29-K-1

300 Fore St.

Custom Hse. Sq.

Olympia Equity

logged

AH. 2.6

AGREEMENT TO LEASE

THIS AGREEMENT TO LEASE (this "Agreement"), made as of November 8, 2005 (the "Effective Date"), is by and between **OLYMPIA EQUITY INVESTORS IV, LLC**, a Maine limited liability company with a place of business in Portland, Maine ("Landlord") and **OLYMPIA EQUITY INVESTORS IV-B, LLC**, a Maine limited liability company with a place of business in said Portland ("Tenant"), WHO AGREE AS FOLLOWS:

1. **PRELIMINARY RECITALS.** Landlord is the owner of a certain parcel of land situated in Portland, Cumberland County, Maine, as more particularly described in that certain deed to Landlord dated March 1, 1995 and recorded in the Cumberland County Registry of Deeds in Book 11905, Page 089 (the "Property"). Upon the satisfaction of certain conditions as more particularly set forth herein, Tenant desires to ground lease a portion of the Property identified on the plan attached hereto as **SCHEDULE A** and designated thereon as the "Premises". Tenant intends to construct upon the Premises a multi-story office/retail complex totaling approximately 66,000 square feet (the "Project").

2. **AGREEMENT TO LEASE.** In consideration of Tenant's undertakings and for other good and valuable consideration, the receipt and adequacy of which are hereby acknowledged, Landlord and Tenant hereby agree to enter into a Ground Lease for the Premises. The parties shall use their reasonable good faith and diligent efforts to agree upon a form of lease within ninety (90) days after the date hereof. The Lease shall include (i) the terms and conditions set forth on **SCHEDULE B** attached hereto and incorporated herein (the *"Basic Terms"),* (ii) such other terms and conditions, not inconsistent with the Basic Terms, as are customarily included in a commercial ground lease for a in-town office/retail building, subject, however, to the terms and conditions set forth in this Agreement.

3. **TENANT'S LEASE CONDITIONS.** This Agreement and the obligations of Landlord and Tenant hereunder are contingent upon satisfaction of the conditions described in Subsections (a) through (c) of this Section 3 (the "Lease Conditions").

(a) Environmental and Engineering Condition. During the sixty (60) day period following the execution of this Agreement (the "Inspection Period"), Tenant shall have the right, at its expense, to obtain such engineering studies, subsurface tests, test borings, geotechnical studies, water surveys, percolation tests, topographical surveys, utility surveys, sewage disposal surveys, drainage determinations, building inspections and testing, utility surveys, tests for Hazardous Materials, including asbestos tests, test pits and ground water sampling and/or monitoring wells if Tenant shall so desire, and such other tests and assessments as Tenant shall desire (collectively, "Engineering Studies") to determine whether the Premises are suitable for the construction and operation of the Project at a reasonable cost. The results of all Engineering Studies must be acceptable to Tenant, in Tenant's sole discretion. Any Engineering Studies that Tenant shall elect to undertake shall be performed at Tenant's expense. From and after the date of execution of this Agreement, Tenant, its agents, servants and authorized independent contractors shall have a right of entry onto the Premises in order to perform the Engineering Studies, provided that Tenant agrees to restore any material damage caused by such entry.

(b) Title Condition. Tenant, at its expense, shall have the right to obtain a commitment of leasehold title insurance from a title insurance company acceptable to Tenant with respect to the Premises. Tenant's obligations under this Agreement shall be contingent upon Tenant being satisfied, in its good faith judgment, that there are no liens, restrictions, encumbrances or defects in Landlord's title to the Premises. The condition set forth in this paragraph shall be deemed satisfied when Tenant shall have given Landlord written notice that Tenant has received a satisfactory title insurance commitment; provided, however, that (i) if after satisfaction of the Title Condition set forth in this subsection, Tenant shall discover any lien, restriction, defect or other encumbrance arising after the date of Tenant's title insurance commitment or not appearing in such commitment, Tenant shall be permitted to withdraw such notice and the Lease Condition set forth in this subsection shall not be deemed satisfied, and (ii) neither Tenant's obtaining such title insurance commitment nor Tenant's giving such notice shall result in a waiver by Tenant of any of Landlord's obligations, warranties, covenants or agreements under this Agreement or the Lease. If the Premises are subject to any mortgage, deed of trust or other instruments creating a lien upon the Premises that was granted or assumed by Landlord and affecting the Premises (a "Mortgage"), then promptly following the execution of this Agreement, Landlord shall commence and thereafter diligently pursue reasonable efforts to obtain a discharge or release of such Mortgage.

(c) Project Approvals Condition. Tenant's obligations under this Agreement shall be contingent upon Tenant having obtained the Project Approvals as described in Section 4 below. The condition set forth in this paragraph shall be deemed satisfied when Tenant shall have given Landlord written notice that Tenant has obtained the Project Approvals. Tenant shall be deemed to have "obtained" the Project Approvals only (i) after Tenant has obtained all necessary Project Approvals, they are not subject to any challenge or appeal and all periods within which any such challenge or appeal may be made have expired, and (ii) if said Approvals contain no conditions or requirements unacceptable to Tenant.

4. PERMITTING CONDITION. Tenant shall have a period of twelve (12) months following the date of this Agreement (the "Permitting Period") to obtain, at its sole cost and expense, all zoning changes and variances, environmental and land use permits, and all other governmental licenses, permits and approvals that shall be necessary for the construction and operation of the Project (collectively, the "Project Approvals"); provided, however, that if Tenant shall be pursuing the Project Approvals with reasonable diligence at the end of the Permitting Period, Tenant shall have the right to extend the Permitting Period for an additional period (not to exceed six (6) months) as necessary to obtain the Project Approvals. Landlord and Tenant shall use their best efforts to cooperate in any and all applications, proceedings and appeals relating to the Project Approvals.

5. CLOSING. The consummation of the transaction contemplated hereunder (the "Closing") shall take place at the office of Tenant or Tenant's counsel or in escrow through the offices of Tenant's title agent or other mutually acceptable escrow agent. The Closing shall take place on the first business day (the "Closing Date") that is at least thirty (30) days after the date Tenant obtains all of the Project Approvals as provided in Section 4, provided that all Lease

AH, 2.8

Conditions shall have been fully satisfied (or waived by Tenant in writing). On the Closing Date, Landlord shall deliver exclusive possession of the Premises to the Tenant free and clear of all liens, encumbrances, and title defects, and Landlord and Tenant shall execute and deliver the following:

(a) Landlord and Tenant shall execute and deliver the Lease in two original counterparts.

(b) Landlord and Tenant shall execute and deliver a Memorandum of Lease in recordable form.

(c) Landlord and Tenant shall each deliver to the other such evidence of its existence and due authority to execute and deliver the Lease, as the other may reasonably request.

(d) Landlord and Tenant shall each deliver such transfer tax forms, affidavits and other documents as may be customary and reasonably necessary.

6. NOTICE. All notices to be given hereunder shall be sent by registered or certified mail, return receipt requested, with postage prepaid, or by a national overnight carrier requesting acknowledgment of receipt, to the parties at the notice addresses set forth in the Lease (or to such other or additional addresses as the parties may hereafter designate by like notice similarly sent). Any notice given hereunder shall be deemed given on the date and at the time received or, if delivery is refused, the notice will be deemed given on the date, of such refusal. The parties' attorneys may give notice on behalf of their clients.

7. DEFAULT. In the event either party fails or refuses to consummate the Closing in accordance with the provisions of this Agreement for any reason other than those reasons specified in this Agreement as giving rise to a right of such party to terminate this Agreement, and the other party shall have performed all of its obligations under this Agreement, then such other party may bring an action for specific performance of this Agreement and/or seek whatever other remedies may be available at law or in equity.

8. BROKERS. Tenant and Landlord each represents and warrants to the other that it has not had any dealings with any broker or finder in connection with this transaction. Each party agrees to indemnify, defend and save the other harmless from and against any and all other claims, demands or causes of action or other liability, damage, cost or expense (including, without limitation, reasonable attorneys, fees) resulting from claims by any broker or other person in connection with this transaction made by or through the indemnifying party. The provisions of this Section shall survive the Closing and/or the termination of this Agreement.

9. MISCELLANEOUS.

(a) This Agreement and the Schedules attached hereto embody the entire agreement between the parties in connection with this lease transaction and there are no oral agreements, representations or inducements existing between the parties relating to this transaction. This

Att. 2.9

Agreement may not be modified, except by a written agreement signed by all of the parties. Upon request of Tenant, Landlord agrees to execute a memorandum of this Agreement for recording in the public records.

(b) This Agreement shall be binding upon and inure to the benefit of the parties hereto, their respective heirs, legal representatives, administrators, successors, successors in interest and assigns.

(c) No written waiver by any party at any time of any breach of any provision of this Agreement shall be deemed a waiver of a breach of any other provision herein or a consent to any subsequent breach of the same or any other provisions. If any action by any party shall require the consent or approval of another party, such consent or approval of such action on any occasion shall not be deemed a consent to or approval of such action on any subsequent occasion or a consent to or approval of any other action on the same or any subsequent occasion.

(d) This Agreement shall be governed by and interpreted in accordance with the laws of the State of Maine.

(e) This Agreement may be executed in any number of original counterparts, all of which evidence only one agreement and only one of which need be produced for any purpose.

IN WITNESS WHEREOF, the Landlord and Tenant have executed this Agreement as of the day and year first above set forth.

WITNESS:

WITNESS:

LANDLORD:

OLYMPIA EQUITY INVESTORS IV, LLC, a Maine limited liability company

By: _____
Print Name: Kevin Mahaney
Its: CEO

TENANT:

OLYMPIA EQUITY INVESTORS IV-B, LLC, a Maine limited liability company

By: _____
Print Name: Kevin Mahaney
Its: CEO

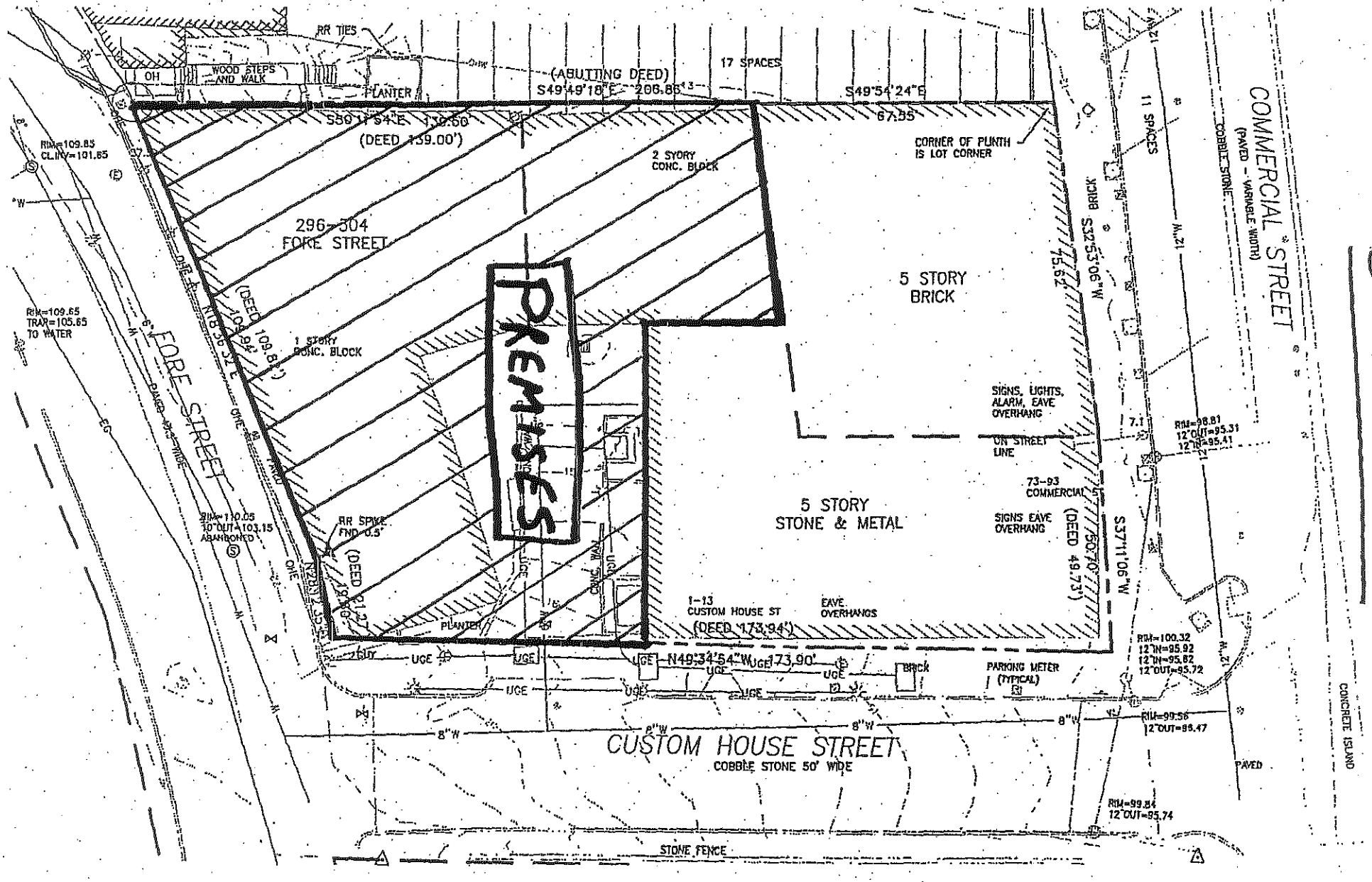
{W0415289.1}

AH. 2.10

SCHEDULE A

PLAN OF PREMISES

[See Attached]


RR TIES
OH
WOOD STEPS AND WALK
PLANTER
(ABUTTING DEED)
S49°49'18"E 206.86'
17 SPACES
S49°54'24"E
67.55'
S50°11'54"E 139.50'
(DEED 139.00')
CORNER OF PLINTH IS LOT CORNER
2 SYORY CONC. BLOCK
296-304 FORE STREET
5 STORY BRICK
PREMISES
1 STORY CONC. BLOCK
(DEED 109.84')
S32°53'06"W 45.52'
11 SPACES
COMMERCIAL STREET
(PAVED - VARIABLE WIDTH)
COBBLE STONE
RIM=109.85
CL HW=101.65
RIM=109.65
TRAV=105.65
TO WATER
FORE STREET
RTB 36°52'E
SIGNS, LIGHTS, ALARM, EAVE OVERHANG
ON STREET LINE
RIM=98.81
12"OUT=95.31
12"IN=95.41
73-93 COMMERCIAL
5 STORY STONE & METAL
SIGNS EAVE OVERHANG
(DEED 49.73')
S37°11'06"W 50.70'
RR SPIKE FND 0.5'
(DEED 109.84')
RIM=110.05
10"OUT=103.15
ABANDONED
N28°07'55"W
1-13 CUSTOM HOUSE ST
(DEED 173.94')
EAVE OVERHANGS
PLANTER
N49°34'54"W 173.90'
BRICK
PARKING METER (TYPICAL)
RIM=100.32
12"IN=95.92
12"IN=95.82
12"OUT=95.72
RIM=99.56
12"OUT=96.47
CUSTOM HOUSE STREET
COBBLE STONE 50' WIDE
PAVED
CONCRETE ISLAND
RIM=99.84
12"OUT=95.74
STONE FENCE

44.21

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SCHEDULE B

BASIC LEASE TERMS

1. **Purpose:** For any lawful purpose, including the development, construction, installation, operation, maintenance, repair and removal of a commercial building.

2. **Term:** The initial term of the Lease shall beninety-nine (99) years. Tenant shall have the right to renew the Lease upon its expiration, for up to three (3) extension terms of ninety-nine (99) years each. In addition, Tenant shall have the right to terminate this Lease upon six (6) months prior written notice.

3. **Rent:** The base rent for the initial term shall be Five Hundred Thousand Dollars, which amount shall be paid in full upon the rent commencement date of the lease. Base Rent for each extension term shall be fair market value of the ground, unimproved and unencumbered by this Lease. Tenant shall be responsible for all costs associated with or arising out of the Leased Premises, including taxes and insurance.

4. **Assignment:** (a) Subject to the provisions of subsection (b) below, Tenant shall have the right to assign the Lease, provided that any such assignment shall be subject to Owner's consent, which consent shall not be unreasonably withheld, conditioned or delayed. The foregoing notwithstanding, no such consent shall be required in order for Tenant to assign this Lease to any investor or lender as collateral security or to any future assignment by such investor or lender, or any of their respective successors and assigns. Such lease shall contain standard leasehold mortgagee protection provisions.

(b) The parties acknowledge that Tenant intends to construct a building on the premises and to subject the building to a condominium regime. In connection therewith, Tenant will subject its leasehold interest in the Lease to the Condominium, whereupon it will become part of the common interest of the condominium and owned in common by the unit owners of the condominium. Upon the sale of any condominium unit, a proportionate interest in the leasehold estate shall be conveyed as an appurtenance to the unit. Landlord consents to such condominium regime and agrees to execute the condominium declaration evidencing such consent, whereupon there shall be no restrictions upon the assignability of the Lease.

5. **Default and Remedies:** The Lease shall contain agreed upon default provisions. Notwithstanding such provisions, or any default by Tenant or the condominium owners, the Lease shall not be terminable. Landlord's only remedy in the event of default shall be to sue for specific performance, or to exercise self help, as set forth more fully in the Lease.

Att. 3.1

EXHIBIT 3

FINANCIAL CAPACITY

3.0 Overview

TDBanknorth has prepared a letter of the applicant's ability to finance the project. A copy of the bank letter is included in Attachment A of this Exhibit.

Att. 3.2

ATTACHMENT A

Letter from TD Banknorth

Att. 33

Banknorth

TD Banknorth, N.A.
One Portland Square
P.O.Box 9540
Portland, ME 04112-9540
T: 207 761-8500
Toll Free: 800 462-3666
TDBanknorth.com

October 6, 2005

Lee Lowry
Planning Board
City of Portland
c/o Olympia Equity Investors
280 Fore Street, Suite 202
Portland, ME 04101

Re: Kevin Mahaney/Olympia Equity Investors IV B/Custom House Square

To Whom It May Concern:

This letter will confirm that, based on our preliminary due diligence and subject to our standard underwriting requirements, Kevin Mahaney/Olympia Equity Investors IV B/ Custom House Square, will have the financial capacity to complete the proposed development of a class A office building and the accompanying parking at 300 Fore Street, Portland, Maine. Please call me at 207-761-8783, should you have any questions.

Very truly yours,

Lawrence A. Wold
Senior Vice President

AH. 4

EXHIBIT 4

TECHNICAL ABILITY

4.0 Overview

The applicant has contracted the site development design work to DeLuca-Hoffman Associates, Inc., a civil engineering firm located in South Portland, Maine. DeLuca-Hoffman Associates, Inc. was founded in 1986 and has provided engineering services to private, industrial, commercial, municipal and governmental clients for the past 19 years.

PCI Architecture has been retained to complete the architectural designs; a final Contractor for the building construction has not yet been determined.

OEI IV-B, the developer of the project, is affiliated with the Olympia Development Company and the family of Olympia Companies, which have been recognized for successfully completing similar projects of this nature in the City of Portland. Examples of the projects include:

W.L. Blake Building Historic Renovation

42,000 Square Foot Renovation & 25,000 Square Foot Expansion

280 Fore Street

115,000 Square Foot Office Building

Hilton Garden Inn

Downtown 120-room Hotel

50 Sewall Street Medical Office Building

40,000 Square Foot Medical Office Building

#5.

EXHIBIT 5

UNUSUAL NATURAL AREAS, WILDLIFE AND FISHERIES HABITATS OR ARCHAEOLOGICAL SITES

5.0 Overview

The existing project site is currently completely developed and due to its current configuration and urban setting is devoid of any unusual natural areas, wildlife habitats or archaeological features.

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EXHIBIT 6

REVIEW CRITERIA

City of Portland, Maine Standards
Requirements for Site Approval

6.1 Provisions for Traffic and Pedestrian Circulation Both On and Off The Site

The development proposal includes the construction of a new building and extensive sidewalk reconstruction along Fore Street. Pedestrian circulation will be addressed by new brick sidewalks along the building edges.

A Traffic Movement Permit will be required as part of the associated development. A formal submittal will be provided under separate cover and is anticipated to be acted upon in a concurrent timeline as the site plan review. Refer to the Traffic Movement Permit Application which accompanies this application.

6.2 Construction of New Structures and Parking Requirements

The proposed building construction will total approximately **68,836** square feet. OEI IV-B intends to procure necessary parking through leasing spaces. Attachment F of this exhibit includes an option to lease the necessary parking spaces.

6.3 Impact of Bulk, Location or Height of Proposed Buildings and Structures on the Neighbors

The building will be located along the corner of Fore Street and Custom House Street. Surrounding development includes the US Custom House, the renovated W.L. Blake building and the Fore Street restaurant. The Zoning Administrator has performed a review of the proposed project, which is included in Attachment G. The proposed building façade has been reviewed with and endorsed by the Historic Preservation Board (see Attachment D).

6.4 Impact on Value of Neighboring Property Due to Proposed Buildings

The proposed building will be similar in character to the abutting structure and should not negatively affect the values of adjacent structures. The proposed project is located in the B-3 zone in which office buildings are a permitted use. The proposed building is directly adjacent to the W. L. Blake Building expansion and will have distinctly similar façade and fenestration. The next adjacent building is the Fore Street restaurant. The restaurant is set back approximately 18 feet from the proposed building. The value of abutting properties will be enhanced by the sidewalk, curbing and street lighting improvements between 280 – 300 Fore Street.

6.5 Effect of Proposed Project on Public Utilities

The proposed project will not adversely affect the public utilities of the City of Portland. The proposed project will not substantially introduce additional flows to the sewer and storm drain systems. A request for an "Ability to Serve" letter was sent to the City of Portland Department of Public Works for the increased flows due to the building construction. Copies of this letter of request and the response from Portland Public Works are included in Attachment B of this Exhibit.

Att. 6.2

A request for an "Ability to Serve" letter was sent to the Portland Water District for the increased flows due to the building construction. A response has been received, a copy of which is included as part of Attachment C of this Exhibit.

It is anticipated that all other utilities to the site will not be adversely affected by the proposed project. Central Maine Power is currently reviewing various options for potential relocation of electrical service and has indicated it has adequate facilities to accommodate the proposed development.

6.6 On-site Landscaping To Provide A Buffer With Neighboring Uses

Given the density of development and highly urbanized zoning, no landscaping is proposed to buffer the neighboring uses. Further discussion with CMP has identified the presence of a 16-way concrete-encased duct bank along the proposed curbline, which would preclude planting of street trees. In addition, the Fore Street side of the building is along the north side of the building and not ideal for planting of street trees. Placement of street trees further away from the concrete-encased duct bank would interrupt sidewalk plowing operations and encroach upon pedestrian movement within the Pedestrian Activities District.

6.7 The Site Plan Minimizes, To The Extent Feasible, Any Disturbance or Destruction of Significant Vegetation

This provision is not applicable, as the site does not contain any significant vegetation.

6.8 Site Plan Does Not Create Any Significant Soil or Drainage Problems

The existing site is currently completely impervious and will remain so upon completion of the development, though certain areas of asphalt will be transformed to building. This will not create any significant soil or drainage problems.

6.9 Provision of Appropriate Exterior Lighting

The planned additional exterior lighting will not be hazardous to motorists traveling on adjacent streets, due to the setback of the development from these streets. The lighting proposed will be limited to pedestrian level street lighting along Fore Street only.

6.10 The Development Will Not Create Fire or Other Safety Hazards and Provides Adequate Access to the Site and to the Buildings on the Site for Emergency Vehicles

Although the horizontal alignment of Fore Street will be shifted slightly to accommodate the widened sidewalks, the vehicular access along the roadway network will not be altered and therefore, will not create any fire or safety hazards. Since the building envelope will encompass the entire site and the building will be proximately located to Fore Street and Custom House Street, adequate access will not be an issue.

Att. 6.3

6.11 The Proposed Development is Designed So As To Be Consistent with Off-Premises Infrastructure, Existing or Planned by the City of Portland

The project will not generate any increases to stormwater runoff and therefore will not impact the capacity of the City of Portland combined sewer system.

6.12 Pertaining to Industrial Development

N/A

6.13 Pertaining to Development in R-P Zone

N/A

6.14 Pertaining to Planned Unit Developments

N/A

6.15 Pertaining to Multi-Family Developments

N/A

6.16 Pertaining to Development in B-3 Zone

The proposed development is consistent with the zoning identified in the B-3 zone and does not conflict with the Bulk & Space or dimensional requirements of this zone, with the exception of the street build-to line provision. The proposed building will be sited approximately 8.35 feet at its further point along the intersection of Custom House Street and Fore Street. This does not meet the street build-to limitation, though this occurs for a very isolated portion of the site and is due to an irregularity in the geometry of the Fore Street right-of-way.

Section 14-220(c) provides a standard for 5-foot maximum setback for the street build-to line, although the Planning Board has the ability to waive this standard in lieu of an alternate dimension provided the requirements of Article V – Site Plan, Standards, Section 14-526 16(a) are met. This proposed development meets the provisions of paragraph 16 of Section 526. Further, subsection 2 of paragraph 16 provides the following:

> *"2. Standards for increasing setback beyond street build-to line: A proposed development may exceed maximum setbacks as required in section 14-220(c) only where the applicant demonstrates to the Planning Board that the introduction of increased building setbacks at the street level:*
>
> *(a) Provides substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest. Such amenities may include without limitation plazas, outdoor eating spaces and cafes, or wider sidewalk circulation areas in locations of substantial pedestrian congestion;*

(b) Does not substantially detract from the prevailing street wall character by introducing such additional setback at critical building locations such as prominent form-defining corners, or create a sense of discontinuity in particularly consistent or continuous settings;

(c) Does not detract from existing publicly accessible open space by creating an excessive amount of open space in one (1) area or by diminishing the viability or liveliness of that existing open space; and

(d) The area of setback is of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity."

The proposed development as designed will meet the criteria of a-d. The location of the 3.35-foot extension of the setback is at a street corner where pedestrian traffic is likely to both turn the corner from Fore Street onto Custom House Street as well as cross Custom House Street. While the building location is more driven by the spatial dimension of the parcel, the irregularity of the Fore Street right-of-way in the location allows for the construction of a wider sidewalk, which will promote safe pedestrian access and avoid congestion, per the request of the Board. Additionally, the Historic Preservation Committee had requested the building be set back so as to not interfere with the view of the Custom House Building.

6.17 The Applicant Has Submitted All Information Required By This Article and the Development Complies with all Applicable Provisions of this Code

The application compiled, addresses all provisions noted in this code to the best of our knowledge.

6.18 Proximity To Any Landmark, Historic District or Historic Landscape District

The proposed structure is a direct abutter the US Custom House, though no development restrictions adjacent to this landmark are in place. The proposed building has been reviewed and endorsed by the Historic Preservation Committee.

6.19 Pertaining to View Corridors

The building is set back from Fore Street in such a way as to not obstruct the view of the Custom House building, as requested by the Historic Preservation Committee.

6.20 No Adverse Effect on Existing Natural Resources

No adverse effect on existing natural resources is anticipated from the proposed development.

6.21 Pertaining to Discharge to a Significant Groundwater Aquifer

According to the Portland quadrangle map of the Maine Geological Survey, there is no significant aquifer in the vicinity of the project location.

6.22 Pertaining to Signs

Signage is proposed for the new development. All provisions in regards to signage have been addressed according to the City code. The building occupant will be applying for a sign permit separate from this application.

6.23 Pertaining to Denial of Sign Under Exhibit 14-369.5

N/A

6.24 Pertaining to Major or Minor Businesses

N/A

6.25 Pertaining to Development in Industrial Zones

N/A

6.26 Pertaining to Development in B-5 and B-5b Zones

N/A

AH. 7.1

ATTACHMENT A

Parking Management Plan
Memorandum from Gorrill-Palmer

AH.7.2

Memorandum

To:	Tim Levine Olympia Equity Investors IVB, LLC
Project:	Proposed Office/Restaurant – Custom House Square – Portland, ME Shared Parking Generation
From:	Thomas L. Gorrill, P.E., PTOE, Gorrill-Palmer Consulting Engineers, Inc.
Project Number:	1317
Date:	January 5, 2006

Our office completed a parking evaluation for the proposed commercial building on the corner of Fore Street and Custom House Street in Portland, Maine. The site is proposed to contain a 68,174 s.f. building, consisting of 58,114 s.f. of office space and two 5,030 s.f. restaurants. The City of Portland has zoning requirements for parking spaces for various types of uses. According to these zoning requirements, the proposed commercial building is required to provide 214 off-street parking spaces, as summarized below.

Land Use	Zoning Requirement	Parking Spaces Required
10,060 s.f. Restaurant	P = 1 per 150 s.f.	68 spaces
58,114 s.f. Office	P = 1 per 400 s.f.	146 spaces
Total		**214 spaces**

It is our understanding that the Council On International Education Exchange (CIEE) will own all but the ground floor of the project. Our office obtained employee information from CIEE, which suggests the parking demand for the proposed building will be much lower than that required by the ordinance. During the summer months, CIEE has approximately 150 employees. Of these, at least 20 employees are J-1 visa students who work in the U.S. for 4 months during summer holidays. These students will live in the East and West End, and will walk or use transit. None of these students are anticipated to own a vehicle. Therefore, no more than 130 employees are anticipated to own a vehicle. An additional 15% of the employees are anticipated to live in Portland and may also walk to work on fair weather days. Therefore, approximately 111 employees are anticipated to drive to work on a daily basis. Additionally, approximately 15% of CIEE's employees travel as part of their job, which results in 10-15 employees being out of the office and on the road on a daily basis. To be conservative, our office assumed 120 parking spaces would be required to accommodate employees of CIEE. This would reduce the total parking requirement for the site to 178 parking spaces.

The City does allow determination of "shared parking" in recognition of daily, hourly and seasonal variation in parking demand for the different types of uses. The ITE publication *Parking Generation,*

3rd Edition provides a table depicting the percentage of the peak hour parking demand generated each hour of the day for several land uses as shown in the attached Table 1. This information was used to prepare an estimate of the hourly demand for each use and the hourly demand for the entire site as shown in the attached Table 2. As shown in Table 1, restaurants experience the heaviest parking demand in the evening when the office would be closed. However, retail experiences its peak demand in the middle of the day. Therefore, our office performed an analysis of the parking demand using retail and restaurant for the two proposed restaurants. The results of the analyses are included in the table below.

