

**PLANNING BOARD REPORT**

**PORTLAND, MAINE**

Cumberland County Civic Center

One Civic Center Square

Level III Site Plan Review

#2012-505

Cumberland County Recreation Center, Applicant.

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| **Submitted to:** Portland Planning Board**Public Hearing Date:** July 24, 2012 | **Prepared by:** Rick Knowland, Senior Planner**Date:** July 20, 2012 |

**I. INTRODUCTION**

A public hearing has been scheduled to consider a proposal by the Cumberland County Recreation Center (also known as Cumberland County Civic Center) to renovate the existing facility located at One Civic Center Square. This application was not considered at the Board’s July 10th meeting and was tabled to the Board’s July 24th meeting. The property has frontage on Free Street, Center Street and Spring Street.

The Applicant’s submissions have been compiled in two booklets Attachment 2-A (“Visual Booklet” that includes site plans, building renderings, elevations and floor plans) and Attachment 2-B (site plan application and supporting material).

The proposal is subject to site plan review and the B-3 Downtown Urban Design Guidelines.

Public notice of the public hearing consisted of 202 notices sent to area property owners and the interested parties list.

**II. FINDINGS**

**Zoning:** B-3 Downtown Business Zone

**Land Area:** 100,536 s.f.

**Use:** Performance and exhibit hall; convention and meeting facility

**Existing Building Footprint:** 73,620 s.f.

**Proposed Building Footprint:** 93,220 s.f…net increase of 19,600 s.f.

**Existing Building Floor Area:** 125,383 s.f.

**Proposed Building Floor Area:** 170,596 s.f…net increase of 45,213 s.f.

**Existing Seating Capacity (Hockey):** 6,733 seats

**Proposed Seating Capacity (Hockey):** 6,976…net increase of 243 seats

**Existing Impervious Surface Area:** 93,453 s.f.

**Proposed Impervious Surface Area:**  97,025 s.f…net increase of 3,572 s.f.

**Proposed Total Disturbed Area of Site:** 23,400 s.f. (on-site) and 7,685 s.f (off-site)

**Building Renovation Funding:** 33 million dollar voter approved bond

**Planning Board Reviews: Site plan review including the B-3 Downtown Urban Design Guidelines.**

 **Additional building setback beyond 5 feet (B-3 zone) per sec. 14-220 c and**

 **14-526 (d) (9)**

**Planning Board Review of Waivers:** Extended driveway opening on Center Street for truck loading bays No street trees on Free Street due to shading

**City Council Reviews: Consideration of easements within street rights-of way**

* Air rights over a portion of Spring Street and over a portion of Free Street ROW to accommodate cantilevered overhang of the building and signage.
* New grease trap in Free Street ROW
* New underground transformer in the Spring Street ROW
* New ADA entrance that extends into the sidewalk

**Neighborhood Meeting:** A neighborhood meeting was held by the Civic Center on May 30, 2012. For details see Attachment 2-B (page 58)

**Land Uses:** The site is located in the downtown (B-3 District). The project site is bounded by the Spring Street Parking Garage on the west; Free Street on the north; Center Street on the east; and Spring Street on the south. Nearby uses include retail, offices, restaurants, hotels and a number of institutional uses including Portland Museum of Art, Children’s Museum of Maine and Maine College of Art.

**III. Project Development Scope**

The proposed civic center renovation project is intended to raise the function and amenity level of the facility originally built in 1977. This focus on updating the Civic Center’s amenities is remarkable in the context of the total renovation. While the floor area of the Civic Center is increasing by 36 percent (45,213 s.f. ) to improve entrances, concourses, rest rooms and other amenities, there is only a small increase (243) in fixed seats. The building footprint is increasing by 26 percent (19,600 s.f.) which reflects the new building entrances and the enclosed truck loading area. Highlights of the renovation include:

Constructing building additions that move public entrances to the public sidewalk eliminating the recessed entries found at all three major entrances including the “suicide stairs” at the corner of Spring and Center Streets. These improvements move the Civic Center closer to the street at three building corners.

New lobbies including stairs, elevators and escalators will be provided. The building will be handicap accessible with at-grade entrances at the public sidewalk. A new handicap access from the civic center to the abutting parking garage is proposed on the Spring Street side of the building. The current access between the two buildings is not handicap accessible. Concourses will be expanded with added restrooms, concession areas and merchandise zones. Other amenities include a larger ticket lobby, private suites, and club, team offices, administrative offices and new locker rooms.

The truck loading bay along Center Street is being expanded and upgraded. The four (4) new loading bays will be housed within the facility and enclosed with doors so that loading activities can take place entirely within the building. The enlarged loading area requires a curb opening of about 90 feet wide.

**Phasing Plan:** As presented at the workshop, the renovation project was to be constructed in three (3) phases. Phase one consisted of constructing a new loading dock area on Center Street (August 2012 through December 2012). Phase two consisted of the new Free Street building addition and entrance area (January 2013 through April 15, 2013). Phase three consisted of the Spring Street building addition, the Spring Street/Center Street building addition, and all remaining exterior site work, including new sidewalks, street lighting, landscaping and related site improvements (April 15, 2013 through October 1, 2013). The facility would be operational during Phase one and two and closed during Phase three.

