip generation adjustment factors. This level of trip generation would not be expected to create or significantly worsen traffic congestion or safety deficiencies.

Status: I have no further comment.

- The City has been requiring applicants to provide monetary contributions towards the implementation of Franklin Street improvements. A contribution amount will be provided in the future.

Status: The applicant has provided a PM peak hour trip generation estimate according accepted methods. I find the estimate to be reasonable. The project is expected to generate 23 weekday PM peak hour trips. Based upon trip generation estimates provided by the applicant, the applicant shall contribute \$14,950 towards implementation of adopted improvements to Franklin Street.

- I have reviewed the TDM plan and I generally find it to be acceptable. The Plan notes annual monitoring and accordingly the applicant should provide any monitoring studies conducted for their other properties.

Status: I have no further comment.

- The construction management plan provided is not acceptable. Site specific details noted in the City's template shall be provided.

Status: It is my understanding that DPW is providing comments.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE

Senior Associate

Traffic Engineering Director

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"One Vision, One Company"



Matthew Grooms <mgrooms@portlandmaine.gov>

58 Boyd Street

Victoria Volent <vvolent@portlandmaine.gov>
To: Matthew Grooms <mgrooms@portlandmaine.gov>

Thu, Oct 19, 2017 at 3:26 PM

Matthew,

The development located at [58 Boyd Street](#) is proposing the creation of 55 units of rental housing. The applicant has elected to provide forty-four (44) units of low-income housing. Of those units, thirty-seven (37) are targeted towards households earning 50% AMI, and seven (7) units target households earning 60% AMI. Eleven (11) out of the 55 units will remain unrestricted. Twenty-three (23) units will be efficiencies, ten (10) will be one-bedroom, thirteen (13) will be two-bedroom, and nine (9) will be three-bedroom units.

The applicant has satisfied the requirement that all developments of ten or more units comply with the requirements set forth in Division 30, Section 14-487 of the Zoning Ordinance.

Please let me know if I may be of further assistance.

Victoria Volent

Victoria Volent
Housing Program Manager
Housing and Community Development
Phone: [207-482-5028](tel:207-482-5028)
Fax: [207-874-8949](tel:207-874-8949)
www.portlandmaine.gov

MEMORANDUM



TO: Matt Grooms, Planner
FROM: Lauren Swett, PE & Loren Joyce, EIT
DATE: November 21, 2017
RE: 58 Boyd Street Apartments, Level III Site Plan

Woodard & Curran has reviewed the Level III Site Plan for the proposed development located at 58 Boyd Street in Portland, Maine. The project involves the construction of a 55 unit multi-family affordable housing apartment building and associated site work.

Documents Reviewed by Woodard & Curran

- Level III Site Plan and attachments, dated September 29, 2017, prepared by Carroll Associates on behalf of 58 Boyd Street, LP.
- Project Plans, Sheets 1-23, dated November 7, 2017, prepared by Carroll Associates and Ransom Consulting, on behalf of 58 Boyd Street, LP.

Comments

- 1) In accordance with Section 5 of the City of Portland Technical Manual, a Level III Site Plan project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a) Basic Standard: Plans, notes, and details have been provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500.
 - b) General Standard: The project will result in an increase in impervious area of approximately 10,733 square feet. As such, the project is required to include specific stormwater management features for stormwater quality control. The Applicant is proposing the use of a rain garden and a FocalPoint system to treat stormwater runoff generated onsite.
 - c) Flooding Standard: The project will result in an increase in impervious area of approximately 10,733 square feet. As such, the project is required to include stormwater management features to control the rate or quantity of stormwater runoff from the site. The Applicant has requested a waiver from the flooding standards. We understand that the Applicant is specifically working with the Department of Public Works to address the possibility of converting sewer in Lancaster Street into a separated stormdrain. Additional information is needed by the Applicant from the City. Once this information is provided and the Applicant can provide a final design for the converted stormdrain, the issue of capacity can be addressed. This final design could be a condition of approval.
- 2) The Applicant has noted that drafts of temporary construction license and access easements are in progress and will be provided when complete. These final documents will likely need to be a condition of approval.
- 3) All other comments have been addressed at this time.

Memo

To: Matthew Grooms - Planner
From: Keith Gray, PE – Senior Engineer, DPW
Date: November 21, 2017
Re: 58 Boyd Street (2017-217) – Level III Site Plan Application

The following comments/concerns are in regards to the Level III Site Plan Application prepared by Carroll Associates & Ransom Consultants, on behalf of the applicant, 58 Boyd Street, LP and the owner, Portland Housing Authority, with last plan revision submitted on November 10th, 2017. Please feel free to contact me with questions. Thank you.

Construction Management Plan:

- The applicant has submitted a Construction Management Plan (CMPlan) prepared by Carroll Associates. We have the following concerns/comments:
 - The “materials storage and staging area” proposed within the Community Gardens requires authorization from the Parks & Recreation Department.
 - All proposed utility connections shall be shown on the CMPlan. What are the impacts to the ROW? Proposed parking occupancy, lane closures?
 - Screening of temporary toilets from Franklin Street.

Planning and Urban Development Department Planning Division



October 19, 2017

Jay Waterman
58 Boyd Street, LP
14 Baxter Blvd.
Portland, ME 04101

Pat Carroll, P.E.
Carroll Associates
217 Commercial Street, Suite 200
Portland, ME 04101

RE: Staff Review Comments for 58 Boyd Street – 55-Unit Affordable Housing Development (2017-217 and 2017-225) – Planning Board Review

Project Name:	58 Boyd Street	Project ID:	(2017-217, 2017-225)
Project Address:	58 Boyd Street	CBL:	022-F001
Applicant:	Jay Waterman		
Planner:	Matthew Grooms		

Dear Mr. Waterman and Mr. Carroll,

Thank you for submitting a preliminary Level III Site Plan application for a new six-story 55 unit affordable housing project with ground-floor community space and 23 off-street parking spaces at 58 Boyd Street in the R-7 Compact Urban Residential Overlay District. This project is being reviewed as a preliminary plan subject to the following applicable Land Use Code provisions:

- Subdivision Ordinance, Article IV
- Site Plan Ordinance, Article V
- Division 7, R-6 Residential Zone
- Division 7.01, R-7 Compact Urban Residential Zone
- Division 20, Off-Street Parking Standards
- Division 30, Affordable Housing Standards
- Division 28, Jurisdiction of Board of Appeals
- Neighborhood Meeting Regulations, Section 14-32

Preliminary Plan for Planning Board Review: Staff Review Comments

I. Site Design Standards

1. The proposed site plan shows twenty-three (23) off-street parking spaces, including two spaces allocated for a shared-use vehicle. On-Street parking spaces are also counted towards the required number of spaces. Please be aware that on-street spaces are not considered when accounting for required parking under Division 20, Off-Street Parking Standards.

2. Under Division 20, Off-Street Parking Standards, this project is required to provide fifty-five (55) parking spaces at a rate of one space/residential unit, and two (2) spaces to account for the ground-floor neighborhood center uses. At present, the equivalent of thirty-six spaces are being provided, when considered in conjunction with the two (2) shared-use vehicles. Note, the Planning Board, under Section 14-332.2(b), can reduce the parking requirement for affordable housing projects. Given that eleven (11) of the units being provided are market rate, and that two (2) spaces are required for the ground-floor neighborhood space, the applicant shall provide a minimum of thirteen (13) parking spaces for these uses. The remaining discrepancy would require Planning Board approval.
3. A temporary construction easement will be required for any proposed work on City property, and any element of the applicant's design which crosses the property boundary shall require an easement.
4. The Site Plan Ordinance requires that a minimum of two (2) bicycle parking spaces be provided for every five (5) residential units for a total requirement of twenty-two (22) bicycles. Staff requests that additional exterior bicycle racks be installed to serve guests and patrons of the neighborhood center.
5. The applicant should provide a written agreement with a shared-use vehicle provider which demonstrates that the two (2) shared-use vehicles have been secured.
6. 'Ability to serve' letters shall be provided either with the final submission, or shall be made a condition of approval for this project.
7. Will any of the Boyd Street entrances be ADA accessible?
8. In regards to shadows generated by this structure, the applicant should provide a narrative and or analysis which demonstrates compliance with Section 14-526(d)(2) of the Site Plan Ordinance and Section 11 of the Technical Manual.
9. Please note, roof-mounted mechanical equipment shall be screened from the public view in accordance with Section 14-526(d)(7).
10. The Financial Capacity document does not appear to demonstrate sufficient funding for the proposed project. Please provide additional information for how the applicant intends to fund this development.
11. Please note, under Division 30, Section 14-487, it states that projects providing ten (10) or more residential units for sale or rent, shall submit a conditional use application for Inclusionary Zoning to be reviewed by the Planning Board. The Housing Program Manager has reviewed the submitted materials and finds the project as proposed in compliance with the standards of Section 14-487.
12. Please label the ground-floor site plan with relevant square footage figures. These figures are utilized in zoning calculations.
13. The applicant should provide a written narrative elaborating how the propose project is compliant with the City Council approved Franklin Street Redevelopment Plan.