Parking Generation Summary

	Portland Zoning Parking Requirement		Mid-day Parking Demand (2-3 PM)
Use	Ordinance	Spaces	
Office	Based on CIEE employee info.	120 spaces	116 spaces
Retail	P = 1 space per 200 s.f.	51 spaces	49 spaces
Restaurant	P = 1 space per 150 s.f.	68 spaces	41 spaces

As shown in the table above, the mid-day parking demand for retail is higher than the mid-day demand for a restaurant. Therefore, our office assumed the two restaurants would be a retail use in order to be conservative. As shown in Table 2 attached, a peak parking demand of 165 spaces is forecast to be experienced by the proposed development and is anticipated to occur from 2-3 PM based on published data. However, given that the restaurants will be complimentary uses to the office, drawing tenants and their visitors and clients, and is located adjacent to the Old Port, our office anticipates the majority of the retail traffic will be drawn from these areas and will not generate a demand for new parking. Thus, for the purpose of this analysis, we have assumed the retail uses will generate sixty percent of the published estimate, reducing the demand to 145 spaces. After 5:00 PM, when the office is closed, the parking demand will be reduced to 104 parking spaces. The parking demand for the office space is not anticipated to experience a significant seasonal fluctuation component. Therefore, the peak parking demand of the entire site would occur in the summer time when the restaurant experiences its highest demand.

In summary, our office recommends a total of 145 parking spaces be provided for the proposed commercial building. It is our understanding that should CIEE sell or lease the building or any portion thereof, the applicant will be required to return to the planning board for approval of parking supply.

Please contact us with any questions.

TLG/rlb/1317/ParkingMemo1-5-06

Att. 7.9

ATTACHMENT F

Parking Intent

(Fully executed document to follow)

V7824

PARKING OPTION AGREEMENT

##, 7.5

THIS PARKING OPTION AGREEMENT (this "Agreement"), made as of February 13, 2006, by and between **RIVERWALK, LLC** ("Riverwalk"), and/or affiliated assigns, a Maine limited liability company, having an address at 2 Market Street, Suite 500, Portland, Maine 04101, and **OLYMPIA EQUITY INVESTORS IV, LLC** ("OEI"), and/or affiliated assigns, a Maine limited liability company, having an address at 280 Fore Street, Suite 202, Portland, Maine 04101.

WITNESSETH:

WHEREAS, Riverwalk owns various parking lots in or about India Street in Portland, Maine and desires to construct a structured parking facility thereon (said lots and said potential future parking facility being collectively referred to as the "Parking Lots"); and

WHEREAS, OEI owns property in Portland, Maine, which is identified on the official tax map for the City of Portland as Chart 29, Block K, Lot 1, and which is commonly known as 7 Custom House Street; and

WHEREAS, OEI desires to construct a commercial condominium building and other related improvements on a portion of said property (said building and other related improvements being hereinafter collectively referred to as the "Project"); and

WHEREAS, In connection with the Project, OEI desires to obtain an option from Riverwalk to license no less than one hundred and twenty five spaces (125) and up to one hundred forty-five (145) parking spaces on the Parking Lots for use by the owners/tenants of the Project; and

WHEREAS, Riverwalk desires to grant to OEI an option to license said parking spaces from Riverwalk on the terms and conditions set forth in this Option;

NOW, THEREFORE, in consideration for the sum of One Thousand Dollars ($1,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Riverwalk, Riverwalk and OEI agree as follows:

1. Riverwalk hereby grants to OEI, and to its successors and assigns, an option to license no less than one hundred and twenty five spaces (125) and up to one hundred forty-five (145) parking spaces on the Parking Lots on the terms and conditions set forth in this Agreement (the "Option").

2. The term of this Agreement shall commence on the date of this Agreement (the "Effective Date") and shall expire on October 31, 2007, subject to the provisions of the next succeeding sentence. OEI shall have the right to extend the original term of this Agreement by two additional months to December 31, 2007 by notice given to Riverwalk on or before October 31, 2007. For the purposes of this Agreement, the original term, as the same may be extended, is hereinafter referred to as the "Option Term."

3. (a) (i) OEI shall have the right, at its sole discretion, to exercise the Option by notice given to Riverwalk at any time during the Option Term; said notice shall state that OEI has elected to exercise the Option and shall designate the number of parking spaces (not to be less than 125 nor exceed 145) that OEI desires to license. Upon the giving of such notice,

Riverwalk agrees to license to OEI the number of designated parking spaces on the terms set forth in Paragraph 4 below.

(ii) If the number of parking spaces designated in OEI's notice is less than one hundred forty-five (145), then OEI shall have the right, at its sole discretion, to license all or any portion of the Remaining Spaces (as herein defined) from time to time by notice given to Riverwalk at any time prior to expiration of the Parking Term (as defined in Paragraph 4(a)) on the same terms and conditions as set forth in Paragraph 4, except that the term of any such license or licenses shall expire as of the expiration of the Parking Term.

(iii) For the purposes of this Agreement, the term "Designated Spaces" shall mean the parking spaces designated by OEI in the notice given pursuant to clause (i) of this Paragraph 3(a), plus the parking spaces designated by OEI in any subsequent notice or notices given pursuant to clause (ii) of this Paragraph 3(a), and the term "Remaining Spaces" shall mean the parking spaces available to license from time to time after deducting the aggregate Designated Spaces from the original one hundred forty-five (145) parking spaces.

(b) Notwithstanding anything to the contrary contained in this Agreement, OEI shall have the right to terminate this Option Agreement at any time during the Option Term for any reason or for no reason by notice given to Riverwalk. In such event, this Option Agreement shall be deemed terminated and of no further force or effect as of the date on which Riverwalk receives said termination notice, and neither party shall have any further obligations or liabilities under this Agreement.

4. (a) If OEI exercises the Option, OEI shall have the right to license the Designated Spaces for five (5) years, commencing on the later to occur of (i) the first (1st) business day after Riverwalk's receipt of OEI's notice under clause (i) of Paragraph 3(a) or (ii) the date on which the first closing of a condominium unit in the Project occurs (such later date being hereinafter referred to as the "Commencement Date"), and expiring on the last day of the calendar month in which the fifth (5th) anniversary of the Commencement Date occurs (the "Parking Term").

(b) The monthly license fee during the Parking Term for the Designated Spaces shall be equal to the product of (i) the number of Designated Spaces licensed to OEI from time to time, multiplied by (ii) an amount which is equal to the Average Monthly Parking Rate of the Parking Lots, Custom House Parking Garage and Casco Bay Ferry Terminal Parking Garage. OEI shall pay said fee to Riverwalk on or before the fifth (5th) day of each calendar month, subject, however, to the provisions of Paragraph 4(c). The Average Monthly Parking Rate shall be set at the commencement of the Parking Term and shall be reset on July 1st of each year of the Parking Term.

(c) OEI shall have the right to allocate the Designated Spaces among the various condominium units of the Project. In such event, OEI shall have the right to request that Riverwalk enter into direct license agreements with the condominium unit owners and/or the tenants of such condominium units for their respective share of the Designated Spaces; said direct license agreements shall be for the balance of the Parking Term and shall be for the same Average Monthly Parking Rate per Designated Space. From and after the execution of said direct license agreements, Riverwalk acknowledges and agrees that OEI shall have no further obligations with respect to the Designated Spaces covered by the direct license agreements, and Riverwalk shall look solely to said condominium owners and/or tenants for payment of the monthly license fees with respect to their respective Designated Spaces.

Att. 7.7

5. All notices and other communications required or permitted under this Agreement shall be in writing and shall be given by certified mail, return receipt requested, or by nationally recognized overnight delivery service. Any such notice shall be deemed to be delivered upon (i) the date of actual receipt or (ii) if actual receipt is denied, the date on which receipt is denied. Any notice shall be addressed as follows: if to Riverwalk, to 2 Market Street, Suite 500, Portland Me 04101, to the attention of Drew Swenson; and if to OEI, to 280 Fore Street, Suite 202, Portland, Maine 04101 to the attention of Kevin Mahaney. Any party may change the address to which its future notices shall be sent by notice given as above, provided that change shall be effective only upon receipt.

6. This Agreement shall be binding upon and shall inure to the benefit of Riverwalk and OEI and their respective successors and assigns.

7. This Agreement shall be governed by the laws of the State of Maine.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date.

RIVERWALK, LLC	OLYMPIA EQUITY INVESTORS, IV, LLC
By:_____	By: [signature]
Name:	
Title:	By: OEI Mgt Corp IV
	Name: Kevin P Mahaney
	Title: President

Att. 8.1

ATTACHMENT B

Letter Requesting Ability to Serve
Sent to Portland Public Works

Letter from Portland Public Works

DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL 207 775 1121
FAX 207 879 0896

AH.8.2

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION
- TRAFFIC STUDIES AND MANAGEMENT

October 26, 2005

Mr. Frank Brancely
City of Portland
55 Portland Street
Portland, Maine 04101

Subject: Proposed Office Building
Fore Street, Portland, Maine
Letter of Ability to Serve

Dear Frank:

DeLuca-Hoffman Associates, Inc. has been retained to prepare plans and permit applications/submissions for a proposed 65,000 square foot office building. As required by the reviewing authorities, we are writing to request a letter indicating the ability of the City of Portland to provide sanitary sewer capacity for the project.

Project Overview

The project will be located at the corner of Fore Street and Custom House Street.

Sanitary Sewer Service

Sanitary service for the project is proposed to be provided by connection to the existing sewer main in Fore Street. An 8-inch sewer line from that main will serve the proposed building.

Water Consumption

The proposed building is intended to be leased as office space, though tenant occupancy has yet to be finalized. Multiple tenants are anticipated and the exact water consumption that will occur is uncertain. It is anticipated between 150 and 200 employees may work in the office. Assuming a water usage rate of fifteen gallons per day per employee, this equates to approximately 2,250 to 3,000 gallons per day of sanitary sewerage from the proposed development. It is expected that the sanitary sewer component will be equivalent to the water usage and no water will be recycled.

AH 8.3

Letter of Ability to Serve

DeLuca-Hoffman Associates, Inc. is presently preparing design review submissions for City of Portland Site Plan Approval. Accordingly, we are requesting a letter from the City of Portland indicating the adequacy of the existing sanitary sewer infrastructure to serve this project.

Please contact our office with any questions you may have concerning this letter and request for ability to serve. We would like to include your letter of ability to serve with this submission. We appreciate your assistance in this matter and look forward to your response.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

Christopher J. Osterrieder

Christopher J. Osterrieder, P.E.
Senior Engineer

CJO/sq/JN2581/Brancely-10-26-05

Enclosure

c: Matt Wirth, PCI Architecture
Tim Levine, Olympia Equity Investors, Inc.

(2581/43)
At 8.4

PORTLAND MAINE

Strengthening a Remarkable City, Building a Community for Life • www.portlandmaine.gov

Public Works Department
Michael J. Bobinsky, Director

23 November 2005

Mr. Christopher J. Osterrieder, P.E.
DeLuca-Hoffman Associates
77 Main Street, Suite 8,
South Portland, Maine 04106.

RE: The Capacity to Handle an Anticipated Increase in Wastewater Flows, from the Proposed Custom House Square Office Building, at 300 Fore Street, Portland, Maine.

Dear Mr. Osterrieder:

The existing fifteen inch diameter, vitrified clay sanitary sewer pipe, located in Fore Street has adequate capacity to **transport**, while The Portland Water District sewage treatment facilities, located off Marginal Way, have adequate capacity to **treat** the anticipated wastewater flows of **4,875 GPD**, from your proposed Office Building.

Anticipated Wastewater Flows from the Proposed Office Building:	
One Proposed 65,000 S.F. Office Building / 1000 x 5 x 15	= 4,875 GPD
Total Proposed Increase in Wastewater Flows for this Project	**= 4,875 GPD**

The City combined sewer overflow (C.S.O.) abatement consent agreement, with the U.S.E.P.A. and the Maine D.E.P., requires C.S.O. abatement, as well as storm water mitigation, in order to offset any increase in sanitary flows, from all projects.

If The City can be of further assistance, please call 874-8832.

Sincerely,
CITY OF PORTLAND

Frank Brancely

Frank J. Brancely, B.A. M.A.
Senior Engineering Technician

FJB/cmm

cc: Alexander Q. Jaegerman, Acting Co-Director, Department of Planning, and Urban Development, City of Portland
William B. Needleman, Planner, Department of Planning, and Urban Development, City of Portland
Eric Labelle, P.E., City Engineer, City of Portland
Bradley A. Roland, P.E., Environmental Projects Engineer, City of Portland
Stephen K. Harris, Assistant Engineer, City of Portland
Jane Ward, Administrative Assistant, City of Portland
Desk file

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NOV 29 2005

O:\Engshare\FJB\Capacity Letters\Fore Street 300
C:\Frank's\Capacity Letters\Fore Street 300

AA.8.5

ATTACHMENT C

Letter Requesting Ability to Serve Sent to Portland Water District

Letter from Portland Water District

DeLUCA-HOFFMAN ASSOCIATES, INC.
CONSULTING ENGINEERS

778 MAIN STREET
SUITE 8
SOUTH PORTLAND, MAINE 04106
TEL 207 775 1121
FAX 207 879 0896

AH. 8.6

- SITE PLANNING AND DESIGN
- ROADWAY DESIGN
- ENVIRONMENTAL ENGINEERING
- PERMITTING
- AIRPORT ENGINEERING
- CONSTRUCTION ADMINISTRATION
- TRAFFIC STUDIES AND MANAGEMENT

October 26, 2005

Mr. Dave Coffin
Portland Water District
225 Douglass Street
P.O. Box 3553
Portland, Maine 04104-3553

Subject: **Proposed Office Building**
300 Fore Street, Portland, Maine
Letter of Ability to Serve

Dear Dave:

DeLuca-Hoffman Associates, Inc. has been retained to prepare plans and permit applications/submissions for a proposed 65,000 square foot office building. As required by the reviewing authorities, we are writing to request a letter indicating the ability of the Portland Water District to serve the project.

Project Overview

The project will be located at the corner of Fore Street and Custom House Street.

Water Supply Service

Water supply service for the project is proposed to be provided by connection to the existing main in Fore Street.

Water Consumption

The proposed building is intended to be leased as office space, though tenant occupancy has yet to be finalized. Multiple tenants are anticipated and it is uncertain as to the exact water consumption that will occur. It is anticipated that between 150 and 200 employees may work in the office. Assuming a water usage rate of fifteen gallons per day per employee, this equates to approximately 2,250 to 3,000 gallons per day for the proposed development.

AH-8.7

Letter of Ability to Serve

DeLuca-Hoffman Associates, Inc. is presently preparing design review submissions for City of Portland Site Plan Approval. Accordingly, we are requesting a letter from the District indicating the adequacy of the existing off-site water supply infrastructure to serve this project, and a copy of any new construction specifications that the District requires.

Please contact our office with any questions you may have concerning this letter and request for ability to serve. We would like to include your letter of ability to serve with this submission. We appreciate your assistance in this matter and look forward to your response.

Sincerely,

DeLUCA-HOFFMAN ASSOCIATES, INC.

Christopher J. Osterrieder, P.E.
Senior Engineer

CJO/sq/JN2581/Coffin-10-26-05

Enclosure

c: Matt Wirth, PCI Architecture
Tim Levine, Olympia Equity Investors, Inc.

2581
Att. 0.8 93

Portland Water District

FROM SEBAGO LAKE TO CASCO BAY

October 27, 2005

Mr. Christopher J. Osterrieder, P.E.
DeLuca-Hoffman Assoc., Inc.
778 Main Street
So. Portland, Maine 04106

Re: 300 Fore St, Portland

Dear Sir:

The Portland Water District has a 6" water main in Fore Street and an 8" water main in Custom House Street, Portland, near the proposed site. The water main connects to Franklin Street, runs down Fore Street dead ending at Custom House Street than proceeds down Custom House Street to Commercial Street. A test on a nearby hydrant produced the following results: static pressure 89 psi; pito pressure 47 psi; with a flow of 1150 gpm. With these results in mind, the District feels we have sufficient capacity available to serve this proposed project and meet all normal fire protection and domestic water service demands. **Please notify your plumber of these results so that they can design your system to best fit the available pressure.**

The Districts policy is to have separate fire and domestic services from the water main to the street line and a second valve on the fire service if the water main in the street is over 50 years old (Fore and Custom House are older than 50 years). With certification by the developer that all required permits have been received, we look forward to serving this project.

Sincerely,

PORTLAND WATER DISTRICT

David W. Coffin, PLS
Engineering Supervisor

RECEIVED
OCT 31 2005

225 Douglass Street • P.O. Box 3553 • Portland, Maine 04104-3553
Phone: 207-774-5961 • Fax: 207-761-8307 • Web: www.pwd.org

CITY OF PORTLAND, MAINE
HISTORIC PRESERVATION BOARD

#9

June 15, 2005

Jim Brady
Olympia Equity Investors Inc.
50 Monument Square
Portland, Maine 04101

Re: Proposed Addition to Blake Block Complex–corner of Fore and Custom House Streets

Dear Mr. Brady:

On June 1, 2005, the City of Portland's Historic Preservation Board voted 6-0 (Pitman absent) to approve your application for a Certificate of Appropriateness for a building addition to the existing Blake Block complex, to be located at the corner of Fore and Custom House Streets.

Board approval was made subject to the following condition:

- Final plans and specifications for HVAC equipment, lighting and building and/or tenant signage to be submitted to staff for review and approval. At staff's discretion, these items may be forwarded to the Board for review.

All improvements shall be carried out as shown on the plans and specifications submitted for the 6/1/05 public hearing and/or as described above. Changes to the approved plans and specifications and any additional work that may be undertaken must be reviewed and approved by this office prior to construction, alteration, or demolition. If, during the course of completing the approved work, conditions are encountered which prevent completing the approved work, or which require additional or alternative work, you must apply for and receive a Certificate of Appropriateness or Non-Applicability PRIOR to undertaking additional or alternative work.

This Certificate is granted upon condition that the work authorized herein is commenced within twelve (12) months after the date is issuance. If the work authorized by this Certificate is not commenced within twelve (12) months after the date of issuance or if such work is suspended in significant part for a period of one year after the time the work is commenced, such Certificate shall expire and be of no further effect; provided that, for cause, one or more extensions of time for periods not exceeding ninety (90) days each may be allowed in writing by the Department.

Sincerely,

DM

Cordelia Pitman

Cordelia Pitman, Chair
Historic Preservation Board

cc: Tim Levine, Olympia Equity
David Lloyd, Archetype

AH. 10.1

ATTACHMENT E

Geotechnical Report by S. W. Cole Engineering, Inc.

Att. 10.2

GEOTECHNICAL ENGINEERING SERVICES
PROPOSED CUSTOM HOUSE SQUARE BUILDING
(W. L. BLAKE ADDITION #2)
CUSTOM HOUSE AND FORE STREETS
PORTLAND, MAINE

05-0079 February 1, 2006

Prepared for:
OEI IVb, LLC
Olympia Equity Investors
Attn: Mr. Tim Levine
280 Fore Street, Suite 202
Portland, Maine 04101

Prepared by:

286 Portland Road
Gray, Maine 04039

AH. 10.3

TABLE OF CONTENTS

S.W.COLE ENGINEERING, INC. • Geotechnical Engineering • Field & Lab Testing • Scientific & Environmental Consulting

05-0079

February 1, 2006

OEI IVb, LLC
Olympia Equity Investors
Attention: Mr. Tim Levine
280 Fore Street, Suite 202
Portland, Maine 04101

Subject: Geotechnical Engineering Services
Proposed Custom House Square Building
(W.L. Blake Building Addition #2)
Custom House and Fore Streets
Portland, Maine

Dear Mr. Levine:

In accordance with our Proposal dated January 28, 2005, we have made a subsurface investigation and geotechnical evaluation at the above referenced site. We received authorization to proceed on September 12, 2005. A draft report was provided for your review and comment on November 4, 2005. This report summarizes our findings and geotechnical recommendations and its contents are subject to the limitations set forth in Attachment A.

1.0 INTRODUCTION

1.1 Scope of Work

The purpose of our work was to obtain subsurface information in order to develop geotechnical recommendations for foundations associated with the proposed construction. Our scope included interior and exterior test boring explorations, a review of subsurface information obtained during a previous building addition, a geotechnical evaluation of the subsurface findings relative to the proposed construction and preparation of this report.

1.2 Proposed Construction

As discussed, we understand development plans call for construction of a new five-story office building on the site. We understand the building will be steel-framed with a

basement floor elevation 11.5 feet (project datum). As discussed, we anticipate the building will be founded on pile-supported foundations. Detailed structural loading information is not available at the time of this report.

2.0 EXPLORATION AND TESTING

2.1 Exploration

Five test borings (B-201 through B-205) were made at the site on October 25 and 26, 2005. The test borings were made by Northern Test Boring of Gorham, Maine working under subcontract to S. W. COLE ENGINEERING, INC. The exploration locations were selected and established by S. W. COLE ENGINEERING, INC. based upon site access limitations, underground utility constraints and our understanding of the proposed construction. The approximate exploration locations are shown on the "Exploration Location Plan" attached as Sheet 1. Logs of explorations are attached at Sheets 2 through 6. Rock cores were obtained at test borings B-201 and B-202. Rock core logs are attached as Sheets 7 and 8. A key to the notes and symbols used on the logs is attached as Sheet 9.

Five test borings (B-1 through B-5) were made by S. W. COLE ENGINEERING, INC. for the first addition to the Blake Building in February 2000. A plan showing the locations of these test boring, as well as the logs of these test borings, are attached as Appendix A.

2.2 Testing

The soils were sampled using a split spoon sampler and Standard Penetration Test (SPT) methods. SPT results are shown on the logs. Soil samples obtained from the test borings were returned to our laboratory for further visual classification.

3.0 SITE AND SUBSURFACE CONDITIONS

3.1 Site Conditions

The site is bounded by Fore Street (at about elevation 22) to the west, Custom House Street (elevation varies adjacent to the proposed construction from about 22 feet to 18 feet) to the south, the W.L.Blake Building to the east and the Fore Street Restaurant and a paved parking lot (at about elevation 13) to the north. Elevations are based on the project datum, as shown on the boundary and topographic survey prepared by Owen Haskell Inc.

The area proposed for the new office building is currently occupied by a one and two story masonry structure and paved loading ramp. The masonry structure has visible signs of step-cracking associated with structural distress caused by foundation settlement. The existing interior concrete slab is uneven, in relatively poor condition and shows signs of settlement related distress. The existing concrete floor is at an elevation of about 13 feet. The west wall of the existing masonry structure along Fore Street is a massive concrete retaining wall about 9 feet high.

3.2 Subsurface Conditions

Borings B-201 through B-203 were conducted adjacent to the large retaining wall at the edge of Fore Street. Below about 5 inches of concrete, these borings encountered 6 to 8 feet of loose dark brown to black silty sand with various amounts of brick and gravel (fill) overlying dense brown gravelly sand with some silt (native) overlying probable bedrock surfaces at about 9 to 9 ½ feet below the existing ground surface. It should be noted that an approximate 6-inch void was encountered directly below the concrete slab in boring B-202. Rock cores were obtained at borings B-201 and B-202. The rock cores indicate that the upper 3 feet of the bedrock is highly weathered and fractured with an RQD of 0%. An approximate 8-inch void was encountered within the upper 3-foot weathered zone of the bedrock at boring B-201. Below the 3-foot weathered zone, the bedrock core encountered gray Carbonaceous Pelite with an RQD of 91%.

Borings B-204 and B-205 were conducted between proposed column lines D and E (see Sheet 1), about 50 and 70 feet from the edge of Fore Street, respectively. Boring B-204 was conducted in an existing paved access drive area and B-205 was conducted inside the existing building adjacent to the northerly wall line. Boring B-204 encountered about 4.5 inches of asphalt overlying about 3 feet of medium dense base gravel overlying 2 feet of medium dense subbase gravel overlying loose dark brown to black silt and fine sand with varying amounts of brick and gravel. Boring B-205 encountered about 6 inches of concrete overlying the loose dark brown to black silty sand (fill) soils. Underlying the dark brown to black silty sand (fill), at depths of about 9 feet from the ground surface, borings B-204 and B-205 encountered very loose black silt and wood to depths of about 22 and 16 feet from the ground surface, respectively. Several buried wooden logs were encountered in these test borings with diameters estimated to range from 12 and 18 inches. The buried wood may be relic wood cribbing

or relic timber piles. The layer or buried wood and silt overlies light brown gravelly silt and sand (likely native soils) overlying refusal surfaces at depths of about 21 to 25 feet.

S. W. COLE ENGINEERING, INC. performed geotechnical explorations for the recent building addition on easterly side of the proposed construction. Borings B-3 through B-5 encountered similar conditions as B-204 and B-205. These borings encountered loose to very loose dark brown to black silty fill soils with wood and bricks to depths of 14 to 19 feet below the ground surface overlying medium dense to dense native brown silty sand with some gravel overlying refusal surfaces at depths of about 23 to 31 feet below the ground surface. Buried wood was also encountered at boring B-4.

Refer to the boring and rock core logs, attached as Sheets 2 through 8 and in Appendix A for more detailed descriptions of the subsurface findings at the exploration locations.

3.3 Groundwater Conditions

At the time of drilling, groundwater was observed at depths of about 9 feet below the ground surface. After removing the casing from the explorations, the holes generally caved at about 5 to 6 feet from the ground surface with no free water within the hole. It should be noted that groundwater levels likely fluctuate in response to nearby tidal water levels.

3.4 Seismic and Frost Conditions

According to IBC 2003, we interpret the subsurface conditions to correspond to a Seismic Site Class E. The design freezing index for the Portland, Maine area is approximately 1250 Fahrenheit-Degree-Days, which corresponds to a frost penetration on the order of 4.5 feet.

4.0 EVALUATION AND RECOMMENDATIONS

4.1 General Findings

Based on the findings at the exploration locations and our understanding of the proposed project, it is our opinion the proposed construction appears feasible from a geotechnical standpoint provided the proposed building addition is founded on pile-supported foundations. As discussed, it may be feasible to support the foundations along Fore Street on spread footing bearing on clean, sound intact bedrock provided excavations can be successfully completed to fully penetrate the upper 3-foot

weathered zone of bedrock. As discussed, the top 3 feet of bedrock encountered adjacent to Fore Street is very poor quality and voids were encountered within the bedrock. The rock in this area will need to be improved by either 1) pressure grouting (pile supported foundations) or 2) excavation and removal of unsuitable rock (spread footing foundations). Alternatively, a drilled pipe pile set at least 5 feet into the rock and filled with high strength concrete could be used to support the foundations adjacent to Fore Street.

It should be noted that the spoils generated from excavation of existing soils will not be suitable for reuse on site with the exception of the gravels found beneath the existing paved loading dock ramp area. In addition, based on our experience in the area and the results from our recent and previous exploration work, the excavated soils may have some level of contamination requiring special disposal at an approved disposal facility.

4.2 Foundations

4.2.1 Pile Foundations

Considering the subsurface conditions encountered and our understanding of the proposed construction, we recommend foundation support of the proposed building be derived from steel H-Piles with cast driving tips driven to end-bearing on bedrock. Grade beams, pile caps and foundations exposed to freezing temperatures should extend at least 4.5 feet below exterior finished grade for frost protection or be insulated with foundation insulation to provide adequate frost protection. Since large wooden obstructions were observed in the test borings, piles must be designed to withstand the driving forces. Additionally, it should be anticipated that some piles will shift laterally during driving or may need to be relocated to overcome below grade obstructions.

Considering the voids encountered within upper 3 feet of the bedrock adjacent to Fore Street, the bedrock in this area will need to be improved if driven piles are utilized. In general, a grout subcontractor could place a high strength epoxy grout within the top 3 feet of bedrock at proposed pile cap locations adjacent to Fore Street to fill any voids or fractures that may exist. The grout should have a minimum compressive strength of 10,000 psi. In general, placing epoxy grout to improve subsurface bedrock is costly; therefore, we recommend that consideration be given to installing concrete filled steel pipe pile adjacent to Fore Street, drilled at least 5 feet into bedrock.

Based on our understanding of the project, we offer the following pile sections and allowable axial compressive capacities for design consideration. The allowable axial capacities have been reduced to allow for 1/8-inch corrosion of the pile section.

PILE SECTION ASTM A572 Grade 50	ALLOWABLE AXIAL COMPRESSIVE PILE CAPACITY (1/8" Corrosion Allowance)
HP10 x 57	80 kips
HP12 x 53	80 kips
5-inch diameter concrete filled pipe pile	40 kips
NOTE 1: Axial capacity based up 1/8" corrosion reduction in steel and working stress not exceeding 16.7 ksi. NOTE 2: Pipe piles should be filled with concrete with a minimum compressive strength of 5,000 psi.	

Post-construction settlement of piles driven to practical refusal on sound bedrock or drilled and socketed into sound bedrock should not exceed ½-inch; elastic shortening of the pile should be evaluated on a pile cap by pile cap basis, as deemed necessary by the structural engineer. Considering the depth to bedrock, our experience on the site and a bottom of pile cap elevation of 4.5 feet below exterior grades, we anticipate pile lengths could likely vary from about 5 to 35 feet. Piles should be spaced a minimum of two pile diameters, center-to-center, but not less than 24 inches. We recommend that pile caps and grade beams be underlain with 8 inches of compacted crushed stone to help provide a stable working surface during construction.

For pile caps backfilled with properly compacted Structural Fill (clean, free-draining sand and gravel), we recommend a passive earth pressure of 325 pcf (equivalent fluid) for design consideration. Additional lateral resistance can be provided by grade beams between the pile caps, as deemed necessary by the structural engineer.

The pile-driving contractor should submit information on the pile driving equipment and proposed 'set' or stop driving criteria to S. W. COLE ENGINEERING, INC. prior to the start of pile driving activities. S. W. COLE ENGINEERING, INC. should be on-site during the driving of piles to maintain pile-driving records and to monitor vibrations due to driving.

Vibrations from pile driving activities can adversely affect adjacent structures. We recommend that a pre-driving survey be done on structures adjacent to the proposed project. The pre-driving survey should include photographs and the installation of crack monitors as appropriate to establish a baseline prior to the start of pile driving activities.

The IBC 2003 requires that pile load tests be performed on piles with design capacities over 40 tons (80 kips). Considering the recommended pile capacities are 80 kips or less, pile load testing will not be required. However, based on our experience in the City of Portland, we recommend that a pile driving summary plan and letter, stamped by a Maine Professional Engineer, stating that the piles were installed according to the recommendations in the geotechnical report, be prepared to meet the Special Inspections requirements of the City.

4.2.2 Spread Footing Foundations

Based on the subsurface findings and our understanding of the proposed construction, spread footing foundations bearing on sound bedrock may be considered adjacent to the existing retaining wall supporting Fore Street. As discussed, excavation of the existing soils has certain limitations including: possible undermining of the existing Fore Street retaining wall foundation, unearthing potentially contaminated soils and excavating below the groundwater table. If this option is considered, we recommend the contractor conduct several test pit exploration adjacent to the existing retaining wall to assess subsurface and foundation conditions after the existing building has been demolished.

If spread footings are utilized, excavation of all soils and weathered bedrock to expose clean, sound, intact bedrock will be required (likely about 12 feet below existing grade). The excavations will likely need shoring and the existing retaining wall may need bracing or require underpinning. For spread footing foundations bearing on clean, sound, intact bedrock, we recommend a net allowable bearing capacity of 10 ksf. S. W. COLE ENGINEERING, INC. should be retained to observe subgrades prior to placing new concrete or fill.