Recently that has changed as the phasing plan has been reduced from three (3) phases to two (2) phases. Phase one will run from August 2012 to February 2013 while phase two will be from April 2013 to October 2013. The revise plan is reflected in the “Ciambro Phase I/II Logistics Plan” which describes the requested sidewalk and street closings necessary to construct the project. See Attachment 2-A. This plan is also referred to as the construction management plan.

**Building Elevations:** The most striking exterior changes to the building are the public entrances. New prominent entrances with extensive glazing provides a dramatic change to the exterior of the building. A depiction of the existing and proposed entrances on Free Street, Spring Street/Cross Street and Spring Street are shown on Attachment 2-A as well as building renderings, elevations and floor plans.

While the changes to the entrances are impressive, the remainder of the building remains largely unchanged. The civic center was designed in the 1970’s with an inward focus reflecting a limited interest to the surrounding downtown context. The exterior improvements show a positive direction in the evolution of the civic center in terms of its relationship to pedestrians and the public realm. An ideal scenario would be a more comprehensive treatment of the civic center’s exterior but budget constraints pose upper limits on what can be accomplished. Integration of new materials and features with the existing component is important.

The initial building elevations were difficult to read and more details were needed in terms of existing and proposed materials and how the proposed façade improvements relate to and are integrated with the existing design and materials of the civic center. Since the workshop, the Applicant has submitted more detailed building elevations of existing and proposed façade features, day and night time computer generated depictions of the building which better articulate the proposed architectural program. Building material samples have also been submitted including the glazing material (clear glass); natural aluminum frames and brick (from the same company that provided the original bricks).

Several years ago metal support plates were added to concrete beams along the exterior of the civic center. These plates will remain but will be painted to match the concrete according to the plan.

Along the Free Street façade of the building there is an existing blank concrete wall and a chain link fence, which is an unwelcome feature for pedestrians walking along the street. To address this concern the plan shows blank graphic panels (9) that could be incorporated into a public art project. Initially the applicant suggested the panels could have a history theme however staff has recommended an arts/cultural theme given its proximity to the Arts District. The logistics of organizing a public art project will take time beyond the site plan review process so this is listed as a condition of approval. The successful execution of this concept is important in mitigating the 140 foot blank wall along this section of the building which is visible along Free Street and from Congress Street looking down Brown Street.

For further discussion of the building exterior see page 13 (Historic Preservation Committee comments) and page 15 (Downtown Urban Design Guidelines).

**IV. Zoning Assessment**

Marge Schmuckal, Zoning Adminstrator, has reviewed the plan and has concluded the project is in compliance with the zoning ordinance. Two particular zoning provisions identified by Ms. Schmuckal are highlighted below.

* Street wall build to line [Sec. 14-220 (c)]: All buildings or structures shall be located within 5 feet of the property line along street frontages, unless the Planning Board requires or approves an additional distance to comply with the requirements of sec. 14-526 (d)(9) and the City of Portland Design Manual.

Note: Although the three (3) building entrance additions bring the building closer to the street they are not within five (5) feet of the street. Thus the Applicant requests Planning Board review pursuant to 14-526 (d)(9) to allow the additions closer to the street. This also applies to the new loading bay addition. The specific request and proposed building addition setbacks are shown Attachment 2-E.

* Minimum building height [sec. 14-220 (h)]: No new construction of any building shall be less than 35 feet in height within 50 feet of any street frontage, except that this provision shall not apply to:
1. Accessory building components and structures such as truck loading docks, covered parking, mechanical equipment enclosures and refrigeration units.

4. Additions to buildings existing as of June 4, 2007 provided that the cumulative additions since June 4, 2007 do not exceed 10 percent of the building footprint on June 4, 2007, except building additions on those portions of the lot located closer to the street line than the building footprint existing as of June 4, 2007 shall not be include in this 10% limitation.

Ms. Schmuckal concludes the project meets the ordinance because exception #1 allows a lower height for accessory building components such as loading docks. Exception #4 allows building additions to be exempt because they are extending out closer to the street line. Applicant indicates the 10 percent limitation does not apply because all of the proposed additions are located closer to the street line than the building footprint existing as of June 4, 2007. The height of the proposed Free Street loading dock, Center Street/Spring Street and Spring Street additions are approx. 14.5 feet, 19 feet and 20.5 feet respectively.

The present civic center height of 72 feet will not be altered by the renovation and is well below the maximum zoning height requirement of 150 feet for this area.

**V. SITE PLAN REVIEW COMMENTS**

The site plan has been reviewed by staff pursuant to the review standards of 14-526 of the site plan ordinance.

**(1) Transportation Standards**

***Impact on Surrounding Street Systems***

Automobile access is not provided on the site since the civic center occupies all but a small portion of the property footprint. There is a designated drop-off area within the public right-of-way adjacent to the Spring Street entrance. Spectators arriving by automobile will use nearby on-street parking, parking garages or surface parking lots. The existing street network in the vicinity of the civic center is adequate for vehicle circulation between the civic center and these facilities. Pedestrian circulation issues are highlighted under sidewalks.

On site vehicle circulation is limited to the reconfigured truck loading area on Center Street. The capacity of the truck loading area will increase from one to four truck bays. The main loading ramp will be rotated at a 45 degree angle. This increases the number of loading docks and allows trucks to backup downhill rather than the current problematic 90 degree tractor trailer maneuver. The new 45 degree loading bay configuration allows for tractor trailer loading entirely on-site. The applicant has submitted a turning radius diagram indicating the turning maneuver required for tractor trailers to enter and exit the loading bays. Staff requested additional turning radius analysis for trucks leaving the bay and making a right hand turn from Center Street to Free Street. A video submitted by the Applicant confirms that a tractor trailer is able to make this maneuver.

