

## **Memorandum**

**Planning and Urban Development Department**

**Planning Division**

**To:**  Carol Morrissette, Chair and Members of the Portland Planning Board

**From:** Richard Knowland, Senior Planner

**Date:**  June 1, 2012

**Re:** Cumberland County Civic Center; One Civic Center Square;

Cumberland County Recreation Center

**Project:** #2012-505 **CBL:** 38-D-15 and 39-C-3

**Meeting Date:**  June 4, 2012

**I. INTRODUCTION**

A workshop has been scheduled to consider a proposal by the Cumberland County Recreation Center (also known as Cumberland County Civic Center) to renovate the existing civic center located at One Civic Center Square. The facility has frontage on Free Street, Center Street and Spring Street. Site plans and building elevations are shown as Attachments 2-A and 2-B.

The proposal is subject to site plan review including the B-3 downtown urban design guidelines.

Public notice of the public hearing consisted of 202 notices were 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 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 loading area 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 Franklin Street ROW**
* **New ADA entrance that extends into the sidewalk**

**Consideration of substituting concrete sidewalks for brick sidewalks in a designated brick district.**

**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.

**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 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 4 new loading bays will be housed within the civic center 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.

The exterior building façade improvements are discussed later in this this memo.

The renovation project will be constructed in 3 phases. Phase 1 will consist of construction of the new loading dock area on Center Street (August 2012 through December 2012). Phase 2 will consist of the new Free Street building addition and entrance area (January 2013 through April 15, 2013). Phase 3 will consist 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 will be operational during Phase 1 and 2 and closed during Phase 3.

**Zoning Review**

Marge Schmuckal, Zoning Adminstrator, has conducted a preliminary review of the plan for compliance with zoning. Additional information was requested of the applicant which was submitted this week (Attachment 2-E) which Ms. Schmuckal is in the process of reviewing. The two potential zoning issues 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 3 building entrance additions bring the building closer to the street they are not within 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 (9)]: 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:

5. 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.

Note: 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. According to the Applicant 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.

**III. SITE PLAN REVIEW COMMENTS**

The initial site plan was formally submitted on May 14, 2012. Based on that submission, staff review comments were generated shown as Attachment 1-A to 1-F. In response to those comments the applicant submitted a revised package of material on May 30, 2012. Please note that site plan and building elevations previously distributed to the Board have been updated by Attachments 2-A and 2-B in today’s packet.

**1. Circulation**

**Vehicle circulation** is limited to the reconfigured truck loading area on Center Street described above. 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 loading 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 bays 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. While this turning maneuver appears to work for trucks entering and exiting the loading bays, additional turning radius analysis should be provided on how a truck exits the area once they leave the loading bay (Free Street or Congress Street) according to the City’s Traffic Review Engineer.

No automobile access is provided on the site since the civic center occupies the entire property footprint. There is a designated drop-off area within the public right-of-way adjacent to the Spring Street entrance.

**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 2 to 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.

**Traffic** Tom Gorrill of Gorill Palmer Consulting Engineers has submitted a trip generation estimate for the 243 seat expansion. See Attachment 2-C (page 48). 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”.

PreliminaryComments from Tom Errico, Traffic Engineer Consultant, are highlighted below. See 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. Details on the travel and parking lane widths should be provided as well as what approach lane configurations are proposed at each abutting intersection. Lane configurations should be compatible with the Congress Street Bus Priority Study which recommended reversing the direction of Center Street between Congress Street and Free Street.
* 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.
* Given excess traffic capacity along Spring Street, would like to investigate the possibility of eliminating the 15 minute drop-off area and using the entire curb area for on-street parking opportunities. Further guidance will be provided on this issue.
* I have reviewed the turning template for truck maneuvers into the loading dock and find conditions to be acceptable for backing entry movements. The applicant should illustrate exiting truck maneuvers through Center/Free Street intersection (the alignment of the loading dock will require movement towards Free Street only).
* The loading dock curb cut does not meet City standards for width and will require a formal request. I support a waiver given site characteristics.

A detailed maintenance of traffic plan should be provided in support of closing Center Street and impacts to Spring Street and Free Street during construction activities. Some initial comments 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.

**Pedestrian** Applicant indicates they will be responsible for replacing the existing public sidewalk along their street frontage. Brick sidewalks are proposed along Free Street and Center Street while a concrete sidewalk is shown on the site plan along Spring Street. Since the civic center is located in a brick sidewalk district designated by the City Council, the applicant will need to pursue a waiver request with the City Council to change the brick requirement.

