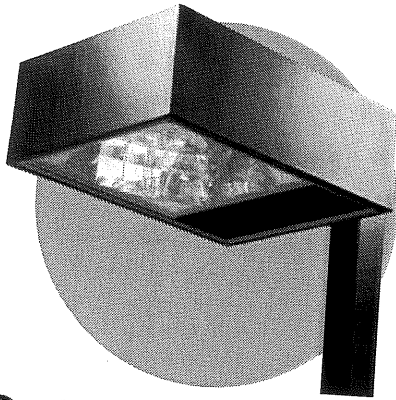


2008-0038

39-B-15
87 Spring St.
Parking lot
Portland Museum of Art



Features

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum doorframe with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. RCS: H2/H3/H5 (hydroformed), H2P/H3P (patented multi-faceted hydroformed), H4 (multi-piece), H5P (segmented). RCL: H2P/H3P (segmented), H4/H4P (multi-piece), H5 (hydroformed). All reflectors are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell. Medium base for ED-17 lamp.
- CWA type, HPF ballast, starting rated at -20°F (-40°F for HPS). Removable Powr-Pan!® available for maintenance and installation ease.
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL 1598 listed and CSA certified for outdoor use in wet locations.

Ordering Information

Example: RCS - A4 - H17 - H3 - F - Q - DB - F1

Series	RCS Raven Small (100-400W) RCL Raven Large (400-1000W)
Mounting	A4 Arm Mount (includes 4" rigid arm) A10 ² Arm Mount (includes 10" rigid arm) WB Wall Bracket (arm not required or included) WBA4 Wall Bracket with 4" rigid arm WBA10 Wall Bracket with 10" rigid arm 0 No arm or wall bracket (only order without arm or wall bracket when they are ordered as an accessory)

Wattage/Source	Metal Halide H17 175W (ED-28) RCS only H25 250W (ED-28) RCS only H40 400W (RCS: ED-28, RCL: BT-37) H1K 1000W (BT-56) RCL only Super Metal Halide MS17 175W (ED-28) RCS only MS25 250W (ED-28) RCS only MS40 400W (RCS: ED-28, RCL: BT-37) MS1K 1000W (BT-56) RCL only Pulse Start Metal Halide P10 100W (ED-17) RCS only P12 125W (ED-17) RCS only P15 150W (ED-28) RCS only P20 200W (ED-28) RCS only P25 250W (ED-28) RCS only P32 320W (ED-28) RCS only P35 350W (ED-28) RCS only P40 400W (RCS: ED-28, RCL: BT-37) P75 750W (BT-37) RCL only P1K 1000W (BT-37) RCL only High Pressure Sodium S10 100W (ED-23 1/2) RCS only S15 150W (ED-23 1/2) RCS only S25 250W (ED-18) RCS only S40 400W (ED-18) S60 ³ 600W (T-14) RCL only S75 ³ 750W (BT-37) RCL only S1K 1000W (E-25) RCL only
----------------	--

Series	Mount	Wattage Source	Orient./ Dist.	Lens	Volts	Color	Options
Lamp Orientation/Distribution							
H2			Horiz. II - RCS only (hydroformed)				Options
H2P ⁴			Horiz. II - Performance Series (RCS: patented multi-faceted hydroformed; RCL segmented)				W1 120V Wiring Prep W2 208V Wiring Prep W3 240V Wiring Prep W4 277V Wiring Prep W5 480V Wiring Prep W6 347V Wiring Prep RPA2 Round Pole Adapter (2 3/4 - 3 1/8") RPA3 Round Pole Adapter (3 1/4 - 3 3/4") RPA4 Round Pole Adapter (3 7/8 - 4 1/2") RPA5 Round Pole Adapter (5") RPA6 Round Pole Adapter (6") F(X) Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347) P(X) Photobutton (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347) PR(X) Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347) QZ Quartz RS with lamp H5 Internal House-Side Shield VG Polycarbonate Vandal Guard R(XX) Reveal (EB option must be chosen also) EB (replace XX with color) L Embossed Band Lamp
H3			Horiz. III - RCS only (hydroformed)				
H3P			Horiz. III - Performance Series (RCS: patented multi-faceted hydroformed; RCL segmented)				
H4			Horiz. IV (multi-piece)				
H4P			Horiz. IV - RCL only Performance Series (multi-piece)				
H5			Horiz. V - (hydroformed)				
H5P			Horiz. V - Performance Series RCS Only (segmented)				
Lens			F Flat				
Voltage			Q ¹ Quad-Tap® 120/208/240/277V 480V 5 Tri-Tap® 120/277/347V T ^{1,3} 50Hz 220/240V (250 & 400W MH & HPS only) E Five-Tap 120/277/347/480V (120/208/240/277/480V) ¹ V ¹ No Ballast 0				
Color			Q ¹ Quad-Tap® 120/208/240/277V 480V 5 Tri-Tap® 120/277/347V T ^{1,3} 50Hz 220/240V (250 & 400W MH & HPS only) E Five-Tap 120/277/347/480V (120/208/240/277/480V) ¹ V ¹ No Ballast 0				
DB			Dark Bronze				
BL			Black				
WH			White				
GR			Gray				
PS			Platinum Silver				
RD			Red (premium color)				
FG			Forest Green (premium color)				
CC			Custom Color (consult factory)				

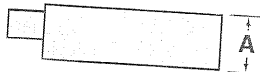
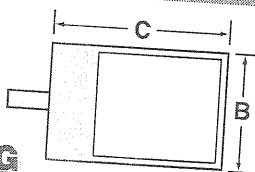
Note All poles to be drilled with #2 pattern.