Tom Gorrill of Gorrill Palmer Consulting Engineers has submitted a trip generation estimate for the 243 seat expansion. See Attachment 2-B (page 55). The report states: “We estimate that the additional traffic which will be generated by the site during a peak hour will be 1 trip per 3.5 seats or 70 peak hour trip ends (ins and outs combined)…It is our opinion that this is a conservative estimate since the project is located in downtown Portland and will continue to have a significant pedestrian, bicycle and transit opportunities. It is also our opinion that the addition of up to 70 peak hour trips will have a minimal impact on the adjacent street system”.

Comments from Tom Errico, Traffic Engineer Consultant, are highlighted below and included as Attachment 1-C.

* Agrees with the conclusion of Gorrill-Palmer that the proposed project will not be expected to create traffic problems and accordingly a traffic impact study is not needed.
* The Center/Free Street intersection has significant pedestrian and vehicle activity and would like to see an evaluation if it warrants consideration of a four-way STOP control. The applicant should conduct this evaluation and if deemed appropriate, be responsible for all costs associated with installing the change.
* The Applicant should provide details on the Center Street typical section between Free Street and Spring Street. Based upon plans provided, changes to pavement markings are being proposed. Applicant should submit supporting documentation of the pavement marking change for review and approval.
* I have reviewed the turning template for truck maneuvers into the loading dock and find conditions to be acceptable for backing entry movements. Based upon my review of a video provided by the applicant, large trucks can make the turn from Center Street onto Free Street. This movement is very tight and requires flaggers and parking prohibitions on Center Street.
* The loading dock curb cut does not meet City standards for width and will require a formal request. I support a waiver from the City’s technical standards given site access/egress requirements.
* A construction management plan has been submitted in support of closing Center Street and impacts to Spring Street and Free Street during construction activities. See Attachment 2-A (Ciambro Phase One/Two Logistics Plan). The construction plan is generally acceptable with the exception that pedestrians at the Spring Street/Center Street intersection shall not be required to cross to the other side of the intersection. I would also note that final approval is contingent on a review of all traffic control elements including signs, barrels, cones, pavement markings, etc. Earlier comments of Mr. Errico are noted below.
* Center Street must maintain a pedestrian connection at all times during construction, or provide a reasonable detour alternative.
* Sidewalk closures must include details on a proposed detour route. These detours must be safe and reasonably direct.
* Taking a lane of traffic on Spring Street seems reasonable from a traffic perspective. I would suggest that a temporary sidewalk be provided along the same frontage.
* Use of the parking lane on Free Street seems reasonable from a traffic perspective. Details on how pedestrians will be routed during this construction stage should be provided.

***Site Access and Circulation***

There is no internal vehicle circulation on the site except for the truck loading bays discussed earlier in this section. Pedestrian circulation is discussed later in this section.

***Loading and servicing***

See previous discussion on truck loading bays.

***Sidewalks***

There are three (3) pedestrian entrances shown on the plan including Free Street, corner of Center Street and Spring Street and Spring Street. There is also a new internal pedestrian connection between the civic center and the parking garage that will be handicap accessible.

Applicant indicates they will be responsible for replacing the existing public sidewalks along their street frontage. Brick sidewalks are proposed along Free Street, Center Street and Spring Street. Applicant originally proposed a concrete sidewalk on Spring Street which would require City Council approval since it is located in a brick sidewalk district. Subsequently the site plan was revised reflecting a brick sidewalk.

Staff is recommending that the Spring Street sidewalk be widened given the high volume of pedestrians using that sidewalk during events. The sidewalk is currently only eight (8) feet wide and we are recommending that it widened to the existing street curb line which is reflected on the site plan. This results in a sidewalk 9 to 16 feet wide. The Free and Center Street sidewalks are at their maximum width to the existing curb line.

The Center Street brick sidewalk will be interrupted by an 80 foot long stamped concrete surface by the loading bays which should prove more durable for truck traffic than brick.

***Pedestrian Access Assessment***

Bruce Hyman, Public Services Bicycle and Pedestrian Coordinator, has conducted a Pedestrian Access Assessment of the civic center area. This assessment is shown on Attachment 1-C and is referenced in Tom Errico’s memo. Initially the applicant proposed new sidewalks and handicap ramps only along their street frontage, but the pedestrian assessment indicated deficiencies on receiving handicap ramps across the street from the civic center. Since the civic center does not provide parking on their site and is dependent on off-site parking, the adjacent public sidewalk system links the civic center to area parking garages, surface parking lots and on-street parking.

The applicant has since updated the site plan to reflect improvements recommended by the pedestrian access assessment.

Other recommendations include installation of eight (8) pedestrian countdown timers at the Spring Street and Center Street intersection. It is also suggested that the existing Spring Street crosswalk by the parking garage be relocated westerly (closer) to the Civic Center so that pedestrians are channeled away from the Spring Street Parking Garage vehicle entrance. These improvements have been incorporated into the site plan.

Additional comments from Tom Errico regarding pedestrian facility issues are shown below.