Additional Submittals Required:

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only *one set of revised plans* may be submitted for review. This item is scheduled to go before the Planning Board as a workshop item on October 24, 2017. Following the workshop process, this item will be scheduled for a public hearing at the Planning Board's next available meeting and the staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,
Matthew Grooms
Planner

Planning and Urban Development Department

Planning Division



Subject: R-7 Preliminary Design Review – 58 Boyd Street
Written by: Caitlin Cameron, Urban Designer
Date of Review: Monday, October 16 2017

The project at 58 Boyd Street was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Matt Grooms, Planner, and Nell Donaldson, Senior Planner against the R-7 Design Standards and the *Multiple-family Design Standards* (Section (i) of the Design Manual).

Design Review Comments:

- The applicant is asked to provide the renderings that show the project in context.
- Please provide more information regarding building materials (labeled on elevations)

Sec. 14-143. R-7 Design Standards

Residential development in the R-7 Zone shall be reviewed by the Planning Board . . . The general intent of these development standards is to achieve an **attractive and comfortable city neighborhood environment**. **Varied** and **human-scaled building facades** are key to making a place “**pedestrian-oriented**.” Building designs should provide a **high level of visual interest**, without creating a chaotic image. Residences should include **design elements that enhance the streetscape and address the street**.

Standard a. Porches and bays should face the street. – Not applicable

Standard b. Primary ground floor residential entries to multi-family buildings must orient to street – Met – Primary residential entrance faces Boyd Street. A secondary, ADA entrance is provided from the surface parking lot. Several more entrances to office, meeting rooms, and medical office are provided on Boyd Street. **Staff is concerned that the residential entrance is not legible among all the entrances on the Boyd Street façade – can the hierarchy of that entrance be made more prominent?**

Standard c. Design approach, visible and permanent expression of the character of the neighborhood – This standard is a challenge to interpret in that the building is the first multi-family building of this scale in this neighborhood and should not be expected to adopt the architectural language of a single-family, or smaller-scale building. The project is meeting the goal of providing taller development on Franklin Street, a pattern begun further down towards the India Street neighborhood. The building is introducing some new architectural expressions for this neighborhood.

Standard d. Façade shall be varied and articulated to provide visual interest to pedestrians – The project does use a combination of change in materials, massing and plane changes, recessed entries, and canopies to create visual interest.

Standard e. Reinforce the public realm – appropriately scaled entries, porches, fenestration, landscaping, and architectural details – Public realm is defined with landscaped areas, high level of fenestration on ground floor, active ground floor uses with frequent entries, and canopies/overhangs. **Staff suggest the scale/proportion of the clerestory windows on the Boyd Street and Franklin Street facades be revised to be more similar to the other window types in the building. Additionally, the storefront placement on Boyd Street is asymmetrical – revise the pattern of windows to be more regular or rational (the single window appears arbitrary from the street).**

Standard f. Visual and acoustical privacy – Met

Standard g. Natural Light and Ventilation – Met

(i) Multiple-Family Design Standards

(1)a.1. Building Design: There are a limited number of residential buildings near this site – predominantly townhouses or duplexes often setback from the street and with a stoop. Multi-family buildings are closer to the street with three to four stories, orientation to the street, and flat roofs. The proposed building is significantly bigger than most residential projects in this neighborhood at 6 stories but includes features that complement the nearest residential types such as vertically proportioned windows, flat roof, raised stoop with canopy. The proposal is also a mixed-use building and has an active ground floor providing variation in the window pattern and spacing, articulation, and landscaping – incorporating positive visual interest.

(1)a.2. Building Relationship to the Street: The project is oriented to Boyd Street though also has a prominent face to Franklin Street. On Boyd Street, the project is located 5’ to 12’ from the sidewalk to allow room for stoops, ramps, and landscaped areas. The building is close to the property line on Lancaster. There are no other buildings on this side of the street and only a handful on the street as a whole – the project reasonably establishes a street wall close to the sidewalk similar to the limited pattern established and in proportion to the scale of the building height.

(1)a.3. Open Space: Met - Some landscaped areas provided between sidewalk and building.

(1)a.4. Light and Air: Met – Each unit has adequate windows.

(1)a.5. Screened Parking: Per design and site plan standards, **the surface parking should be screened from Franklin Street and the adjacent properties.**

(1)a.6. Lodging House Conversion: Not applicable



Matthew Grooms <mgrooms@portlandmaine.gov>

58 Boyd Street - Preliminary Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Wed, Oct 18, 2017 at 3:38 PM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Cc: Keith Gray <kgray@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Bruce Hyman <bhyman@portlandmaine.gov>, Katherine Earley <kas@portlandmaine.gov>, "Jeff Tarling (JST@portlandmaine.gov)" <JST@portlandmaine.gov>, Lauren Swett <lszett@woodardcurran.com>

Hi Matt – The following represents our preliminary traffic comments following a review of application materials.

- It is my understanding that Lancaster Street is designated as an accepted street and thus design details should meet City standards. Some comments include:
 - The roadway cross-section width.
 - Typically, the back of sidewalk is located on the property boundary.
 - Vehicle turnaround accommodations shall be included.
- Dimensions for roadway width shall be provided for all areas, including but not limited to, the turn area from Boyd Street onto Lancaster Street.
- The applicant shall provide a sidewalk waiver criteria analysis for Lancaster Street (to Franklin Street) and along the Franklin Street property boundary.
- The City acknowledges the need to work collaboratively in developing an ADA compliant ramp on the southeastern corner of Boyd Street and Lancaster Street.
- The applicant shall provide documentation in support of a waiver request for the parking lot aisle width. Greater justification on constraints should be provided than provided in the current application.
- The plans should note that delineation of the on-street parking spaces is for illustrative purposes only. The City does not mark on-street parking spaces.
- The applicant should provide documentation for providing the on-street handicap parking space, when on-site handicap parking spaces are provided.
- The applicant shall provide details on changes to on-street parking signage in the project area.
- Construction details for the sidewalk ramps shall be provided by the applicant.

- It is my understanding that DPW staff will be providing comments regarding the proposed curb extension and future City projects that may disturb the area.
- The applicant has conducted a parking demand and supply analysis and notes (per City Ordinance) that 47 parking spaces are required. The applicant also notes that 0.75 parking spaces per residential unit or 42 parking spaces can be expected. In general, I find the general approach to be reasonable, although I need to review the data in greater detail. I would note that use of on-street public parking spaces is generally not permitted as part of satisfying Site Plan parking requirements.
- The applicant has conducted a trip generation analysis and estimates the project will add 10 vehicle trips during the AM peak hour and 23 vehicle trips during the PM peak hour. I find the base ITE Trip Generation methodology to be acceptable, but continue to review local trip generation adjustment factors. This level of trip generation would not be expected to create or significantly worsen traffic congestion or safety deficiencies.
- The City has been requiring applicants to provide monetary contributions towards the implementation of Franklin Street improvements. A contribution amount will be provided in the future.
- I have reviewed the TDM plan and I generally find it to be acceptable. The Plan notes annual monitoring and accordingly the applicant should provide any monitoring studies conducted for their other properties.
- The construction management plan provided is not acceptable. Site specific details noted in the City's template shall be provided.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

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MEMORANDUM



TO: Matt Grooms, Planner
FROM: Lauren Swett, PE & Craig Sweet, EIT
DATE: October 19, 2017
RE: 58 Boyd Street Apartments, Level III Site Plan

Woodard & Curran has reviewed the Level III Site Plan for the proposed development located at 58 Boyd Street in Portland, Maine. The project involves the construction of a 55 unit multi-family affordable housing apartment building and associated site work.