Accessories - Order Separately

Catalog Number	Description
RCS-PVG	RCS Series Polycarbonate Vandal Guard
RCS-HS-23	Internal House-Side Shield (H2 & H3 distributions)
RCS-HS-23P	Internal House-Side Shield (H2P & H3P distributions)
RCS-HS-4	Internal House-Side Shield (H4 distribution)
RCL-PVG	RCL Series Polycarbonate Vandal Guard
RCL-HS-23P	Internal House-Side Shield (H2P & H3P distributions)
RCL-HS-4	Internal House-Side Shield (H4 distribution)
RCL-HS-4P	Internal House-Side Shield (H4P distribution)



Dimensions



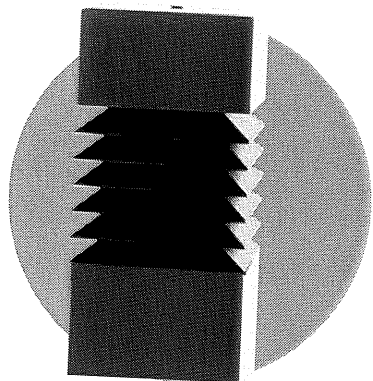
	A	B	C	EPA	Weight
RCS	8 1/2"	16 1/4"	23 1/2"	1.7 ft ²	42 lbs.
	203mm	413mm	591mm	0.2 m ²	19.1 kg
RCL	10 1/2"	22 1/4"	30"	2.6 ft ²	70 lbs.
	262mm	556mm	750mm	0.2 m ²	31.7 kg

Note: EPA and weight values do not include mounting arm
See Spaulding EPA Value pages for more detailed information.

RECTANGULAR LUMINAIRES

MODESTO

SQUARE/ROUND



Features

- Extruded aluminum square or round housing, with tamper resistant hardware. Flat top, or optional dome top for round MO2. Single screw access for top relamping.
- Thread-on glass diffuser and matte black polycarbonate louvers enclose lamp.
- Medium porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- Concealed, galvanized steel anchor base. Four 1/2" x 10" anchor bolts, on 4" diameter bolt circle.
- HPF ballast, starting rated at -20°F (-40°F for HPS). Metal Halide is CWA or Super CWA type. HPS is CWA, HR, or Reactor type.
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL1598 listed and CSA certified for outdoor use in wet locations.
- IESNA full cutoff classified.



Ordering Information

Example: MO1 - H17 - Q - DB - F1
 Series Wattage Source Volts Color Options

Series
 MO1 Modesto Square
 MO2 Modesto Round

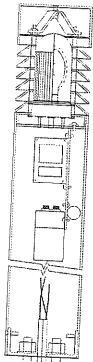
Wattage/Source
Metal Halide
 H17 175W (ED-17)
Pulse Start Metal Halide
 P50 50W (ED-17)
 P70 70W (ED-17)
 P10 100W (ED-17)
 P12 125W (ED-17)
 P15 150W (ED-17)
High Pressure Sodium
 S35² 35W (ED-17)
 S50 50W (ED-17)
 S70 70W (ED-17)
 S10 100W (ED-17)
 S15 150W (ED-17)

Voltage
 Q¹ Quad-Tap® - 120/208/240/277V
 T³ 120/277/347V CSA¹

Color
 DB Dark Bronze
 BL Black
 WH White
 GR Gray
 PS Platinum Silver
 RD Red (premium color)
 FG Forest Green (premium color)
 CC Custom Color (consult factory)

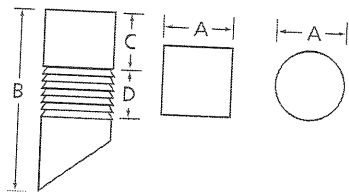
Options
 DM Dome Top (round only)
 24 24" Luminaire Height
 30 30" Luminaire Height
 36 36" Luminaire Height
 F1 Fusing - 120V
 F2 Fusing - 208V
 F3 Fusing - 240V
 F4 Fusing - 277V
 F6 Fusing - 347V
 HS120 Internal Shield - 120°
 HS180 Internal Shield - 180°
 L Lamp

1 Factory wired for highest voltage unless specified.
 2 120V only.
 3 70 watt system or higher only.



BOLLARDS

Dimensions



	A	B	C	D	Weight
MO1	6 3/4" sq.	42"	6"	3 3/4"	41 lbs.
	171 mm	1067 mm	152 mm	95 mm	18.6 kg
MO2	7" dia.	42"	6"	3 3/4"	41 lbs.
	178 mm	1067 mm	152 mm	95 mm	18.6 kg



April 11, 2008

Ms. Barbara Barhydt, Development Review Services Manager
City of Portland Planning Department
389 Congress St.
Portland, ME 04101

**Re: Supplemental Submission Information
Portland Museum of Art, Spring Street Site Plan Submission
Tax Map 39B, Lot 15**

Dear Barbara:

Thank you for the call yesterday alerting me to the change in schedule for the workshop for the Museum's Spring Street Parking and Garden project. We have informed the client of the change in the workshop date to May 13, 2008, and as discussed with you will continue to follow-up with City staff to resolve any issues that may arise as you continue your review of this application. Per our conversation, I submit the following supplemental information on behalf of the Museum in support of the pending request for Conditional Use and Minor Site Plan approval.