* The details of the concrete surface that delineate the pedestrian walk from the loading dock area on Center Street are acceptable. The curb radii at the loading dock needs to be flush with the sidewalk.
* As requested curb extensions have been included for crosswalks illustrated on Free Street. Final design details will need to be reviewed and approved. Recommend a note that final plans shall be submitted for DPS for review and approval.
* The crosswalks noted on the plan were supported at the City Crosswalk Committee meeting in June.

***Public Transit Access*** Not applicable. The site is not located on a METRO bus route.

***Parking***

The civic center is located in the heart of the downtown which has a large supply of parking resources including parking garages, surface parking lots and on-street parking. The Spring Street parking garage (565 spaces) abuts the civic center. Other parking garages in the vicinity of the site include the Bamico Garage (316 spaces), Gateway Garage (600 spaces) and One City Center (609 spaces). The Parking Division has documented 3,428 parking garage and surface parking lot spaces within several blocks distance of the civic center. Another 3,452 spaces are two (2) to six (6) blocks away. With most Civic Center events occurring in the evening, day time parking users will have left these facilities prior to such events.

Comments from John Peverada (Parking Manager) indicate: “In my opinion the addition of 240 seats to the Civic Center will not have an adverse effect on area parking. Currently, several garages do not open for Civic Center events, and several others do not do much business, due to the fact that attendees of events are able to find adequate parking elsewhere…The only parking issues related to the Civic Center that I foresee are certain daytime events, however the majority of the Civic Center events occur after 6:00PM.” See Attachment 1-B.

A bike rack with capacity for 10 bikes is proposed on the Spring Street side of the building.

***Transportation Demand Management*** Not applicable. The new floor area is less than 50,000 sf of floor area.

**2. Environmental Quality Standards**

***Preservation of Significant Features***:

The project is located on an intensively developed site in the middle of the downtown. The site is void of any significant natural features. The site presently has a 73 percent building lot coverage. There are some landscaping features near the existing entrances of the building planted when the civic center was built in 1977 but that material will be removed to accomplish the program goals of the project.

***Landscaping and Landscape Preservation***

Existing vegetation on the site will be removed for the renovation project since it is located within the footprint of the building expansion in particular near the building entrances. In the context of the downtown and the program goals of creating a building more responsive to the surrounding urban environment and pedestrian streetscape, the loss of existing vegetation is inconsequential.

***Site Landscaping***

Street trees are proposed on two of the three streets abutting the site. Free Street currently has no trees and none are shown on the plan due to shading concerns from the civic center. Jeff Tarling, City Arborist, concurs with that approach. The Applicant is proposing a waiver on the street tree requirement along Free Street and has agreed to pay the $200 per tree fee.

Along Center Street three (3) street trees are proposed which is limited by the extended curb opening for the truck loading bays. On Spring Street eight (8) trees are proposed. The trees will be placed in raised granite planting beds which will help protect from salt applied to the sidewalk as well as bus passengers that may be dropped off on Spring Street. The street trees will be Armstrong Red Maples (2.5 inch cal.). The exact location of the planters will be reviewed and approved by the Planning Office and City Arborist to consider useable pedestrian sidewalk width and potential future parking along Spring Street.

Between the Spring Street sidewalk and curb line is a wide grass esplanade that runs along the civic center street frontage. This is apparently a remnant of construction associated with the Spring Street Arterial or the original civic center. Certainly it is an odd feature in the context of Portland’s central business district where sidewalks run to the curb line. We have received feedback from staff that preserving grass at this location has been troublesome given the high foot traffic associated with the civic center events including its defacto status as a bus drop off area. Since the existing sidewalk is only 8 feet wide, site plan indicates a widened sidewalk to the curb line eliminating the grass.

New planting beds along the face of the building (two each) on Free Street and Spring Street are proposed. Mr. Tarling at the writing of this report has not had the opportunity to review the latest revisions.

Mr Tarling has suggested exploring “green walls” which can add vegetation in tight urban sites while providing visual interest along blank walls. See Attachment 1-G.

***Water Quality, Storm Water Management and Erosion Control***

A stormwater management plan has been submitted that addresses the requirements of this section providing the applicant complies with the conditions of Chapter 32 Stormwater including Article III, Post-Construction Stormwater Management, which specifies annual inspections and reporting requirements. See memo from David Senus, Consulting engineer, Attachment 1-D/

The entire site drains into a city storm sewer system. The storm sewer is separate from the sanitary sewer on all three streets abutting the Civic Center except it re-combines near the Spring Street/Center Street intersection. Roof drains, plaza drains and on-site catch basins all drain to either an existing 12 inch storm drain on Center Street or an existing 12 inch storm drain on Spring Street.

The project results in a net increase of 3,572 s.f of impervious area. To mitigate the increase a new Filterra stormwater treatment system will be installed in a tree well on the Center Street sidewalk. The contributions area to the Filterra device consists of 5,178 s.f of impervious surface on Center Street and Free Street. See Attachment 1-D for minor comments from David Margolis-Pineo, Public Services Engineer.

The submitted erosion and sedimentation control plan includes an inspection and maintenance plan and a housekeeping plan. These details are outlined in the narrative submission and the site plan. Sediment control measures are intended to be in place before activity begins and remain in place and functional until the site is permanently stabilized.

**(3)** **Public Infrastructure and Community Safety Standards**

***Consistency with Master Plans***

The plan appears consistent with the Portland Downtown Traffic and Streetscape Study which recommends that pedestrian amenities be upgraded in the downtown. The design of the new entrances supports a more pedestrian friendly environment which is consistent with the goals of Downtown Vision.