4.3 Excavation Work

An erosion control system should be instituted prior to any construction activity at the site to help protect adjacent drainage ways.

Wet to saturated soil conditions will likely be encountered in the foundation excavations. In our opinion, ditching with sump and pump dewatering techniques should be adequate to control groundwater in excavations less than about 6 feet deep. We recommend placing at least 8 inches of crushed stone at the base of pile cap and grade beam excavations to act as a drainage media and working mat.

Deeper excavations, such as for utilities or for spread footing foundations (if utilized), will likely require braced sheeting for groundwater cutoff and excavation stability. A crushed stone working mat will likely also be needed at the base of utility excavations to provide a stable working surface. A geotextile fabric should be used below the crushed stone to help separate the stone and subgrade soils and help stabilize the subgrade.

In any case, all excavations must be properly shored and/or sloped in accordance with OSHA trenching regulations to prevent sloughing and caving of the sidewalls during construction. Excavations adjacent to existing buildings must be properly shored and underpinned as necessary to prevent undermining of the existing structures.

4.4 Foundation Drainage

We recommend that a perimeter foundation drainage system be provided near pile cap subgrade around the exterior side of the proposed building. The underdrain pipe may consist of 4-inch diameter perforated foundation drain with a filter sock bedded in free-draining sand meeting the requirements of MDOT 703.22 Type B Underdrain Sand. The underdrain must be placed at least 4.5 feet below exterior finish grades to provide frost protection and have a positive gravity outlet protected from freezing temperatures and backflow.

4.5 Slab-On-Grade Floors

Based on our observations of the existing concrete floor, the presence of voids below the slab and our understanding of the proposed construction, we recommend that the existing floor be completely removed. The underlying soils are not suitable for direct support of slab-on-grade floors, therefore we recommend that the existing soils be overexcavated to a depth of least 18 inches below proposed floor slabs and replaced with compacted Structural Fill overlying a woven geotextile fabric, such as Mirafi 500X, placed on exposed subgrades. It should be noted that the subsurface soils have a high organic content and may continue to settle after construction is complete resulting in unlevel floors and possibly voids below the slab. If post construction settlement of the

on-grade floor slabs is not tolerable, we recommend the on-grade floor slabs be pile supported.

We recommend that a 15-mil vapor retarder be placed directly below concrete slab-on-grade floors. The vapor retarder should have a permeance that is less than the floor covering being applied on the slab and should be installed according to the manufacturer's recommended methods including taping all joints and wall connections. Flooring suppliers should be consulted relative to acceptable vapor barrier systems for use with their products. The vapor barrier must have sufficient durability to withstand direct contact with the subslab fill and construction activity.

We recommend that control joints be installed within slabs-on-grade to accommodate shrinkage in the concrete as it cures. In general, control joints are usually installed at 10 to 15 foot spacing; however, the actual spacing of control joints should be determined by the structural engineer. We recommend that all slabs be wet-cured for a period of at least 7 days after casting as a measure to reduce the potential for curling of the concrete and excessive drying/shrinkage. We further recommend that consideration be given to using a curing paper or curing compound after the wet-cure period to improve the quality of the completed floor.

4.6 Backfill and Compaction

The existing fill soils are unsuitable for backfill against foundations or for reuse below slab and paved areas. The existing pavement gravels may be reused as compacted fills below on-grade floor slabs to form a casting bed for construction of the floor slabs and as backfill for interior foundations not exposed to freezing temperatures.

Crushed stone placed as a working mat below pile caps, grade beams at utility trenches should be clean, washed ¾-inch minus Crushed Stone Drainage Aggregate meeting the gradation requirements for MDOT 703.23 Underdrain Type C.

We recommend backfill of foundation exposed to freezing, interior foundation backfill and fill below on-grade floor slabs consist of clean, free-draining, sand and gravel meeting the gradation requirements for Structural Fill, as given below:

Structural Fill	
Sieve Size	Percent Finer by Weight
4 inch	100
3 inch	90 to 100
¼ inch	25 to 90
No. 40	0 to 30
No. 200	0 to 5

Fill should be placed in horizontal lifts and be compacted. Lift thickness should be generally limited to between 6 to 12 inches, as appropriate for the compaction equipment being used, such that the desired density is achieved throughout the lift thickness with 3 to 5 passes of the compaction equipment. Foundation backfill and fills placed beneath slabs, paved areas and walkways should be compacted to at least 95 percent of its maximum dry density as determined by ASTM D-1557 (Modified Proctor). Crushed stone below pile-supported foundations should be compacted to provide stable access for foundation construction crews and stable subgrades for concrete placement.

4.7 Entrance Slabs

Entrance slabs at door openings should be designed to reduce the effects of differential frost action. We recommend that exterior entrance slabs be underlain with a minimum of 4.5 feet of Structural Fill extending beneath the entire width and length of entrance slab. The thickness of Structural Fill below the entrance slab should transition up to adjacent pavement subbase at a 3H:1V slope or flatter. This is to help avoid abrupt, differential heaving. All adjacent paved and grassed areas should be sloped to promote drainage away from the building periphery.

4.8 Weather Considerations

If foundation construction takes place during cold weather, subgrades, foundations, and concrete must be protected during freezing conditions. Concrete must not be placed on frozen soil and once placed, the soil and concrete must be protected from freezing. Further, the on-site fills are moisture sensitive and as such exposed soil surfaces will be susceptible to disturbance during wet conditions. Consequently, sitework and construction activities should take appropriate measures to protect exposed soils, particularly when wet.

4.9 Construction Testing

S. W. COLE ENGINEERING, INC. should be retained to provide testing and observation services during the excavation, pile driving and foundation phases of construction. This is to observe compliance with the design recommendations, drawings and specifications and to allow design changes in the event that subsurface conditions are found to differ from those anticipated prior to the start of construction.

S. W. COLE ENGINEERING, INC. is available to assist in conducting a pre-pile driving survey, provide pile driving vibration monitoring, observe pile installation, and to test soil, concrete, asphalt, steel, spray-applied fireproofing and masonry construction materials.

5.0 CLOSURE

S. W. COLE ENGINEERING, INC. should be engaged to review the sitework and foundation design drawings to confirm that our recommendations have been appropriately interpreted and implemented. We look forward to working with you as the design progresses and during the construction phase.

Sincerely,

S. W.COLE ENGINEERING, INC.

Andrew R. Simmons, P.E.
Geotechnical Engineer

Timothy J. Boyce, P.E.
Senior Geotechnical Engineer

STATE OF MAINE
TIMOTHY J. BOYCE
No. 9263
REGISTERED
PROFESSIONAL ENGINEER

ARS-TJB:tjb/pfb

P:\2005\05-0079 S_OEI_Portland_WL Blake Building Addition 2_TJB\05-0079 FinalReport.doc

Att. 11.1

PARKING OPTION AGREEMENT

THIS PARKING OPTION AGREEMENT (this "Agreement"), made as of February 14, 2006, by and between **RIVERWALK, LLC** ("Riverwalk"), a Maine limited liability company, having an address at 2 Market Street, Suite 500, Portland, Maine 04101, and **OLYMPIA EQUITY INVESTORS IV, LLC** ("OEI"), a Maine limited liability company, having an address at 280 Fore Street, Suite 202, Portland, Maine 04101.

WITNESSETH:

WHEREAS, Riverwalk owns various parking lots in or about India Street in Portland, Maine and desires to construct a structured parking facility thereon (said lots and said potential future parking facility being collectively referred to as the "Parking Lots"); and

WHEREAS, OEI owns property in Portland, Maine, which is identified on the official tax map for the City of Portland as Chart 29, Block K, Lot 1, and which is commonly known as 7 Custom House Street; and

WHEREAS, OEI desires to construct a commercial condominium building and other related improvements on a portion of said property (said building and other related improvements being hereinafter collectively referred to as the "Project"); and

WHEREAS, In connection with the Project, OEI desires to obtain an option from Riverwalk to license no less than one hundred and twenty five spaces (125) and up to one hundred forty-five (145) parking spaces on the Parking Lots for use by the owners/tenants of the Project; and

WHEREAS, Riverwalk desires to grant to OEI an option to license said parking spaces from Riverwalk on the terms and conditions set forth in this Option;

NOW, THEREFORE, in consideration for the sum of One Thousand Dollars ($1,000.00) and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged by Riverwalk, Riverwalk and OEI agree as follows:

1. Riverwalk hereby grants to OEI, and to its successors and assigns, an option to license no less than one hundred and twenty five spaces (125) and up to one hundred forty-five (145) parking spaces on the Parking Lots on the terms and conditions set forth in this Agreement (the "Option").

2. The term of this Agreement shall commence on the date of this Agreement (the "Effective Date") and shall expire on October 31, 2007, subject to the provisions of the next succeeding sentence. OEI shall have the right to extend the original term of this Agreement by two additional months to December 31, 2007 by written notice given to Riverwalk on or before October 31, 2007. For the purposes of this Agreement, the original term, as the same may be extended, is hereinafter referred to as the "Option Term."

3. (a) (i) OEI shall have the right, at its sole discretion, to exercise the Option by written notice given to Riverwalk at any time during the Option Term; said notice shall state that OEI has elected to exercise the Option and shall designate the number of parking spaces (not to be less than 125 nor exceed 145) that OEI desires to license. Upon the giving of such

notice, Riverwalk agrees to license to OEI the number of designated parking spaces on the terms set forth in Paragraph 4 below.

(ii) If the number of parking spaces designated in OEI's notice is less than one hundred forty-five (145), then OEI shall have the right, at its sole discretion, to license all or any portion of the Remaining Spaces (as herein defined) from time to time by notice given to Riverwalk at any time prior to expiration of the Parking Term (as defined in Paragraph 4(a)) on the same terms and conditions as set forth in Paragraph 4, except that the term of any such license or licenses shall expire as of the expiration of the Parking Term.

(iii) For the purposes of this Agreement, the term "Designated Spaces" shall mean the parking spaces designated by OEI in the notice given pursuant to clause (i) of this Paragraph 3(a), plus the parking spaces designated by OEI in any subsequent notice or notices given pursuant to clause (ii) of this Paragraph 3(a), and the term "Remaining Spaces" shall mean the parking spaces available to license from time to time after deducting the aggregate Designated Spaces from the original one hundred forty-five (145) parking spaces.

(b) Notwithstanding anything to the contrary contained in this Agreement, OEI shall have the right to terminate this Agreement at any time during the Option Term for any reason or for no reason by written notice given to Riverwalk. In such event, this Agreement shall be deemed terminated and of no further force or effect as of the date on which Riverwalk receives said termination notice, and neither party shall have any further obligations or liabilities under this Agreement.

4. (a) If OEI exercises the Option, OEI shall have the right to license the Designated Spaces for five (5) years, commencing on the later to occur of (i) the first (1st) business day after Riverwalk's receipt of OEI's written notice under clause (i) of Paragraph 3(a) or (ii) the date on which the first closing of a condominium unit in the Project occurs (such later date being hereinafter referred to as the "Commencement Date"), and expiring on the last day of the calendar month in which the fifth (5th) anniversary of the Commencement Date occurs (the "Parking Term").

(b) The monthly license fee during the Parking Term for the Designated Spaces shall be equal to the product of (i) the number of Designated Spaces licensed to OEI from time to time, multiplied by (ii) an amount which is equal to the Average Monthly Parking Rate of the Parking Lots, Custom House Parking Garage and Casco Bay Ferry Terminal Parking Garage. OEI shall pay said fee to Riverwalk on or before the fifth (5th) day of each calendar month, subject, however, to the provisions of Paragraph 4(c). The Average Monthly Parking Rate shall be set at the commencement of the Parking Term and shall be reset on July 1st of each year of the Parking Term.

(c) OEI shall have the right to allocate the Designated Spaces among the various condominium units of the Project. In such event, OEI shall have the right to request that Riverwalk enter into direct license agreements with the condominium unit owners and/or the tenants of such condominium units for their respective share of the Designated Spaces; said direct license agreements shall be for the balance of the Parking Term and shall be for the same Average Monthly Parking Rate per Designated Space. From and after the execution of said direct license agreements, Riverwalk acknowledges and agrees that OEI shall have no further obligations with respect to the Designated Spaces covered by the direct license agreements, and Riverwalk shall look solely to said condominium owners and/or tenants for payment of the monthly license fees with respect to their respective Designated Spaces.

5. The parties hereto acknowledge that Riverwalk desires to construct a structured parking facility (the "Garage") on the Parking Lots. If OEI exercises its option under Paragraph 4, and if, at the time of said exercise, Riverwalk is constructing the Garage, or if, at any time during the Parking Term, Riverwalk commences the construction of the Garage, whichever the case may be, then the provisions of this Paragraph 5 shall apply. During the construction of the Garage, Riverwalk agrees to use commercially reasonable efforts to accommodate the Designated Spaces on the portion of the Parking Lots, if any, not affected by the construction of the Garage. In the event Riverwalk is unable to accommodate all or any portion of the Designated Spaces on the Parking Lots during the construction of the Garage, Riverwalk and OEI agree to work cooperatively to locate other parking spaces for OEI on an interim basis. In such event, the monthly license fee set forth in Paragraph 4(b) shall be paid only with respect to those Designated Spaces, if any, that are located on the Parking Lots. Upon the completion of the Garage and upon the expiration of the interim parking arrangements, the Designated Spaces will be located in the Garage for the balance of the Parking Term on the terms and conditions stated in this Agreement.

6. All notices and other communications required or permitted under this Agreement shall be in writing and shall be given by certified mail, return receipt requested, or by nationally recognized overnight delivery service. Any such notice shall be deemed to be delivered upon (i) the date of actual receipt or (ii) if actual receipt is denied, the date on which receipt is denied. Any notice shall be addressed as follows: if to Riverwalk, to 2 Market Street, Suite 500, Portland Me 04101, to the attention of Drew Swenson; and if to OEI, to 280 Fore Street, Suite 202, Portland, Maine 04101 to the attention of Kevin Mahaney. Any party may change the address to which its future notices shall be sent by notice given as above, provided that change shall be effective only upon receipt.

7. This Agreement shall be binding upon and shall inure to the benefit of Riverwalk and OEI and their respective successors and assigns.

8. This Agreement shall be governed by the laws of the State of Maine.

IN WITNESS WHEREOF, the undersigned have executed this Agreement as of the Effective Date.

RIVERWALK, LLC

By: _____
Name: Drew E Swenson
Title: Manager

OLYMPIA EQUITY INVESTORS, IV, LLC

By: OEI Mgt Corp
By: _____
Name: Kevin P Mahaney
Title: President

Att. 12

Sue Quinlan

From: Chris Osterrieder
Sent: Monday, February 13, 2006 10:52 AM
To: Sue Quinlan (SQuinlan@DelucaHoffman.com)
Subject: 2581 - Exhibit 6 Attachment E

-----Original Message-----
From: Marge Schmuckal [mailto:MES@portlandmaine.gov]
Sent: Thursday, January 26, 2006 11:02 AM
To: WBN@portlandmaine.gov
Subject: 300 Fore Street

Bill,
I have reviewed the information submitted with this site plan application #2005-0247. This property is located within the B-3 Business Zone, a Historic District and a PAD Encouragement area.

The B-3 Zone under section 14-220(c) states that the streetwall build-to line shall be located within 5 feet of the property line or the planning board may approve more of a setback under 14-526(a)(16). The plans are showing maximum setback of 8.35 feet at the corner of Custom House and Fore Streets. The planning board is required to approve the additional setback as stated.

A maximum height of 65 feet is required in this area. Based on the information supplied by A. Matthew Wirth, project manager for PCI Architecture, the maximum height from average grade will be 64' 10". The final submitted building plans shall reflect the same before final sign off. I am sure code enforcement shalll require independent in-field verification of this height.

This building will be approximately 68,836 square feet. Under section 14-332(t) the planning board is empowered to assess the parking requirements on this project.

All other B-3 zoning requirements are being met.

Marge Schnmuckal
Zoning Administrator

AH.13

EXHIBIT 7

SOLID WASTE

7.0 Overview

This Exhibit provides the estimates, the use of recycling, the transport and disposal of solid waste which will be generated by the construction and operation of the proposed development.

7.1 Solid Wastes Generated During Construction of the Site Work

Minimal solid wastes are anticipated during construction of the proposed building renovations and additions.

The contractor will be provided the following options for waste disposal:

- Transport to Riverside Transfer Station in Portland, Maine or another licensed facility.

7.2 Solid Wastes Generated from the Operation of the Development

Cardboard from packaging will be compressed and privately hauled off. A trash room will be provided for miscellaneous office wastes and will be maintained by a private waste hauler on a regular basis. The development is expected to generate less than 3 cubic yards of solid waste per week.

Att. 4.

EXHIBIT 8

SURFACE DRAINAGE AND RUNOFF

8.0 Introduction

DeLuca-Hoffman Associates, Inc. has completed a rudimentary summary of stormwater runoff and its impacts as a result of the proposed improvements. The development includes the construction of a new building in place of areas of existing pavement. Currently, a catch basin structure exists within the paved area of the project site. This will be removed as a result of the building construction, though the proposed roof drain system will likely utilize the existing drainage network. This proposed development should result in no impact to the volume of runoff leaving the site. As a result, no specific measures for quantity control are offered in the current proposal.

No water quality measures are proposed as part of this project since no parking will be provided and runoff from rooftop surfaces is generally not considered to be a significant source of stormwater pollution.

8.1 Existing Conditions

The site is located at the intersection of Fore Street and the easterly side of Custom House Street in Portland, Maine and consists of a concrete block structures, an access driveway, and existing pavement at the rear of the existing W.L. Blake building. All of the runoff from the site drains to a catch basin which enters a closed storm drain system on the adjacent property to the east.

The site is 100% impervious so any hydrological characteristics of the surficial soils would not factor into the runoff potential of the site.

Based on the National Wetlands Inventory for Portland, Maine (north) region, there are no mapped wetlands shown in this area.

8.2 Proposed Conditions

The proposed project consists of the construction of new building which will occupy the balance of the available land of the OEI IV parcel. The proposed building development not will result any new impervious surface. Reconstruction of the adjacent sidewalks will not affect the existing drainage patterns.

8.3 Conclusion

The proposed development will not increase the volume of runoff from the site and therefore will not impact stormwater quantity or adjacent facilities. No new parking will be created and the existing paved surface will be replaced by building rooftop, which will not have impacts on stormwater quality. The proposed development will not have any impacts on surface drainage or runoff.

Att. 15

EXHIBIT 9

TEMPORARY AND PERMANENT EROSION AND SEDIMENTATION CONTROL

9.0 Overview

In general the only necessary temporary erosion control measure necessary will be the limited use of a Dirtbag™ for construction dewatering. The existing site is impervious and will predominantly remain so through construction. The potential for erosion and sedimentation from the project site will not be a factor, given the density and limited potential for exposure of denude surfaces.

AH 16

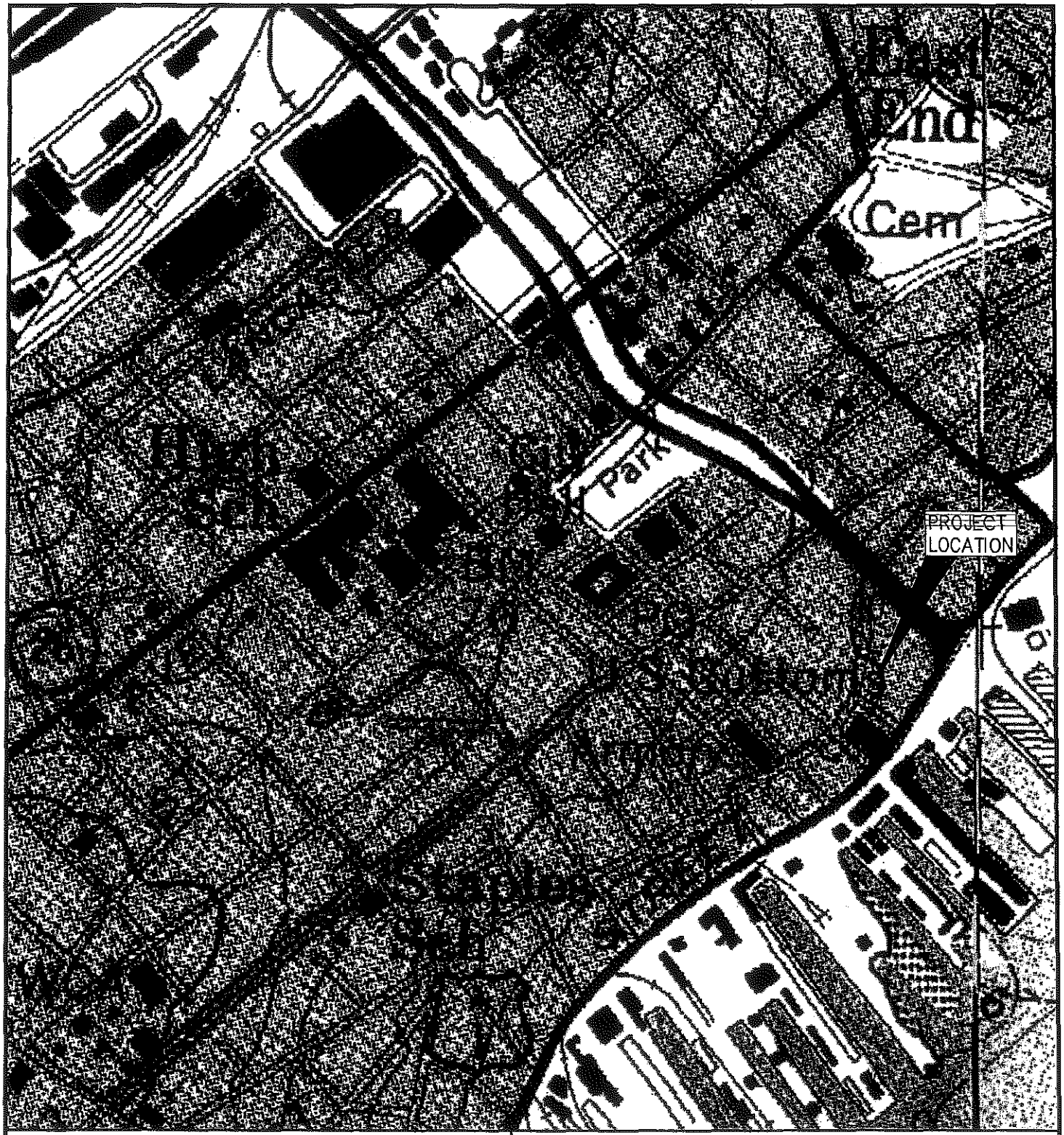
EXHIBIT 10

LANDSCAPE PLAN

10.0 Overview

Given the proposed intensity of the development, no formal landscaping is proposed for this project. Given the location of the existing concrete-encased duct bank and the need to offset proposed street lighting, there is insufficient room to provide street trees and associated landscaping while maintaining a viable pedestrian accessible route, which is a targeted goal of the Pedestrian Activities District.

AH. 17. 1



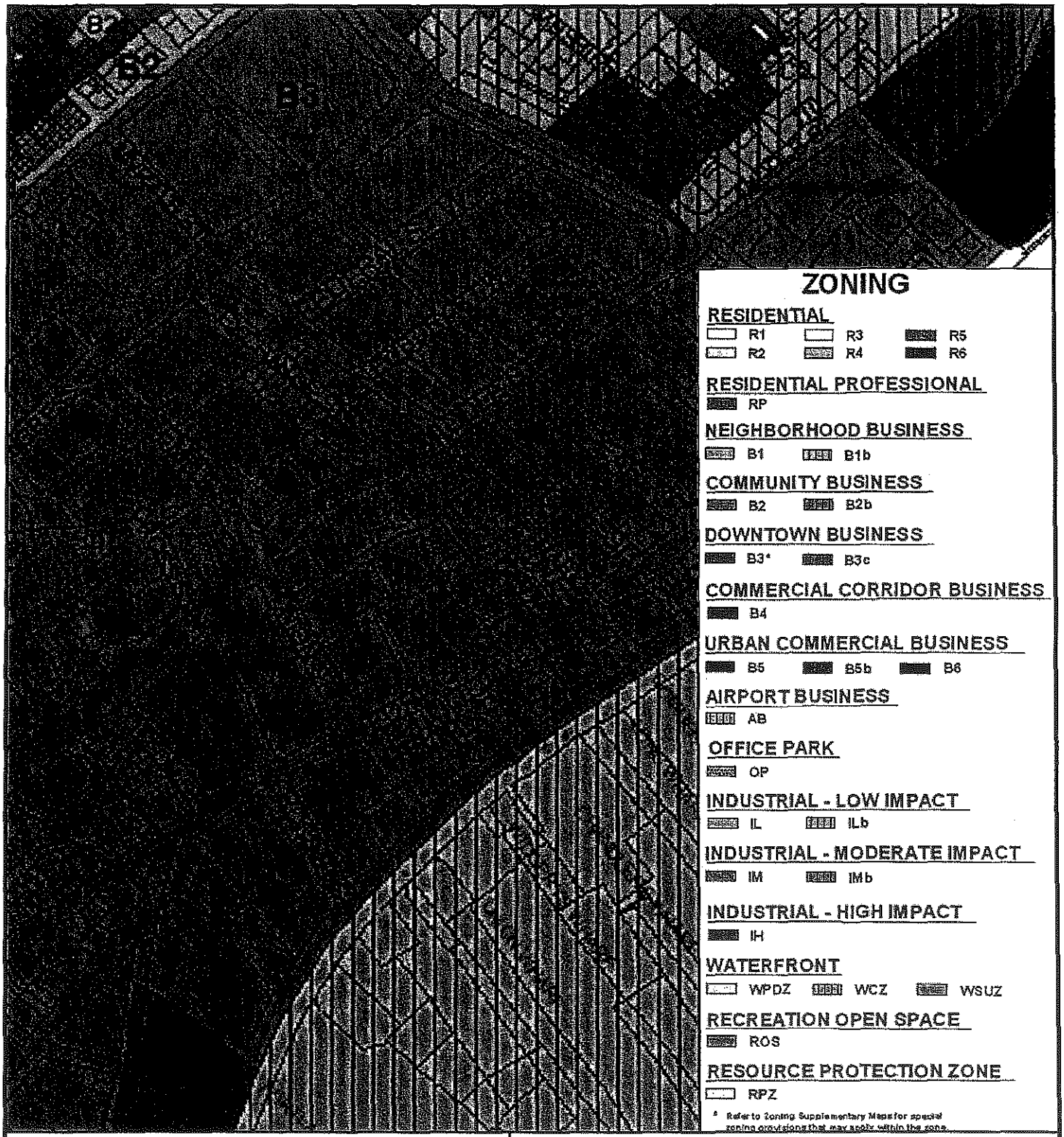
CUSTOM HOUSE SQUARE OFFICE BUILDING

USGS LOCATION MAP

DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
WWW.DELUCAHOFFMAN.COM

				FIGURE
DRAWN:	LECJ	DATE:	11.03.05	1
DESIGNED:	CJO	SCALE:	1"=500'	
CHECKED:	CJO	JOB NO.	2581	
FILE NAME:	2581-USGS			

Att. 17.2



ZONING

RESIDENTIAL
R1 R3 R5
R2 R4 R6

RESIDENTIAL PROFESSIONAL
RP

NEIGHBORHOOD BUSINESS
B1 B1b

COMMUNITY BUSINESS
B2 B2b

DOWNTOWN BUSINESS
B3* B3c

COMMERCIAL CORRIDOR BUSINESS
B4

URBAN COMMERCIAL BUSINESS
B5 B5b B6

AIRPORT BUSINESS
AB

OFFICE PARK
OP

INDUSTRIAL - LOW IMPACT
IL ILb

INDUSTRIAL - MODERATE IMPACT
IM IMb

INDUSTRIAL - HIGH IMPACT
IH

WATERFRONT
WPDZ WCZ WSUZ

RECREATION OPEN SPACE
ROS

RESOURCE PROTECTION ZONE
RPZ

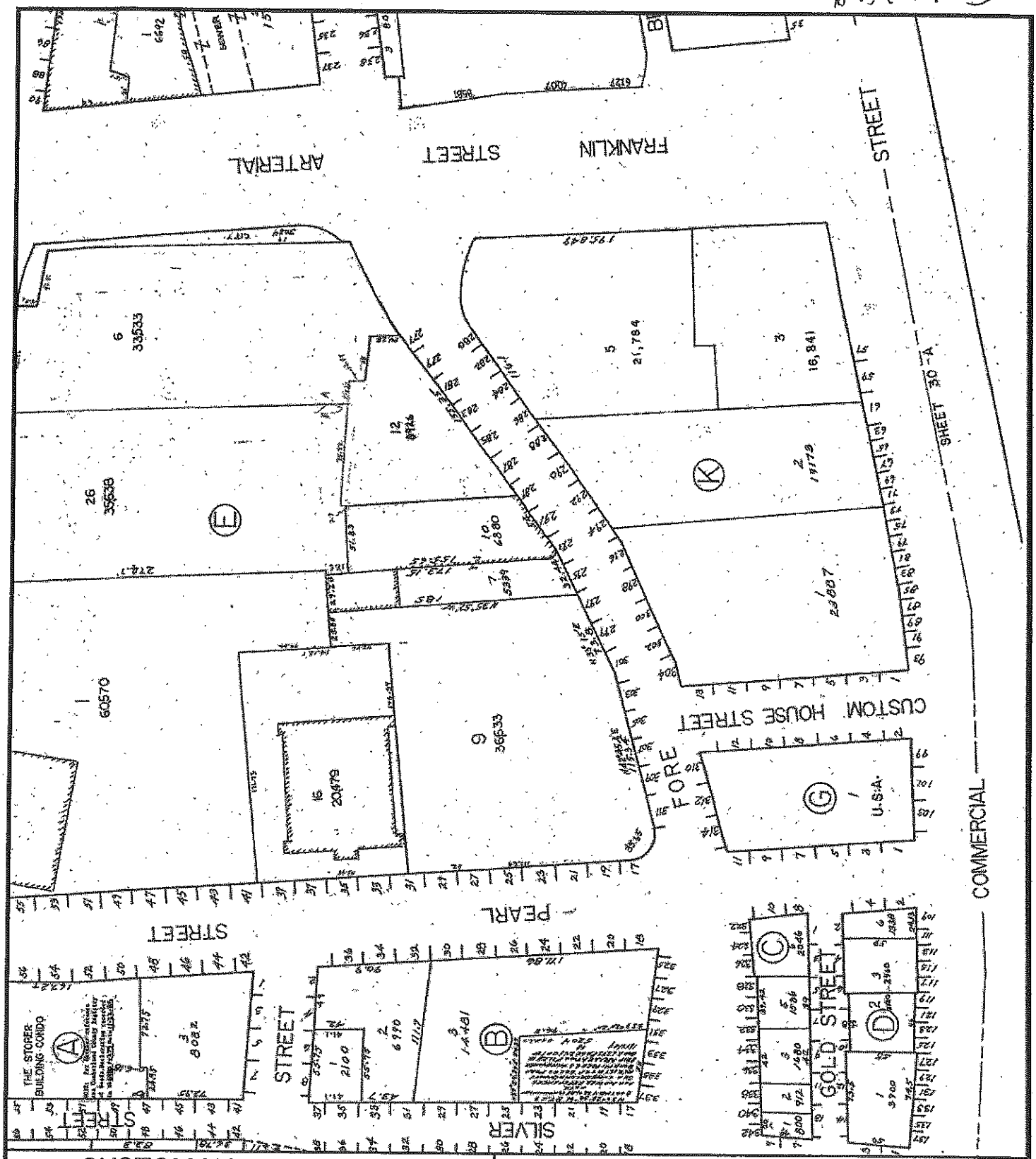
* Refer to Zoning Supplementary Maps for special zoning provisions that may apply within the zone.