1. **Photometrics:**
We have completed the revisions to the site lighting plan (Sheet L2.1) and have had the attached photometric chart prepared for the site. As you can see we have maintained an average of one foot candle within the parking lot and are in conformance with the minimum to maximum requirement of the Technical Supplement. The height of the lights on this plan have been reduced to 15 feet and the wattage of each fixture reduced to 100, which we find to be a better solution than the one previously outlined in our submission of March 30, 2008.
2. **Railing at the Existing Retaining Wall:**
The existing retaining wall that separates the Museum property from the Harper Hotel has the proper safety barrier between the upper and lower lots. In two areas the existing fence is attached to the top of the wall and in the middle section chain link fencing has been placed against the wall at the upper level to create the appropriate barrier. We enclose a revised plan (L2.0) and section (L5.2) which indicates that the Museum proposes to repair and paint the two sections of chain-link fence that comply with code and to install new, lower chain-link fence in the middle section of the retaining wall so that the existing larger panels can be removed. We have confirmed that the wall is on the Museum's property and that they have the necessary rights to make the improvements discussed above.
3. **Short and Long-Range Plans for the Site:**
As discussed with the City staff in March, the Museum has developed the current plan as a short-range, interim plan that will provide the Museum with some use of the property while they develop a long-range plan for this parcel. The Board of Trustees recognized the importance of securing the property when the YWCA was closed, and acted to secure the property to help meet the long-term mission of the Portland Museum of Art. The Museum believes that it will take 20 to 25 years to properly develop a long-range plan for the property,

implement a capital program/campaign and start the construction related to the long-range plan for the property. Accordingly, the interim use of this parcel for parking and gardens is viewed by the Museum as a 15 to 20 year commitment. The design of the project has been based upon this time frame and is reflected in the selection of plant materials, the utility design and the other site improvements proposed for the property.

Please review this supplemental information and the enclosed plans and call if you have any questions. We can meet with you and/or Ms. Frasier if you want to review any of the submission material in greater detail.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Mr. Dan O'Leary, PMA
Mr. Thomas Denenberg, PMA
Mr. Charlton Ames
Mr. Hans Underdahl



April 23, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art Site Plan Submission Response to Staff Questions
Spring Street Parking and Gardens**

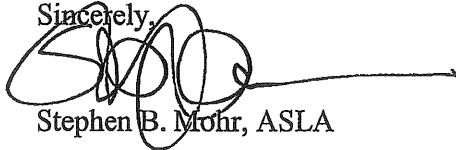
Dear Ms. Fraser:

Thank you for the telephone message on Friday regarding staff issues that have been raised for the Museum's proposed project on Spring Street. I offer the information below in response to your questions, and each item as a separate issue;

1. **Use of the Parking Lot by the PMA**
As indicated in our submission dated March 31, 2008, the 45 car parking lot is being constructed to serve the Museum's administration, staff and volunteers. Based on input from the Museum we know that the Museum administration, staff, volunteers and docents will be using this parking area on a daily basis, and therefore the 20 foot wide travel lane and tandem parking can be successfully managed. There will be other occasions when the Museum Trustees, visiting artists, special exhibit curators, exhibit installers, contractors or contracted work forces for the Museum may use this parking lot for specific short-term needs. The Museum is not constructing this parking lot for use by the general public. I trust this detailed response will address the staff concerns regarding the travel lane width and use of the tandem parking spaces.
2. **Trellis and Wall Fence Details:**
Our initial submission I indicated that the existing concrete wall would have trellises attached to it at 10' intervals on part of the wall. On top of the wall sections of the existing chain-link fence will be preserved, but new 22" high chain-link fence will be installed where a temporary chain-link barrier has been placed. In the supplemental submission made to the department on April 11, 2008 we included a section of the wall showing these improvements on drawing L5.2. At the time of the workshop we will provide additional graphics that further define the design of both the trellis and the new fence.
3. **Proposed Site Lighting:**
The photometric plan that was prepared and submitted on April 11, 2008 for the lighting for the project provides safe and sufficient light levels for the use of the parking based upon our discussions with the Museum, our experience, and generally accepted lighting standards for parking lots. As can be seen in the summary chart on drawing L2.1 there is an average level of 1.02 footcandles in the parking lot and the

minimum to maximum light range falls within the range of 0 fc to 6.9 fc. There are three locations within the parking lot where the illumination level is considered low at a level of 0.1 fc. It is our opinion that these isolated areas of lower light levels will in fact be sufficiently illuminated due to the lighting sources adjacent to this property, including illumination from the Holiday Inn on Spring Street. It is our intent to request a waiver from the Planning Board for any areas of nonconformity with the City's Technical Standards because the Museum does not want to create excessive light levels in this part of their property.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mohr', with a long horizontal line extending to the right.

Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg



May 6, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art -- Spring Street Parking and Garden
Staff Review Comments**

Dear Ms. Fraser:

Thank you for your April 30 and May 6, 2008, emails outlining the Planning Department's preliminary review comments regarding the Portland Museum of Art's Spring Street Parking and Garden project. We have reviewed your comments as well as Woodard & Curran's April 24, 2008, memorandum. Based upon our review of these documents we offer the following responses, which appear in the order of the April 24 memorandum, and are then followed by responses to the most recent email from you.

1. Survey Data: The topographic survey uses NGVD 1929 and the project is tied into the Maine State Plane Coordinate system. Our surveyor will add appropriate notes to the topographic survey, which will be re-submitted once it is revised.
2. Sidewalk: Sheet L2.0 has been revised indicating the contractor shall repair the damaged area of the concrete sidewalk at the corner of Spring Street and Oak Street.
3. Sewer Main: Sheet L3.0 has been revised stating Contractor shall provide evidence that the sewer has been capped at the sewer main.
4. Stormwater Connection: Sheet L3.0 has been revised showing the proposed 12-inch stormwater drain connecting to the existing Oak Street stormwater manhole.
5. Stormwater Pipe: Sheet L3.0 has been revised showing all stormwater drains located with the City Right-of-Way as reinforced concrete pipe (RCP.)
6. Water Capacity Letter: The removal of the YWCA building and the departure of the School of Art from the Clapp House have reduced the water demand at this location by approximately 2,800 to 4,200 gallons (the range is a function of season and occupancy at the buildings) per day. The proposed irrigation system will use roughly 300 gallons a day during the summer months. We do not foresee any issues with this flow demand being met by the PWD, but have submitted a Capacity Request Letter to the Portland Water District, dated May 5, 2008.
7. Pipe Bedding Detail: Detail 8 on Sheet L5.0 has been revised to shown crushed stone on top and bottom of pipe.
8. Catch Basin Detail: Detail 2 on Sheet C-3 has been revised to show a Casco trap.

9. Soil Filter Bed Detail: Detail 4 on Sheet C-3 has been revised to show an 18 inch depth for the soil filter bed.
10. Soil Filter Bed Plantings: Based upon our experiences with bio retention cells, the proposed perennial plants were selected based upon their capacity to withstand both standing water/inundation conditions as well as dry/arid conditions. We will provide additional documentation regarding these issues if the Board deems it necessary.

With respect to the issues raised in your email of today we offer the following responses to the issue of the parking use by staff and the treatment of the concrete wall.

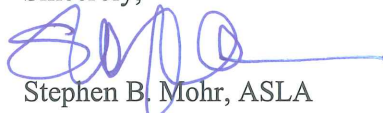
Employee Parking: The 24 to 26 parking spaces that existed at the former YWCA and Museum/Clapp properties included 4 spaces used by the Museum. As agreed with the City staff when the YWCA structure was removed, the area previously used for parking by the YWCA and Clapp House would be utilized for parking by the Museum staff while the plans were being developed for this project. The Museum staff that are currently parking in the temporary lot had previously either parked in all-day, non-metered on-street parking spaces (e.g. upper Pleasant St. or lower Oak St.) or in nearby parking garages.

The proposed 45 space parking lot, 10 spaces of which are tandem, will be used by staff for parking creating 41 spaces more than the Museum had at this location. Based on the current parking plan 30 to 35 of the spaces will be dedicated to staff (including the tandem spots), 2 are handicapped spaces, 1 is for delivery vans/museum contractors and the balance of the parking spaces will be reserved for docents, volunteers for specific shows, exhibit installation, curators and exhibit personnel or other Museum staff or Trustees who require short-term parking near the building. The staff that will now be parking in the proposed lot formerly parked in the non-metered locations, in metered parking on Free, Oak, Spring and Congress Streets, or they utilized surface or garage parking on Free and Spring Streets and paid a daily fee.

Wall Treatment: We are working on a revised plan for the treatment of the rear wall and fence which will create an armature of plant growth on the entire wall, extending up to and including the fence atop the wall. The small metal panels previously proposed for the wall in selected locations have been replaced with curved wire strands held off the wall 4 to 6 inches by metal stanchions to create a rigid trellis on the face of the wall. The trellis will be planted with the twining and clinging vine species previously set forth in our submission. We are studying the feasibility of extending the trellis up to the height of the fence so that the entire wall will become a green surface with wisteria, clematis, Virginia creeper, honeysuckle and Kiwi.

We have removed the benches from the plans, but the balance of the project remains as previously submitted. Please call if you have question as you finalize the memo to the Planning Board.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0038

Date: 4/11/2008

This property is located within the B-3 Business Zone. Parking lots are required to be approved by the Planning Board under a conditional use appeal. Parking lots in the B-3 zone require parking to be setback a minimum of 35 feet from any street line. This submittal shows 65 feet and 70.5 feet setbacks. Bicycle racks are shown on the plans as encouraged.

A separate application and review is required for any new signage. The B-3 Zone restricts freestanding signs on the peninsula. Section 14- 434 restricts signage heights within areas situated on the corner of two streets.

All other zoning requirements related to this parking lot are being met.

Marge Schmuckal
Zoning Administrator

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE and Lauren Swett, EIT
DATE: April 24, 2008
RE: Portland Museum of Art, Spring Street Site Plan

Woodard & Curran has reviewed the site plan application for the Portland Museum of Art Spring Street parking lot. The Museum has purchased the former YWCA property located at the corner of Spring Street and Walnut Street, and is proposing to construct a 45-vehicle parking lot for museum employees. The project will include extensive landscaping and the construction of a bioretention cell for stormwater treatment.