Spring Street – Free Street Streetscape Area Plan: The Planning Office will be undertaking a streetscape improvement plan in the Spring Street – Free Street area. Streetscape in the context of this study includes lighting, sidewalks, pedestrian crossings, street trees, street furniture, and other pedestrian amenities. The plan intends to assess existing streetscape conditions in the project area (Spring Street and Free Street from High Street to Middle Street), review the menu of existing city streetscape standards and make recommendations to update such standards as appropriate. The plan will also develop short term Spring Street alternatives for removal or reconstruction of the median along Spring Street to support desired outcomes. The consultant will also develop scope of services for planning and associated engineering and reconstruction of the Spring Street Arterial to align with identified goals established during a public process.

We have a consultant under contract (Terrence DeWan and Associates) who will be initiating the study shortly. The consultant has seen the civic center plan and their initial comments were positive on the civic center street amenities. The plan will likely be completed in September or October so should there be additional comments they can be considered well in advance of the civic center initiating these improvements.

***Public Safety and Fire Prevention***

The design of the project incorporates Crime Prevention through Environmental Design principles. The public entrances have been shifted closer to the street eliminating the recessed entry ways that are less observable from the street. The new entrances incorporate extensive glazing which makes it possible for more “eyes on the street” and to observe activity within and outside the building.

Capt. Chris Pirone of the Fire Department has reviewed the site plan and finds it acceptable. There are three (3) fire hydrants around the perimeter of the Civic Center, one on each street that surrounds the complex.

***Availability and Adequate Capacity of Public Utilities***

**Water**: The civic center is currently served by 4 water service lines from Spring Street according to the Portland Water District. No new water lines are proposed. A 12 inch water main serves Spring Street, a 12 inch main serves Center Street while a 6 inch main serves Free Street. The district indicates “there should be adequate pressure and volume of water to serve the domestic needs of the proposed Civic Center renovation”. The district did comment “that the preliminary site utility plan shows four water service lines that do not appear in District records, two shown in in Center Street and two in Free Street…In light of the large number of services to this site we would like to work closely with the plumbing engineer to look for ways to consolidate water service to this building”. See Attachment 2-B, page 60.

**Wastewater**: Sewers in Free Street and Spring Street will serve the project. A new eight (8) inch service line (replacing an outdated line) connects into the existing sewer line in Free Street. A new six (6) inch service line will be installed into the Spring Street sewer with a 3,000 gallon precast concrete grease trap providing primary treatment prior to discharge. Applicant has submitted a wastewater capacity application to the City but a capacity letter has not been submitted to date.

Electric service will be underground. New underground transformer vaults are proposed within the Spring Street public sidewalk.

A new gas line will service the building from Center Street.

**(4) Site Design Standards**

***Massing, Ventilation and Wind Impact***

***Bulk, location or height of proposed buildings health or safety problems***

There are no known health or safety problems associated with the development proposal. The civic center building has been in existence since 1977 with no reported health, safety, ventilation or wind concerns.

***Bulk, location or height of proposed buildings minimize substantial diminution in value or utility to neighboring structures.***

The renovation proposal is relatively minor within the context of the existing height and mass of the existing building. Staff is not aware of any issue regarding diminution in value or utility to neighboring structures of the existing civic center building.

***HVAC venting mechanisms.***

HVAC equipment is located on the roof of the civic center away from public spaces and residential properties.

***Shadows***

Not applicable. Site is in the B-3 zone.

***Snow and Ice Loading***

With minimal changes to the main roof line of the civic center, accumulated snow and ice from loading or falling snow should be similar as existing conditions.

***View corridors***

The site is not located within a designated view corridor.

***Historic Resources***

The Civic Center is not located in a historic district but the northerly side of Free Street and the easterly side of Cross Street are within a local historic district and since the civic center is located within 100 feet of that district, the project must meet the standards of this section in particular “such development shall be generally compatible with the major character- defining elements of the landmark or portion of the district in the immediate vicinity of the proposed development”. This section also indicates “to aid the planning board in its deliberations, historic preservation staff shall provide a written analysis of the proposed development’s immediate context, identifying the major character-defining elements any established building patterns that characterize the context”.

A memo from Deb Andrews, Historic Preservation Program Manager, summarizing comments from the Historic Preservation Committee’s May 21, 2012 review of the project is shown as Attachment 1-F. A summary of the Committee’s comments is shown below.

* Members of the Board applauded street-level entrances on both the Free Street and Spring Street facades and to introduce a highly transparent and visually engaging architectural treatment for the building’s southeast corner. These alterations would effectively connect the building-both functionally and visually-to the street life of downtown Portland.
* While budgetary constraints have ruled out a comprehensive reworking of the building exterior, care needs to be taken to integrate the new work with those existing features, materials and finishes that are to remain unchanged. For example, new windows and doors are shown as having natural aluminum frames and clear glass, while existing dark bronze anodized frames. While the HB members supported the new material palette, they suggested that perhaps additional replacement of existing features should be considered in the more prominent locations of the building. Given the likelihood that no additional exterior work will be undertaken in the foreseeable future, every effort should be made to ensure a cohesive architectural treatment for this highly visible structure.
* Signage particularly on the Free Street façade, should be sized appropriately for the scale and pedestrian nature of the street and be compatible in character with existing signage within the downtown. Board members also noted the current signage facing Spring Street and oversized “Civic Center” sign facing east- warranted reconsideration. Board members encouraged a more coordinated and upgraded signage program for the building.
* The blank panels along Free Street originally described as illustrating the history of Portland would more appropriately have an arts district theme given the Civic Centers proximity to the Downtown Arts District.