CUSTOM HOUSE SQUARE OFFICE BUILDING

ZONING MAP

DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
WWW.DELUCAHOFFMAN.COM

DRAWN:	LECJ	DATE:	11.07.05	FIGURE
DESIGNED:	CJO	SCALE:	N.T.S.	2
CHECKED:	CJO	JOB NO.	2581	
FILE NAME:	2581-ZONING			



CUSTOM HOUSE SQUARE OFFICE BUILDING

ASSESSOR'S MAP

DeLuca-Hoffman Associates, Inc.
778 MAIN STREET, SUITE 8
SOUTH PORTLAND, ME 04106
207.775.1121
WWW.DELUCAHOFFMAN.COM

DRAWN:	LECJ	DATE:	11.07.05
DESIGNED:	CJO	SCALE:	1"=100'
CHECKED:	CJO	JOB NO.	2581
FILE NAME:	2581-ASSESSOR		

FIGURE 3

18a.1

Gorrill-Palmer Consulting Engineers, Inc.
Traffic and Civil Engineering Services

PO Box 1237
15 Shaker Rd.
Gray, ME 04039

207-657-6910
FAX: 207-657-6912
E-Mail:mailbox@gorrillpalmer.com

March 13, 2006

Mr. Bill Needelman, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

Re: 300 Fore Street
Response to Comments

Dear Bill:

Gorrill-Palmer Consulting Engineers, Inc. is pleased to respond to Tom Errico's email dated February 23, 2006. His comments are summarized below followed by our responses:

Parking

Comment 1: The parking study prepared by the applicant indicates the proposed project requires 145 parking spaces. This estimate is based upon a host of assumptions of which the primary one is the characteristics of the office tenant. These assumptions have led to a parking supply estimate that is lower than a typical office user. There have been some internal discussions about whether a parking requirement should be based upon a specific tenant. There is some concern that if the tenant changed, the replacement company/business could require additional parking demands. I have provided an independent parking analysis for a scenario with a typical office tenant as summarized below:

- *58,114 sf Office x 2.97 spaces/1,000 sf = 173 parking spaces*
- *10,060 sf Restaurant x 2.75 spaces/1,000 sf = 28 parking spaces*
- *Total = 201 parking spaces*
- *Total w/Shared Usage = 198 parking spaces*

Assumptions for the above analysis include:

- *The office parking rate is from the Parking Generation Manual, ITE 3rd Edition for an Office land use in an "Urban" setting.*
- *The restaurant parking rate is for employee parking needs "only" and is based upon data in the publication Shared Parking, Urban Land Institute.*
- *As suggested in an email from John Peverada, parking needs for the restaurant customers are not expected to be significant due to a "captive market" during the mid-day or lunchtime period.*

- *A reduction in the restaurant employee parking requirement was included to account for time-of-day demand.*

I have not prepared an estimate of parking requirements incorporating assumptions (specific tenant data) used in the applicants parking analysis. If the Planning Board wishes, I can conduct such an analysis. If I am directed, I would ask that the applicant provide supporting documentation for assumptions used.

Response: Gorrill-Palmer completed an examination of the parking demand based on the use of a general office use as well as quality restaurant. To determine the peak parking demand, our office referenced the ITE Publication *Parking Generation*, 3rd Edition for Land Use Codes 701 and 931, Office Building and Quality Restaurant, respectively. The average peak demand for parking in an urban setting was referenced, and found to be 2.4 spaces per thousand and 5.55 vehicles per thousand for the office and restaurant uses, respectively.

Shared parking totals were based on parking accumulation rates published in *Parking Generation* and the Urban Land Institute publication *Shared Parking*. Our office compiled this information and determined that the peak parking demand, based on a standard office, would be 180 spaces. As this is based on a standard office with a greater demand than that required for CIEE, this results in an excess of 35 spaces over that required for the actual owner of the office building.

It is the opinion of our office that the 145 spaces initially determined in our parking memorandum of January 5, 2006 is sufficient for the current proposed use. However, it is our understanding that should CIEE sell or lease the building or any portion thereof, the applicant will be required to return to the planning board for approval of parking supply.

Traffic

Comment 1: *The size of the land uses in the traffic study does not match those assumed in the parking study. Additionally, the trip generation was based upon 10,500 square feet of Specialty Retail space and not Restaurant space. An explanation should be provided.*

Response: Based on architectural information provided at an earlier date to our office, our office had referenced different information for the office sizes and uses. With the current uses of 58,114 s.f. of office and 10,060 s.f. of quality restaurant, our office updated trip generation calculations based on ITE information. The totals are summarized on the following table:

Trip Generation for Proposed Commercial Building

Land Use Code	Weekday	AM Peak Hour	PM Peak Hour
710, General Office	878	122	144
931, Quality Restaurant	905	8	75
Total	**1,783**	**130**	**219**
Total from TIS	**1,256**	**112**	**162**

As based on the ITE rates alone, the result level of trip generation for the PM peak hour is greater than that in the original study. Our office has revised trip assignment and analysis based on these uses, which are discussed in greater detail in our response to Comment 2.

It should be noted, however, that the trip generation for the quality restaurant, based on the PM peak hour of adjacent street traffic, is almost as high as that for the peak of the restaurant in the evening. It is the opinion of our office that in reality, this level of trip generation will be lower.

Comment 2: *The applicant should provide capacity analysis print-outs that are Highway Capacity Manual based for all study area intersections.*

Response: Gorrill-Palmer completed analysis in the TIS utilizing SimTraffic. It is important to note that based on our work with MaineDOT, the traffic permitting process typically requires analysis of coordinated signal systems, such as those for Franklin Street Arterial with five runs of SimTraffic, averaged five times.

However, per Tom Errico's request, the analysis has been compiled utilizing HCM, and the postdevelopment analysis is based upon updated volumes as per the revised trip assignment discussed in our response to Comment 1. The HCM-based printouts are enclosed with this letter, and the results are summarized on the following tables:

Level of Service for at Middle Street at India Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Middle Street EB LTR	30	D	>50	F	>50	F	>50	F
Middle Street WB LTR	24	C	39	E	31	D	>50	F
India Street NB LTR	4	A	4	A	3	A	3	A
India Street SB LTR	<1	A	1	A	<1	A	1	A

Level of Service for Franklin Street Arterial at Middle Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Middle Street EB L	>80	F	>80	F	67	E	75	E
Middle Street EB TR	41	D	42	D	30	C	29	C
Middle Street WB LT	51	D	52	D	28	C	28	C
Middle Street WB RT	38	D	38	D	26	C	26	C
FS Arterial NB LTR	2	A	2	A	10	A	11	B
FS Arterial SB L	3	A	4	A	14	B	19	B
FS Arterial SB TR	4	A	4	A	9	A	10	B
Overall	15	B	15	B	20	C	22	C

Level of Service for Franklin Street Arterial at Fore Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Fore Street EB L	>80	F	>80	F	>80	F	>80	F
Fore Street EB TR	32	C	32	C	31	C	30	C
Fore Street WB LTR	56	E	56	E	38	D	38	D
FS Arterial NB LTR	3	A	3	A	4	A	4	A
FS Arterial SB LTR	6	A	6	A	6	A	7	A
Overall	25	C	27	C	34	C	35	C

Level of Service for Franklin Street Arterial at Commercial Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Commercial Street EB L	48	D	48	D	49	D	49	D
Commercial Street EB T	18	B	18	B	20	C	19	B
Commercial Street EB R	16	B	16	B	17	B	17	B
Commercial Street WB LT	45	D	45	D	48	D	48	D
Commercial Street WB R	29	C	29	C	33	C	33	C
State Pier NB LT	23	C	23	C	25	C	26	C
State Pier NB R	<1	A	<1	A	24	C	24	C
FS Arterial SB L	41	D	40	D	35	D	34	D
FS Arterial SB T	42	D	42	D	46	D	46	D
FS Arterial SB R	>80	F	>80	F	80	F	82	F
Overall	59	E	59	E	42	D	43	D

Based on the HCM analyses, movements at each study area location operate with delay. However, in the case of the Franklin Street Arterial intersections, these are all side street movements and are not affected by the addition of site-generated traffic. As additional improvements are not feasible, this is considered acceptable in an urban compact as per the MaineDOT traffic permitting rules.

The intersection of Middle Street at India Street indicates additional delay with the addition of site-generated traffic, particularly for the westbound approach of Middle Street. However, the postdevelopment volumes at this location do not satisfy the MUTCD four hour or peak hour warrants (Warrants 2 and 3), so signalization is not recommended. As this location benefits from adjacent signals at Franklin Street Arterial and Fore Street, it is the opinion of our office that this location will operate with less delay than indicated in the HCM printouts. In addition, given the width of this roadway and the desire to preserve on-street parking, our office does not anticipate feasible improvements. The signal warrant sheets are enclosed with this letter.

Comment 3: *The applicant should provide printouts of the turning movement count sheets.*

Response: We have enclosed the turning movement count sheets for the Franklin Street Arterial intersections as well as the Pearl Street intersections. The AM sheet at Middle and Fore is enclosed; the PM data was obtained from ETE as part of its traffic impact study for the Jordan's redevelopment.

Comment 4: *The applicant should conduct a pedestrian facility assessment between the proposed site and the proposed Longfellow Parking facility.*

Response: Based on the proposed location for the Longfellow Parking facility, it is the opinion of our office that pedestrians will exit the facility via the access proposed on Fore Street adjacent to the right-turn only vehicular access. They will proceed along Fore Street through India Street and Franklin Street Arterial, continuing to the proposed site.

Several areas within this pedestrian corridor have already been improved. As part of the off-site improvements associated with 280 Fore Street, pedestrian striping, barrier-free facilities, and signal phasing were improved at the intersection of Franklin Street Arterial and Fore Street. As part of The Longfellow at Ocean Gateway project, sidewalk will be upgraded along Fore Street and India Street. In addition, sidewalk along the northwest side of Fore Street between India Street and Franklin Street Arterial will be upgraded as part of the Jordan's site redevelopment. It is the opinion of our office that the work associated with these projects should comply with local, state and ADA requirements, and based on conversations with Eaton Traffic Engineering, the Jordan's improvements will comply with these requirements. As such, it is the opinion of our office that the pedestrian facilities will be able to accommodate pedestrian traffic from The Longfellow to 300 Fore Street.

Comment 5: *An occupancy permit for the site should not be granted until the Longfellow Parking garage is completed or parking alternatives have been identified.*

Response: In the event that the project is completed prior to approval of the Ocean Gateway garage, there is sufficient surface parking available from Shipyard Brewing Company. In the event that 300 Fore Street is completed while the Ocean Gateway garage is under construction, it is our understanding that Olympia Companies will make arrangements to lease spaces during this period from the Top of the Old Port.

Comment 6: *The applicant shall make a monetary contribution to the implementation of improvements identified for Franklin Arterial and the India Street/Middle Street intersection from the Portland Peninsula Study. I'll need to work with staff in calculating the estimate.*

Response: None required.

Please contact me should you have any further questions regarding these matters.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Thomas L. Gorrill, P.E., PTOE
President

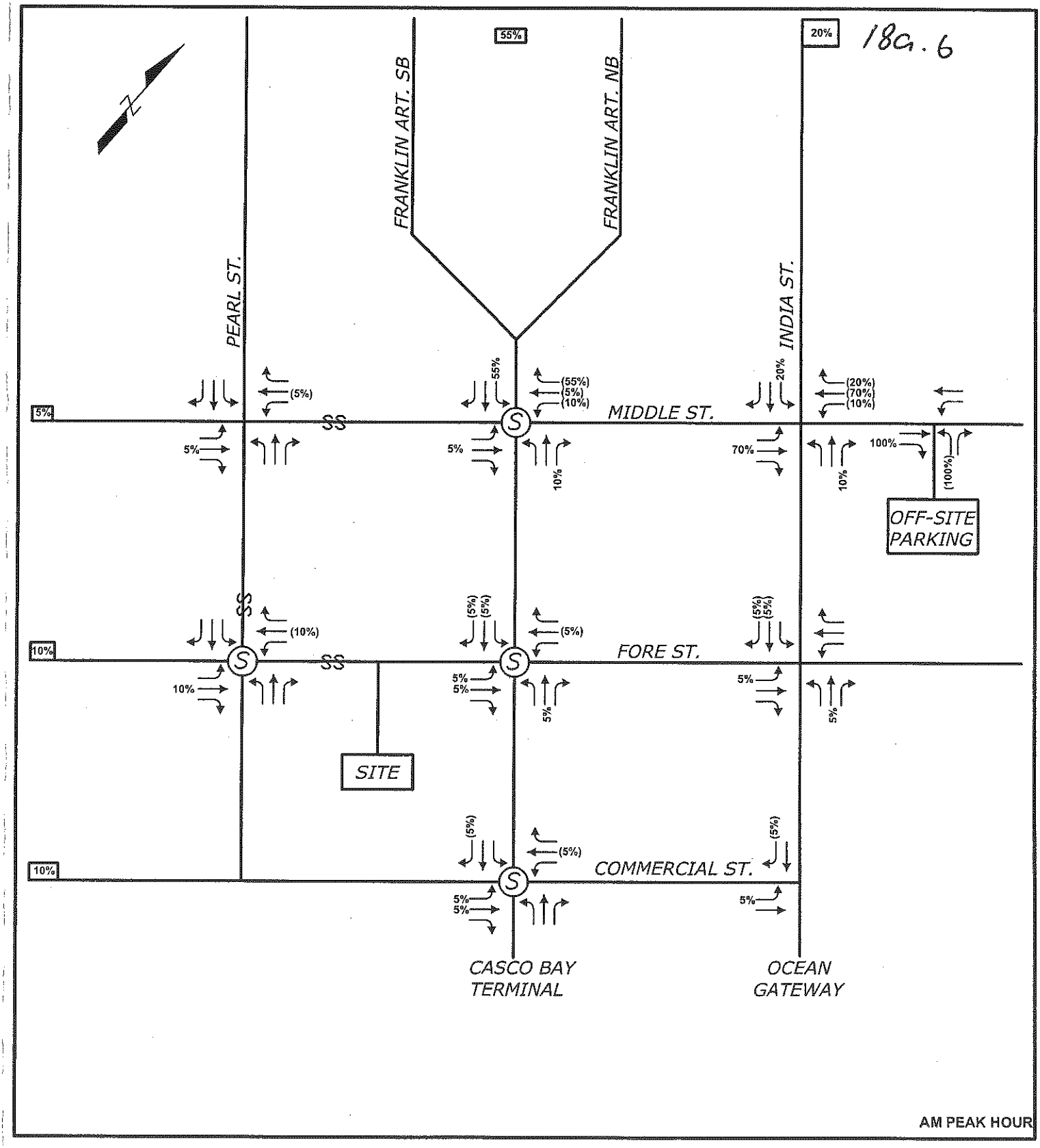
Enclosure

Copy: Tom Errico, Wilbur Smith
Tim Levine, Olympia
Chris Osterrieder, Deluca-Hoffman

TLG/jjb/JN1317/Errico3-6-06.doc

Primary Trip Distribution

Figure No. 10



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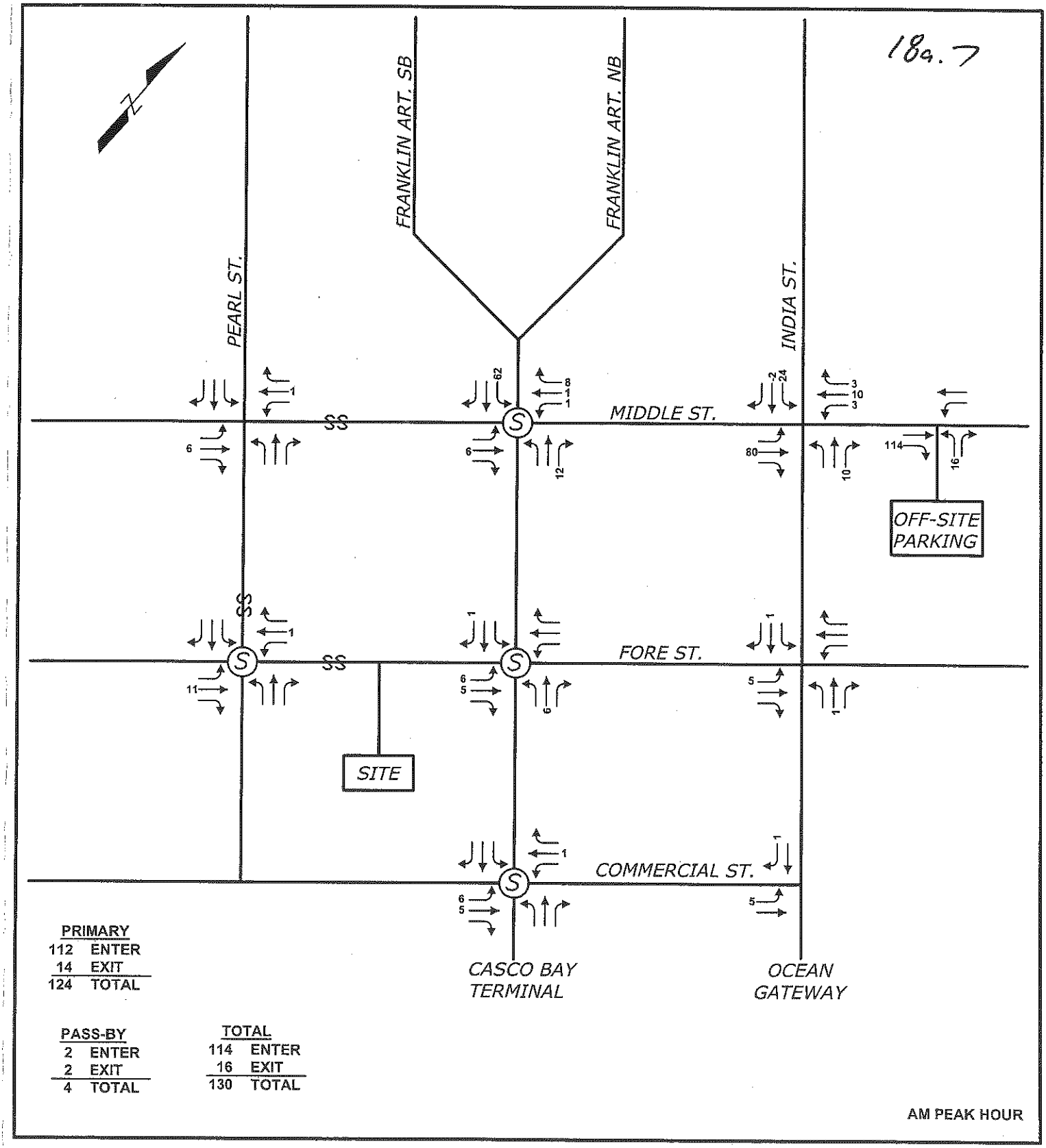
Design: RJB
Draft: ZRJ
Checked: RJB

Date: NOVEMBER 2005
File Name: 1317_TRAF2.dwg

AM Trip Assignment

Figure No. 11



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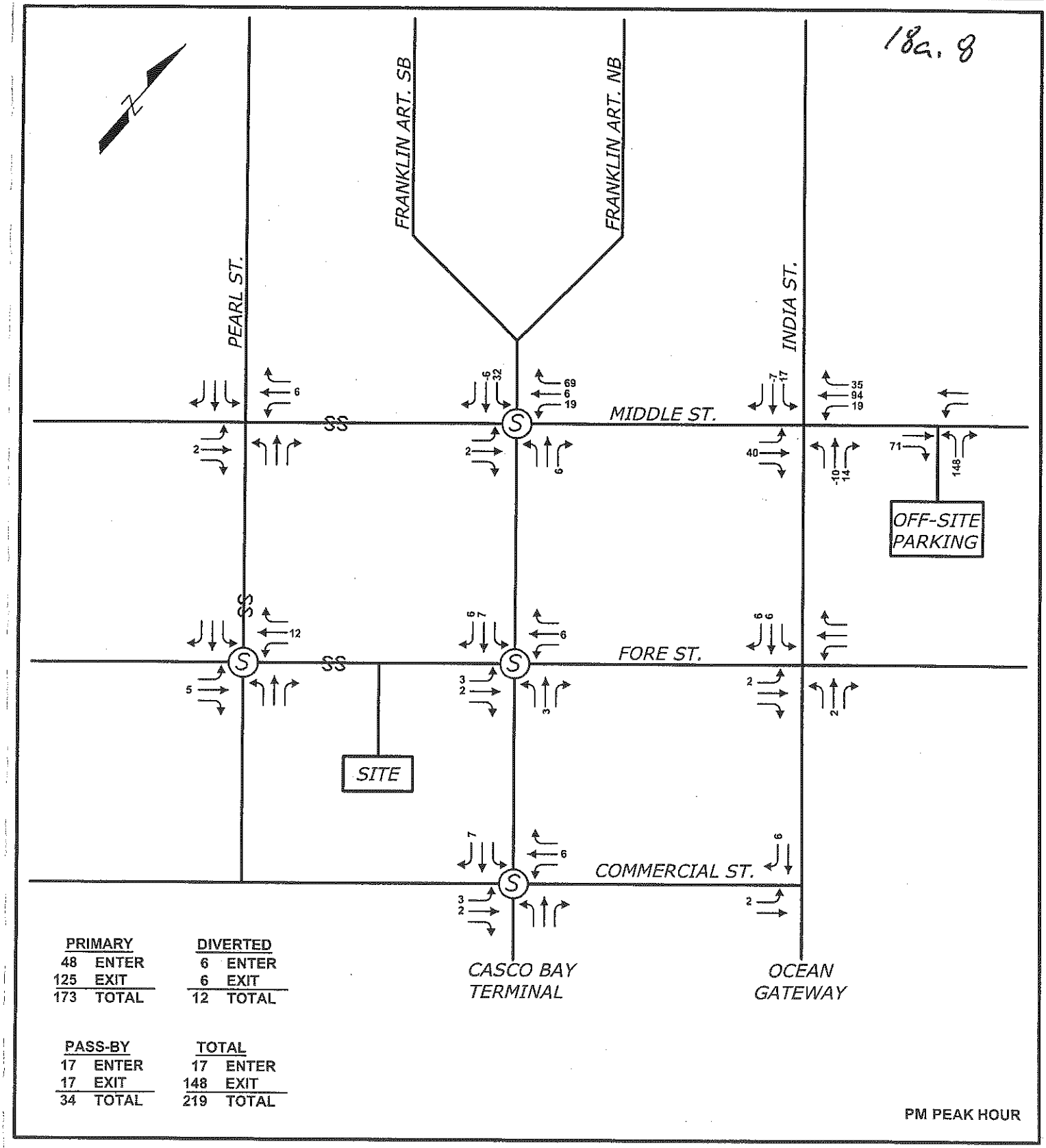
PM Trip Assignment

Figure No. 12

18a. 8



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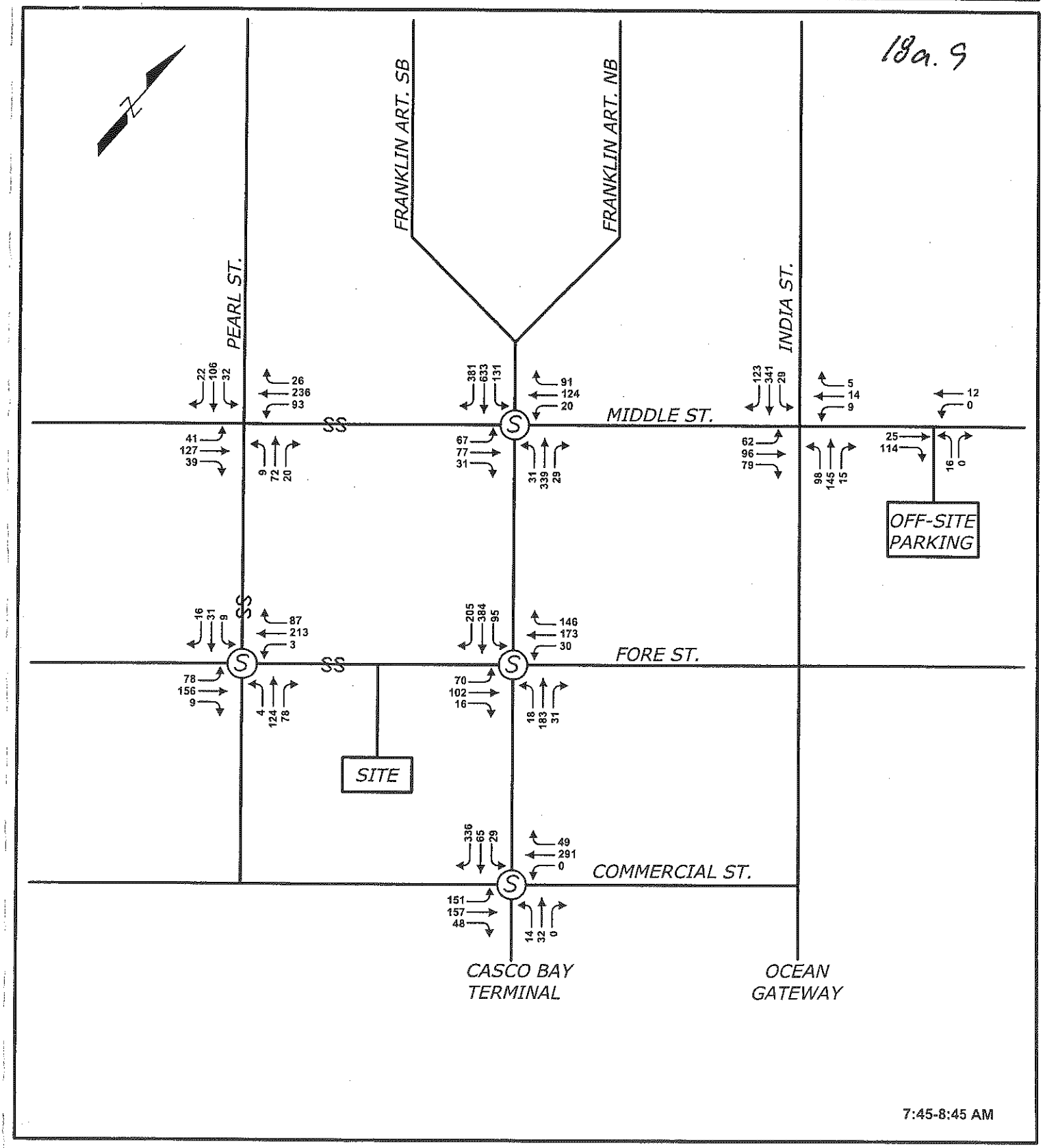
AM Postdevelopment

Figure No. 13



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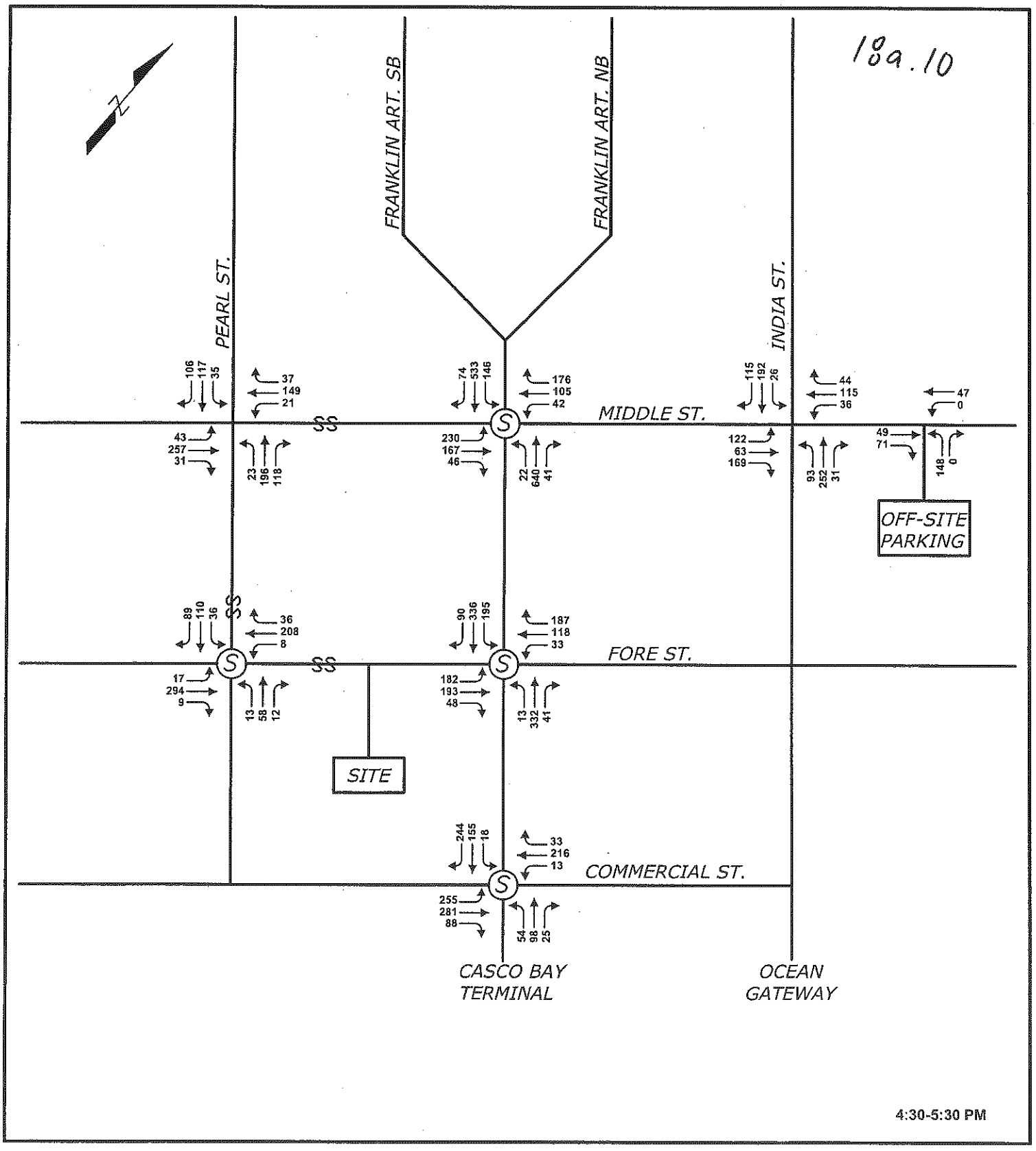
PM Postdevelopment

Figure No. 14



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File Name:1317_TRAF2.dwg

18a. 11

Parking Generation Based on ITE Data for 300 Fore Street

Percentage of Peak Hour								
	Retail		Office		Restaurant		Hotel	
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday
6:00 AM	0%	0%	3%	0%	0%	0%	100%	90%
7:00 AM	8%	3%	**20%**	20%	2%	2%	85%	70%
8:00 AM	18%	10%	**68%**	60%	5%	3%	65%	60%
9:00 AM	42%	30%	**90%**	80%	10%	6%	55%	50%
10:00 AM	68%	45%	**96%**	80%	20%	8%	45%	40%
11:00 AM	87%	73%	**95%**	100%	**21%**	10%	35%	35%
12:00 PM	97%	85%	**94%**	100%	**64%**	30%	30%	30%
1:00 PM	100%	95%	**96%**	80%	**59%**	45%	30%	30%
2:00 PM	97%	100%	**100%**	60%	**74%**	45%	35%	35%
3:00 PM	95%	100%	**99%**	40%	**31%**	45%	35%	40%
4:00 PM	87%	90%	**92%**	40%	**50%**	45%	45%	50%
5:00 PM	79%	75%	**62%**	20%	**39%**	60%	60%	60%
6:00 PM	82%	65%	23%	20%	**72%**	90%	70%	70%
7:00 PM	89%	60%	7%	20%	100%	95%	75%	80%
8:00 PM	87%	55%	7%	20%	100%	100%	90%	90%
9:00 PM	61%	40%	3%	0%	100%	100%	95%	95%
10:00 PM	32%	38%	3%	0%	90%	95%	100%	100%
11:00 PM	13%	13%	0%	0%	70%	85%	100%	100%
12:00 AM	0%	0%	0%	0%	50%	70%	100%	100%

Note: Percentage of Peak Hour table comes from Exhibit 28 in "Shared Parking"
Items in Bold Derived from ITE Publication "Parking Generation, 3rd Edition

Parking Demand Per Hour Per Use - Based on ITE Parking Generation										
	Retail		Office		Restaurant		Total (w/retail)		Total (w/restaurant)	
	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday	Weekday	Saturday
6:00 AM	0	0	4	0	0	0	4	0	4	0
7:00 AM	3	1	28	6	1	3	31	7	29	9
8:00 AM	7	5	95	17	3	5	102	22	98	22
9:00 AM	17	14	125	23	6	10	142	37	131	33
10:00 AM	27	22	133	23	11	13	160	45	144	36
11:00 AM	35	35	132	29	12	16	167	64	144	45
12:00 PM	39	41	131	29	36	49	170	70	167	78
1:00 PM	40	46	133	23	33	74	173	69	166	97
2:00 PM	39	48	139	17	41	74	178	65	**180**	91
3:00 PM	38	48	138	12	17	74	176	60	155	86
4:00 PM	35	43	128	12	28	74	163	55	156	86
5:00 PM	32	36	86	6	22	98	118	42	108	104
6:00 PM	33	31	32	6	40	148	65	37	72	154
7:00 PM	36	29	10	6	56	156	46	35	66	162
8:00 PM	35	26	10	6	56	164	45	32	66	170
9:00 PM	24	19	4	0	56	164	28	19	60	164
10:00 PM	13	18	4	0	50	156	17	18	54	156
11:00 PM	5	6	0	0	39	139	5	6	39	139
12:00 AM	0	0	0	0	28	115	0	0	28	115

Land Use: 701
Office Building

189.12

As noted, peak parking demand rates were different between sites located in suburban settings and those located in urban settings for the independent variable 1,000 sq. ft. GFA. The individual site surveys did not enable a quantitative explanation of the factors that caused the difference. One potential explanation may relate to differences in the availability of alternative modes (for example, transit, bike and pedestrian) available at the urban sites. Of the studies with data on transit availability and presence of a TDM program, the suburban sites reported about 55 percent with available transit services and 20 percent with TDM programs. The urban sites reported 100 percent with available transit and 83 percent with TDM programs of some form.