Documents Reviewed by Woodard & Curran

- Level III Site Plan and attachments, dated September 29, 2017, prepared by Carroll Associates on behalf of 58 Boyd Street, LP.
- Project Plans, Sheets 1-25, dated September 15, 2017, prepared by Carroll Associates and Ransom Consulting, on behalf of 58 Boyd Street, LP.

Comments

- 1) In accordance with Section 5 of the City of Portland Technical Manual, a Level III Site Plan project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. We offer the following comments:
 - a) Basic Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. At a minimum, catch basin protection will be required, but the Applicant should evaluate the need for downstream erosion control barrier in some areas of the site.
 - b) General Standard: The project will result in an increase in impervious area of approximately 10,733 square feet. As such, the project is required to include specific stormwater management features for stormwater quality control. The Applicant is proposing the use of a rain garden and a FocalPoint system to treat stormwater runoff generated onsite. Calculations for the sizing of the stormwater treatment systems, as well as calculations verifying the amount of treatment provided on the site should be provided. The Applicant has verified that a sizing spreadsheet will be provided – we will review when it is made available.
 - c) Flooding Standard: The project will result in an increase in impervious area of approximately 10,733 square feet. As such, the project is required to include specific stormwater management features to control the rate or quantity of stormwater runoff from the site. The Applicant has requested a waiver from the flooding standards. Please see the following comment on stormwater.
- 2) The Applicant has started coordinating with the Department of Public Works on the stormwater management system located in Boyd Street. Additional discussions are required with regards to the separation of the combined sewer and with the potential waiver of the flooding standard. We recommend, based on discussions with the Applicant, that a meeting be held following the workshop.
- 3) The Stormwater Management Plan should include a project-specific stormwater inspection and maintenance plan developed in accordance with and in reference to MaineDEP Chapter 500 guidelines and Chapter 32 of the City of Portland Code of Ordinances.
- 4) All work within the City of Portland Right of Way should be in conformance with the City of Portland Technical Manual. Details in conformance with the standards should be provided for the following:
 - a) Pavement Cross Section (note that 9.5mm HMA is not allowed as surface pavement)
 - b) Utility details including pipe trench, structures, and lateral connections



- 5) The Applicant has noted that a temporary construction easement will be required from the City of Portland to facilitate Construction. A permanent easement or agreement will be required for the rain garden and landscaping proposed to cross the eastern property boundary.
- 6) In accordance with the current sidewalk material policy, driveway aprons are required to be of the same material as the sidewalk. A brick apron should be provided.

Memo

To: Matthew Grooms - Planner
From: Keith Gray, PE – Senior Engineer, DPW
Date: October 19, 2017
Re: 58 Boyd Street (2017-217) – Level III Site Plan Application

The following comments/concerns are in regards to the Level III Site Plan Application prepared by Carroll Associates & Ransom Consultants, on behalf of the applicant, 58 Boyd Street, LP and the owner, Portland Housing Authority, with last plan revision submitted on October 19, 2017. Please feel free to contact me with questions. Thank you.

Construction Management Plan:

- The applicant has submitted a Construction Management Plan (CMPlan). Please note that the Construction Management Plan includes: 1) a **construction management site plan**, 2) a construction schedule (time frame); and 3) a written narrative addressing the categories identified within the enclosed CMPlan Template.

General Comments:

- There is a high probability that DPW will be designing and constructing a stormdrain down Lancaster Street and connect into Franklin Street. The stormdrain would collect the separated systems in Boyd and Mayo Street. This construction is anticipated to start in 2019.
 - The “future” stormdrain in Lancaster Street would most likely be oriented under the proposed curb extension at Lancaster and Boyd Street. If the projects to do not coincide, DPW recommends that the construction cost of the curb extension be put into infrastructure account and constructed during the stormdrain extension.
- Provide additional information on the existing size and type of the sewer main within Boyd Street and Lancaster Street.
- The note on Sheet 6 refers to installing a backflow preventer on the foundation drain that points to the proposed 6” sewer service. The note should be revised to include only the sewer as the foundation drain is separately discharged to Lancaster Street.
- Will the power feed from the Bayside Anchor transformer require a pull electrical vault in Boyd Street?

Google Groups

58 Boyd Street

Bailey, Ellen <ebailey@eastbayside.org>

Oct 22, 2017 12:03 PM

Posted in group: **Planning Board**

To Whom it May Concern,

I just wanted to express my support for the proposed development for 58 Boyd Street. We are in desperate need of affordable housing in Portland and the type of development being proposed at this location will certainly help meet that need.

The mixed-income units, space for community to use, proximity to a transit corridor and the fact that the building will abut the Urban Gardens on Boyd Street make this a great project.

My expectation is that 58 Boyd Street will fulfill a similar need as the Bayside Anchor Project already has and I know from first hand conversations that people who have been homeless for years, now have a place to live in Bayside Anchor.

My hope is that 58 Boyd Street will help more of our homeless population find shelter and safety.

I am wholeheartedly in support of this project and look forward to continued conversations and planning with the Portland Housing Authority to make our neighborhood welcoming and safe for all who live here.

Please note, I am not speaking for the East Bayside Neighborhood Organization at this time. I am speaking of my personal viewpoints.

Thank you,

Ellen Bailey
President, East Bayside Neighborhood Organization

Web Site: <http://eastbayside.org>
Facebook: <https://www.facebook.com/eastbayside/>

PLANNING BOARD REPORT PORTLAND, MAINE



55-Unit Affordable Housing Development
58 Boyd Street
Level III Site Plan and Subdivision and Conditional Use Application

Submitted to: Portland Planning Board Date: November 22, 2017 Public Hearing Date: November 28, 2017	Prepared by: Matthew Grooms, Planner CBL: 022-F-001 Project #: 2017-217, 2017-223
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I. INTRODUCTION

The Portland Housing Authority has submitted a preliminary Level III Site Plan/Subdivision/Conditional Use application for a six-story, 55-unit affordable housing project with ground-floor offices and neighborhood space at 58 Boyd Street in the R-7 Compact Urban Residential Overlay Zone. This proposal is further subject to the City’s Inclusionary Zoning ordinance.



Figure 1: Development Site in Current Context with Boyd Street Community Garden

A Planning Board workshop for this project was held on October 24, 2017 where the applicant received feedback regarding the project’s design, street tree placement, proposed parking configuration and compliance with the Franklin Arterial Master Plan. The required neighborhood meeting was held on October 30, 2017 at the 58 Boyd Street Community Room.

This Public Hearing was noticed to 59 neighbors and interested parties, and the public notice appeared in the *Portland Press-Herald* on November 20 & 21, 2017..

Applicant: Portland Housing Authority
Agent and Engineer: Pat Carroll, Carroll Associates
Architect: Ben Walter, CWS Architects

II. REQUIRED REVIEWS AND REQUESTED WAIVERS:

Applicant’s Proposal	Applicable Standards
New structure of 55 dwelling units	Subdivision Review
Multifamily building of 47,800 sq ft	Level III Site Plan Review and R-7 Design Review
New structure of 55 dwelling units	Inclusionary Zoning Section 14-484
Waiver Request: To reduce driveway aisle width from 24’ feet as required under Figure I-27, Section 1 of the Technical Manual, Transportation and Street Design Systems, down to 22’ feet.	Figure I-27 under Section 1 of the Technical Manual, Transportation and Street Design Systems, requires that driveway aisle widths be a minimum of 24’ feet in width where two-way aisles exist with standard sized parking spaces.