***Exterior Lighting***

Site lighting is proposed at various locations along the face of the civic center. The submission indicates “all proposed building-mounted exterior lighting will be full cut-off with no light emitted above the horizontal plane or spilled onto adjacent properties. Catalog cuts of the light fixtures are shown on Attachment 2-B, page 47. A photometric plan has been submitted.

Eight (8) new downtown street light fixtures are proposed within public sidewalks, three (3) each on Spring Street and Free Street with two (2) on Center Street. The site detail sheet references the Halophane series light pole and luminaire (Congress Street District) which is the appropriate light fixture for this area. The pole is 30 feet high with a luminaire at the top and two lower level luminaires for sidewalk lighting.

***Signs***

The computer generated renderings suggest Cumberland County Civic Center signs at all 3 major public entrances with electronic message signs at the Free Street and Spring Street/Center Street entrances. These are conceptual in nature according to the applicant. A signage master plan should be developed for Planning Staff review and approval.

***Financial and Technical Capability***

Financial and technical capability information has been provided. See Attachment 2-B (page 59). Financing for the project comes from a Cumberland County $33,000,000 general obligation bond which was approved by a voter referendum.

**VI. DOWNTOWN URBAN DESIGN GUIDELINES REVIEW**

This project has been reviewed by staff for conformance with the review standards of the Downtown Urban Design Guidelines.

Overview

The most striking exterior changes to the building are the new public entrances. New prominent entrances fill in the existing recessed entrances. The creation of new entrances is an important urban design improvement that brings the building closer to pedestrian activities along the public sidewalk and improves street level visual permeability. While these revisions are significant, much of the façade remains unchanged. Comments focus on the revisions to the façade and how they relate to the downtown urban design guidelines. Prior comments in this report on the building elevations may be found on page 3 (Building Elevations) and page 13 (Historic Preservation Committee comments) of this report.

**i. Relationship to Pedestrian Environment**

 ***A. Distinguish the lower 35 feet of the façade***

 ***Storefront and building façades***

***Relationship to context***

The exterior of the Civic Center was originally designed with an inward focus and limited visual integration with the surrounding context of the area. The renovation project shifts the building closer to the street and adds extensive glazing to the public entrances of the building which is more compatible with a traditional storefront design. The renovation respects the prior design but improves its relationship to the surrounding built environment.

***Pedestrian-character***

The creation of new entrances closer to the sidewalk and with large visible glazing, complements pedestrian activity being accessible and visible from the public sidewalk.

The submission states: “The proposed additions to the Civic Center have been designed to “enhance the character, attractiveness, comfort and usability of the street level environment”. The existing structure sits up on the site in relation to the Spring St. access and the Free St. access is recessed from the street. The additions at the corners of the building will bring the building out to the street, make them more approachable, visible, transparent, and much more easy to access from the public sidewalk.”

***Materials and detailing***

The new materials appear to be high quality and convey a major aesthetic improvement to the building’s entrances. Material samples of glass, aluminum trim and brick have been submitted.

The submission states: “Materials have been selected to match the character of the existing. The brick will be provided by the same company that provided the brick for the original building. The glazing will be clear to allow for visibility and a storefront/curtain wall system will be used that will continue the geometry of the existing storefront windows. As discussed with Historic Preservation, the existing dark bronze color of the storefront will not be used at the additions since it lends itself to the darker character of the addition. Brighter, clear finish aluminum will be used at the new storefront/curtain wall system that will coordinate better with the overall brighter, more inviting appearance of the additions.”

***Transparency***

A glass sample has been submitted and is visually clear rather than tinted which should assure that indoor and outdoor activity will be readily visible.

***Contemporary design***

The project is not creating a new façade except for the construction of the three entrances.

 ***Building Entrances***

***Compatibility with building façade***

The renovation project corrects a flaw in the original building design by relocating the entrances closer to the street line. The use of extensive glazing and natural aluminum trim for the entrances improves the aesthetics of the building while signifying the building’s evolution over time.

***Prominence along the street***

The placement and design of entrances are readily identifiable and prominent.

***Access to the street***

The renovation provides a direct street level access to the Civic Center which did not previously exist.

***Accessibility***

The project makes the Civic Center barrier-free and accessible to the handicapped.

 ***Blank Façade***

 The existing civic center has a high percentage of its first floor level as a blank façade. The new building entrances and associated improvements result in a net reduction of blank walls along the street level of the building. Of particular significance is the 140 foot long concrete on Free Street. The Applicant is installing a blank “mural” along this area of the building so that arts and cultural themed murals can be presented celebrating local arts while improving the visual quality of this otherwise blank façade. Note this is a condition of approval.

 ***Special Feature***

 Not applicable.

***B.*** ***Pedestrian Activities District (PAD)***

 The Civic Center is not located in this district.

***C.*** ***Sidewalk Areas and Open Space***

 ***Sidewalk***

 The Applicant is proposing brick sidewalks on Free Street, Center Street and Spring Street.