Documents Reviewed

- Portland Museum of Art, Spring Street Site Plan Submission, prepared by Mohr & Seredin Landscape Architects, Inc., on behalf of the Portland Museum of Art, dated March 31, 2008.
- Engineering Plan Sheets, B-1, L1.0 to L5.0, L5.1, L5.2, and C-1 to C-4, prepared by Mohr & Seredin Landscape Architects, Inc. and Land Consulting Engineers on behalf of the Portland Museum of Art, dated March 28, 2008,
- Stormwater Analysis for Portland Museum of Art Spring Street Parking and Gardens, prepared by Land Consulting Engineers, on behalf of the Portland Museum of Art, dated March 25, 2008.
- Supplemental Submission Information for the Portland Museum of Art, Spring Street Site Plan Submission, prepared by prepared by Mohr & Seredin Landscape Architects, Inc., on behalf of the Portland Museum of Art, dated April 11, 2008

Comments

- The applicant should confirm that the survey for the project coincides with approved City standards. The survey needs to be tied to the vertical datum of NGVD 1929. Also, the project needs to be tied to the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. This should be indicated on the survey.
- The condition of the sidewalk at the site will need to be evaluated to determine if the applicant will be required to install new sidewalk and curbing.
- The applicant will need to provide verification to the City that the old sewer has been capped at the sewer main.
- The applicant has proposed to tie storm drain from the site into the existing catch basin on Spring Street. This connection should either be made to the existing manhole on Oak Street or a new manhole should be provided in Spring Street. The connection directly to the catch basin will not be allowed.
- City of Portland standards do not allow the use of HDPE pipe. PVC and RCP pipes are acceptable and need to at least be used within the City right-of-way for the connections to City infrastructure.
- The application states that the project has no domestic water needs, however an irrigation system connected to the existing Clapp House water supply is proposed. Has this water capacity requirement been addressed with the Water District?
- The landscaping plans and the engineering plans both include details for pipe trenches. These details should be the same and should show crushed stone above and below the pipe.

Att. 5b'2



- Catch basins should have casco traps. A detail should be included and the casco trap should be shown in the catch basin detail as well.
- The bioretention cell detail does not include a depth for the soil filter bed.
- It was noted that the proposed bioretention cell has a ponding depth of 18". MaineDEP standards for BMPs call for a maximum ponding depth of 6" to allow for plant growth. We recommend that the applicant contact the DEP to discuss allowable ponding depth relative to the plants that have been chosen for the site.

Please contact our office if you have any questions.

DRG/LJS
203943

Attachment 5c

From: Jean Fraser
To: Jewell, Patty
Date: 5/1/2008 9:26:11 AM
Subject: RE: Review of PMA proposed pkg lot and gardens

Ms Jewell,

I do not have an e-mail address for Stephen Mohr and would be grateful if you could pass on the following update and confirm that Stephen has received it:

Hello Stephen,

I am writing to update you on the progress of the above Conditional Use and Site Plan review.

1. The Workshop date of Tuesday, May 13 is definite, although I do not yet know the time for your item.
2. For the PB Memo that I am preparing for the Workshop, I need 11X17 copies of all of the plans and revised plans that now make up this application (excluding any of the plans that are now superceded by revisions). I need these plans by Wednesday of next week (May 7) at the latest please.
3. I am still awaiting comments from some reviewers. I attach for information the Memo from the Engineering Reviewer dated 4.24.2008- this Memo will be included in the packet going to the Workshop and most are details that can be addressed after the Workshop.

Re bullet point 2 of this Memo, I anticipate that Public Works will confirm that there is a section of sidewalk at the corner of Spring and Oak that needs to be upgraded as part of the proposals.

Re the last two bullet points of this Memo, you may wish to address this prior to the Workshop and possibly revise the design of the Bioretention cell re ponding depth to ensure that it will operate as a "rain garden".

Please do not hesitate to call me if there are any questions.

Jean (Fraser)
Planner
874 8728

Attachment 5d

**CITY OF PORTLAND
DEPARTMENT OF PUBLIC SERVICES
Engineering Division**

M E M O

TO: Jean Fraser
FROM: Michael Farmer, Project Engineer
DATE: May 1, 2008
RE: PMA Parking Lot - Spring Street

The Department of Public Services recommends requiring the applicant for this project to reconstruct the sidewalk ramp at the intersection of Spring St. and Oak St., the first 7 feet of the adjacent sidewalk on Oak Street, and the first 12 feet of the adjacent sidewalk on Spring Street. The new sidewalk ramp and adjacent sidewalk areas should be constructed of brick, in accordance with the applicable City technical standards.

Attachment 5e

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/6/2008 11:42:20 AM
Subject: PMA Spring Street Parking Lot

Jean -

I have reviewed plans (prepared by Mohr & Seredin dated April 10, 2008) and supplemental materials (William J. Bray letter dated March 27, 2008) and generally support the current project with the following comments:

* I support the provision of a 20-foot driveway and a City driveway width standard waiver.

* I support the use of tandem parking stalls. I would note that this is based upon the use of the parking spaces by long-term duration vehicles, in this case employees. If the use of the parking lot changes, I would suggest that the parking layout be reviewed for its appropriateness.