<p>Staff Recommendation: Given low parking turnover and site conditions, Tom Errico, the City’s consulting traffic engineer, supports a waiver from City standards.</p>	
<p>Waiver Request: Sidewalk waiver from termination of sidewalk along Lancaster Street to Franklin Street, and along property’s Franklin Street frontage.</p> <p>Staff Recommendation: The applicant has provided supporting information and given the schedule of the Franklin Street improvement project, construction of a sidewalk on Franklin Street at the time of this project is not recommended. Given that a formal pedestrian crossing of Franklin Street is not provided, a sidewalk on Lancaster Street to Franklin Street is not recommended. Tom Errico, the City’s consulting traffic engineer, supports the request for sidewalk waivers.</p>	<p>Ordinance Subdivision 14- 498(b)(8) <i>Sidewalks and Curbs</i>, requiring that sidewalks be constructed on each side of each street in accordance with article III of Chapter 25.</p>

III. PROJECT DATA

Existing Zoning	R-7, Compact Urban Residential Overlay			
Existing Use	Unoccupied single-story building			
Proposed Use	55 residential units with shared community space, telemedicine room, and Cultivating Community offices			
Proposed Unit Mix	Efficiency 23	One-Bedroom 10	Two-Bedroom 13	Three-Bedroom 9
Parcel Size	20,934 SF			

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	2,981 SF	7,796 SF	4,815 SF
Building Floor Area	2,981 SF	47,800 SF	44,819 SF
Impervious Surface Area	6,655 SF	17,388 SF	10,733 SF
Parking Spaces (on site)	5	23	17
Bicycle Parking Spaces	0	18	18
Estimated Cost of Project	\$11,300,000		

IV. EXISTING CONDITIONS

The proposal site is situated west of Franklin Arterial, north of Lancaster Street and east of Boyd Street, with principal frontage on Boyd Street. At present, the lot is occupied by a single-story office building which previously served as the administrative office of the Portland Housing Authority and a small parking area with space for five vehicles, accessible via an existing curb cut located on Boyd Street. To the south of the project site is the Boyd Street Urban Farm complex and community garden, an important amenity for the surrounding neighborhood.



Figure 2: View of Site from Lancaster Street

The development site lies fairly low in elevation, with a high point of 22' feet above mean sea level at the southwestern corner of the site, adjacent to the right-of-way for Franklin Arterial and a low point of approximately 10' feet at the northeastern corner of the site. According to the applicant's stormwater report (*Attachments S and T*), the site drains from the southeast to the northwest, with the eastern portion of the site draining into an existing catch basin within the parking area and the western portion of the site sheet flows to storm drains located in Lancaster Street. The entire site is served by a 44" combined sewer running along the Lancaster Street alignment.



Figure 3: View of Site from Boyd Street with Boyd Street Garden



Figure 4: View of Site from Franklin Arterial. Future Phase II of this development may include building where current parking is proposed.

V. PROPOSED DEVELOPMENT

The proposals, including floor plans and elevations, are shown in the Plan set and described in the applicant's submittal. The proposed building is six stories tall and ranges from between 72' and 75' feet in height with finished floor elevations of between 12.25' and 15.16' feet (project datum). The development features 55 residential units including; 23 efficiency units, 10 one-bedroom units, 13 two-bedroom units and 9 three-bedroom units, spread across all floors with two handicap accessible units located on the ground floor. The ground floor also includes a residential lobby, waste management room, bicycle storage room, community meeting space and offices for Cultivating Community, which includes a Telemedicine room. The building features one elevator and two stairwells located at the front and rear of the building so as to be accessible via Boyd Street and the proposed parking area respectively.

In terms of unit affordability, 65% of all proposed units will be for households making at or below 50% of the Area Median Income (AMI), approximately \$41,500 for a family of 4. A further 15% of the units are restricted to households earning up to 60% AMI and 20% of the units would be market rate. The applicant proposes to set aside 10% of the units for homeless households and a further 10% would have a preference for homeless or disabled households. The market rate units will feature rents 5-10% below market rate, so as to appeal to 'workforce housing' households, a target of the City of Portland in its



Figure 5: View of building's northeast corner



Figure 6: View of easterly facade looking northwest



Figure 7: View of westerly facade looking north

housing needs study. The proposed composition is intended to foster income diversity within the development.

Vehicular access to the site is proposed off of Lancaster Street where a new curb cut and driveway will provide both ingress and egress. Parking for 23 vehicles is provided on-site, including four compact and six Handicap parking spaces. Nine additional on-street spaces are being provided. The existing sidewalks, which run along the property's Lancaster Street and Boyd Street frontage will be replaced with a brick sidewalk/esplanade feature along Lancaster Street, measuring approximately 6' and 3.5' feet respectively, and a wider brick sidewalk measuring between 6.5' and 8' feet in width along Boyd Street. The sidewalk at various points is constructed within the applicant's property, for which the applicant is proposing to provide a public access easement. Additional right-of-way improvements include a curb-extension at the southwest corner of the Boyd and Lancaster Street intersection as well as sidewalk ramp improvements and new cross-walk construction within this intersection.

This site will be served by a new stormwater management system, composed of a rain garden feature to be located at the entrance of the proposed parking lot. This garden will provide quality treatment for the entire parking area, as well as the building roof area. Once treated, stormwater will be direct to the city's combined sewer system located beneath Lancaster Street. Overhead electrical service will be relocated underground per city standards, and the building will connect into existing water and wastewater lines located beneath Boyd Street.

Additional site improvements include significant site landscaping along the perimeter of the proposed building and within the proposed parking area, the installation of three Bayside District street lamps and a variety of canopy and building mounted light fixtures. The building will feature direct access to the Boyd Street community garden as well, located immediately south of the project site.

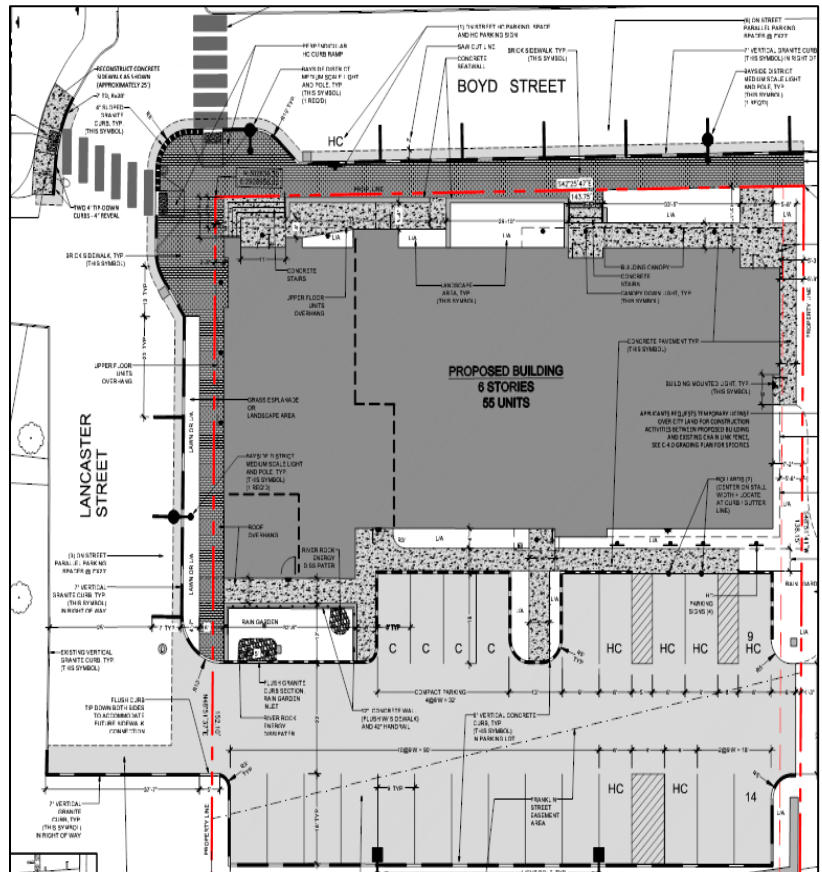


Figure 3: Proposed Site Plan

VI. PUBLIC COMMENT

The Planning Division has received one written comment in support of this project (*Attachment 12*). The neighborhood meeting for this project was held on October 30, 2017 at the 58 Boyd Street Community Room. The meeting was attended by eight (8) individuals. The neighborhood meeting minutes indicate that a number of topics were discussed by those in attendance, including anticipated use of the telemedicine room and other community spaces, on-street parking by tenants, safety concerns regarding Franklin Street and the project's impact on the availability of neighborhood open space. The minutes for this meeting are attached (*Attachment DD*).