Weekend parking demand data were available at two study sites. At one site, the Saturday peak demand was less than 10 percent of peak weekday demand at the same site. At the other site, the Saturday and Sunday demand approached 90 percent of the weekday peak demand for the same site. It was not possible to derive reliable weekend parking demand rates due to lack of information on the nature of work conducted during the weekend at the two sites.

The size of one site (1.9 million sq. ft. GFA) resulted in a data plot with a scale that did not allow the 12 data points for sites less than 500,000 sq. ft. GFA to be reasonably distinguished for user analysis. Therefore, the large site was not included in the data plot for urban sites. The peak parking demand rate for the 1.9 million sq. ft. GFA site was 2.58 vehicles per 1,000 sq. ft. GFA, which was approximately the same as the average for the other 12 study sites.

The following table presents the time-of-day distributions of parking demand variation for suburban and urban sites. The only sites included in the table data were those that submitted at least four consecutive hours of parking demand observations (note: the majority of the parking demand data in the overall database consisted of one or two hourly observations).

Based on Vehicles per 1,000 sq. ft. GFA	Weekday Suburban Data		Weekday Urban Data	
Hour Beginning	Percent of Peak Period	Number of Data Points*	Percent of Peak Period	Number of Data Points*
12:00–4:00 a.m.	–	0	–	0
5:00 a.m.	–	0	–	0
6:00 a.m.	6	1	–	0
7:00 a.m.	56	2	20	2
8:00 a.m.	86	11	68	4
9:00 a.m.	97	13	90	4
10:00 a.m.	100	12	96	4
11:00 a.m.	98	12	95	4
12:00 p.m.	87	11	94	4
1:00 p.m.	75	6	96	4
2:00 p.m.	84	6	100	4
3:00 p.m.	87	6	99	4
4:00 p.m.	75	6	92	4
5:00 p.m.	43	7	62	3
6:00 p.m.	18	2	–	0
7:00 p.m.	–	0	–	0
8:00 p.m.	–	0	–	0
9:00 p.m.	–	0	–	0
10:00 p.m.	–	0	–	0
11:00 p.m.	–	0	–	0

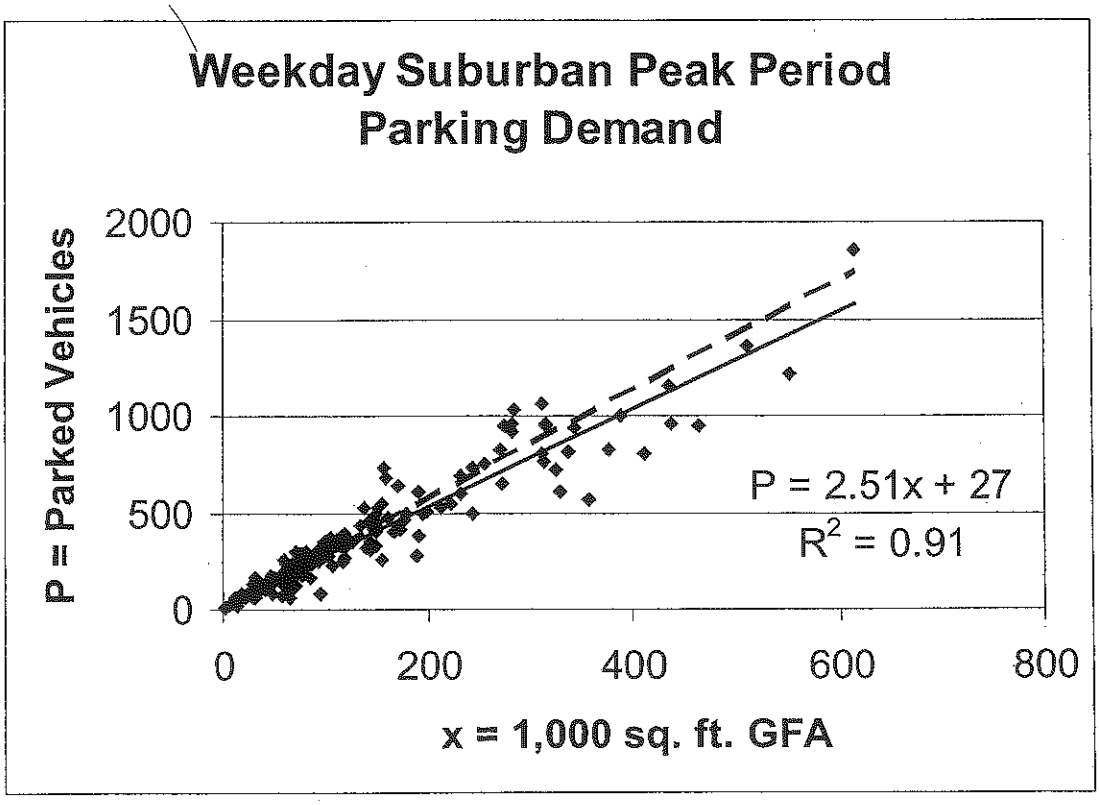
* Subset of database

18a.13

Land Use: 701
Office Building

Average Peak Period Parking Demand vs: 1,000 sq. ft. GFA
On a: Weekday
Location: Suburban

Statistic	Peak Period Demand
Peak Period	9:00 a.m.–12:00 p.m.; 2:00–4:00 p.m.
Number of Study Sites	173
Average Size of Study Sites	136,000 sq. ft. GFA
Average Peak Period Parking Demand	2.84 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.72
Coefficient of Variation	25%
95% Confidence Interval	2.73–2.95 vehicles per 1,000 sq. ft. GFA
Range	0.86–5.58 vehicles per 1,000 sq. ft. GFA
85th Percentile	3.44 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.57 vehicles per 1,000 sq. ft. GFA

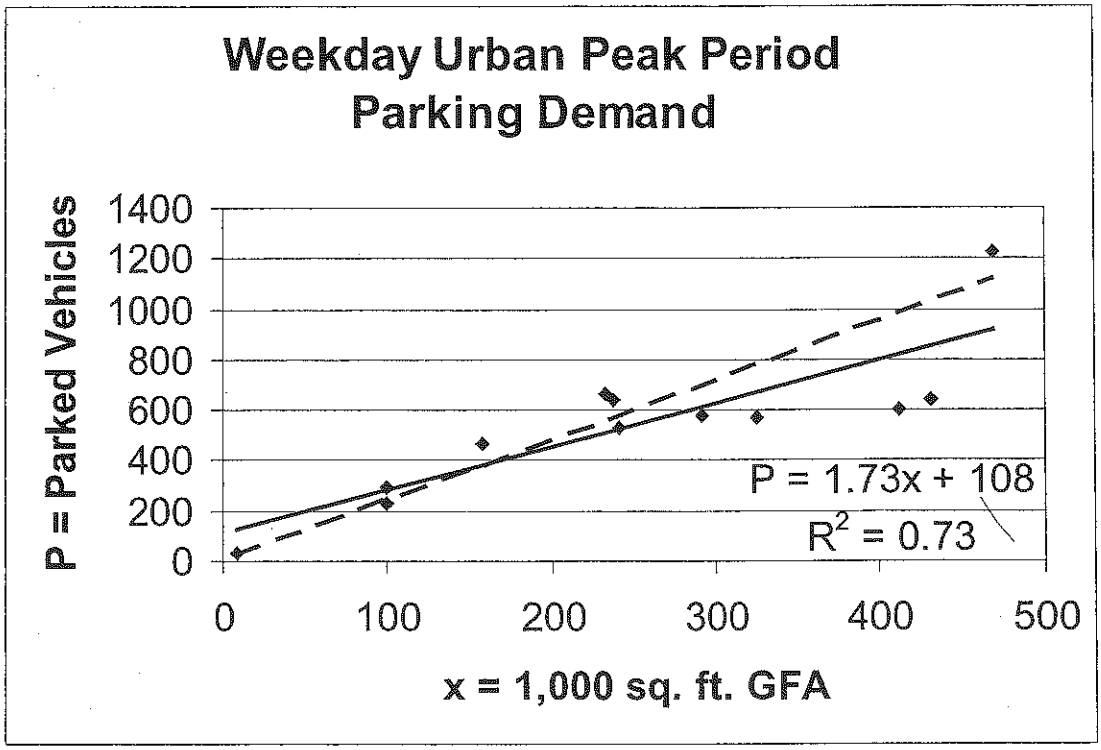


18a. 14

Land Use: 701
Office Building

Average Peak Period Parking Demand vs: 1,000 sq. ft. GFA
On a: Weekday
Location: Urban

Statistic	Peak Period Demand
Peak Period	9:00 a.m.–4:00 p.m.
Number of Study Sites	12
Average Size of Study Sites	250,000 sq. ft. GFA
Average Peak Period Parking Demand	2.40 vehicles per 1,000 sq. ft. GFA
Standard Deviation	0.63
Coefficient of Variation	26%
Range	1.46–3.43 vehicles per 1,000 sq. ft. GFA
85th Percentile	2.97 vehicles per 1,000 sq. ft. GFA
33rd Percentile	2.12 vehicles per 1,000 sq. ft. GFA



◆ Actual Data Points ——— Fitted Curve - - - - Average Rate

Land Use: 931
Quality Restaurant

18a.15

The following table presents time-of-day distribution of parking demand on a weekday. A distribution is not shown for Saturday because the database included counts only between the hours of 5:00 and 9:00 p.m.

Based on Vehicles per 1,000 sq. ft. GFA	Weekday	
Hour Beginning	Percent of Peak Period	Number of Data Points
12:00–4:00 a.m.	–	0
5:00 a.m.	–	0
6:00 a.m.	–	0
7:00 a.m.	–	0
8:00 a.m.	–	0
9:00 a.m.	–	0
10:00 a.m.	–	0
11:00 a.m.	21	2
12:00 p.m.	64	2
1:00 p.m.	59	3
2:00 p.m.	74	1
3:00 p.m.	31	4
4:00 p.m.	50	2
5:00 p.m.	39	3
6:00 p.m.	72	4
7:00 p.m.	100	12
8:00 p.m.	88	10
9:00 p.m.	–	0
10:00 p.m.	–	0
11:00 p.m.	–	0

* Subset of Database

Additional Data

The National Restaurant Association identifies August as the most popular month to eat out and Saturday as the most popular day of the week for dining out.[1]

Monthly parking variation cannot be derived from the available data. However, the following full-service restaurant sales information (averaged for the period 1999 through 2003 from the U.S. Census) is provided as a reference to peak month activity. The full-service restaurants that compose the U.S. Census data set may not have the same land use characteristics as sites contained in the ITE *Parking Generation* database for this land use.

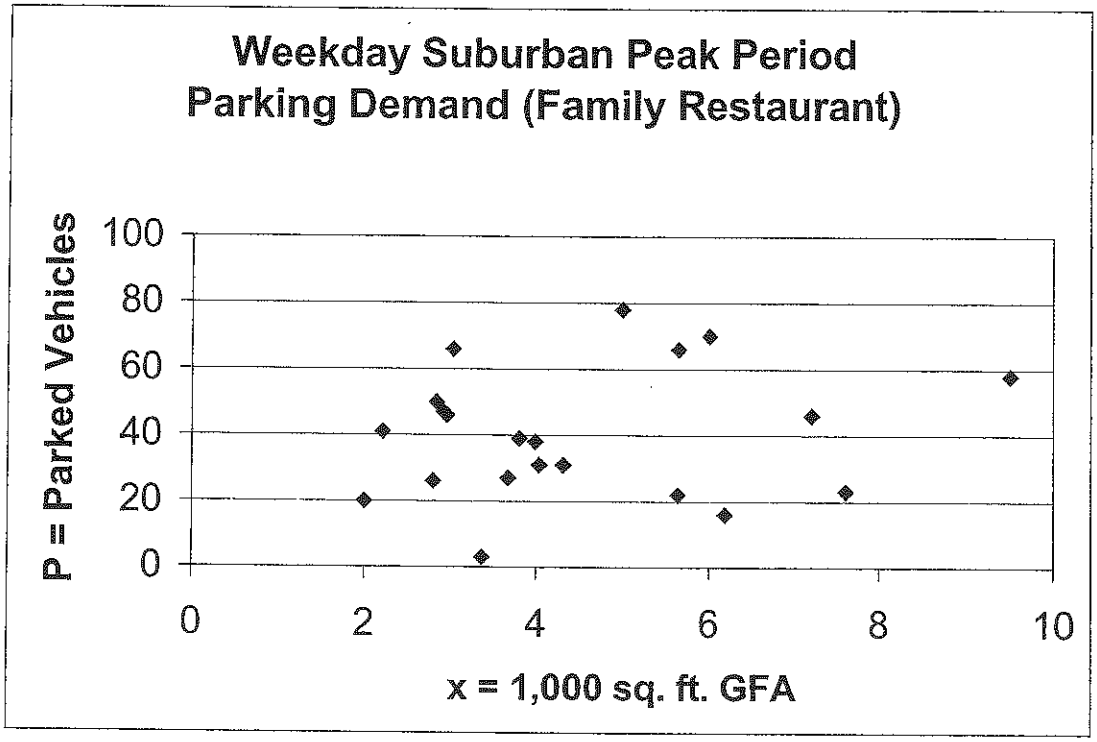
[1] National Restaurant Association. www.restaurant.org/faq.cfm

Land Use: 932
High-Turnover (Sit-Down) Restaurant

18a. 16

Average Peak Period Parking Demand vs: 1,000 sq. ft. GFA
On a: Weekday
Land Use Code Subset: Family Restaurant (No Bar or Lounge)
Location: Suburban

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–2:00 p.m.
Number of Study Sites	21
Average Size of Study Sites	4,500 sq. ft. GFA
Average Peak Period Parking Demand	10.1 vehicles per 1,000 sq. ft. GFA
Standard Deviation	5.7
Coefficient of Variation	56%
95% Confidence Interval	7.7–12.5 vehicles per 1,000 sq. ft. GFA
Range	0.9–21.8 vehicles per 1,000 sq. ft. GFA
85th Percentile	16.1 vehicles per 1,000 sq. ft. GFA
33rd Percentile	7.3 vehicles per 1,000 sq. ft. GFA

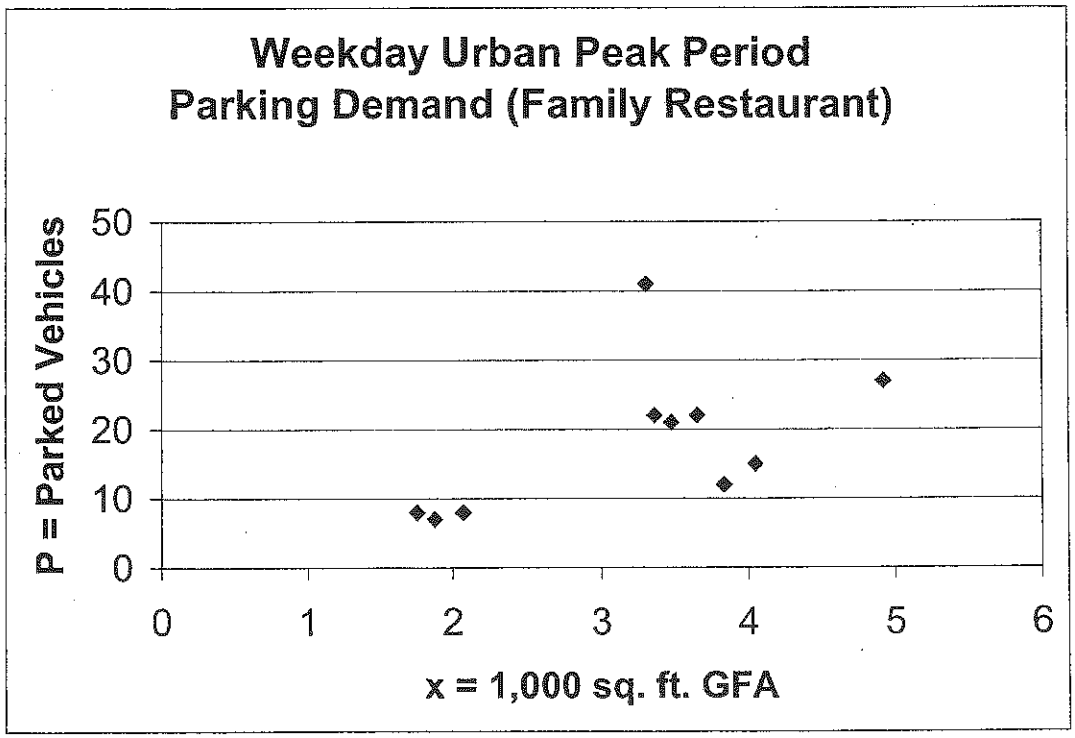


18a.17

Land Use: 932
High-Turnover (Sit-Down) Restaurant

Average Peak Period Parking Demand vs: 1,000 sq. ft. GFA
On a: Weekday
Land Use Code Subset: Family Restaurant (No Bar or Lounge)
Location: Urban

Statistic	Peak Period Demand
Peak Period	11:00 a.m.–1:00 p.m.; 6:00–8:00 p.m.
Number of Study Sites	10
Average Size of Study Sites	3,200 sq. ft. GFA
Average Peak Period Parking Demand	5.55 vehicles per 1,000 sq. ft. GFA
Standard Deviation	2.69
Coefficient of Variation	48%
Range	3.13–12.41 vehicles per 1,000 sq. ft. GFA
85th Percentile	6.37 vehicles per 1,000 sq. ft. GFA
33rd Percentile	3.86 vehicles per 1,000 sq. ft. GFA



186.1

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March 22, 2006

Mr. Bill Needelman, Senior Planner
City of Portland
389 Congress Street
Portland, ME 04101

Re: 300 Fore Street
Provision of Updated SimTraffic Results

Dear Bill:

As per Tom Errico's request in an email dated March 16, 2006, our office has provided updated SimTraffic analysis for the postdevelopment scenario for 300 Fore Street. Based on his email, Mr. Errico had requested updated information along Franklin Street Arterial following receipt of our comment-response letter dated March 13, 2006. The updated SimTraffic results are shown in the following tables:

Level of Service for Franklin Street Arterial at Middle Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Middle Street EB L	45	D	45	D	41	D	50	D
Middle Street EB TR	27	C	27	C	26	C	30	C
Middle Street WB LT	38	D	36	D	29	C	29	C
Middle Street WB R	5	A	5	A	8	A	9	A
FS Arterial NB LTR	7	A	7	A	8	A	9	A
FS Arterial SB L	16	B	17	B	29	C	44	D
FS Arterial SB TR	9	A	10	B	11	B	13	B
Overall	13	B	14	B	17	B	20	C

Level of Service for Franklin Street Arterial at Fore Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Fore Street EB L	37	D	38	D	34	C	33	C
Fore Street EB TR	16	B	15	B	26	C	24	C
Fore Street WB LTR	29	C	29	C	28	C	28	C
FS Arterial NB LTR	6	A	9	A	7	A	7	A
FS Arterial SB LTR	8	A	9	A	12	B	16	B
Overall	15	B	15	B	18	B	19	B

Level of Service for Franklin Street Arterial at Commercial Street

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Commercial Street EB L	42	D	42	D	44	D	42	D
Commercial Street EB T	21	C	21	C	24	C	23	C
Commercial Street EB R	8	A	7	A	14	B	12	B
Commercial Street WB LT	39	D	40	D	44	D	40	D
Commercial Street WB R	12	B	12	B	10	B	11	B
State Pier NB LT	26	C	20	C	25	C	24	C
State Pier NB R	26	C	20	C	5	A	3	A
FS Arterial SB L	28	C	28	C	29	C	33	C
FS Arterial SB T	22	C	26	C	28	C	35	C
FS Arterial SB R	12	B	11	B	7	A	9	A
Overall	25	C	25	C	27	C	27	C

As can be seen in the previous tables, all lane groups along the Franklin Street Arterial corridor are forecast to operate at acceptable levels of service with the updated trip generation in the postdevelopment condition.

The updated SimTraffic results for the revised postdevelopment condition are enclosed with this letter. Please contact me should you have any further questions regarding this information.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.

Thomas L. Gorrill, P.E., PTOE
President

Enclosure

Copy: Tom Errico, Wilbur Smith
Tim Levine, Olympia
Chris Osterrieder, Deluca-Hoffman

TLG/jjb/JN1317/Needelman3-22-06.doc

9: Middle Street & Longfellow Parking Performance by movement

Movement	EBT	EBR	WBT	NBL	All
Total Delay (hr)	0.0	0.1	0.0	0.0	0.1
Delay / Veh (s)	2.1	1.6	0.1	3.8	1.7
St Del/Veh (s)	0.4	0.3	0.1	2.5	0.5

17: Commercial St. & Franklin St. Art. Performance by movement

Movement	EBL	EBT	EBR	WBT	WBR	NBL	NBT	SBL	SBT	SBR	All
Total Delay (hr)	1.7	0.9	0.1	3.1	0.2	0.1	0.2	0.2	0.6	1.1	8.1
Delay / Veh (s)	41.9	20.5	7.2	39.9	11.9	19.1	20.9	28.3	26.2	11.3	24.7
St Del/Veh (s)	38.3	17.0	4.7	34.8	8.8	18.5	19.8	26.1	22.8	8.6	21.2

36: Fore St. & Pearl St. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.4	0.5	0.0	0.0	0.5	0.1	0.0	0.3	0.1	0.0	0.1	0.0
Delay / Veh (s)	15.9	11.4	7.6	9.8	5.3	3.5	12.9	9.2	4.4	11.5	2.0	3.3
St Del/Veh (s)	13.7	8.4	6.7	8.2	3.6	2.9	11.8	7.7	4.0	8.8	0.9	2.2

36: Fore St. & Pearl St. Performance by movement

Movement	All
Total Delay (hr)	2.0
Delay / Veh (s)	6.6
St Del/Veh (s)	5.0

38: Fore St. & Franklin St. Art. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.8	0.7	0.1	0.3	1.6	0.9	0.1	0.3	0.0	0.4	1.0	0.3
Delay / Veh (s)	38.1	15.5	10.4	39.3	32.6	22.0	19.7	5.8	1.7	13.9	8.7	5.8
St Del/Veh (s)	36.3	13.5	9.9	35.1	26.8	18.8	17.5	4.1	1.2	11.0	5.1	3.2

38: Fore St. & Franklin St. Art. Performance by movement

Movement	All
Total Delay (hr)	6.3
Delay / Veh (s)	14.9
St Del/Veh (s)	11.9

43: Middle Street & Franklin NB Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.8	0.8	0.2	0.2	1.2	0.1	0.2	0.5	0.0	0.6	1.8	1.1
Delay / Veh (s)	45.4	30.9	17.0	44.5	34.5	4.8	29.9	4.9	1.9	17.3	10.0	10.3
St Del/Veh (s)	41.7	26.6	14.7	41.9	30.3	3.6	27.8	3.3	1.3	14.7	6.2	6.5

43: Middle Street & Franklin NB Performance by movement

Movement	All
Total Delay (hr)	7.5
Delay / Veh (s)	13.6
St Del/Veh (s)	10.5

62: Middle Street & Pearl Street Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.3	0.7	0.1	0.7	1.8	0.1	0.1	0.4	0.0	0.2	0.5	0.1
Delay / Veh (s)	24.1	18.8	9.9	29.5	16.0	19.0	22.0	5.4	6.5	23.9	17.7	8.5
St Del/Veh (s)	21.3	15.0	8.3	24.8	12.0	15.8	18.8	3.9	5.0	21.6	14.5	7.5

62: Middle Street & Pearl Street Performance by movement

Movement	All
Total Delay (hr)	5.0
Delay / Veh (s)	15.2
St Del/Veh (s)	12.0

210: Middle Street & India Street Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.3	0.6	0.3	0.0	0.1	0.0	0.1	0.1	0.0	0.0	0.2	0.0
Delay / Veh (s)	18.7	19.6	13.1	13.0	14.2	6.4	5.4	1.9	1.8	3.6	2.2	1.3
St Del/Veh (s)	15.6	15.1	11.5	11.0	11.1	6.0	3.1	0.7	1.1	1.1	0.5	0.5

210: Middle Street & India Street Performance by movement

Movement	All
Total Delay (hr)	1.7
Delay / Veh (s)	6.1
St Del/Veh (s)	4.1

Total Network Performance

Total Delay (hr)	33.0
Delay / Veh (s)	30.6
St Del/Veh (s)	22.9

Intersection: 9: Middle Street & Longfellow Parking

Movement	NB
Directions Served	LR
Maximum Queue (ft)	35
Average Queue (ft)	12
95th Queue (ft)	36
Link Distance (ft)	242
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: Commercial St. & Franklin St. Art.

Movement	EB	EB	EB	WB	WB	NB	NB	SB	SB	SB
Directions Served	L	T	R	LT	R	LT	T	L	T	R
Maximum Queue (ft)	211	230	77	424	183	46	33	61	117	276
Average Queue (ft)	105	86	27	180	28	16	5	17	34	97
95th Queue (ft)	181	179	72	319	100	39	21	46	85	209
Link Distance (ft)		381		470		171	171		309	309
Upstream Blk Time (%)										0
Queuing Penalty (veh)										0
Storage Bay Dist (ft)	200		40		150			300		
Storage Blk Time (%)	1	23	1	13	0					
Queuing Penalty (veh)	2	45	4	7	0					

Intersection: 36: Fore St. & Pearl St.

Movement	EB	B35	WB	B37	NB	SB	SB
Directions Served	LTR	T	LTR	T	LTR	L	TR
Maximum Queue (ft)	186	18	139	51	127	33	52
Average Queue (ft)	74	1	70	3	60	4	20
95th Queue (ft)	139	9	126	27	109	20	48
Link Distance (ft)	138	723	89	239	144		603
Upstream Blk Time (%)	1		3		0		
Queuing Penalty (veh)	0		12		0		
Storage Bay Dist (ft)						100	
Storage Blk Time (%)							
Queuing Penalty (veh)							

Intersection: 38: Fore St. & Franklin St. Art.