* The applicant should provide a summary of existing parking conditions (e.g. where existing employees park), and how those conditions will change in the future.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

From: Jean Fraser
To: Mohr, Stephen
Date: 5/6/2008 3:17:39 PM
Subject: Re: FW: PMA Spring Street Project

Stephen,

Yes, I am working on the PB Memo now and will do a final review at the staff meeting tomorrow morning- so will look for your letter and 11x17 plan set (needed for 10am please).

I have just received comments from the Traffic Engineering Reviewer and he has asked for: "The applicant should provide a summary of existing parking conditions (e.g. where existing employees park), and how those conditions will change in the future." To be honest I am not quite sure what he means, but if you can answer that it would be one issue out of the way.

The other issue that we will probably raise with the Board is the quality of the rear wall treatment given the number of years that this is going to be "exposed"- I am sure there are vertical metal railings (painted black) or other designs that also meet code re safety over the retaining wall and so there is a question re incorporating a more permanent/attractive fence solution.

I will e-mail you a copy of the cover text of the PB Memo on Friday afternoon and you may collect a paper copy of the entire PB Memo on Monday morning.

Jean (Fraser)
Planner
874 8728

>>> "Stephen Mohr" <smohr@mohrseredin.com> 5/6/2008 2:47:09 PM >>>

Attachment 5g.

From: Deb Andrews
To: Jean Fraser
Date: 5/8/2008 12:47:41 PM
Subject: PMA Proposed Parking Lot and Garden

Jean:

At your request, I have reviewed the Portland Museum of Art's proposed parking/landscape treatment for the lot adjacent to Clapp House on Spring Street. You asked that I review the proposal according to the "congruity" standard included in the site plan ordinance, as the subject lot is located immediately adjacent to an individually-designated landmark structure and the eastern boundary of the West End Historic District.

In my view, the proposed treatment meets the site plan ordinance's congruity standard. Although it is hoped that the site will one day accommodate a new building within the Museum's expanded campus, the proposed landscape treatment effectively buffers the parking and the series of birch tree bosques provides an interesting reference to the building footprints of houses that historically occupied the frontage.

The one potential concern I have is that the proposal calls for retaining (and repairing where necessary) the chain link fence on top of the concrete wall at the northern edge of the site. Particularly where the proposed treatment may be in place for as many as 20 years, the chain link fence seems like an inferior choice of fencing material. At a minimum, I would encourage generous, fast-growing vine plantings at the base which would hopefully obscure the fencing.

Deb Andrews
Historic Preservation Program Manager

Attachment 5h

From: Jeff Tarling
To: Jean Fraser
Date: 5/9/2008 4:07:01 PM
Subject: PMA Spring Street Parking & Garden

Jean -

The proposed PMA Spring Street Parking & Garden landscape plan offers a unique approach to combining parking and garden landscape design treatment for the Spring Street property. The focal point of the project are three 'bosque' or groupings containing 48 White Birch trees planted in a formal design in three blocks of 16. Additional features include a rain garden area, groupings of evergreen trees, hydrangea shrubs, and an assortment of vines. Overall the proposed landscape design and its unique character will add interest to the area, especially in comparison to the more typical landscape treatment. Recommendations would include the adding to the screening of the back walls. While the plan proposes a wide variety of vine treatments the number or density of plants perhaps should be increased especially behind the five parking spaces near the top of the landscape sheet L4. To the right and left of this area trees help with the screening. Either a greater number of vines, espalier trees perhaps would help meet the screening goals. I would be glad to meet with the project team to review recommendations. Culturally, the White Birch groves will require special accommodations and extended care to be successful. While the use of White Birch should be striking with the white stems, River Birch would be an easier plant selection to grow.

Additional comments would include snow storage - where? and extending the use of curbing around the entire parking lot to protect the lawn and landscape areas.

Overall - unique approach that should make this an area of horticultural & design interest that fits with the PMA mission.

Jeff Tarling
City Arborist

CC: Barbara Barhydt ; Tom Civiello



May 15, 2008

Ms. Jean Fraser
City of Portland
398 Congress St.
Portland, ME 04101

**Re: Revised Submission Materials
Portland Museum of Art Spring Street Parking and Garden Project**

Dear Jean:

As you requested, we submit the attached PDF images of the plans for the Spring Street project. These plans have been revised to include the comments set forth in your memo as well as comments made by the Planning Board at the workshop on May 13, 2008. The specific revisions to the plans are as follows:

1. **Electronic gate for parking control:**
The plans have been revised to include an electronic gate and 18-foot long control arm. The gate has been located to control access into, and out of, the new parking lot. The gate is designed with both a key pad and magnetic swipe card so that access will be limited to the persons set forth in our earlier correspondence. The control key pad has been located on a granite block on the drivers' side of the entry aisle for ease of convenience. The details for the control gate are included on the detail sheet for the project.
2. **Sidewalk repairs and improvement in Spring and Oak Streets:**
We have included on our plans the information showing the extent of the sidewalk repair and improvements on Oak and Spring Streets. The work limits are in conformance with Mr. Farmer's memo. We are replacing the concrete sidewalks with brick as is required in this district. The details are shown on the project detail sheet.
3. **Treatment of the rear wall:**
The information that was presented to the Board for the treatment of the rear wall has been included on a separate drawing, L5.3, submitted in this package. As presented to the Board, we will be installing cables on the rear wall as an armature for the vines. The layout and construction details for the cables are shown on the newly inserted project sheet.
4. **Planting:**
As discussed with the City Arborist, and reviewed with the Planning Board, we have added an additional vine species, Sweet Autumn Clematis, to the plant list for the rear wall. We have also increased the plant quantities and increased plant

sizes for some of the vines. These changes are shown on drawing L4.0 and are noted in the plant list included on drawing L4.0. All other plantings remain as previously shown on the plans.