 ***Landscaping***

 Street trees are proposed along Spring Street (in raised granite planting beds) and along Center Street (in tree grates).

 ***Lighting***

Applicant is proposing street lights along all 3 perimeter streets. The plan indicates the Halophane series pole and light fixture (Congress Street District) will be used. The pole is 30 feet high with a luminaire at the top and two lower lights for sidewalk lighting.

Building mounted exterior lighting will be placed at entrances and other key areas with a full cut-off feature.

***D.*** ***Pedestrian Amenities***

 Pedestrian amenities related to this project include new sidewalks, bike racks, street trees and street lights. Benches are not proposed. Art work is proposed on blank murals along the Free Street side of the building. The details and logistics of how this program will work are a condition of approval.

***E. Urban Open Space***

 Not applicable.

**ii. RELATIONSHIP TO EXISTING DEVELOPMENT**

 ***A.*** ***Integrate with, respect and enhance***

 ***Street walls and Building Setbacks***

 The three new building entrances and enclosed truck loading area moves the Civic Center closer to the street and supports a continuous street wall.

 ***Open Space***

 The project is not adjacent to any public open space and no public open space is proposed. The relocated entrances do provide a more pedestrian friendly environment including its interaction with the surrounding public sidewalk system.

 ***Building form, scale and massing***

 The renovation project does not significantly alter the existing building form, scale and massing although the new entrances do humanize the building’s relationship with pedestrians.

 ***Building façade proportion and composition***

 The building facades proportion and composition is not significantly changed from the proposed renovation program although clearly there are significant improvements in the changes associated with the new entrances.

 ***Pedestrian circulation and building entrances***

 The proposed building entrances improves pedestrian circulation in and around the Civic Center.

 ***Parking garages and surface lots***

 Not applicable. There are no new parking garages or surface parking lots associated with the project.

 *B.* ***Standards for increasing setback beyond street build-to-line***

 Applicant is requesting that setback be increased beyond the street build-to-line.

 The new building entrances and enclosed truck loading area moves the building closer to the street. Although not all of these additions are five feet or less to the street line, they represent a significant improvement in lessening the degree of the building’s present non-conformity.

***Open space and amenity***

Small pocket pedestrian areas will be created adjacent to the entrances of the civic center. Although smaller than the present plazas, the new glazed entrances in combination with these public spaces reinforces pedestrian activity and interest which is hampered by the present building set back and lack of glazing near the street.

***Prevailing character and continuity***

The proposal moves the building closer to the street and helps support prevailing street wall character. The new entrances improve the prominence of form-defining corners. It addresses the current discontinuity of entrances set back an excessive distance from the street.

***Support for existing open space***

There is no publicly accessible open space in the direct vicinity of the site thus the proposal does not detract from such space. The design and siting of the newly configured entrances adds liveliness to the surrounding public sidewalks and pedestrian environment.

***Quality and orientation***

The repositioning of the entrances with its amenities and façade improvements improves the attractiveness of the space for pedestrian activity compared to the existing conditions which feature excessive building setbacks. The new setback and related building improvements provides a more prominent presence for the building in the context of the surrounding pedestrian environment.

**iii. ROOF-TOP APPURTENANCES**

The plans indicate that two new chiller units are proposed on the roof top of the new

loading dock addition to be constructed near Center Street. The building elevations for Center

Street (east) and Free Street (north) indicate a “new brick mechanical screen” to address related

aesthetic concerns.

**iv. SHADOW IMPACT ON OPEN SPACE**

 Not applicable. There is no public open space in the vicinity of the site.

**v. WIND IMPACTS**

 The proposed changes are not expected to significantly change existing wind impacts.

**vi. SETBACK FROM EXISTING STRUCTURES**

 The Civic Center setback from the existing City of Portland parking garage is not changing except that a new connection will be constructed between the buildings for pedestrian access.

**vii. BUILDING TOPS**

 Not applicable. The building top of the Civic Center is not changing.

**viii. VIEW CORRIDORS, VISUAL LANDMARKS AND GATEWAYS**

 Not applicable. The Civic Center is not located within these areas.

**ix. SIGNAGE/AWNINGS/CANOPIES**

 Staff is recommending that signage be a condition of approval since a complete signage master plan has not been submitted. Canopies are proposed at all three entrances which extend into the public right-of-way and will require City Council approval.

**VII. MOTIONS FOR THE BOARD TO CONSIDER**

 **A. Waivers**

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations, contained in the Planning Board Report for application **#**2012-505relevant to the Portland’s Technical and Design Standards and other regulations, and the testimony presented at the Planning Board hearing:

1.  Planning Board (waives/does not waive) the Technical Standard for Driveway Design: Maximum driveway width, Section 1.7.1.4. on Center Street to allow a driveway width of 80 feet.

2. The Planning Board (waives/does not waive) the Technical Standard for Street Trees: Commercial, Industrial and Institutional Development, Section 4.6.3 on Free Street due to the shading of the street.

3. The Planning Board finds that the increased building setback beyond the requirements set forth in Section 14-220 (c), namely that *the building additions shall be located within five (5) feet of the property line along street frontages*:

(a) (**Does**/Does not) Provide substantial and viable publicly accessible open space or other amenity at the street level that supports and reinforces pedestrian activity and interest;

(b) (Does/**Does not**) substantially detract from the prevailing street wall character;

(c) (Does/ **Does not**) detract from existing publicly accessible open space; and,

(d) The area of setback (**is**/is not) of high quality and character of design and of acceptable orientation to solar access and wind impacts as to be attractive to pedestrian activity.