Movement	EB	EB	B211	WB	B39	NB	NB	SB	SB
Directions Served	L	TR	T	LTR	T	LT	TR	LT	TR
Maximum Queue (ft)	142	142	49	308	76	74	43	200	224
Average Queue (ft)	48	60	3	182	4	21	11	70	85
95th Queue (ft)	104	121	26	294	31	54	32	152	196
Link Distance (ft)	100	100	239	271	160	309	309	200	200
Upstream Blk Time (%)	2	2		2				0	1
Queuing Penalty (veh)	2	3		0				1	2
Storage Bay Dist (ft)									
Storage Blk Time (%)									
Queuing Penalty (veh)									

Intersection: 43: Middle Street & Franklin NB

Movement	EB	EB	WB	WB	NB	NB	SB	SB	SB
Directions Served	L	TR	LT	R	LT	TR	L	T	TR
Maximum Queue (ft)	149	181	179	89	115	110	97	297	427
Average Queue (ft)	50	63	84	25	45	35	42	66	172
95th Queue (ft)	106	139	153	57	98	88	79	172	337
Link Distance (ft)		500	488		200	200		473	473
Upstream Blk Time (%)								0	0
Queuing Penalty (veh)								0	0
Storage Bay Dist (ft)	125			200			200		
Storage Blk Time (%)	1	1	0	0				0	
Queuing Penalty (veh)	2	0	0	0				0	

Intersection: 62: Middle Street & Pearl Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	179	353	129	142
Average Queue (ft)	73	139	48	69
95th Queue (ft)	140	256	96	120
Link Distance (ft)	578	500	603	410
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 210: Middle Street & India Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	181	49	99	52
Average Queue (ft)	76	18	35	7
95th Queue (ft)	140	44	75	33
Link Distance (ft)	488	234	445	456
Upstream Blk Time (%)				
Queuing Penalty (veh)				
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Nework Summary

Network wide Queuing Penalty: 80

9: Middle Street & Longfellow Parking Performance by movement

Movement	EBT	EBR	WBT	NBL	All
Total Delay (hr)	0.0	0.0	0.0	0.2	0.2
Delay / Veh (s)	1.5	1.2	0.2	3.9	2.3
St Del/Veh (s)	0.3	0.3	0.1	3.0	1.5

17: Commercial St. & Franklin St. Art. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	2.9	1.9	0.3	0.1	2.4	0.1	0.4	0.7	0.0	0.1	1.6	0.6
Delay / Veh (s)	42.2	22.9	12.4	44.3	40.4	10.3	27.0	23.8	2.5	31.8	35.1	8.8
St Del/Veh (s)	37.4	18.0	8.5	40.0	35.6	7.6	26.0	22.3	2.8	29.6	30.2	7.3

17: Commercial St. & Franklin St. Art. Performance by movement

Movement	All
Total Delay (hr)	11.2
Delay / Veh (s)	26.8
St Del/Veh (s)	23.1

36: Fore St. & Pearl St. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.1	0.7	0.0	0.0	0.4	0.0	0.0	0.1	0.0	0.1	0.3	0.2
Delay / Veh (s)	14.4	8.1	3.7	15.9	7.3	3.4	12.5	9.1	2.8	14.1	11.5	6.2
St Del/Veh (s)	12.3	5.4	3.1	14.5	5.7	3.1	11.7	8.0	2.7	10.7	7.8	4.4

36: Fore St. & Pearl St. Performance by movement

Movement	All
Total Delay (hr)	2.0
Delay / Veh (s)	8.3
St Del/Veh (s)	6.1

38: Fore St. & Franklin St. Art. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	1.7	1.3	0.2	0.4	1.1	1.1	0.1	0.6	0.0	1.3	1.2	0.1
Delay / Veh (s)	32.2	25.2	16.2	40.4	34.0	21.9	14.4	6.5	3.9	25.4	13.2	4.1
St Del/Veh (s)	30.5	22.6	15.4	36.5	28.6	19.0	11.9	4.4	3.1	21.6	9.3	2.7

38: Fore St. & Franklin St. Art. Performance by movement

Movement	All
Total Delay (hr)	9.2
Delay / Veh (s)	18.8
St Del/Veh (s)	15.9

43: Middle Street & Franklin NB Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	2.9	1.5	0.3	0.4	0.9	0.4	0.1	1.6	0.1	1.9	2.1	0.2
Delay / Veh (s)	48.0	31.3	24.6	36.5	27.5	8.6	20.5	9.0	5.4	45.9	14.3	8.5
St Del/Veh (s)	42.3	25.2	20.8	33.1	23.2	6.9	18.1	6.4	4.0	42.4	11.2	7.1

43: Middle Street & Franklin NB Performance by movement

Movement	All
Total Delay (hr)	12.4
Delay / Veh (s)	20.0
St Del/Veh (s)	16.7

62: Middle Street & Pearl St. Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	0.8	4.0	0.4	0.2	1.2	0.2	0.1	1.0	0.4	0.2	0.6	0.3
Delay / Veh (s)	66.5	56.8	46.4	32.7	27.4	18.4	27.1	19.0	13.6	25.6	19.0	11.3
St Del/Veh (s)	60.5	49.7	41.8	29.1	22.5	15.8	23.9	14.7	11.5	23.1	15.1	9.7

62: Middle Street & Pearl St. Performance by movement

Movement	All
Total Delay (hr)	9.5
Delay / Veh (s)	30.6
St Del/Veh (s)	26.2

210: Middle Street & India Street Performance by movement

Movement	EBL	EBT	EBR	WBL	WBT	WBR	NBL	NBT	NBR	SBL	SBT	SBR
Total Delay (hr)	1.6	0.9	1.9	0.2	0.7	0.2	0.1	0.2	0.0	0.0	0.1	0.0
Delay / Veh (s)	48.5	49.3	39.0	21.3	21.3	14.5	5.3	2.5	1.6	3.8	2.0	1.0
St Del/Veh (s)	45.6	45.2	37.5	19.5	18.1	13.8	2.8	0.8	0.7	1.5	0.3	0.3

210: Middle Street & India Street Performance by movement

Movement	All
Total Delay (hr)	6.0
Delay / Veh (s)	16.7
St Del/Veh (s)	14.7

Total Network Performance

Total Delay (hr)	53.5
Delay / Veh (s)	42.6
St Del/Veh (s)	34.3

Intersection: 9: Middle Street & Longfellow Parking

Movement	NB
Directions Served	LR
Maximum Queue (ft)	68
Average Queue (ft)	38
95th Queue (ft)	58
Link Distance (ft)	146
Upstream Blk Time (%)	
Queuing Penalty (veh)	
Storage Bay Dist (ft)	
Storage Blk Time (%)	
Queuing Penalty (veh)	

Intersection: 17: Commercial St. & Franklin St. Art.

Movement	EB	EB	EB	B16	WB	WB	NB	NB	NB	SB	SB	SB
Directions Served	L	T	R	T	LT	R	LT	T	R	L	T	R
Maximum Queue (ft)	225	382	73	20	272	149	105	72	27	39	189	178
Average Queue (ft)	158	176	35	1	136	23	51	21	7	8	84	66
95th Queue (ft)	242	331	79	15	228	92	95	53	22	28	166	138
Link Distance (ft)		381		73	470		171	171	171		309	309
Upstream Blk Time (%)		1		0								
Queuing Penalty (veh)		0		0								
Storage Bay Dist (ft)	200		40			150				300		
Storage Blk Time (%)	4	35	2		8	0						
Queuing Penalty (veh)	14	119	12		3	0						

Intersection: 36: Fore St. & Pearl St.

Movement	EB	WB	B37	NB	SB	SB
Directions Served	LTR	LTR	T	LTR	L	TR
Maximum Queue (ft)	157	125	33	82	66	156
Average Queue (ft)	70	58	1	30	17	54
95th Queue (ft)	125	103	17	66	47	109
Link Distance (ft)	138	89	239	144		603
Upstream Blk Time (%)	1	1				
Queuing Penalty (veh)	0	3				
Storage Bay Dist (ft)					100	
Storage Blk Time (%)						1
Queuing Penalty (veh)						0

Intersection: 38: Fore St. & Franklin St. Art.

Movement	EB	EB	B211	WB	B39	NB	NB	SB	SB
Directions Served	L	TR	T	LTR	T	LT	TR	LT	TR
Maximum Queue (ft)	172	171	119	311	36	80	82	232	213
Average Queue (ft)	84	96	10	161	2	32	24	143	57
95th Queue (ft)	148	157	60	281	18	68	61	241	156
Link Distance (ft)	100	100	239	271	187	309	309	200	200
Upstream Blk Time (%)	7	8		2				5	0
Queuing Penalty (veh)	12	14		0				15	1
Storage Bay Dist (ft)									
Storage Blk Time (%)									
Queuing Penalty (veh)									

Intersection: 43: Middle Street & Franklin NB

Movement	EB	EB	WB	WB	NB	NB	SB	SB	SB
Directions Served	L	TR	LT	R	LT	TR	L	T	TR
Maximum Queue (ft)	150	387	194	133	202	199	190	248	220
Average Queue (ft)	119	139	79	46	99	102	84	102	82
95th Queue (ft)	175	306	157	99	174	179	163	203	163
Link Distance (ft)		500	495		200	200		473	473
Upstream Blk Time (%)		0			0	0			
Queuing Penalty (veh)		0			0	0			
Storage Bay Dist (ft)	125			200			200		
Storage Blk Time (%)	15	6	1				1	1	
Queuing Penalty (veh)	33	14	1				4	1	

Intersection: 62: Middle Street & Pearl St.

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	443	226	236	211
Average Queue (ft)	215	89	114	92
95th Queue (ft)	431	174	201	166
Link Distance (ft)	578	500	603	410
Upstream Blk Time (%)	0			
Queuing Penalty (veh)	0			
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Intersection: 210: Middle Street & India Street

Movement	EB	WB	NB	SB
Directions Served	LTR	LTR	LTR	LTR
Maximum Queue (ft)	399	176	136	44
Average Queue (ft)	186	72	39	10
95th Queue (ft)	405	131	97	34
Link Distance (ft)	495	239	465	507
Upstream Blk Time (%)	1	0		
Queuing Penalty (veh)	5	0		
Storage Bay Dist (ft)				
Storage Blk Time (%)				
Queuing Penalty (veh)				

Nework Summary

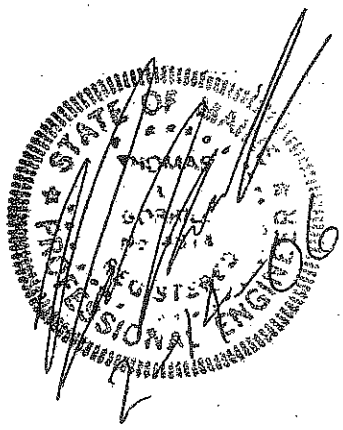
Network wide Queuing Penalty: 251

Att. 18.1

Traffic Impact Study
Proposed Commercial Building
Portland, Maine

Prepared for:

Olympia Equity Investors IVB, LLC
280 Fore Street
Suite 202
Portland, Maine 04101



February 2006

Prepared by:

Gorrill-Palmer Consulting Engineers, Inc.

Traffic and Civil Engineering Services

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4H.18.2

Traffic Impact Study
Fore Street Office Building
Portland, Maine

Index

AH. 18.3

Executive Summary

The following Executive Summary is prepared for the reader's convenience, but is not intended to be a substitute for reading the full report.

Gorrill-Palmer Consulting Engineers, Inc. was retained by Olympia Equity Investors IVB, LLC to prepare a traffic impact study for proposed office building in Portland, Maine. The proposed site is located at the intersection of Fore Street and Custom House Street and is currently occupied by a single-story and two-story concrete block structure. Proposed for the area would be a five-floor, 64,554 s.f. commercial building. Parking for the uses within the building would be provided at proposed Longfellow at Ocean Gateway parking garage on Middle Street. The two-five story structures on Commercial Street will remain.

Based on the findings of the traffic impact study, our office reached the following conclusions:

1. The proposed development is forecast to generate 112 and 162 trip ends for the weekday AM peak hour and PM peak hour, respectively. (Note: A trip end is either a trip in or out of the site. Therefore a round trip would equal two trip ends).

2. The level of service analyses shows the site traffic can be accommodated by the existing street system with the construction of an exclusive left turn lane for the southbound Franklin Street approach at Middle Street as proposed in conjunction with the redevelopment of the former Jordan's site.

3. Based on the published history by MaineDOT, the intersection of Franklin Street Arterial at Middle Street is considered a High Crash Location. This location was analyzed by Eaton Traffic Engineering as part of the traffic impact study for the redevelopment of the Jordan's site. Most incidents at this location were angle collisions attributable to left turning traffic not yielding to oncoming through traffic. Of the four approaches, this crash type most often occurred for southbound left turns from Franklin Street Arterial colliding with northbound through traffic. As part of the Jordan's project, a 200-foot southbound left-turn lane is being constructed to improve visibility on this movement and reduce the incidence of this crash type.

4. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right-of-way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these findings, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the local street system with the recommended improvements can accommodate the traffic generated by the site.

I. *Existing and Proposed Site*

The proposed site is located on Custom House Street, and therefore has frontage on Fore Street and Commercial Street. The site is identified on Portland Tax Map 29, Block K, Lot 1. The development area currently consists of several structures, including the following:

- A single-story concrete block structure along Fore Street.
- A two-story concrete block structure facing the parking lot for Fore Street restaurant.

Proposed for the area would be a five-floor, 64,554 s.f. commercial building. Parking for the uses within the building would be provided at the Longfellow at Ocean Gateway parking garage on Middle Street. The two-five story structures on Commercial Street will remain.

II. *Background Traffic Conditions*

Gorrill-Palmer Consulting Engineers, Inc. based the study on the following information:

- A site plan prepared by DeLuca Hoffman Associates dated October, 2005.
- High Crash Listings for 2002-2004 provided by the Maine Department of Transportation.
- Turning movement volumes collected by Gorrill-Palmer Consulting Engineers, Inc. during the weekday AM and PM peak hours in October and November of 2005 and January of 2006 at the following intersections:
  - Franklin Street Arterial at Commercial Street
  - Franklin Street Arterial at Fore Street
  - Franklin Street Arterial at Middle Street
  - Pearl Street at Fore Street
  - Pearl Street at Middle Street
  - Middle Street at India Street (PM provided by ETE, based on summer data)

The raw volumes are shown on Figures 2 and 3 for the AM and PM peak hours, respectively.

Predevelopment Traffic Volumes

Seasonal Adjustment

MaineDOT utilizes highway classifications of I, II, or III for state and local roadways. Type I roadways are defined as urban roadways, or those roads that typically see commuter traffic and experience little fluctuation from week to week throughout the year. Type II roadways, or arterial roadways are those that see a combination of commuter and recreational traffic and therefore experience moderate fluctuations during the year. Type

III roadways, or recreational roadways are typically used for recreational purposes and experience dramatic seasonal fluctuation.

The roadways in the study area are considered Type I roadways by MaineDOT. Typically, volumes are adjusted to reflect the 30th highest hour (typically occurring in July or August) of traffic volumes in accordance with MaineDOT guidelines. The volumes were adjusted accordingly.

Annual Growth

The proposed development is anticipated to be fully operational by 2007. The raw turning movement volumes were increased by one percent per year to reflect traffic increases in the area based on historic MaineDOT traffic counts. A copy of the historical data is contained in Appendix C. The adjusted and balanced volumes are shown on Figures 4 and 5 for the AM and PM peak hours, respectively.

Other Development

Approved projects that are not yet opened as well as projects for which applications have been filed are required to be included in the predevelopment volumes for this project. Based on recent traffic impact studies completed by our office, and conversations with City staff, the following projects may have an effect on traffic in the study area:

- *Ocean Gateway:* Located near the intersection of Commercial and India Streets, this facility will provide a formalized berth for passenger ships.
- *Former Jordan's Site:* This project, along India Street, will consist of a 185-room hotel and 105 condominiums.
- *Village Café Site:* This site will be reused for a multiuse development, with 160 units of housing, a restaurant, and retail space.
- *Riverwalk:* Bound by Fore Street, India Street, and the proposed extensions of Commercial and Hancock Streets, this project will consist of condominiums, a hotel, retail, health club and restaurant space.
- *Federal Street Town Houses:* Seven units of housing are proposed on Federal Street.

Trip assignment for these uses is shown on Figures 6 and 7 in Appendix A. Traffic from the other development was combined with the adjusted volumes to result in the 2007 predevelopment volumes, as shown on Figures 8 and 9 of Appendix A for the AM and PM peak hours.

III. *Trip Generation*

Gorrill-Palmer Consulting Engineers, Inc. used the Institute of Transportation Engineers (ITE) publication *Trip Generation,* 7th Edition as the source for determining the potential trip generation for the site. The building is to be 64,554 s.f. in size. The size of the building to be considered for trip generation for the purposes of analysis is 47,000 s.f. of general office space and 11,500 s.f. of specialty retail center; the remaining space would be for storage and HVAC equipment.

Our office utilized Land Use Code 710, General Office Building and Land Use Code 814, Specialty Retail Center to determine the total trip generation for the site. The trip generation calculations are summarized in Attachment D and are summarized as follows:

Trip Generation for Proposed Commercial Building

Land Use Code	Weekday	AM Peak Hour	PM Peak Hour
710, General Office	746	103	131
814, Specialty Retail	510	9	31
Total	1,256	112	162

It should be noted that the trip generation assumes that the retail will be open during AM hours. If this is not the case, than the AM assumptions are conservative.

IV. *Trip Distribution*

Gorrill-Palmer Consulting Engineers, Inc. has obtained the ratio of entering and exiting traffic from the Institute of Transportation Engineers publication *Trip Generation,* 7th Edition. For purposes of this study, for the proposed uses, we have assumed that the distribution would be appropriate as follows:

AM Peak Hour: 88% entering, 12% exiting
PM Peak Hour: 21% entering, 79% exiting

V. *Trip Composition*

Gorrill-Palmer Consulting Engineers, Inc. has estimated the following trip composition based on information obtained from the ITE publication, *Trip Generation Handbook.* This composition is provided on the following table and is based on Land Use Code 710, General Office Building and Land Use Code 820, Shopping Center:

Trip Composition for Proposed Commercial Building

Trip Type	AM Peak Hour			PM Peak Hour		
	Enter	Exit	Total	Enter	Exit	Total
Primary	95	11	106	22	116	138
Pass-by	3	3	6	10	10	20
Diverted	0	0	0	2	2	4
Total	98	14	112	34	128	162

It should be noted that the compositional percentages from LUC 820 are based on surveyed facilities of less than 50,000 s.f.

VI. *Trip Assignment*

The trip assignment percentages are based on those established for the Jordan's redevelopment project, as well as those established for Longfellow at Ocean Gateway. As the assignment is based on all secondary trips coming to and from the retail component being vehicular in nature (which is unlikely given that parking is provided off-site), it is conservative. The resulting trip assignment is shown in Figures 11 and 12 of Appendix A for the AM and PM peak hours, respectively.

VII. *2007 Postdevelopment Traffic*

The anticipated year 2007 predevelopment traffic shown in Figures 8 and 9 has been combined with the traffic forecast for the development shown in Figures 11 and 12 to yield the 2007 postdevelopment traffic shown in Figures 13 and 14 of Appendix A for the AM and PM peak hours, respectively.

VIII. *Study Area*

The study area for the purposes of analysis in this report includes the following intersections:

- Franklin Street Arterial at Commercial Street
- Franklin Street Arterial at Fore Street
- Franklin Street Arterial at Middle Street
- Middle Street at India Street

The study area is based on analysis thresholds set forth by MaineDOT requirements. The volumes along Pearl Street were previously obtained and are included in this report for discussion purposes; trip assignment does not meet analysis thresholds at these locations. Franklin Street Arterial at Commercial Street was included as it is part of a coordinated system.

IX. *Capacity Analyses*

Gorrill-Palmer Consulting Engineers, Inc. completed capacity analyses for the intersections listed in Section VIII.

The analysis was completed utilizing the Synchro/SimTraffic analysis software package, the results based on five runs of SimTraffic analysis. Levels of service rankings are similar to the academic ranking system where an 'A' is very good with little control delay and an 'F' represents very poor conditions. A level of service 'D' and higher is desirable for a signalized intersection. At an unsignalized intersection, if the level of service falls below a 'D', an evaluation should be made to determine if a traffic signal is warranted.

The following table summarizes the relationship between control delay and level of service for a signalized intersection:

Level of Service Criteria for Signalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 20.0
C	20.1 to 35.0
D	35.1 to 55.0
E	55.1 to 80.0
F	Greater than 80.0

The following table summarizes the relationship between delay and level of service for an unsignalized intersection:

AH. 18.7

Level of Service Criteria for Unsignalized Intersections

Level of Service	Control Delay per Vehicle (sec)
A	Up to 10.0
B	10.1 to 15.0
C	15.1 to 25.0
D	25.1 to 35.0
E	35.1 to 50.0
F	Greater than 50.0

The results of the capacity analyses are based on the addition of a 200' right-turn lane on Franklin Street Arterial for southbound traffic destined for Middle Street, as proposed in conjunction with the redevelopment of the former Jordan's site. The detailed analyses for Synchro/SimTraffic are included in Appendix B.

Level of Service for at Middle Street at India Street*

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Middle Street EB LTR	13	B	18	C	16	C	25	C
Middle Street WB LTR	12	B	10	B	11	B	16	C
India Street NB LTR	3	A	3	A	2	A	3	A
India Street SB LTR	2	A	2	A	1	A	2	A
Overall	4	A	6	A	6	A	10	B

Level of Service for Franklin Street Arterial at Middle Street*

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Middle Street EB L	45	D	45	D	41	D	46	D
Middle Street EB TR	27	C	28	C	26	C	26	C
Middle Street WB LT	38	D	38	D	29	C	31	C
Middle Street WB RT	5	A	5	A	8	A	9	A
FS Arterial NB LTR	7	A	7	A	8	A	9	A
FS Arterial SB L	16	B	17	B	29	C	38	D
FS Arterial SB TR	9	A	10	B	11	B	14	B
Overall	13	B	13	B	17	C	19	C

Level of Service for Franklin Street Arterial at Fore Street*

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Fore Street EB L	37	D	40	D	34	C	31	C
Fore Street EB TR	16	B	16	B	26	C	24	C
Fore Street WB LTR	29	C	27	C	28	C	28	C
FS Arterial NB LTR	6	A	6	A	7	A	7	A
FS Arterial SB LTR	8	A	8	A	12	B	13	B
Overall	15	B	15	B	18	B	18	B

Level of Service for Franklin Street Arterial at Commercial Street*

Lane Group	AM Peak Hour				PM Peak Hour			
	Predevelopment		Postdevelopment		Predevelopment		Postdevelopment	
	Delay	LOS	Delay	LOS	Delay	LOS	Delay	LOS
Commercial Street EB L	42	D	42	D	44	D	43	D
Commercial Street EB T	21	C	21	C	24	C	21	C
Commercial Street EB R	8	A	8	A	14	B	11	B
Commercial Street WB LT	39	D	39	D	44	D	42	D
Commercial Street WB R	12	B	11	B	10	B	10	B
State Pier NB LT	26	C	25	C	25	C	25	C
State Pier NB R	26	C	25	C	5	A	3	B
FS Arterial SB L	28	C	26	C	29	C	22	C
FS Arterial SB T	22	C	27	C	28	C	32	C
FS Arterial SB R	12	B	12	C	7	A	9	A
Overall	**25**	**C**	**25**	**C**	**27**	**C**	**26**	**C**

*Fluctuations in delay are a result in the variation inherent in SimTraffic analyses.

As can be seen in the above tables, all movements are forecast to operate at an acceptable level of service. With the exception of Middle Street at India Street, the addition of site-generated traffic is not anticipated to affect the overall level of service at the study area intersections.

X. *Crash Data*

In order to evaluate whether a location has a crash problem, MaineDOT uses two criteria to define High Crash Locations (HCL). Both criteria must be met in order to be classified as an HCL.

1. A critical rate factor of 1.00 or more for a three-year period. (A Critical Rate Factor {CRF} compares the actual accident rate to the rate for similar intersections in the State. A CRF of less than 1.00 indicates a rate less than average) and;
2. A minimum of 8 crashes over a three-year period.

The following tables summarize the crash data provided by MaineDOT for locations that satisfy either Criteria 1, 2 or both:

MaineDOT Crash Data for 2002-2004: Intersections

Node	Intersection	# of Collisions	CRF	HCL?
7207	Commercial Street at Union Street	8	1.30	No
7210	Commercial Street at Moulton Street	7	1.13	No
9233	Congress Street at Pearl Street	14	0.66	No
9212	Federal Street at Pearl Street	4	1.40	No
8938	**Franklin Street Arterial at Middle Street**	**27**	**1.29**	**Yes**

MaineDOT Crash Data for 2002-2004: Road Segments

Nodes	Street	From	To	# of Collisions	CRF	HCL?
7207-7208	Commercial	Union	e/o Union	7	1.77	No
7209-7210	Commercial	Dana	Moulton	4	1.06	No
5812-7213	Commercial	Custom House	Franklin Arterial	7	1.20	No
9194-9205	Fore	Exchange	Moulton	2	1.27	No
8937-9242	Fore	Franklin Arterial	India	5	1.11	No
9227-9234	Pearl	Newbury	Middle	2	1.33	No
9201-9235	Pearl	Milk	Fore	2	1.03	No
9193-9235	Pearl	Fore	Wharf	1	11.31	No

Based on the published history, the intersection of Franklin Street Arterial at Middle Street is considered a High Crash Location. This location was analyzed by Eaton Traffic Engineering as part of the traffic impact study for the redevelopment of the Jordan's site. Most incidents at this location were angle collisions attributable to left turning traffic not yielding to oncoming through traffic. Of the four approaches, this crash type most often occurred for southbound left turns from Franklin Street Arterial colliding with northbound through traffic. As part of the Jordan's project, a 200-foot southbound left-turn lane is being constructed to improve visibility on this movement and reduce the incidence of this crash type.

XI. *Conclusions*

Gorrill-Palmer Consulting Engineers, Inc. has examined the impact of the traffic associated with the proposed office building project and reached the following conclusions:

1. The proposed development is forecast to generate 112 and 162 trip ends for the weekday AM peak hour and PM peak hour, respectively. (Note: A trip end is either a trip in or out of the site. Therefore a round trip would equal two trip ends).

2. The level of service analyses shows the site traffic can be accommodated by the existing street system with the construction of an exclusive left turn lane for the southbound Franklin Street approach at Middle Street as proposed in conjunction with the redevelopment of the former Jordan's site.

3. Based on the published history by MaineDOT, the intersection of Franklin Street Arterial at Middle Street is considered a High Crash Location. This location was analyzed by Eaton Traffic Engineering as part of the traffic impact study for the redevelopment of the Jordan's site. Most incidents at this location were angle collisions attributable to left turning traffic not yielding to oncoming through traffic. Of the four approaches, this crash type most often occurred for southbound left turns from Franklin Street Arterial colliding with northbound through traffic. As part of the Jordan's project, a 200-foot southbound left-turn lane is being constructed to improve visibility on this movement and reduce the incidence of this crash type.

4. Gorrill-Palmer Consulting Engineers, Inc. recommends that all plantings, which will be located within the right-of-way, not exceed three feet in height and be maintained at or below that height. Signage should not interfere with sight lines. In addition, we recommend that during construction, when heavy equipment is entering and exiting into the site, that appropriate measures, such as signage and flag persons, be utilized in accordance with the Manual on Uniform Traffic Control Devices.

Based on these findings, it is the opinion of Gorrill-Palmer Consulting Engineers, Inc. that the local street system with the recommended improvements can accommodate the traffic generated by the site.

