

## 5. ASSESSMENT OF ZONING

The project is located within the City of Portland B-3 Downtown Business Zone, Pedestrian Activity District (PAD) overlay zone and Historic Preservation District 0 -The Old Port. The proposed project is undergoing separate review for compliance with historic preservation standards as previously described in Section 4 of this report. The B-3 Downtown Business Zone and PAD overlay zone are regulated by Division 12 of the City of Portland Land Use Ordinance. Hotels and restaurants are permitted uses within these zones. No portion of the development is within the 100-year flood plain; a FEMA flood zone map is attached to Section 2 of this Report. The proposed project is therefore not subject to the City’s Shoreland and Flood Plan Management Regulations. The following sections describe how the proposed project will comply with the City’s parking and dimensional requirements within these zones.

### 5.1 PARKING & LOADING

Valet service will be provided for hotel guests, with guest and staff vehicles parked in an off-site parking area. Guests will also have the option to self-park and can use existing nearby overnight parking lots and structured parking facilities. Per Section 14-332 of the Land Use Ordinance, the off-street parking requirement for the 135-room hotel (one parking space per 4 guest rooms) is 34 parking spaces, plus the 2,620 SF ground-floor restaurant and 1725 SF rooftop bar (one parking space per 150 SF of floor area not used for storage or food prep) requires 18 and 12 spaces respectively, totaling a minimum off-street parking requirement of 64. North River IV, LLC has committed to Fathom CC, LLC within its Agreement of Purchase and Sale to provide up to 75 parking spaces for the hotel and associated project components (see Article XIV Section 14.1).

Per Section 14-351 of the Land Use Ordinance, the off-street loading standards specified in Division 21, one loading bay is required for hotels with gross floor area of more than one hundred thousand square feet. The gross floor area of the hotel is 112,046 square feet; therefore, one loading bay is required. One loading bay is provided on the eastern side of the building, which will be accessed through a service access easement from Cross Street as discussed in Section 9 and as shown on the Engineering Drawings.

### 5.2 DIMENSIONAL REQUIREMENTS

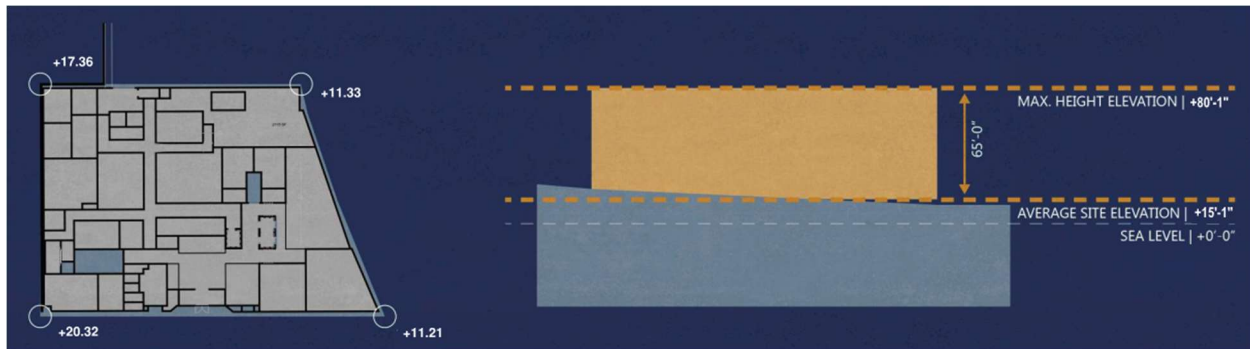
As shown in **Table 5-1**, the proposed building meets the dimensional requirements for the B-3 Downtown Business Zone.

**Table 5-1: Center Street Hotel Dimensional Requirements**

	REQUIRED	PROVIDED
Minimum Frontage	15 feet	~140 feet (Commercial St) ~200 feet (Center St)
Street wall build-to line	5 feet to property line	< 5 feet to property line (property line alignment varies)
Maximum Lot coverage	100%	96%
Building Height	35’ min – 65’ max*	65’
Maximum length of undifferentiated blank wall in PAD Overlay Zone	15 feet	<= 15’ (Commercial/Center Street)

\*Note: The maximum building height per the downtown height overlay map is 65-feet.

The project is located within the downtown height overlay zone and complies with the 65-foot maximum building height, based on the average grade calculations shown on the following figure.



**Figure 5-1 Average Grade Calculation**

The façades along Commercial and Center Street, as well as the building walls that face the internal roof garden area have been designed to meet the standard for minimum length of undifferentiated blank wall, as required in the B-3 zone and PAD overlay district. The northeastern building wall that faces the existing Richardson Wharf adjacent building on Commercial Street and the northwestern building wall adjacent to the Portland Square site on Center Street have been designed with vertical differentiation at 10-foot intervals.

The building has been sited such that the building wall will be no more than 5 feet from the property line, and along Commercial and Center Streets, brick sidewalk will be extended back to the building wall edge. The proposed canopy over the Center Street Entrance will extend over the sidewalk, and beyond the property line. We understand that a license from the City will be required for this layout.

### **5.3 PEDESTRIAN ACTIVITY DISTRICT OVERLAY ZONE REQUIREMENTS**

The site borders Center Street to the west and Commercial Street to the south, which are both listed as streets within the Pedestrian Activity District (PAD) overlay zone as shown on the Portland PAD overlay zone map. Per ground floor use restrictions for hotels within the PAD overlay zones, at least seventy-five (75) percent of the street level frontage of the building must be utilized; and at minimum, the floor area to be occupied shall be seventy-five percent (75%) of the street level frontage multiplied by a twenty (20) foot depth. Per Section 14-217(b)1.b., buildings with frontage on more than one street in the PAD overlay zone may reduce required retail area on one street to fifty percent of the frontage; the reduction in required area is applied to the Center Street frontage at the hotel entrance. The project has been designed to meet the required standards.

Further design discussion of the site design standards is included in Section 2 and Section 16 of this report.