VII. RIGHT, TITLE & INTEREST

The applicant has provided the deed to the property which demonstrates that at present the Portland Housing Authority owns the property in question. They have also provided the purchase and sale agreement which indicates that the Portland Housing Authority is selling the property to the Portland Housing Development Corporation (*Attachment H*).

VIII. FINANCIAL & TECHNICAL CAPACITY

The estimated cost of the development is \$11,300,000.00. The applicant has supplied a letter from Bangor Savings Bank which indicates that they may provide up to \$6,850,000. The letter supplied does not indicate that Bangor Savings Bank has agreed to the provision of this loan. Additional funding sources include \$30,000 in CDBG funds intended for the demolition of the existing building and site preparation, as well as a \$750,000 direct subsidy from the Federal Home Loan Bank of Boston's AHP program with additional subsidy buying down the rate for a permanent loan in the amount of \$2,932,139 from Bangor Savings Bank. Additional resources may be provided under Low Income Housing Tax Credits (*Attachments M, N and O*).

IX. STAFF REVIEW

A. ZONING ASSESSMENT

The proposed development is located within the R7 Compact Residential Overlay Zone. The R7 zone is intended to encourage and accommodate compact residential development within appropriate locations on Portland's peninsula, and contains standards which foster infill development. For example, this district does not contain minimum lot size or minimum frontage requirements, allow for minimal building setbacks and permit up to 100% lot coverage. The R-7 district has a reduced lot area per dwelling unit requirement when compared with the R-6 zone, requiring just 435 square feet of land area per unit as opposed to 725 square feet for the R-6, and also permits building heights of up to 50 feet as opposed to 45 feet.

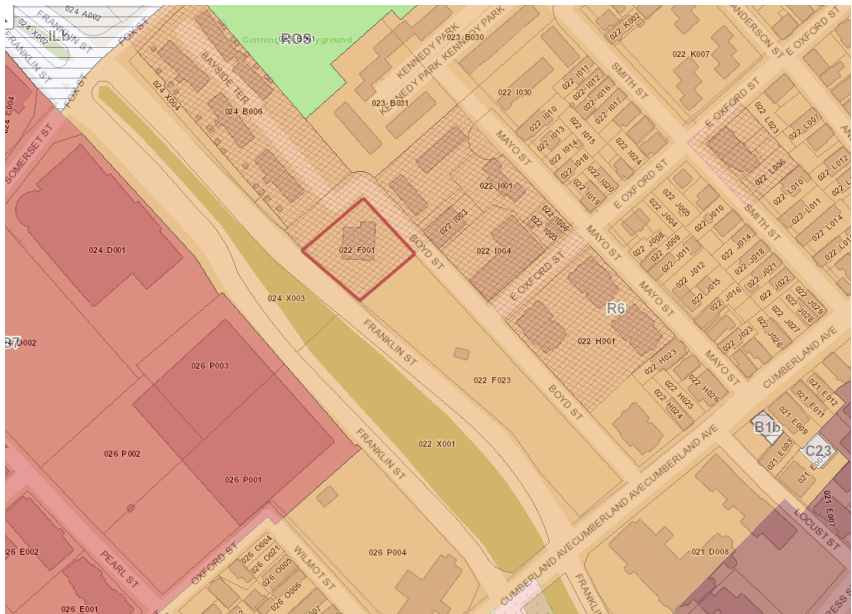


Figure 4: Project Zoning Map

In part to mitigate development intensity, the R-7 zone also contains a series of design standards intended to foster a pedestrian-oriented environment that contributes to the attractiveness and comfortability of Portland's neighborhoods. These design standards take into consideration building articulation, the orientation of principal and secondary building entrances and contextual harmony. The design review for this project is discussed in greater detail below.

The applicant has submitted a Zoning Analysis (*Attachment J*) in which it is stated that the project will exceed several of the dimensional standards for the R-7, including building height and unit density, through bonus mechanisms recently approved by the Planning Board and City Council found in Division 30, Affordable Housing, of the City's Land Use Code. The R-7 district would permit a maximum of 48

residential units in this location, however Division 30 allows a density bonus of 2.5X the base density, or in this case up to 120 units. Recent revisions to Division 30 also allow for an increase in building height of up to 25 feet, allowing for the proposed structure which ranges from between 72 and 75 feet.

This project is seeking a reduced parking requirement from the Planning Board. Division 20, Off-Street Parking, of the City's Land Use Code, requires that residential developments on Peninsula provide a minimum of one (1) parking space per residential unit, however, under Division 20, Section 14-332.2(b), it states that the Planning Board may establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure. Twenty-three (23) on-site parking spaces are being provided. It is proposed that one on-street parking space will be set aside for use by a shared-use U-Haul vehicle, which under Division 20, would count for eight (8) required parking spaces. The equivalent of 31 parking spaces are being provided.

Staff have reviewed the applicant's zoning analysis and consider that the proposed development meets all dimensional requirements of the R-7 District when considered in conjunction with bonus mechanisms under Division 30 as well as applicable standards of the R-6 District.

B. SUBDIVISION STANDARDS

14-496. Subdivision Plat Requirements

Review of the recording plat and final subdivision plan have been made a condition of approval subject to review by the Planning Authority and the Department of Public Works.

14-497. General Requirements (a) Review Criteria

Water, Air Pollution and Soil Erosion

An Erosion Control Plan has been submitted which is acceptable.

Traffic

The applicant has submitted a Traffic Assessment (*Attachment 3*) and the Traffic Engineering reviewer Tom Errico has offered the following comment:

The applicant has conducted a trip generation analysis and estimates the project will add 10 vehicle trips during the AM peak hour and 23 vehicle trips during the PM peak hour. I find the base ITE Trip Generation methodology to be acceptable, but continue to review local trip generation adjustment factors. This level of trip generation would not be expected to create or significantly worsen traffic congestion or safety deficiencies.

Parking

The applicant has indicated that there will be 23 on-site parking spaces which will count towards the required parking for this development. Under this proposal, the applicant intends to provide one (1) car-share vehicle, which in turn would count for eight (8) required vehicle spaces each. The total number of countable spaces being provided is 31, whereas the requirement under zoning is 55 for the residential component of the project, and two (2) for the ground-floor neighborhood meeting areas for a total of 57 parking spaces. To off-set this requirement, the applicant is asking that the Board consider a reduced parking requirement as permitted under Division 20, for affordable housing projects. The applicant has also indicated that some parking demand will be met through existing on-street parking and parking found elsewhere on PHA properties. A parking assessment has been provided in support of this request. Mr. Errico has reviewed the parking demand calculations supplied by the applicant and offers the following comment (*Attachment 3*):

The applicant has conducted a parking demand and supply analysis and notes (per City Ordinance) that 47 parking spaces are required. The applicant also notes that 0.75 parking spaces per residential unit or 42 parking spaces can be expected. In general, I find the general approach to be reasonable, although I need to review the data in greater detail. I would note that use of on-street public parking spaces is generally not permitted as part of satisfying Site Plan parking requirements.

Updated Status: I find the parking demand and supply analysis to be acceptable given the campus-wide parking management provisions. I have no further comment.

Sanitary Sewer/Soils

The application has been reviewed by the consulting Peer Engineer (*Attachment 5*) and is acceptable subject to minor revisions and confirmation of wastewater capacity.

Storm water

The applicant proposes to manage stormwater impacts by collecting and treating the stormwater in a rain garden proposed adjacent to the parking lot entrance off of Lancaster Street (*Attachment 5*).

Scenic Beauty and Street Trees

The Landscape Plan indicates that twelve (12) new street trees are being provided for this development with significant additional landscaping (in the form of low lying shrubs and ornamental grasses) being provided around the perimeter of the proposed building and within the proposed parking area. The applicant has agreed to provide a payment in lieu of the additional required forty-three (43) street trees, asking that this contribution be used for landscaping improvements to the Boyd Street Urban Farm site.