(e) Roof top appurtenances are fully enclosed consistent with the character, shape and materials of the principal building.

Therefore the (**waives**/does not waive) the 5-foot maximum building set back as per site plan standard 14-526(a)16 b.2.

**B. Site Plan**

On the basis of the application, plans, reports and other information submitted by the applicant, findings and recommendations contained in the Planning Board Report for application **#2012-505** relevant to the Site Plan Ordinance and other regulations, and the testimony presented at the Planning Board hearing, the Planning Board finds that the plan (is/is not) in conformance with the site plan standards of the land use code, subject to the following conditions of approval:

1. That easements depicted on the site plan within City street rights-of-way shall be reviewed and approved by the City Council.
2. That the applicant shall submit a revised site plan addressing the review comments of Tom Errico (Traffic Review Consultant) memo of July 19, 2012 for review and approval.
3. That the applicant and all assigns, must comply with the conditions of Chapter 32 Storm Water including Article III. Post-Construction Storm Water Management, which specifies the annual inspections and reporting requirements. The developer/contractor/subcontractor must comply with conditions of the construction storm water management plan and sediment and erosion control plan based on City of Portland standards and state guidelines.
4. That the applicant shall submit a revised site plan addressing the review comments of David Margolis-Pineo (Department of Public Services Engineer) memo dated July 19, 2012 for review and approval and submission of a letter from the City of Portland confirming sewer capacity for the project.
5. That the applicant shall submit an implementation plan to the Planning Authority for the public art murals depicted along the Free Street façade of the Civic Center. The plan shall consist of such elements as implementation measures, management of the murals, and coordination with arts organization and/or other downtown entities.

1. That the Applicant shall submit to the Planning Authority for review and approval, a signage master plan for all exterior signage including electronic message signs.

7. The landscaping plan shall be subject to City Arborist for review and

approval.

8. Upon completion of the Spring Street-Free Street Area Streetscape Plan, the Planning Authority will review the Civic Center site plan to determine if further adjustments (if any) should be made to the streetscape improvements shown on the Civic Center site plan.

**ATTACHMENTS**

Staff Comments

1-A Zoning Administrator 6-8-12 (Marge Schmuckal)

1-B Parking Comments 5-24-12 (John Peverada)

1-C Traffic Comments 7-19-12 (Tom Errico)

1-D Consulting Engineer Comments 7-19-12 (David Senus)

1-E DPS Engineer Comments 7-19-12 (David Margolis-Pineo)

1-F HP Comments 7-5-12 (Deb Andrews)

Applicant Submissions

2-A “Visual Booklet”

 2a.1 Index and General Notes (page 3-4)

 2a.2 Boundary Survey/Topography Plan (page 5)

 2a.3 Site Phasing Plan (page 6)

 2a.4 Proposed Easement Plan (page 7)

 2a.5 Site Removals Plan (page 8)

 2a.6 Site Layout and Materials Plan (page 9)

 2a.7 Site Grading and Erosion Control Plan (page 10)

 2a.8 Site Utility Plan (page 11)

 2a.9 Site Planting Plan (page 12)

 2a.10 Site Details Plan (pages 13 - 16)

 2a.11 Site Drainage Plan (page 17)

 2a.12 Renderings Plans (pages 19-31)

 2a.13 Elevations (pages 33-42)

 2a.14 Area Plans (pages 44-48)

 2a.15 Sketches (pages 50-52)

 2a.16 Construction Management Plans (pages 54-56)

2-B Application 6-15-12 (Site Plan Application Background Info. revision date 6-15-12)

 Index (pages 2-3)

 Section 1 Application (page 4)

 Section 2 Project Description (page 5)

 2a. Major Program Elements (page 6)

 2b. Spectator Provision (page 9)

 2c. User Group Accommodations (page 12)

 2d. Event Provisions (page 13)

 2e. Back of House Areas (page 13)

 2f. Food Services (page 14)

 2g. Media Accommodations (page 15)

 2h. Administration (page 15)

 2i. Building Services (page 16)

 2j. Referenced Codes, Standards and Related Documents (page 16)

 2k. Renderings and Elevations (page 17)

 2l. Schedule (page 18)

 Section 3 Right, Title or Interest (page 19)

 Section 4 Required State and/or Federal Permits (page 20)

 Section 5 Compliance with Zoning Requirements (page 21)

 5a. City of Portland Code of Ordinances (page 21)

 5b. Site Plan Standards (page 30)

 Section 6 Existing and Proposed Easements (page 53)

 Section 7 Request for Waivers (page 54)

 Section 8 Traffic and Parking Analysis (page 55)

 Section 9 Significant Natural Features (page 56)

 Section 10 Consistency with Master Plans (page 57)

 Section 11 Neighborhood Meeting Material (page 58)

 Section 12 Financial and Technical Capacity (page 59)

 Section 13 Utilities Capacity to Serve the Development (page 60)

 Section 14 Fire Safety (page 61)

 Section 15 Construction Management Plan (page 62)

 Section 16 Traffic Plan (page 63)

 Section 17 Stormwater Management Plan (page 64)

 Section 18 Solid Waste (page 65)

 Section 19 Conformity with Applicable Design Standards (page 66)

 Section 20 Emissions Requirements (page 67)