We are recommending that the Spring Street sidewalk be widened given the high volume of pedestrians using that sidewalk during events. The sidewalk is currently 8 feet wide and we are recommending that it be a minimum 12 feet wide. This is easily achieved given the width of the existing grass esplanade along Spring Street. The Free and Center Street sidewalks are at their maximum width given the existing curb line.

**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 as Attachment 1-C-3 and is referenced in Tom Errico’s memo. While the applicant proposes new sidewalks and handicap ramps along their street frontage, the pedestrian assessment indicates there are deficiencies on receiving handicap ramps across the street from the civic center. For a pedestrian crossing the street, handicap ramps on the civic center frontage are helpful but they are only as good as the receiving ramps on the opposite side of the street. For these improvements to be functional they should be integrated into the surrounding infrastructure so that pedestrians may follow a safe and accessible route. We are therefore recommending that handicap ramps and other improvements (across the street) be incorporated into the infrastructure improvements of the civic center project.

The civic center does not provide parking on their site. The facility is dependent on parking garages, surface parking lots and on-street parking in the surrounding area to provide parking for their customers. Handicap ramps are important in providing safe pedestrian access between the civic center and these parking facilities. Safe access becomes particularly critical in the context of a large concentration (thousands) of people traversing these sidewalks before and after civic center events.

Other recommendations include installation of 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. This enhances pedestrian safety and avoids the entrance from being blocked by pedestrians.

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

* The plans illustrate a painted crosswalk along Center Street in the vicinity of the loading dock area. A permanent material should be considered.
* The crosswalks at the Spring Street/Center Street intersection should reflect the City standard of parallel crosswalk lines.
* Curb extensions should be considered for crosswalks illustrated on the plan on Free Street and possibly Spring Street.
* It should be noted that the crosswalks noted in the plan will be an agenda at the upcoming City Crosswalk Committee meeting for their feedback and therefore is subject to change.

**2. Building Exterior**

Exterior changes to the building are subject to the Downtown Urban Design Guidelines. Staff review comments on the project and the design guidelines will be prepared for a subsequent meeting. Building renderings, elevations and floor plans are shown on Attachment 2-B.

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 Historic Resources standard of the Site Plan Ordinance 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 states “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 patters that characterize the context”.

The applicant presented the civic center plans to the Historic Preservation Committee on May 21st. A written memo on the Committee’s comments will be available shortly.

The most striking exterior changes to the building are the new public entrances. New prominent entrances fill in the existing recessed entrances. A depiction of the existing and proposed entrances on Free Street, Spring Street/Cross Street and Spring Street are shown on Attachment 2-B. The front cover site plan sheet (Attachment 2-A) depicts the Spring/Cross entrance.

The grafting of new entrances onto the civic center is an important urban design improvement that brings the building closer to pedestrian activities along the public sidewalk and improves street level visual permeability.

The initial submitted building elevations were difficult to read. A revised set was submitted on Wednesday which are easier to comprehend but a clearer graphic representation of the existing building, proposed façade improvements, as well as existing and proposed materials should be provided. While the illustrative computer generated graphics are helpful in understanding the building program, more details are needed in terms of how the proposed façade improvements relate to and are integrated with the existing design and materials of the civic center. The exterior changes show a positive direction for the civic center but the applicant needs to demonstrate how they are coordinated and integrated with the materials and design features of the existing building.

Information on the tint of the glass for the building entrances should be submitted. A clear glass opens up the building visually to street level activities while a darker glass would inhibit that visual interaction. Proposed building material samples should be submitted.

The existing Free Street side of the civic center has an extended blank wall along the façade. Due to the program requirements of the renovation, this area will remain in a similar condition. The project architect has suggested this area could benefit from graphic design panels displaying historic events of the area to improve the façade’s visual quality. Graphic design panels in lieu of a blank wall is good idea but in the context of where this site is located, we would suggest that an arts and culture theme is more appropriate. Given the tight time schedule of the civic center development review process, it is unrealistic to work out the details of a mural panel program within this timeframe. This logically should be a condition of approval.

**3. Streetscape**

**Street Lighting** The written submission indicates new street lights will be installed along the Free Street, Center Street and Spring Street of the property. Sheet CP101 needs to be revised to clearly indicate the number and location of the light poles. The site detail sheet references the Holophane series light pole and luminaire (Congress Street District) which is the appropriate light fixture for this area. The specification references a 12 foot 6 inch pole which may or may not be the right pole height for this area. Staff will provide direction to the applicant on the appropriate pole height.