5. Lighting:

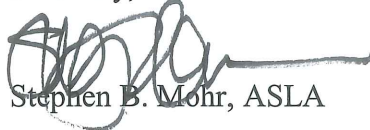
We have revised the lighting plan to address the staff and Board's concerns about illumination levels on the walkway, adjacent to the parking areas, and within the landscaped terraces. The bollard lights have been replaced with 100-watt pole-mounted lights at a 10-foot height parallel to the walkway. The light pole locations within the lot have been adjusted to provide more even illumination levels. After exploring several options the lighting for the landscaped terraces will consist of four (4), 50-watt downlights located on each of the three terraces. The downlights will be mounted at an 8-foot height and will be angled downward at 45 degrees. This lighting will provide a well dispersed, low-level of light within the center of each bosque of birch trees. The revised photometric plan will be sent to you under separate cover as we waiting for it to be completed.

6. Bicycle rack:

The previous submission included a detail for the proposed bicycle rack that is located on the west side of the Clapp House. We have revised that detail to provide a lower profile bicycle rack.

We have been in contact with the Museum's attorney who will be sending the draft license agreement under separate cover. I trust this will address all the issues raised by the Board and City staff. We will deliver four (4) copies of full-sized prints to your office on Friday, May 16.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Tom Denenberg
Charlton Ames



MOHR & SEREDIN

Landscape Architects, Inc.

18 Pleasant Street, Portland, Maine 04101

ph: 1.207.871.0003

fax: 1.207.871.1419

MEMORANDUM

Date: May 21, 2008

To: Ms. Jean Fraser

From: Michael King, Mohr & Seredin Landscape Architects, Inc.

Re: **Supplemental Information: L2.1 -- Photometrics Plan**
Portland Museum of Art, Spring Street Parking and Garden

Attached please find supplemental information in support of the Portland Museum of Art's pending Minor Site Plan Review application. Revised sheet L2.1 reflects the changes requested by the Planning Board (addition of lighting in tree areas) and the Holiday Inn (use of light poles instead of bollard lights.)

Please contact Stephen Mohr or myself if you have comments or questions as the staff reviews the Minor Site Plan Review Application. Thank you.

From: "Michael W. King" <mking@mohrseredin.com>
To: "'Jean Fraser'" <JF@portlandmaine.gov>, "Michael W. King" <mking@mohrseredin.com>
Date: 5/22/2008 9:27:23 AM
Subject: RE: Portland Museum of Art

Hi Jean --

Attached are PDF files containing catalog cuts for the parking lot/walkway lights (Dallas.PDF) and the tree lights (tree.lights.PDF.)

Also attached is the License Agreement. Please review and make us aware of comments.

The existing five walkway lights (identified as 'A') are owned, controlled and maintained by the Holiday Inn, who has an easement across the PMA property. These lights were originally installed prior to the current technical standards. We are relocating these existing five walkway lights because the City has requested a twenty-foot driveway. Aside from this relocation, the proposed lighting plan replicates the existing walkway light levels. We will discuss the possibility of decreasing the light levels with the Holiday Inn.

Regarding the lighting in the terrace area, we do not believe it requires waiver. According to the technical standards "exterior lighting shall be adequate for the safety of the occupants or users of the site." Per the License Agreement, occupants or users will not be allowed in the terrace area at night. It is our understanding these lights are intended for basic security, not to allow night time use of the space.

Michael King
Mohr & Seredin Landscape Architects, Inc.
207.871.0003

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Wednesday, May 21, 2008 3:43 PM
To: Michael W. King
Cc: Stephen Mohr
Subject: RE: Portland Museum of Art

Hello Mike,

Thank you for both the pdfs and the paper copies of the photometric plans re the revised lighting proposals.

We discussed them at this morning's meeting and I was asked to bring to your attention that the proposals do not meet our technical standards (copy attached) and the Planning Board will have to approve a waiver from these technical requirements.

While welcoming an increase in the lighting levels, the levels of 9.7 and 9.4 in particular are almost twice the maximum of 5 set out in our standards and we would like you to look at a way of reducing those (eg through

AA 802

relocation of poles) as staff may not be willing to support a waiver re these high levels.

The proposals for lighting in the terraced areas are interesting and also would require a waiver; assuming that the fixing would not damage the trees, staff would support this part of any waiver.

Please note we need the catalog cuts for all of the proposed lights (with illustration and information re being cut off type lens) to include in the Hearing report- can you pdf those to me please asap.

If any of this is unclear, please do not hesitate to call me.