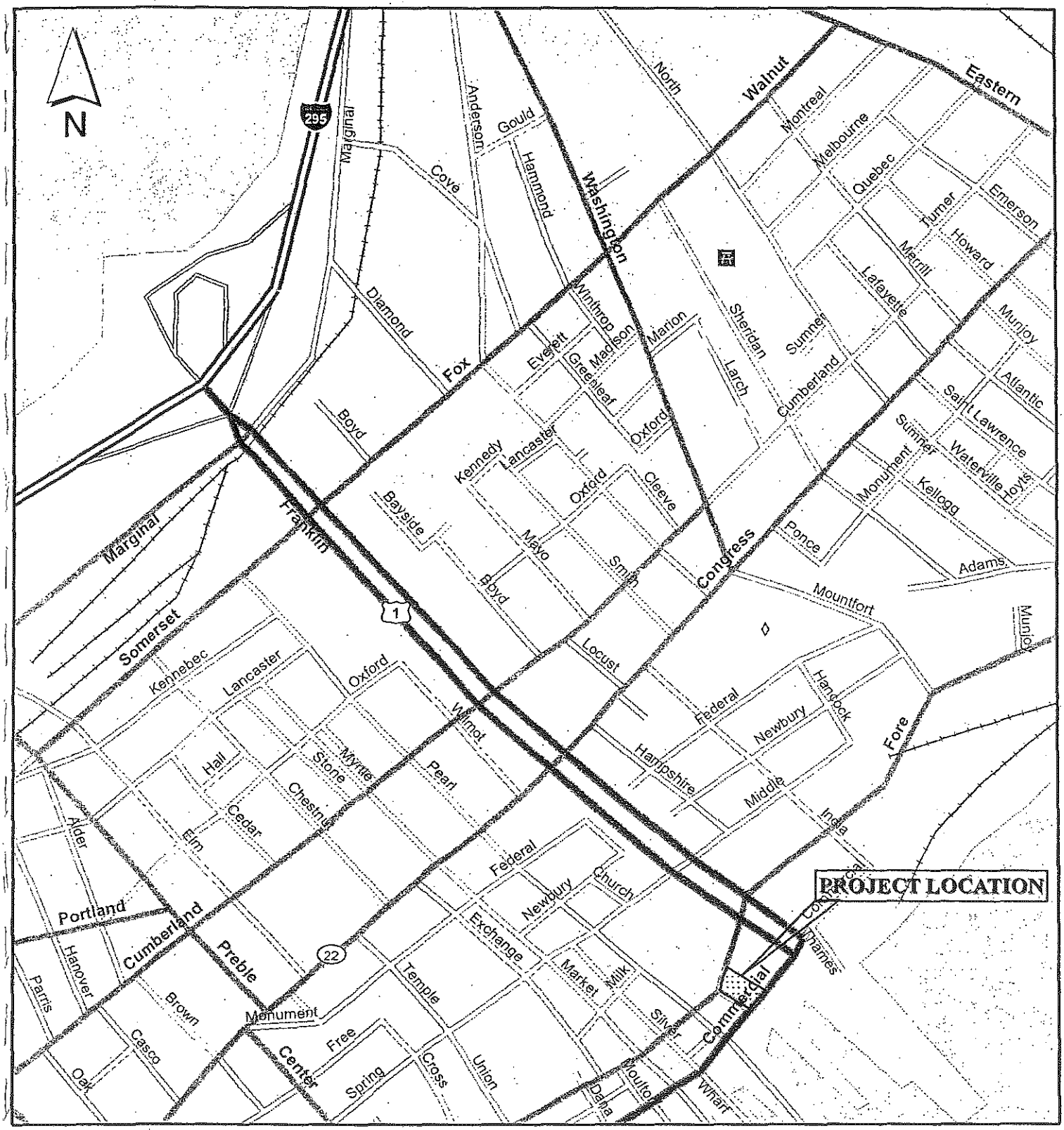
AH. 18.10

Appendix A

Site Location Map
Turning Movement Diagrams

Location Map

Figure No. 1



OFFICE BUILDING CORNER OF FORE STREET AND CUSTOM HOUSE STREET PORTLAND, MAINE

Feet

500 0 500 1,000

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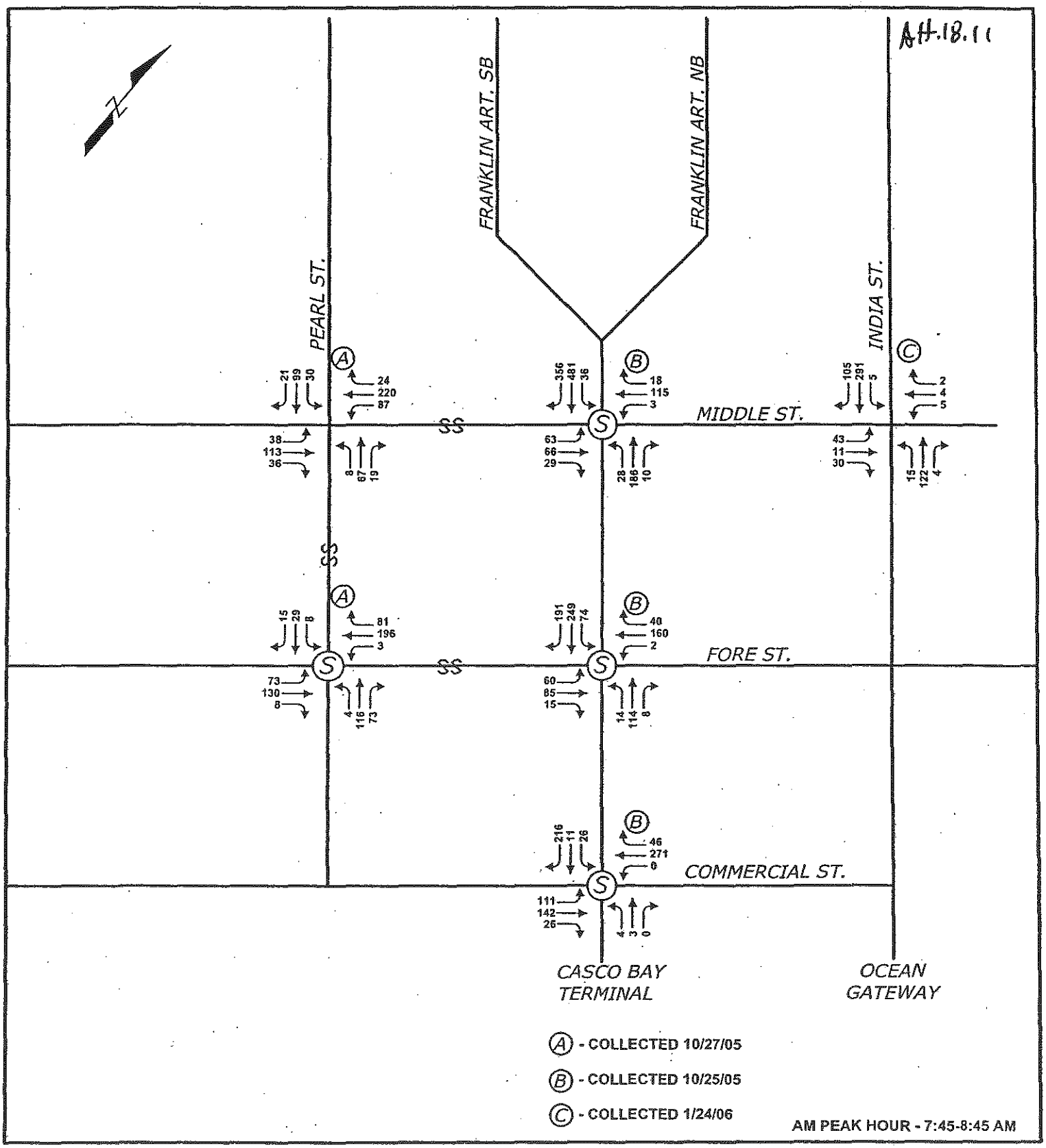
JN: 1317
DATE:OCT 2005
SOURCE: MAINE GIS WEBSITE

AM Raw Volumes

Figure No. 2



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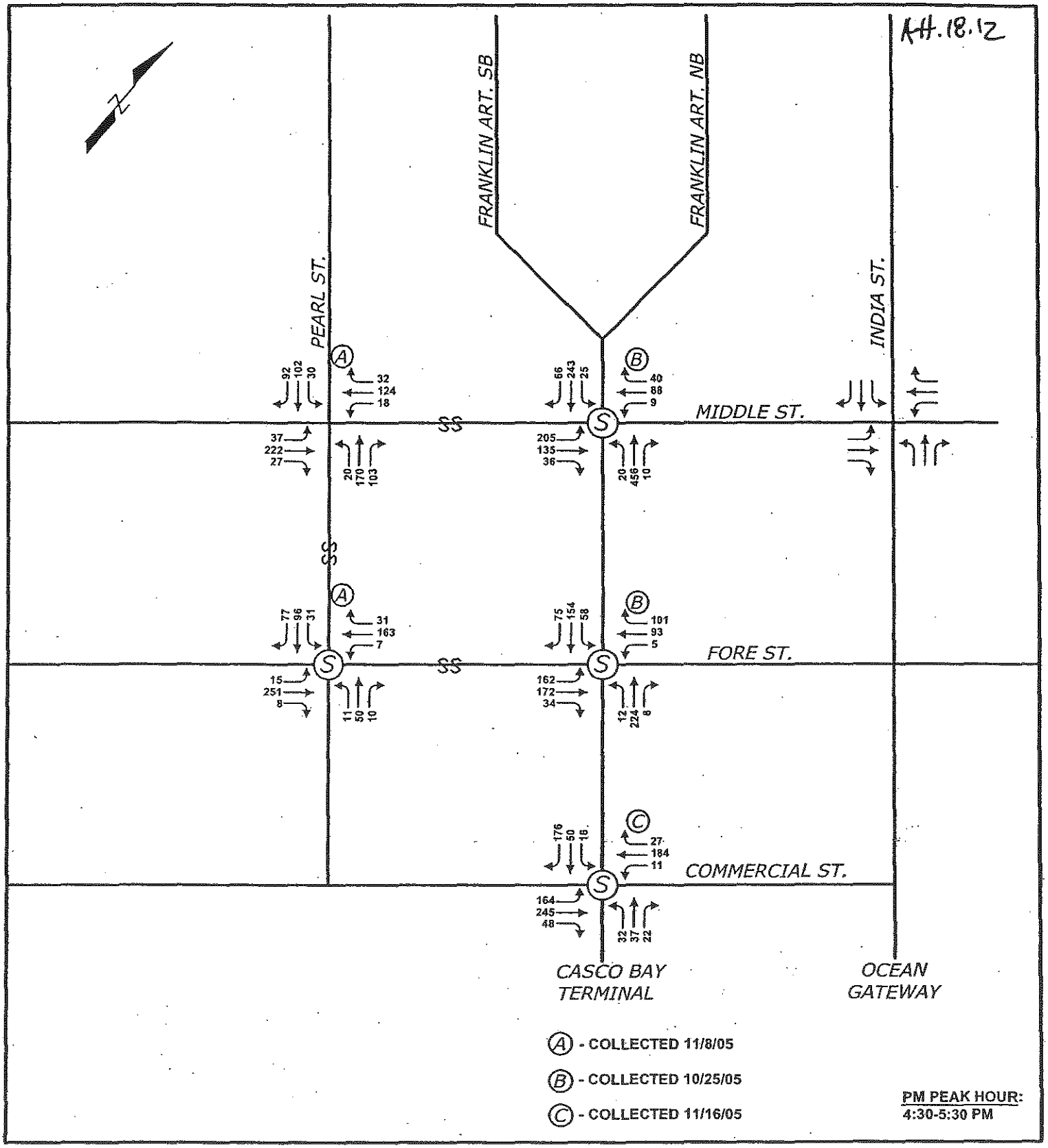
PM Raw Volumes

Figure No. 3



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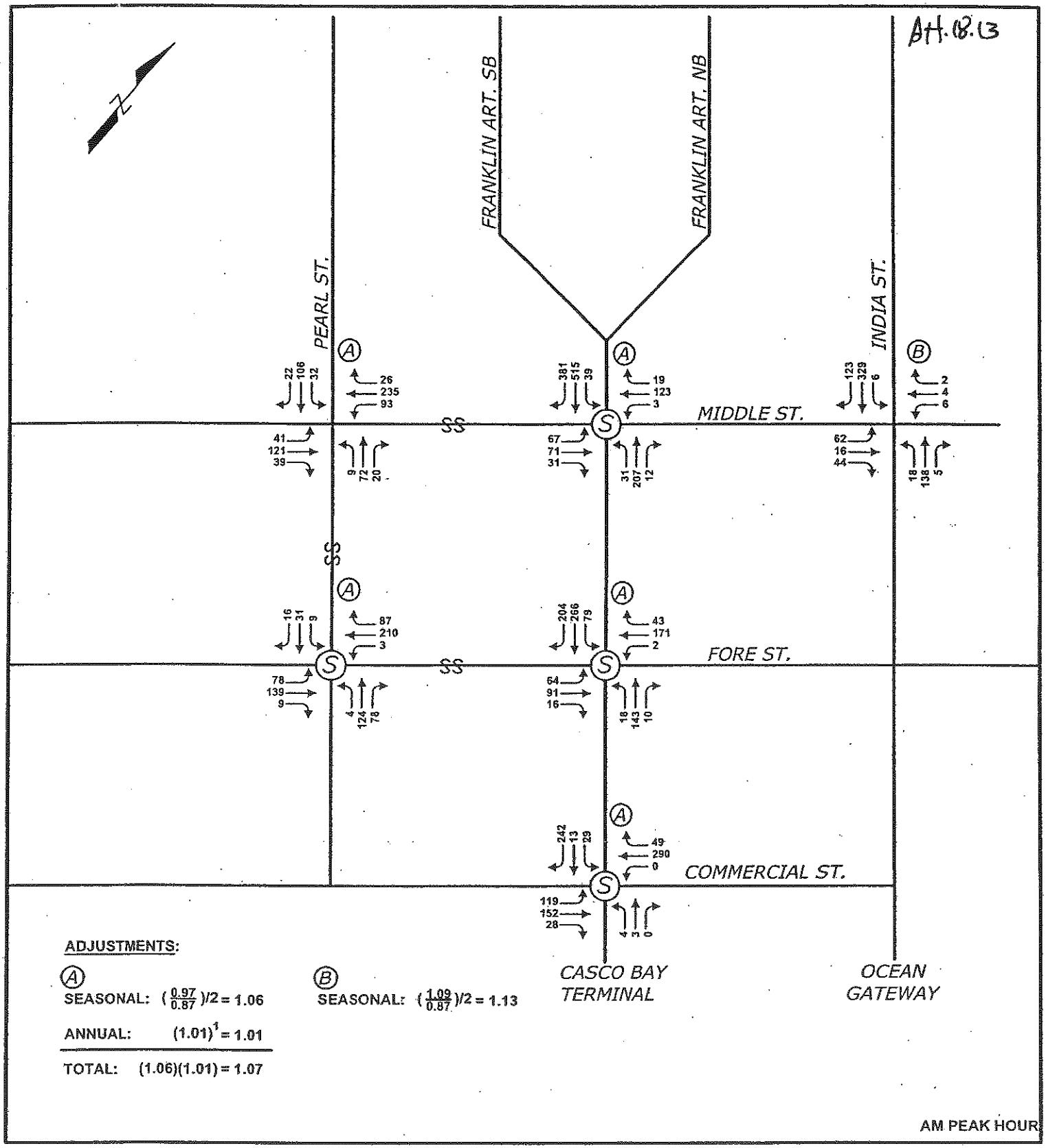
AM Balanced and Adjusted Volumes

Figure No. 4



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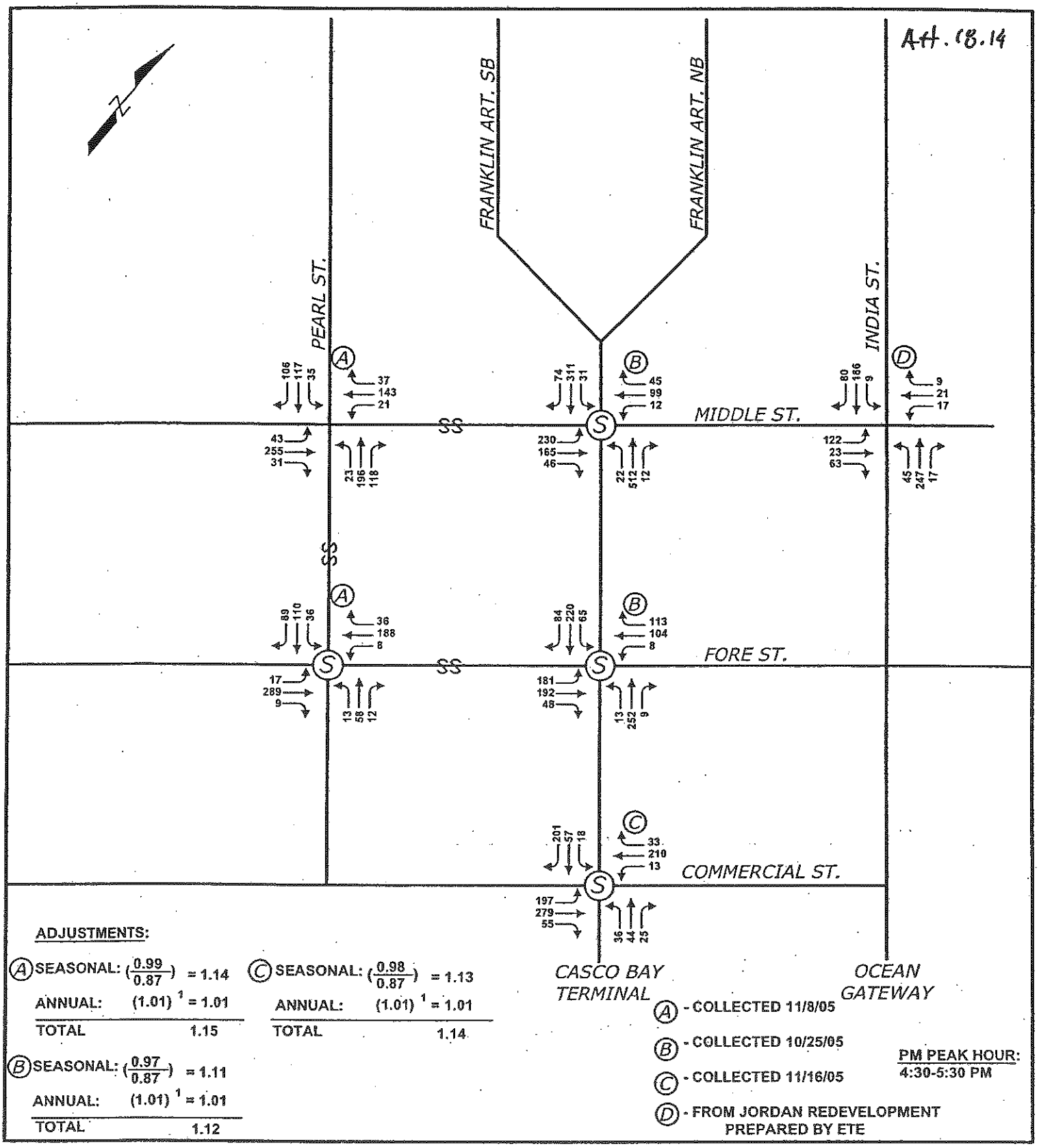
PM Balanced and Adjusted Volumes

Figure No. 5



ADJUSTMENTS:

(A) SEASONAL: $(\frac{0.99}{0.87})$ = 1.14
ANNUAL: $(1.01)^1$ = 1.01
TOTAL 1.15

(B) SEASONAL: $(\frac{0.97}{0.87})$ = 1.11
ANNUAL: $(1.01)^1$ = 1.01
TOTAL 1.12

(C) SEASONAL: $(\frac{0.98}{0.87})$ = 1.13
ANNUAL: $(1.01)^1$ = 1.01
TOTAL 1.14

(A) - COLLECTED 11/8/05
(B) - COLLECTED 10/25/05
(C) - COLLECTED 11/16/05
(D) - FROM JORDAN REDEVELOPMENT PREPARED BY ETE

PM PEAK HOUR:
4:30-5:30 PM

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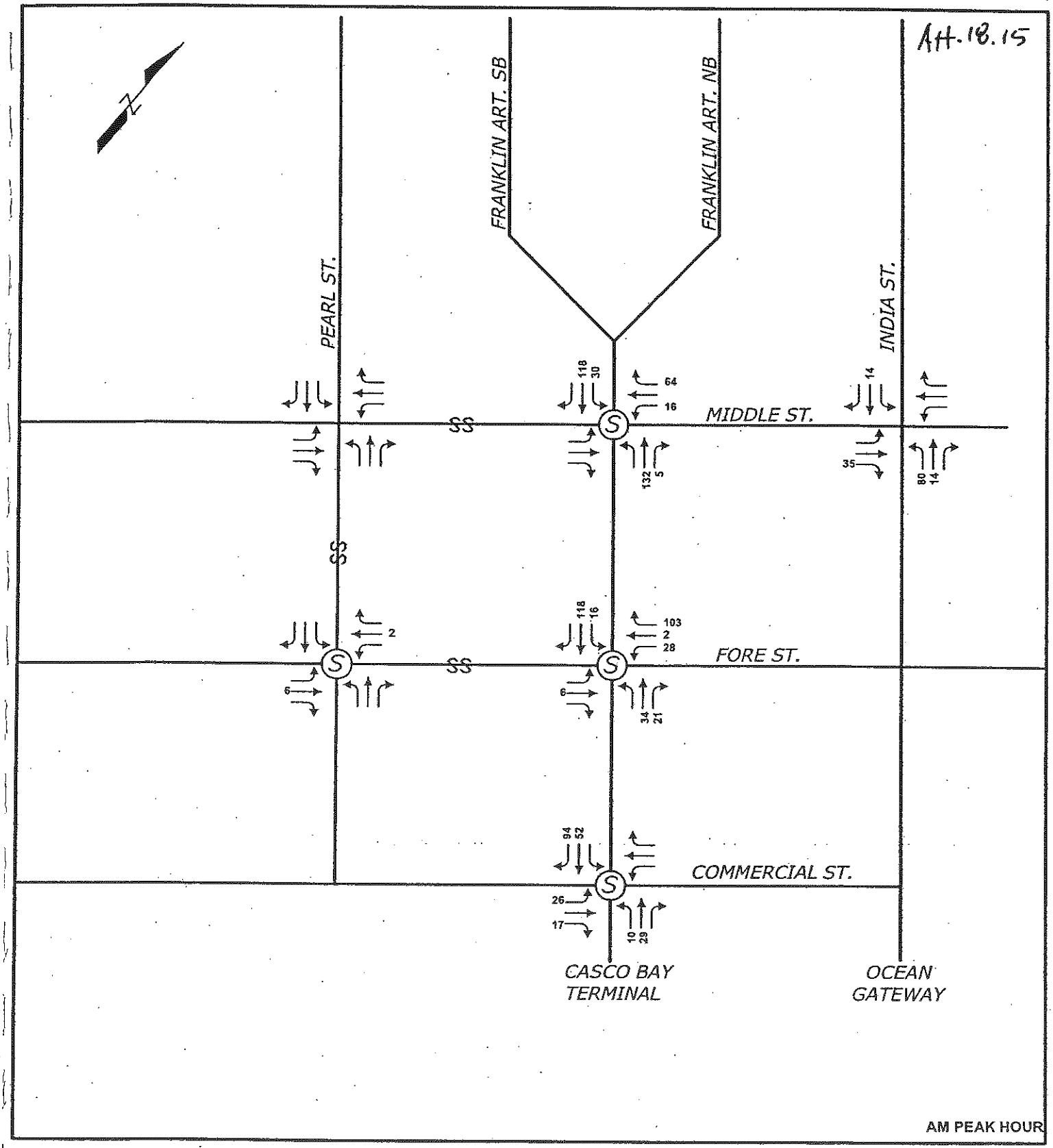
Other Development AM

Figure No. 6



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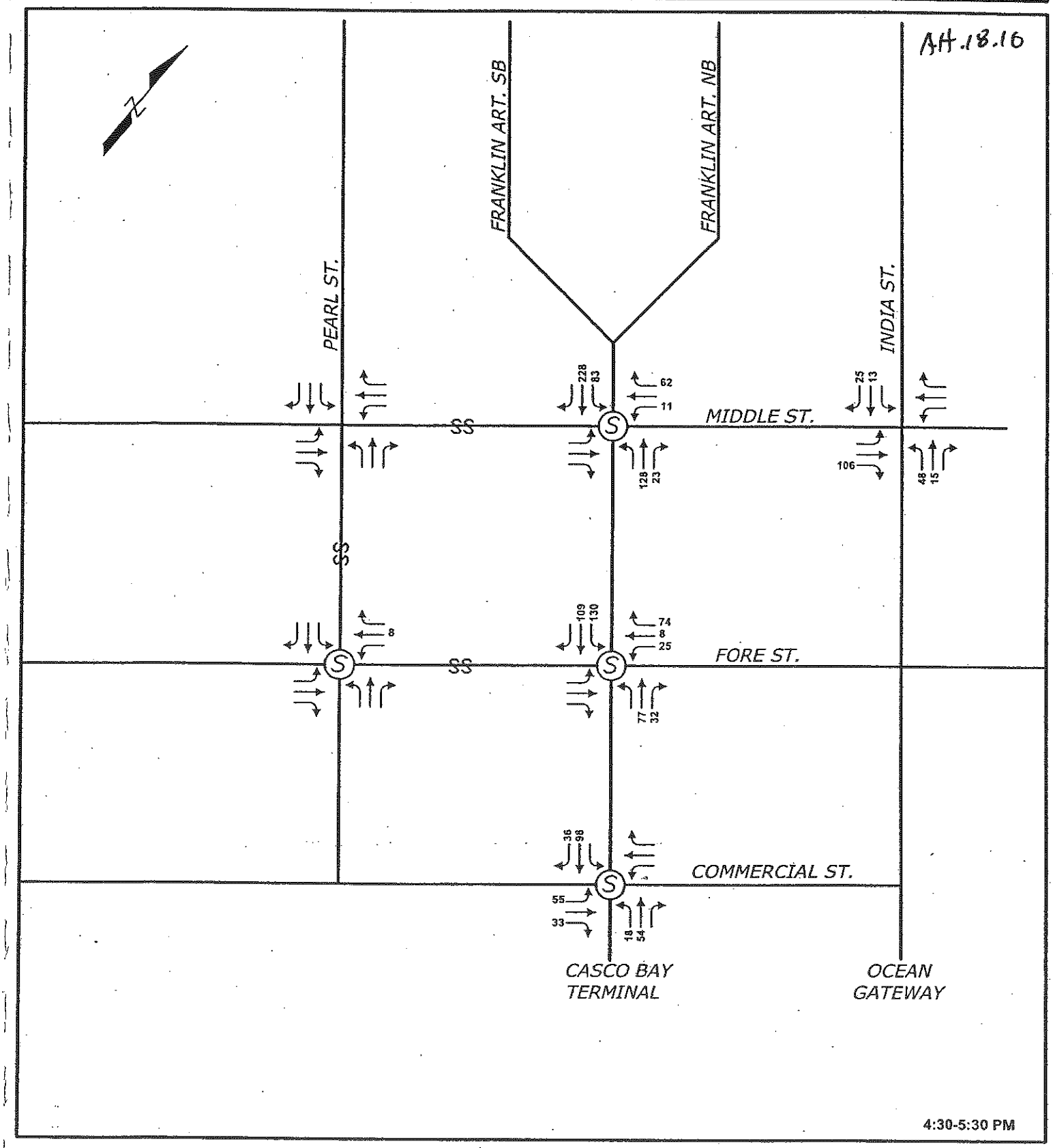
Other Development PM

Figure No. 7



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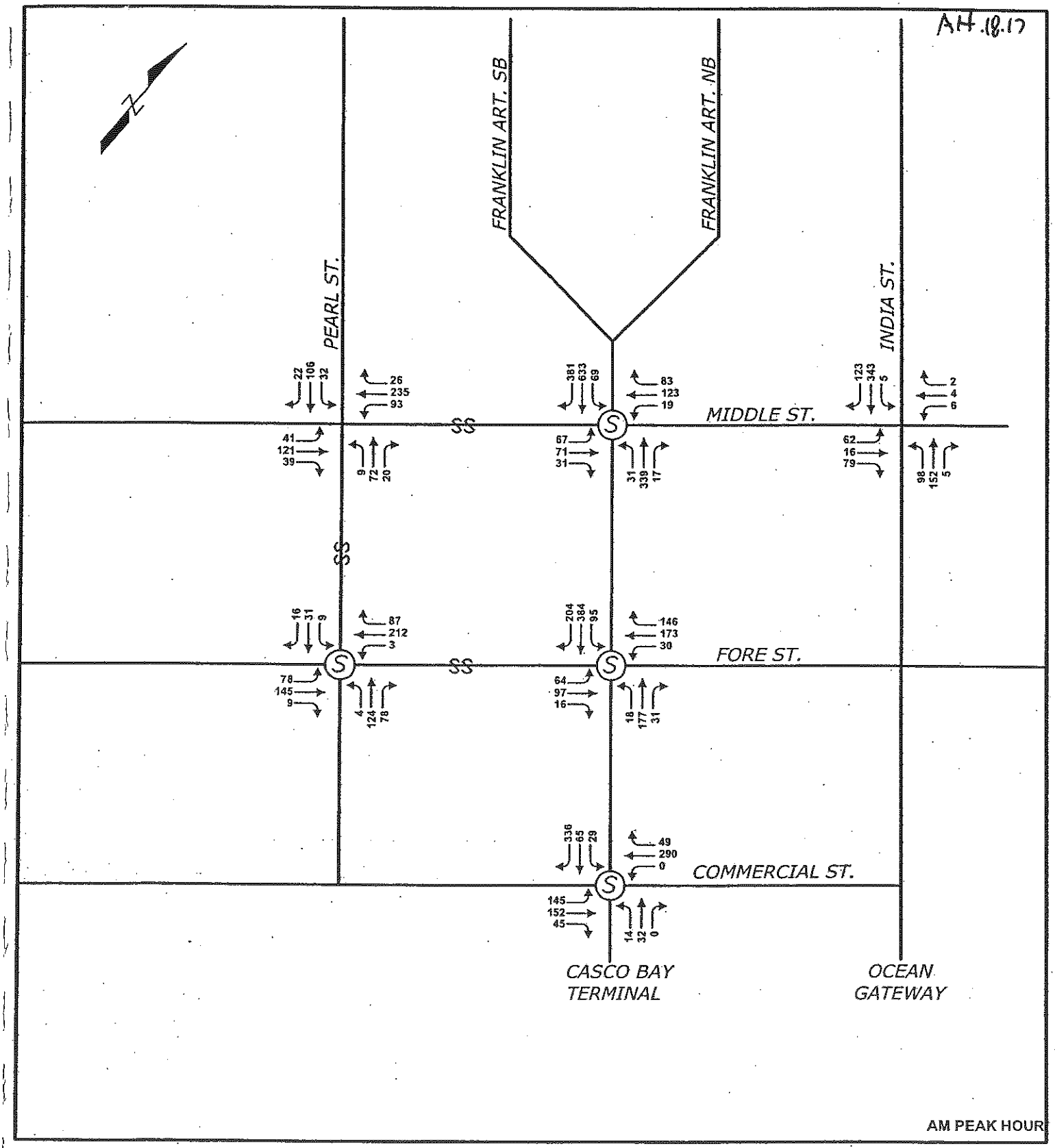
AM Predevelopment

Figure No. 8



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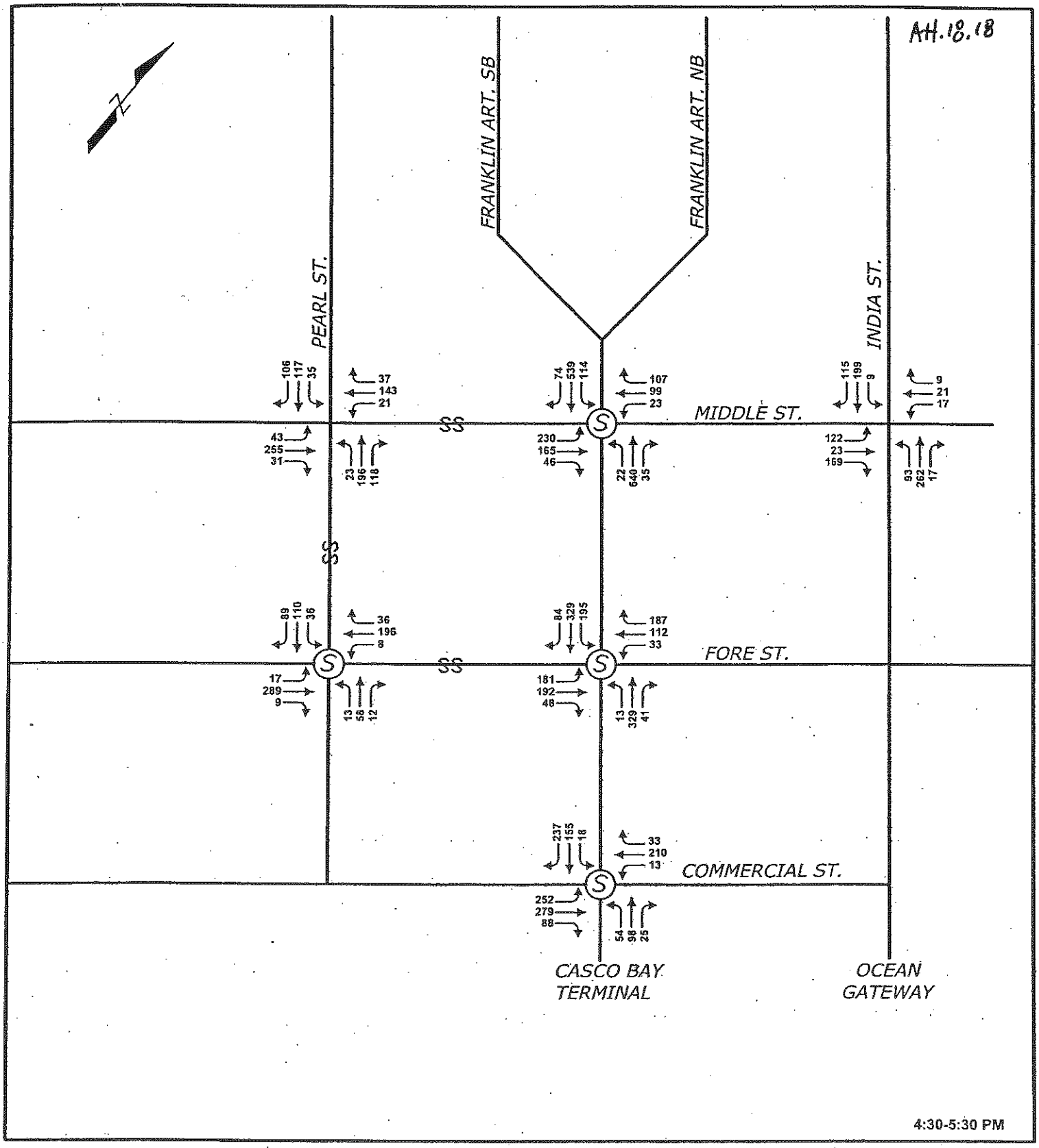
PM Predevelopment