Comprehensive Plan

The project is consistent with both the state and local Housing Goals and Policies of the Comprehensive Plan and specifically is supportive of the following goals:

- Increase, preserve, and modify the overall supply of housing City-wide to meet the needs, preferences and financial capabilities of all Portland Households; and
- Encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services and transit nodes and corridors as a means of supporting complete neighborhoods; and
- Pursue policies to enable people who work in Portland to have the option to live in Portland.

Electrical Service

The Subdivision ordinance requires electrical service to be underground which is being met with this proposal.

C. SITE PLAN STANDARDS

14-526 Site Plan Standards

Traffic - Access, Circulation, Loading and Servicing

Staff have not identified any concerns with the proposed site layout as it related to access, circulation, loading and servicing. Following the October 24th workshop, the applicant provided a waiver request seeking a drive aisle width reduction of two (2) feet within the proposed parking area. The waiver request was review by Tom Errico who provided the following recommendation:

Given low parking turnover and site conditions, I support a waiver from City standards.

Sidewalks

The applicant is proposing to reconstruct the sidewalk in brick along Boyd Street and Lancaster Street where impacted by the proposals. The proposed sidewalk width varies from 6' feet in width with a 4' 7" esplanade along Lancaster Street, to between 6' feet and 7.6' feet along Boyd Street. Portions of the sidewalk will be located on the applicant's property, and it has been stated that a public access easement will be provided for those areas. A curb extension is proposed at the intersection of Boyd Street, which enables the proposed ramps to meet ADA standards. Staff are asking for a contribution to improve the southeast corner of the Boyd Street and Lancaster Street intersection.

Staff find the proposed sidewalks to be acceptable in their proposed configuration. Sidewalks are not proposed along the property's Franklin Street frontage or between the terminus of Lancaster Street and Franklin Street. In response, Tom Errico asked that the applicant provide a sidewalk waiver criteria analysis for these segments. This information was provided. Mr. Errico supports a waiver of this requirement as listed below (*Attachment 3*):

The applicant has provided supporting information and given the schedule of the Franklin Street improvement project, construction of a sidewalk on Franklin Street at the time of this project is not recommended. Given that a formal pedestrian crossing of Franklin Street is not provided, a sidewalk on Lancaster Street to Franklin Street is not recommended. I support the request for sidewalk waivers.

Public Transit Access - This project is not located along a transit route. The nearest transit shelter is 0.20 miles from this development, located at the Franklin Towers. The site plan ordinance requires that transit shelters be located no more than 0.25 miles away, thus no new shelters are required.

Parking

The applicant is proposing twenty-three (23) on-site parking spaces, which includes four (4) compact parking spaces and six (6) handicap accessible parking spaces. One on-street space would be occupied by a car-share vehicles under this proposal, counting for eight (8) required spaces. The applicant has also factored in nine (9) on-street spaces as part of their parking schedule.

Division 20, Off-Street Parking Standards, requires a total of one (1) parking space per residential unit for developments on peninsula, with an additional requirement for neighborhood centers which primarily serve clientele from the surrounding neighborhood, at a rate of one (1) parking space per 1,000 square feet of floor area. With fifty-five (55) residential units and approximately 2,000 square feet of ground floor space dedicated to the neighborhood center, this development is required under zoning to provide fifty-seven (57) parking spaces.

In order to off-set this discrepancy, the applicant is seeking to apply Division 20, Section 14-332.2(b), Categorical exceptions and modifications to off-street parking requirements which states:

For each low-income or workforce housing unit for rent or sale within an eligible project under the Affordable Housing Ordinance established in Division 30 of this article, no more than one (1) parking space shall be required. The Planning Board may establish a parking requirement for affordable housing units for rent or sale within an eligible project that is less than one (1) parking space per affordable housing unit, regardless of the size of the structure.

As stated in the application, a total of forty-four (44) affordable units are being provided requiring a maximum of forty-four (44) parking spaces and as few as zero (0). With eleven (11) market rate units and approximately 2,000 square feet of space dedicated as a neighborhood center, the development is required to provide a minimum of thirteen (13) spaces to accommodate those uses. The remaining parking

requirement may be established by the Planning Board as stipulated under the Division 20 standard listed above. In support of this parking reduction, the applicant has supplied a TDM document with parking analysis (*Attachment O*). The City's consulting traffic engineer, Tom Errico, has reviewed the document and offers the following comment (*Attachment 3*):

The applicant has conducted a parking demand and supply analysis and notes (per City Ordinance) that 47 parking spaces are required. The applicant also notes that 0.75 parking spaces per residential unit or 42 parking spaces can be expected. In general, I find the general approach to be reasonable, although I need to review the data in greater detail. I would note that use of on-street public parking spaces is generally not permitted as part of satisfying Site Plan parking requirements. Updated Status: I find the parking demand and supply analysis to be acceptable given the campus-wide parking management provisions. I have no further comment.

Bicycle Parking

The proposals include an interior bicycle storage room capable of accommodating 18 bicycle spaces which does not meet city standards for bicycle parking as listed under Section 14-526(a)(4)(b), which requires that two (2) bicycle parking spaces be provided for every five (5) residential units for a total of twenty-two (22) bicycle spaces. Staff recommends that the applicant provide additional exterior bicycle parking for visitors to the development and or patrons of the ground-floor neighborhood center space. In response, the revised site plan shows two (2) additional exterior bicycle racks which meet city standards for bicycle racks located within the public right-of-way.

Snow Storage

Snow storage areas are clearly indicated on the site plan.

Transportation Demand Management

The Site Plan ordinance does not require a TDM for developments of this scale and scope within the R-7 District. However, the applicant has supplied a TDM in support of parking reduction for this project. Tom Errico has reviewed the TDM and offers the following comment (*Attachment 3*):

I have reviewed the TDM plan and I generally find it to be acceptable. The Plan notes annual monitoring and accordingly the applicant should provide any monitoring studies conducted for their other properties.

Landscape Preservation / Site Landscaping and Screening

The project site is a previously developed urban site. There are no significant plant species, communities or specimens within the site.

The landscape schedule for this project includes twelve (12) street trees with three (3) Honeylocust being provided along the Franklin Street Frontage, three (3) American Hornbeam being provided along the Lancaster Street Frontage and five (5) Regal Prince Oak being provided along Boyd Street. At the rear of the building adjacent to the proposed parking area, within the two proposed rain gardens and along the southerly façade of the proposed building, the applicant is proposing a mixture of shrubs, perennials and ground covers which include; Sweet Pepperbush, Sweetfern and Northern Bayberry. Perennials and ground cover are proposed along the building's easterly façade where the building fronts Boyd Street.

Street Trees

The applicant is providing twelve (12) street trees on site and will contribute a fee in lieu of the remaining forty-three (43) required street trees. The applicant is requesting that this contribution go toward landscaping improvements to the Boyd Street Urban Farm complex.