**Street Trees** are proposed on two of the three streets abutting the site. Free Street currently has no street trees and none are shown on the plan due to shading concerns from the civic center. Jeff Tarling, City Arborist, concurs with that approach. See Attachment 1-F. Along Center Street 3 street trees are proposed which is limited by the extended curb opening for the truck loading bays. On Spring Street 8 trees are proposed. The trees will be placed in tree grates. Mr. Tarling is suggesting rather than extending the trees along the entire street frontage that the trees could be clustered in raised granite planting beds. This would help protect them from salt applied to the sidewalk and street as well as from bus passengers that are dropped off along Spring Street. Mr. Tarling also suggests that an Armstrong Red Maple or a Green Piller Pin Oak would be a better selection than the Thornless Honeylocust Skyline shown on the plan. Planting areas shown along the face of the building should show plant material details.

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-F.

**Spring Street Sidewalk/Esplanade** 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 we initially suggested that it be widened to 10 or 12 feet. A field visit to the site confirms an 8 foot wide sidewalk with an esplanade of about 7.5 feet wide. A 12 foot wide sidewalk can easily fit within the space but one is left with a remaining grass area of about 3.5 feet wide. The raised granite planter suggested by Mr. Tarling in concert with a 12 foot sidewalk appears to be an appropriate treatment for this area. The planter will take up some space of the sidewalk but the sidewalk could be extended to the street curb line. The details of this concept will need further design development.

The Spring Street - Free Street Streetscape Area Plan (see below) could help inform this decision.

**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.

The June 4th City Council meeting agenda has a communication regarding the appointment of a public advisory committee to help advise in the planning process.

While the civic center development review schedule is anticipating a planning board public hearing in July, we expect to hire a landscape architect under contract in advance of the meeting. Certainly we will confer with the consultant on the Spring Street sidewalk issue prior to the public hearing that could help inform.

**4. Utilities**

Letters from utilities confirming capacity to serve the proposed development need to be submitted.

There are a number of existing easements within the street ROW in addition to the easements proposed by the Applicant.

**5. Engineering Related Comments**

Comments from David Sensus, Engineering Review Consultant, are shown on Attachment 1-D.

His comments include the need for a Construction Management Plan, site plan sheets need to be stamped by a professional engineer (not all have been stamped) and submission of a stormwater management plan. Site plan submission needs to include an erosion and sedimentation control plan, stormwater best management practices addressing the 3,572 s.f. of new impervious area, the increase in flow resulting from the project during the design storm events (2, 10 and 25 year, 24 hour) and the discharge locations within the City ROW.

**6. Lighting**

Site lighting is proposed at numerous locations along the face of the building at entrances and the loading bay area. Catalog cuts of the site lighting are shown on Attachment 2-F. A photometric plan should be submitted.

**7. Signs**

A complete signage plan needs to be submitted. 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.

**ATTACHMENTS**

Staff Comments

1-A Planning Office, dated May 22, 2012

1-B John Peverada, Parking Manager, dated May 24, 2012

1-C Tom Errico, Traffic Engineer, dated May 25, 2012

1-D David Census, Consulting Engineer, dated May 24, 2012

1-E Bradley Roland, Public Services Engineer, dated May 23, 2012

1-F Jeff Tarling, City Arborist, dated May 31, 2012

Applicant Submissions

2-A Site Plan (resubmitted May 29, 2012)

2-B Building Renderings, Elevations and Floor Plans (resubmitted May 29, 2012)

2-C Site Plan Application (submitted May 14, 2012)

Index…pages 1-2

Project Description…pages 6-18

Right, Title, Interest…page 19

Responses to Zoning and Site Plan Requirements…page 20

Existing and Proposed Easements…page 47

Traffic and Parking Analysis…page 48

Consistency with Master Plans…page 51

Neighborhood Meeting…page 52

Financial and Technical Capability…page 53

Utilities…page 54

Fire Safety…page 55

2-D Responses to Staff Review Comments (submitted May 29, 2012)

2-E Zoning Compliance Narrative (submitted May 29, 2012)

2-F Site Lighting (submitted May 29, 2012)

2-G Preliminary Chiller Sound Info (submitted May 29, 2012)