Figure No. 9



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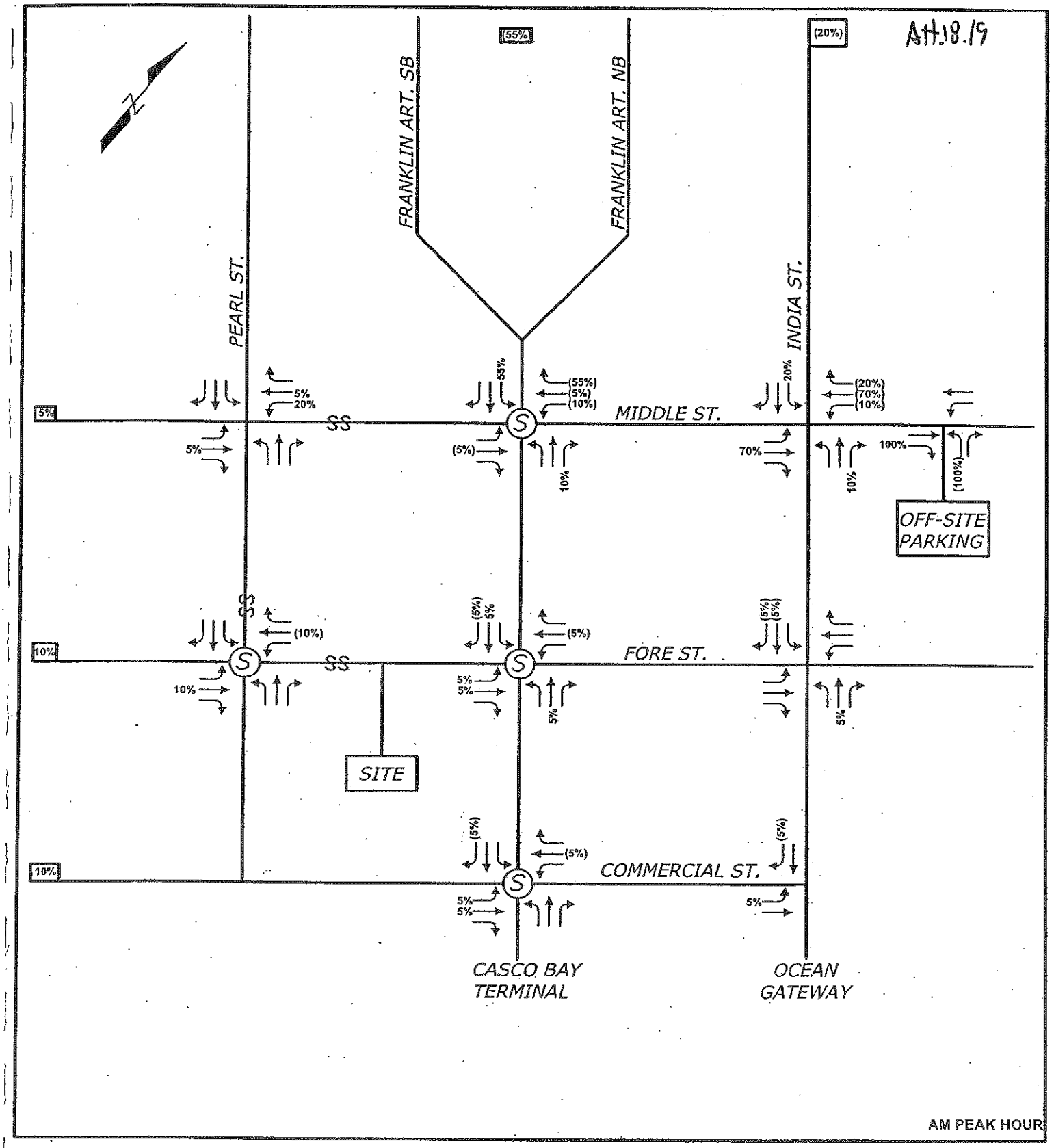
Primary Trip Distribution

Figure No. 10



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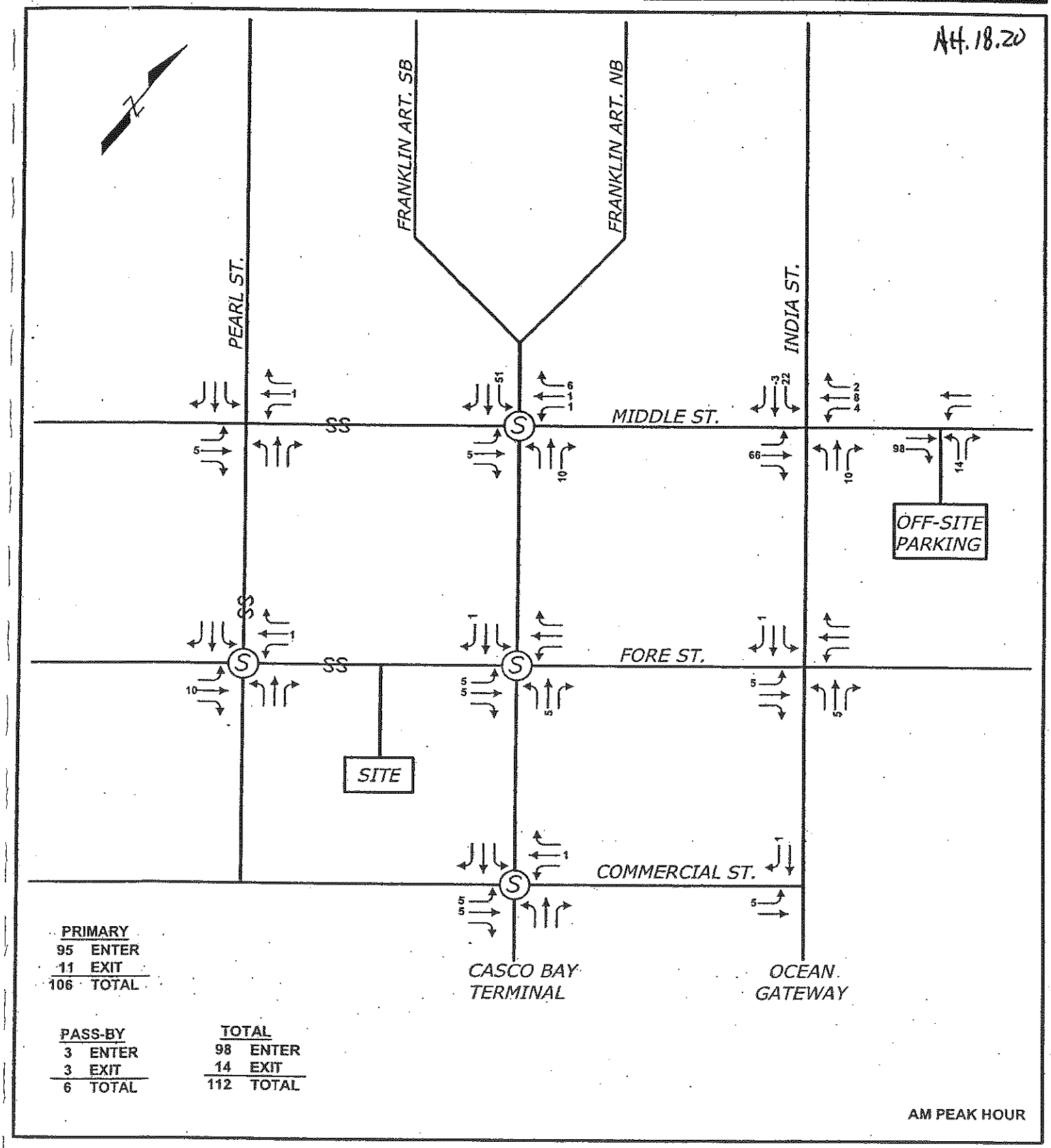
AM Trip Assignment

Figure No. 11



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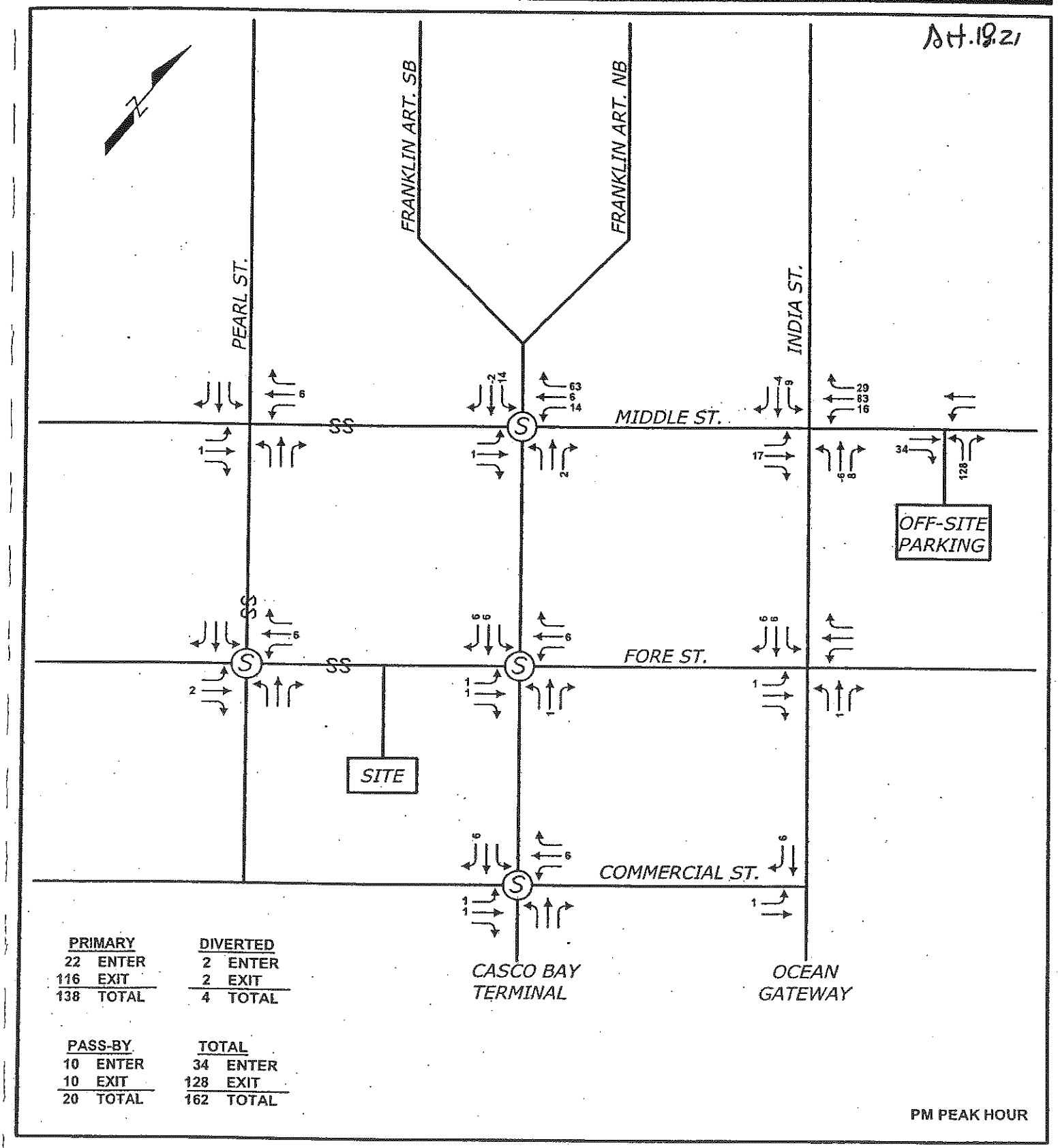
PM Trip Assignment

Figure No. 12



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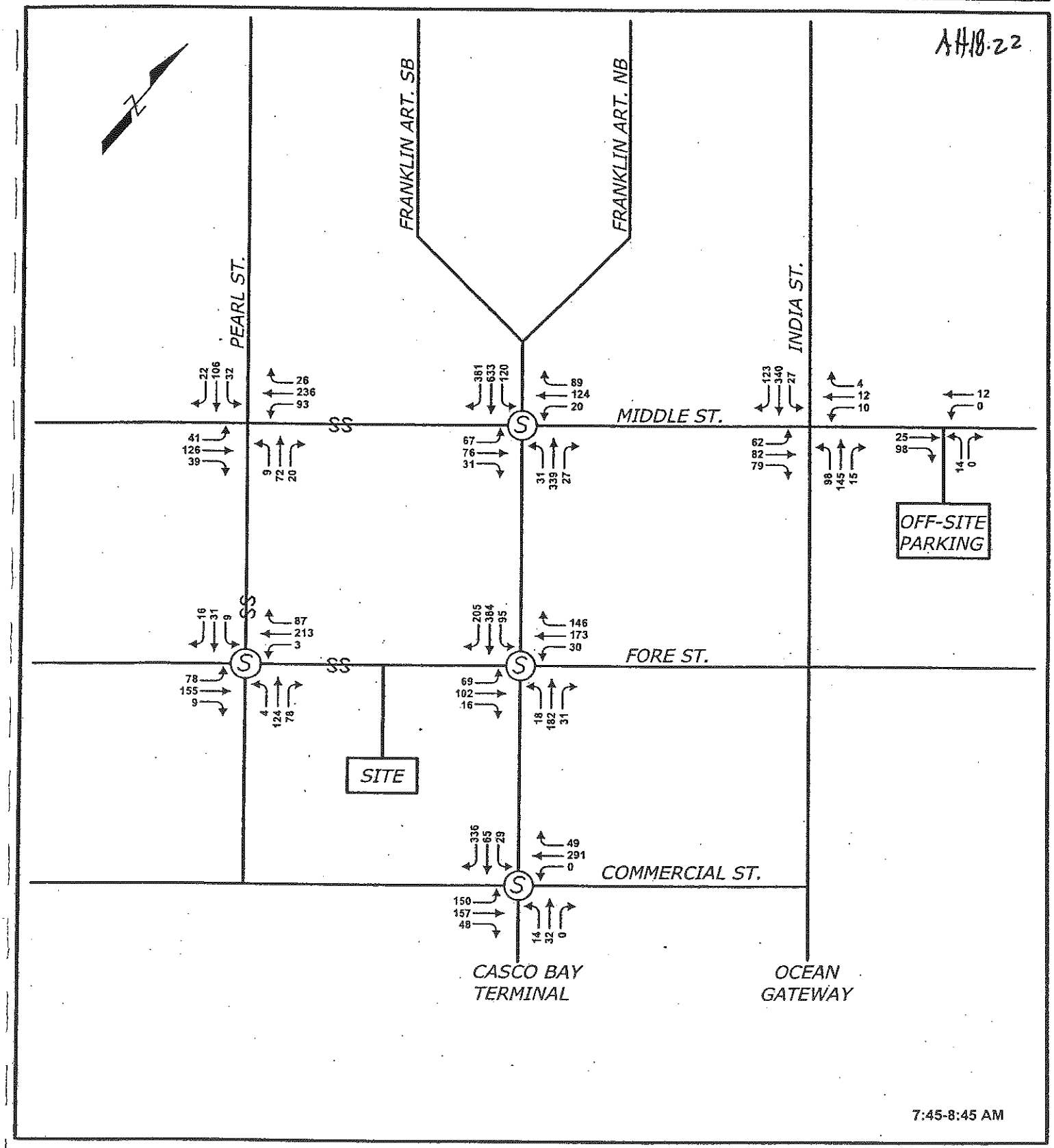
AM Postdevelopment

Figure No. 13



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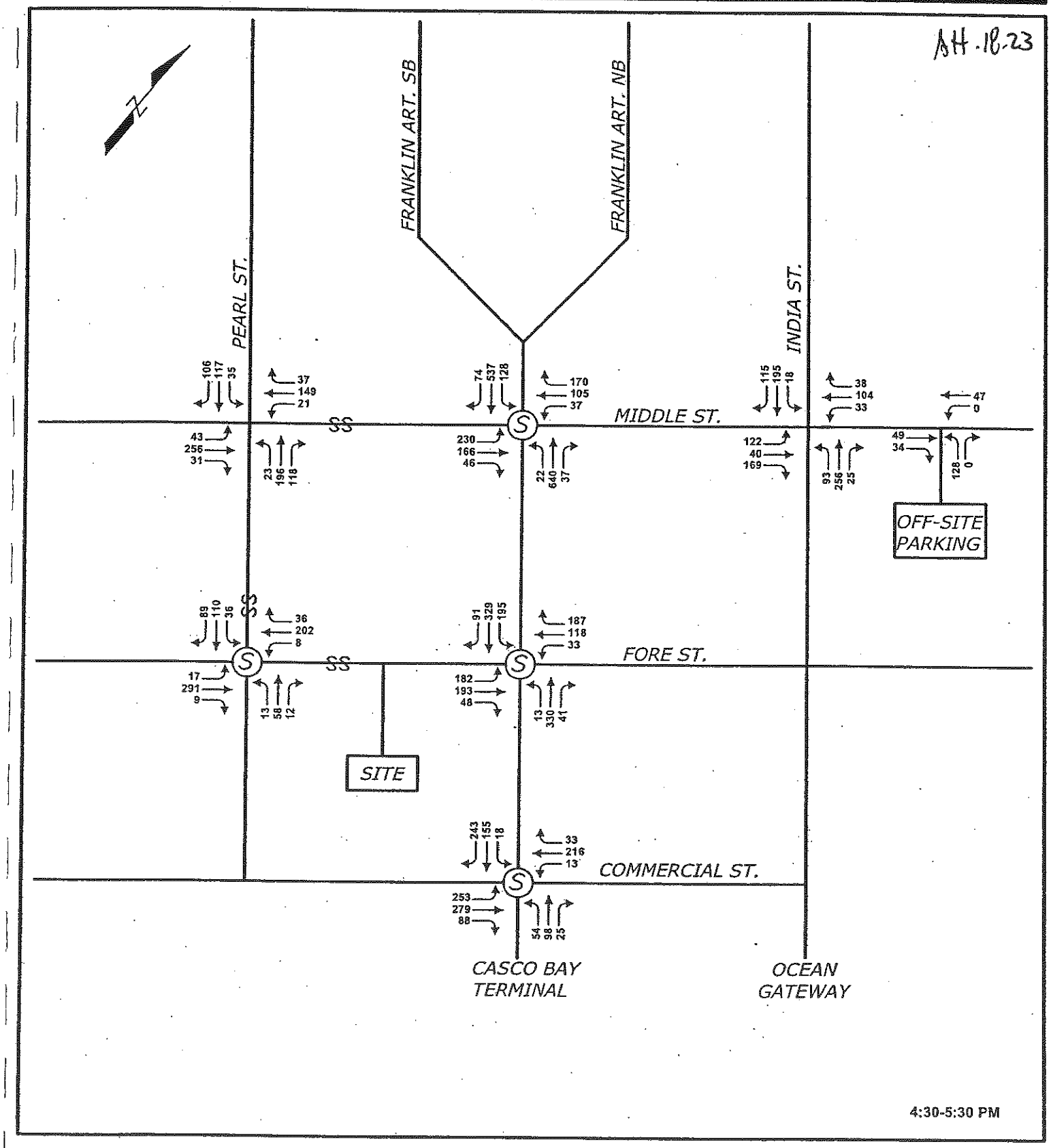
PM Postdevelopment

Figure No. 14



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Attachment 19.1

Sarah Hopkins - 300 Fore Street

From: "Thomas Errico" <terrico@wilbursmith.com>
To: <SH@portlandmaine.gov>
Date: 02/23/2006 11:30 AM
Subject: 300 Fore Street
CC: <JBP@portlandmaine.gov>, "'Katherine Earley'" <KAS@portlandmaine.gov>, <WBN@portlandmaine.gov>

Sarah—

My initial comments for the above project are noted below:

Parking

The parking study prepared by the applicant indicates the proposed project requires 145 parking spaces. This estimate is based upon a host of assumptions of which the primary one is the characteristics of the office tenant. These assumptions have led to a parking supply estimate that is lower than a typical office user. There have been some internal discussions about whether a parking requirement should be based upon a specific tenant. There is some concern that if the tenant changed, the replacement company/business could require additional parking demands. I have provided an independent parking analysis for a scenario with a typical office tenant as summarized below.

- 58,114 sf Office x 2.97 spaces/1,000 sf = 173 parking spaces
- 10,060 sf Restaurant x 2.75 spaces/1,000 sf = 28 parking spaces
- Total = 201 parking spaces
- Total w/Shared Usage = **198 parking spaces**

Assumptions for the above analysis include:

- The office parking rate is from the Parking Generation Manual, ITE 3rd Edition for an Office land use in an "Urban" setting.
- The restaurant parking rate is for employee parking needs "only" and is based upon data in the publication Shared Parking, Urban Land Institute. As suggested in an email from John Peverada, parking needs for the restaurant customers are not expected to be significant due to a "captive market" during the mid-day or lunchtime period.
- A reduction in the restaurant employee parking requirement was included to account for time-of-day demand.

I have not prepared an estimate of parking requirements incorporating assumptions (specific tenant data) used in the applicants parking analysis. If the Planning Board wishes, I can conduct such an analysis. If I am directed, I would ask that the applicant provide supporting documentation for assumptions used.

Traffic Study

- The size of the land uses in the traffic study does not match those assumed in the parking study. Additionally, the trip generation was based upon 10,500 square feet of Specialty Retail space and not Restaurant space. An explanation should be provided.

Att. 19.2

- The applicant should provide capacity analysis print-outs that are Highway Capacity Manual based for all study area intersections.
- The applicant should provide printouts of the turning movement count sheets.
- The applicant should conduct a pedestrian facility assessment between the proposed site and the proposed Longfellow Parking facility.
- An occupancy permit for the site should not be granted until the Longfellow Parking garage is completed or parking alternatives have been identified.
- The applicant shall make a monetary contribution to the implementation of improvements identified for Franklin Arterial and the India Street/Middle Street intersection from the Portland Peninsula Study. I'll need to work with staff in calculating the estimate.

Site Plan

- The proposed plan indicates a garage door will be provided on Custom House Street, but vertical curbing will be provided. An explanation should be provided.
- I generally concur with the layout of Fore Street with two 12-foot travel lanes, an 8-foot parking lane on the south side and a varying shoulder width on the north side.
- The City generally does not provide edge pavement markings and accordingly it should be deleted from the plan.
- In the vicinity of Custom House Street, the eastbound travel lane is illustrated as being 24 feet wide. It seems that there may be an opportunity to adjust the curb line adjacent to the proposed building to better align with the curb in front of the Custom House building. This adjustment may result in additional sidewalk area at the corner.

Please contact me if you have any questions or comments.

Best Regards,

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
(207) 871-1785 Phone
(207) 871-5825 Fax

Attachment 20.1

Memorandum
Department of Planning and Development
Planning Division

To: Chair Beal and Members of the Portland Planning Board

From: Carrie M. Marsh, AICP, Urban Designer, City of Portland, Planning Division

Date: 02/22/06

Re: Fore Street and Custom House Street Office Building
February 28, 2006 Planning Board Workshop

Introduction

The proposed building at Fore and Custom House Streets will be the subject of an upcoming Planning Board Workshop. This memo discusses the design elements relevant to that project.

Background

The Thomas Mayhew Block (know as the Blake Building) is an historic Greek Revival brick and granite warehouse located at 83 Commercial Street. Olympia Equity Investors recently constructed an addition at the corner of Custom House Street and Commercial Street. The new structure is 25,000 sf, with 5-stories of office and retail use. The addition is contemporary in design, with façade materials such as copper, glass, precast concrete and cement board veneer.

Description

Olympia Equity Partners are proposing an office building of approximately 68,836 square feet to be built at the corner of Fore and Custom House Streets. The structure will also face on the parking lot in front of the Standard Baking Building. The rear of the Blake Building is comprised of connected brick and block warehouse ells. The proposed structure is designed to replace the rear warehouse ells. The proposal shows a five-story façade along Fore Street, though the building would be six stories tall if measured from Commercial Street.

The new structure is designed to be compatible with the building which was recently constructed (described above). The proposed project will also be contemporary in design, with façade materials such as copper, glass, precast concrete and cement board veneer.

The proposed building sets askew from the property line along Fore Street to allow a view corridor looking west to the historic Custom House Building.

The South Elevation shows a blank wall along Custom House Street with a garage door and an additional service door. These loading entrances immediately abut the main entrance to the existing building at 7 Custom House Street. This creates an eclectic series of entrances.

There is an area of blank wall along Custom House Street at the pedestrian level. It is not clear what material is intended to be used on this blank wall. It appears to be concrete.

The South Elevation along Custom House Street is sheathed in cement board veneer at the point of the building where it abuts the existing building. The cement board is installed on a diagonal grid which is similar to that on the existing building, creating a distinctive design. However, the plans that were submitted (02/14/06) suggest that the new grid does not align with the existing grid. Also, the windows do not appear to align with those on the existing structure.

The West Elevation along Fore Street consists of bands of glass capped by copper spandrel panels. This elevation appears to be predominantly horizontal in its design which is in contrast to the vertical orientation of most buildings in this part of Portland.

The Fore Street frontage a main entrance which orients to the street. Retail space is shown at the street level. There are no doors shown in to the retail space.

The North Elevation along the Standard Baking Company parking lot, is largely clad in cement board panels. The pattern of application runs along a horizontal/vertical grid (as contrasted to the diagonal grid on the South Elevation). The panels appear to start at the ground level at the East end, with no foundation course.

The square windows on the North Elevation do not appear to align with the existing windows in the Blake Building. The rectangular windows on the North Elevation are vertical in orientation and present a new dimension and style to the façade. Further, the grid of windows on the proposed building do not align with the grid of the veneer cement panels.

The veneer grid on the North Elevation appears to be made up of several rows of full sized cement panels, interspersed at random intervals with cement panels that are shorter in height.

Recommendation

In general, the design complies largely with the underlying B-3 *Downtown Urban Design Guidelines*. Design elements which warrant further consideration are described below.

It would be helpful to see colored renderings of the project, as well as a massing model showing the relation to the existing buildings on the site, and in context to historic structures such as the Blake Building and the Custom House.

The cement board veneer on the existing building has been subject to failure. It would be useful to understand the particulars of that failure, and assurance that the use of the material on the new structure will be successful.

The design issues listed below are suggested for further consideration and discussion between the applicant and the Planning Board and Planning Staff.

- Consideration of consolidating the service entrances at the South Elevation along Custom House Street which are adjacent to the main building entrance.

- Remediation of the portion of blank wall at the South Elevation along Custom House Street with high quality materials, greater level of detailing, and fenestration along the pedestrian sidewalk.

- Clarification of the intended alignment of the cement panel veneer and the windows on the South Elevation, particularly in relation to the existing structure at Custom House Street.

- Provision of further design elements which enhance the verticality of the building along the West Elevation on Fore Street, in keeping with the rhythm and articulation of buildings in the area.

- Exploration of the opportunity to provide additional doors to the retail space on Fore Street.

- Potential for a foundation course at the North Elevation.

- Exploration of the intended alignment and styles of the windows and veneer grid along the North Elevation adjacent to the Blake Building, and the opportunity to create a more cohesive image.

- Clarification of the veneer grid at the North Elevation in order to understand the potential for a consistent size of panels, or a rational pattern of various sizes which might be utilized.

AH 21.a

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MEMORANDUM

TO: Bill Needelman, City of Portland Planner

FROM: Dan Goyette, PE – Development Review Coordinator, Woodard & Curran, Inc.

DATE: March 22, 2006

RE: Custom House Square Office Building, 300 Fore Street

Woodard & Curran has reviewed the Major Site Plan submission for the proposed project at 300 Fore Street titled the Custom House Square Office Building. Currently the lot consists of a loading area, an ATM, and a single and two story concrete block structure. The project entails the construction of a 68,836 square foot office building.

Documents Reviewed

- Letter and attachments to Bill Needelman, Planner City of Portland, dated March 14, 2006, prepared by Chris Osterrieder, Deluca-Hoffman Assoc., Inc.
- Engineering plan sheets prepared by Deluca-Hoffman Assoc., Inc., titled Custom House Square Office Building, sheets 1 thru 8, dated November 2005, revised February 13, 2006 signed and stamped March 13.

All comments from the February 22, 2006 review memo have been adequately addressed by the applicant.

A concern has arisen with regards to the new sidewalk layout at the corner of Fore and Custom House Street. The edge of the travelway, and therefore the curbing along Fore Street, have been realigned and allow for parallel parking and for the improvement of the alignment of Fore Street in general. This has resulted in the sidewalk at the corner of Fore and Custom House Street to become skewed when aligned with the opposing corner. When traveling north bound on Fore Street the curb line after passing by Custom House Street abruptly shifts 8 feet to the east. The need for a bump out or larger corner at this corner location should be investigated to allow for a gentler and softer transition to the street edge. The Portland Public Works Department and the City's Traffic Engineer should be consulted and a new design for the corner, possibly a curb bump out, of Fore and Custom House Street to allow for a more aligned sidewalk when compared to the sidewalk at the opposing corner.

Please contact our office if you have any questions.

DRG
203848.02

Attachment 21.1

WOODARD & CURRAN
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MEMORANDUM

TO: Bill Needelman, City of Portland Planner

FROM: Dan Goyette, PE – Development Review Coordinator, Woodard & Curran, Inc.

DATE: February 21, 2006

RE: Custom House Square Office Building, 300 Fore Street

Woodard & Curran has reviewed the Major Site Plan submission for the proposed project at 300 Fore Street titled the Custom House Square Office Building. Currently the lot consists of a loading area, an ATM, and a single and two story concrete block structure. The project entails the construction of a 68,836 square foot office building.

Documents Reviewed

- City of Portland Updated Major Site Plan Application for Olympia Equity Investors IVB, LLC, dated February 14, 2006, prepared by Deluca-Hoffman Assoc., Inc.
- Engineering plan sheets prepared by Deluca-Hoffman Assoc., Inc., titled Custom House Square Office Building, sheets 1 thru 8, dated November 2005, revised February 13, 2006. Building elevation sheets A3.1 and A3.2 prepared by PCI Architecture, dated February 14, 2006.

1. Parking

A. Attachment A of Exhibit 6 within the Site Plan Application details the calculations used to determine the projects parking requirements. The last two lines of the second paragraph indicate the need for 120 spaces for CIEE reducing the total to 178 spaces. It should actually be 188 spaces for the total requirement as calculated within this paragraph (120+68).

2. General Civil Engineering

A. On Sheet 4, construction note "C" indicates that there are two (2) new street lights. There are six (6) new street lights. The note should be changed to reflect the correct number of lights.

B. On Sheet 7, Detail H, the bedding for the cobbles is incorrect. The bedding should consist of 1" of sand-cement base, 2" of type "B" bituminous paving, 3" of type "A" base gravel and 18" of type "D"subbase gravel.

C. An easement to maintain the portion of sidewalk outside of the street right-of-way should be provided.

D. A detail for the installation of the parking meters has not been provided.

E. A detail for the installation of the light poles has not been provided.

F. The plans indicate that the granite curb in between 280 – 300 Fore Street will match the existing curb reveal which is four inches. The sidewalk is being rebuilt, therefore the curb should be reset to have the proper seven inch reveal.

Please contact our office if you have any questions.

DRG
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