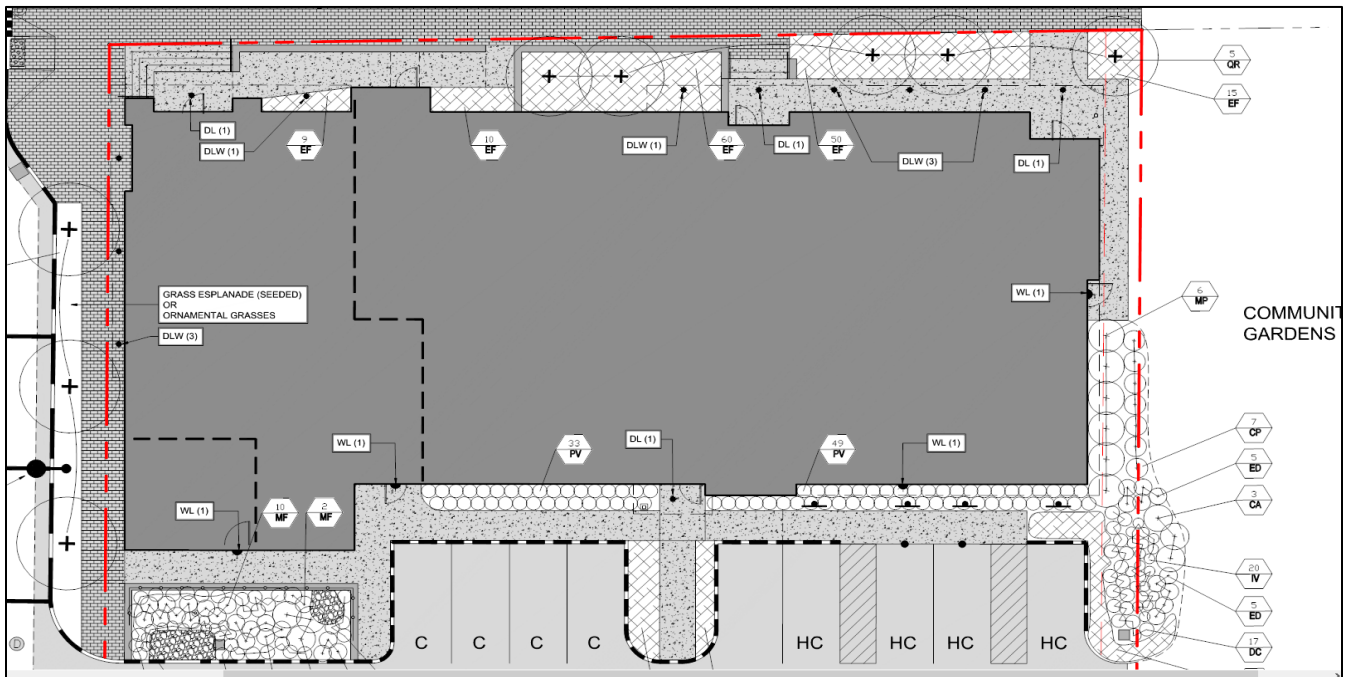


Figure 5: Proposed Landscaping Plan

Water quality, Stormwater Management and Erosion Control - see discussion under Subdivision Review above.

Public Safety

The Crime Prevention through Environmental Design (CPTED) standards in the site plan ordinance address the principles of natural surveillance, access control and territorial reinforcement so that the design of developments enhance the security of public and private spaces and reduce the potential for crime.

Fire Prevention

The Fire Department has reviewed the final plans submitted for this project and finds them to be acceptable.

Public Utilities

Keith Gray, Senior Engineer with the Department of Public Works, has reviewed the proposed utility connections for this project and finds them to be acceptable. Utility capacity letters have been made a condition of approval.

Massing, Ventilation and Wind Impact

The Site Plan ordinance includes the following requirement in respect of wind impacts:

The bulk, location or height of proposed buildings and structures shall not result in health or safety problems from a reduction in ventilation to abutting structures or changes to the existing wind climate that would result in unsafe wind conditions for users of the site and/or adjacent public spaces.

The applicant has submitted documentation which supports their claim that the building as proposed will not have any adverse impacts from wind or ventilation due to the massing scheme of this six-story building.

Shadows

It is not anticipated that this project will generate detrimental shadow impacts on surrounding properties. Additional information was supplied by the applicant addressing this concern with their resubmitted plans (*Attachment FF*).

Historic Resources- This site is not located within a historic district and is not known to contain historic or archaeological resources.

Exterior Lighting including Street Lighting

The applicant has submitted light specifications for canopy and building mounted light fixtures as well as proposed street and parking lot lamps. In accordance with Section 10 of the Technical Manual, the applicant is providing three (3) Bayside District Medium Scale Light poles on Lancaster Street and Boyd Street. The parking lot will be illuminated with LED light poles with Viper S series fixtures. Building entrances will be illuminated by either LED recessed down lights built into the canopies or mounted to the building façade. The canopy down lights will be ID+ by Focal Point and the wall mount lights will be LNC Series fixtures. The photometric plan submitted as part of this application demonstrates acceptable light trespass as permitted under Section 12 of the Technical Manual.

Noise and Vibration

The applicant has confirmed that rooftop appurtenances will be located on the roof setback away from the building's edge. Additional information has been requested to determine compliance with applicable site plan standards.

D. DESIGN STANDARDS

R-7 Zone Design Principles and Standards

The applicant has submitted a narrative outlining how the proposal meets the architectural standards (*Attachment U*). The following design review comments from Caitlin Cameron, Urban Designer, relate to the final proposed elevations and renderings below (*Attachment 2*):

Standard b. Primary ground floor residential entries to multi-family buildings must orient to street – Met – Primary residential entrance faces Boyd Street. A secondary, ADA entrance is provided from the surface parking lot. Several more entrances to office, meeting rooms, and medical office are provided on Boyd Street. Staff is concerned that the residential entrance is not legible among



Figure 6: View of the project from Franklin Arterial

all the entrances on the Boyd Street façade – can the hierarchy of that entrance be made more prominent?

Standard c. Design approach, visible and permanent expression of the character of the neighborhood – This standard is a challenge to interpret in that the building is the first multi-family building of this scale in this neighborhood and should not be expected to adopt the architectural language of a single-family, or smaller-scale building. The project is meeting the goal of providing taller development on Franklin Street, a pattern begun further down towards the India Street neighborhood. The building is introducing some new architectural expressions for this neighborhood. Planning Board members commented during the workshop on the roofline – some height variation has been added to the roofline in response.

Standard e. Reinforce the public realm – appropriately scaled entries, porches, fenestration, landscaping, and architectural details – Public realm is defined with landscaped areas, high level of fenestration on ground floor, active ground floor uses with frequent entries, and canopies/overhangs. Fenestration patterns and types were revised in response to staff comment to improve the scale and proportional relationship to the pedestrian level and the overall building composition. Score lines are also proposed in the façade to add some texture, scale, and visual interest.



Figure 7: East and North Elevations

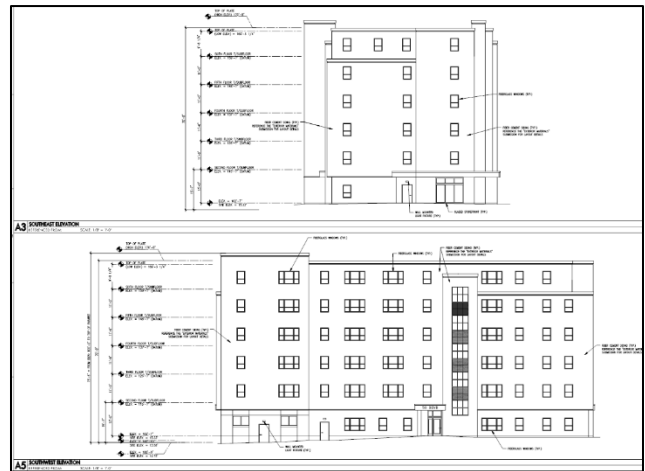


Figure 8: West and South Elevations

E. CONDITIONAL USE STANDARDS

Neighborhood Center

Section 14-142 states that permitted uses in the R-7 shall be identical to the permitted uses allowed within the R-6 zone. Under Section 14-137(b) of Division 7, it states that “Places of Assembly” are to be considered a condition use for the R-6 zone and subsequently the R-7 zone. The applicant is proposing a shared community meeting space of approximately 1,000 square feet, a Telemedicine Room designed to accommodate health care examinations and consultations for building residents and neighbors, and administrative offices for the organization, ‘Cultivating Community’. These spaces fall under the category “Places of Assembly”. As defined within the City’s land use code, a neighborhood center is:

A building or portion of a building used for recreational, artistic, social, educational, health, culture, or similar activities and services, usually owned and operated by a public or nonprofit group or agency. A neighborhood center is 10,000 square feet or less.

The Planning Board shall consider approval of the conditional use application based upon compliance with the Conditional Use Standards as stated under Section 14-474.C. The applicant has provided a written narrative to demonstrate compliance with these standards (Attachment BB). The standards and responses are listed below:

1. Authorized uses. A conditional use permit may be issued for any use denominated as a conditional use in the regulations applicable to the zone in which it is proposed to be located.

Applicant Response: Proposed conditional use is Place of Assembly – Neighborhood Center

2. Standards. The Board shall, after review of required materials, authorize issuance of a conditional use permit, upon a showing that the proposed use, at the size and intensity contemplated at the proposed location, will not have substantially greater negative impacts than would normally occur from surrounding uses or other allowable uses in the same zoning district. The Board shall find that this standard is satisfied if it finds that:

- a. The volume and type of vehicle traffic to be generated, hours of operation, expanse of pavement, and the number of parking spaces required are not substantially greater than would normally occur at surrounding uses or other allowable uses in the same zone: and

Applicant Response: The proposed conditional use will not generate significant additional traffic above that of a typical 55-unit building and the adjacent high-density Portland Housing residential campus. The proposed conditional use will be integrated into the proposed building and should be a seamless and essential part of the neighborhood.

- b. The proposed use will not create unsanitary or harmful conditions by reason of noise, glare, dust, sewage disposal, emissions to the air, odor, lighting, or litter; and

Applicant Response: The proposed conditional use is a benign use from the view point of creating an unsanitary or harmful environmental condition. The neighborhood center will not generate much sewerage, noise, or solid waste. It will be integrated into the proposed building so will not generate additional stand-alone noise, glare, dust or the like beyond the normal expected from a 55-unit residential building. All solid waste will be stored internally in a trash/recycling room. The proposed conditional use will not be a detriment to the neighborhood or zoning district but rather a benefit to the community as a neighborhood hub of services.

- c. The design and operation of the proposed use, including but not limited to landscaping, screening, signs, loading, deliveries, trash or waste generation, arrangement of structures, and materials storage will not have a substantially greater effect/impact on surrounding properties than those associated with surrounding uses or other allowable uses in the zone.

Applicant Response: The proposed conditional use's design and operations will not have greater effects or significant impacts on the surrounding properties/uses more so than the approved residential use. Since the conditional use is integrated into

the building and community to such a high degree the proposed use will be a significant benefit for the building's residences and the adjacent neighborhoods.

Staff have reviewed the applicant's conditional use application and find that the standards as listed under Section 14-474.C are being met. The proposed neighborhood center constitutes an accessory use found in numerous other residential developments and is further supported by the City's Housing Section of the Comprehensive Plan, which states a key goal is to, "encourage additional contextually appropriate housing density in and proximate to neighborhood centers, concentrations of services, and transit nodes and corridors as a means of supporting complete neighborhoods." The development of a neighborhood center and telemedicine facility at this location would provide an important community amenity within a densely populated on-peninsula neighborhood.

Inclusionary Zoning Conditional Use

This project proposes to provide fifty-five (55) residential units, which under Section 14-487, triggers the City's Inclusionary Zoning requirements to ensure workforce housing. The city is requesting that the applicant provide a formal conditional use application to satisfy this requirement.

The city's Housing Program Manager, Victoria Volent, has reviewed the material provided and offers the following comments (*Attachment 4*):

The development located at 58 Boyd Street is proposing the creation of 55 units of rental housing. The applicant has elected to provide forty-four (44) units of low-income housing. Of those units, thirty-seven (37) are targeted towards households earning 50% AMI, and seven (7) units target households earning 60% AMI. Eleven (11) out of the 55 units will remain unrestricted. Twenty-three (23) units will be efficiencies, ten (10) will be one-bedroom, thirteen (13) will be two-bedroom, and nine (9) will be three-bedroom units.

The applicant has satisfied the requirement that all developments of ten or more units comply with the requirements set forth in Division 30, Section 14-487 of the Zoning Ordinance.

XIV. PROPOSED MOTIONS

A. CONDITIONAL USE

1. 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 November 28, 2017 for application 2017-223 relevant to the Conditional Use as authorized by Division 30, Section 14-487 Ensuring Workforce Housing; and the testimony presented at the Planning Board Hearing, the Planning Board finds the proposed conditional use for workforce housing [**does or does not**] meet the standards of Section 14-484 with the following conditions:
 - a. That the Applicant shall provide a minimum of five (5) units of on-site workforce housing restricted to households earning up to 120% of the Area Median Income (AMI) per the submitted application prior.
 - b. The applicant shall enter into an Affordable Housing Agreement (AHA) with the City. This agreement shall outline the details of the affordability restrictions placed on Workforce Units and will be filed as covenant to the property's deed with the Cumberland Country Registry of Deeds before a Certificate of Occupancy shall be issued.

2. 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 November 28, 2017 for application 2017-217 relevant to the Conditional Use standards as listed under Division 28, Section 14-474, Conditional Uses; and the testimony presented at the Planning Board Hearing, the Planning Board finds the proposed conditional use for Place of Assembly **[does or does not]** meet the standards of Section 14-474.

B. 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 the public hearing on November 28, 2017 for application 2017-217 relevant to Portland's site plan ordinance and subdivision ordinance and other regulations; and the testimony presented at the Planning Board hearing:

1. The Planning Board **[finds/does not find]**, based upon the consulting transportation engineer's review (Attachment 3), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard, (Section 1.14) which requires that aisle width for right-angle parking be 24 feet per Figure I-27. The Planning Board **[waives/does not waive]** the Technical Manual Standard (Section 1.14) to allow an aisle width measuring 22 feet within the proposed surface parking lot; and
2. The Planning Board **[finds/does not find]**, based upon the consulting transportation engineer's review (Attachment 3), that extraordinary conditions exist or undue hardship may result from strict compliance with the Subdivision standard, (Section 14-498(b)(8)(a)) which requires that sidewalks be constructed on each side of each street. The Planning Board **[waives/does not waive]** the Subdivision standard (Section 14-498(b)(8)(a)) to provide a sidewalk along the east side of Franklin Street and south side of Lancaster Street between the existing termination point and Franklin Street.

B. SUBDIVISION

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 November 28, 2017 for application 2017-217 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the Planning Board finds that the plan **[is/is not]** in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. A final subdivision plan and recording plat shall be reviewed and approved by the Department of Public Works and the Planning Authority.

C. DEVELOPMENT REVIEW

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 November 28, 2017 for application 2017-217 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the Planning Board

finds that the plan **[is/is not]** in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. The applicant shall provide a revised construction management plan per comments listed the memo from DPW dated November 21, 2017 (*Attachment 6*), which asks that the applicant acquire authorization from the Parks and Recreation Department for their proposed “materials storage and staging area” to be located within the Community Garden site, that proposed utility connections and their projected impacts within the public right-of-way be shown and that temporary toilets be screened from the Franklin Street; and
2. The applicant shall provide a stormwater maintenance agreement for the stormwater drainage system, which shall be submitted, signed, and recorded prior to the issuance of a building permit with a copy to the Department of Public Works; and
3. The applicant shall provide a street tree contribution of \$17,200, calculated at a rate of \$400 per street tree. Funds from this contribution are to be put towards acceptable landscaping improvements, as defined under Section 14-526(b)(2)(iii)(b), within Franklin Preserve/Boyd Street Urban Farm; and
4. The applicant shall be responsible for the construction of the curb extension proposed at the southwest corner of the Boyd Street and Lancaster Street intersection. Public infrastructure improvements are proposed within Lancaster Street in 2019. In the event that these improvements are completed prior to full construction of this development, then the applicant shall be fully responsible for the design and construction of the curb extension. If, however these public infrastructure improvements are not yet complete, then the applicant shall provide a monetary contribution to the City in the full amount of the proposed work to complete the proposed improvement; and
5. A signed agreement with a car-share provider shall be submitted to the Planning Authority for review and approval. In the event that no car-share is provided, the Planning Authority is to be notified; and
6. Temporary construction licenses, footing licenses and public access easements for portions of the public sidewalk to be located on the applicant’s property shall be submitted for review and approval by Corporation Counsel, the Department of Public Works and the Planning Authority; and
7. Based upon a projected trip generation of 23 PM peak hour trips, the applicant shall provide a contribution of \$14,950 towards implementation of adopted improvements to Franklin Street (*Attachment 3*).

ATTACHMENTS:

Attachments to Memorandum

1. Final Planning Review Comments
2. Final Design Review Comments
3. Final Traffic Engineering Review Comments

4. Housing Program Manager Comments
5. Final Peer Review Comments
6. Final DPW Comments
7. Preliminary Planning Review Comments
8. Preliminary Design Review Comments
9. Preliminary Traffic Review Comments
10. Preliminary Peer Review Comments
11. Preliminary DPW Comments
12. Public Comment
 - a. PC1: Ellen Bailey (10/22/2017)

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