Jean (Fraser)
Planner
874 8728

CC: "Stephen Mohr" <smohr@mohrseredin.com>

(for parking lot/walkway)

Att 8.3

DALLAS

SMALL/MEDIUM/LARGE

Features

- Round spun aluminum housing featuring an embossed decorative band. Optional color vinyl trim stripe available.
- Cast aluminum door with clear, flat tempered glass lens, fully gasketed to housing, secured with captive screws. Housing with spider mount hinges up, and door with arm mount hinges down for service.
- Specular, anodized aluminum reflectors for horizontal lamp, provide Type II, III, IV or V square light patterns. DL1 and DL2, Type II and Type III reflectors feature unique, patented micro-faceted design. IESNA full cutoff lighting classification achieved with flat lens.
- Extruded aluminum arm required for pole mount. Spider mount has four aluminum tube arms attaching housing to cast slipfitter for 2.375" OD tenon.
- Mogul porcelain socket, pulse rated, with spring loaded, nickel plated center contact and reinforced lamp grip screw shell. Medium base for ED-17 lamp.
- CWA type ballast, HPG, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL 1598 listed for outdoor use in wet locations.



Ordering Information

Example: DL1 - A - H25 - H3 - F - 5 - BL - F4

	Series	Mount	Wattage Source	Lamp Orient./Dist.	Lens	Volts	Color	Options
Series	DL1 Dallas 1 (100-175W)							
	DL2 Dallas 2 (200-400W)							
	DL3 Dallas 3 (1000W)							
Mounting	A Arm Mount (arm not included, order separately)							
	ST Spider Mount (2.375" tenon)							
Wattage/Source								
Metal Halide	H17 175W (ED-28) DL1, DL2 only							
	H25 250W (ED-28) DL2 only							
	H40 400W (ED-28) DL2, DL3 only							
	H1K 1000W (BT-56) DL3 only							
Super Metal Halide	MS17 175W (ED-28) DL1 only							
	MS25 250W (ED-28) DL2 only							
	MS40 400W (ED-28) DL2, DL3 only							
	MS1K 1000W (BT-56) DL3 only							
Pulse Start Metal Halide	P10 100W (ED-17) DL1 only							
	P12 125W (ED-17) DL1 only							
	P15 150W (ED-28) DL1 only							
	P20 200W (ED-28) DL2 only							
	P25 250W (ED-28) DL2 only							
	P32 320W (ED-28) DL2 only							
	P35 350W (ED-28) DL2 only							
	P40 400W (ED-28) DL2 only							
High Pressure Sodium	S70 70W (ED-23.5) DL1 only							
	S10 100W (ED-23.5) DL1 only							
	S15 150W (ED-23.5) DL1, DL2 only							
	S25 250W (ED-18) DL2 only							
	S40 400W (ED-18) DL2, DL3 only							
	S1K 1000W (E-25) DL3 only							
Lamp Orientation/Distribution	H2 ¹ Horiz. II DL1, DL2 only							
	H3 Horiz. III							
	H4 ² Horiz. IV							
	H5 Horiz. V (square)							
	Lens	F Flat						
	Voltage	Q ³ Quad-Tap® - 120/208/240/277V						
		5 ⁴ 480V ⁴						
		T ³ Tri-Tap® - 120/277/347V CSA						
	Color	DB Dark Bronze						
		BL Black						
		WH White						
		GR Gray						
		PS Platinum Silver						
		RD Red (premium color)						
		FG Forest Green (premium color)						
		CC Custom Color (Consult Factory)						
	Options	F1 Fusing - 120V						
		F2 Fusing - 208V						
		F3 Fusing - 240V						
		F4 Fusing - 277V						
		F5 Fusing - 480V						
		F6 Fusing - 347V						
		PR1 Photo Cell Receptacle - 120V						
		PR2 Photo Cell Receptacle - 208V						
		PR3 Photo Cell Receptacle - 240V						
		PR4 Photo Cell Receptacle - 277V						
		PR5 Photo Cell Receptacle - 480V						
		PR6 Photo Cell Receptacle - 347V						
		QZ Quartz Restrike with lamp						
		HS Internal House Side Shield						
		VG ⁵ Polycarbonate Vandal Guard						
		RDB Reveal (Dark Bronze)						
		RBL Reveal (Black)						
		RWH Reveal (White)						
		RGR Reveal (Gray)						
		RPS Reveal (Platinum Silver)						
		RRD Reveal (Red)						
		RFG Reveal (Forest Green)						
		L Lamp						

Arm Logic - Order Separately

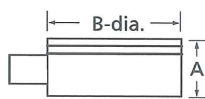
Series	ARM	Rigid Arm
Luminaire Shape	R	Round
Arm Length	6	6" Arm (EPA = 0.24 ft ² , 3.5 lbs) (0.02 m ² , 1.5 kg)
	10	10" Arm (EPA = 0.4 ft ² , 5.0 lbs) (0.03 m ² , 2.2 kg)

Pole Shape	#1 Drill Pattern for Pole
S	Square
R4	Round Straight (4.5")
R5	Round Straight (5")
R6	Round Straight (6")
#2 Drill Pattern for Pole	
T2	Round Tapered (2.5")
T3	Round Tapered (3")
T35	Round Tapered (3.5")
T4	Round Tapered & Straight (4")

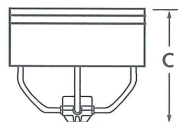
Color	DB	Dark Bronze
	BL	Black
	WH	White
	GR	Gray
	PS	Platinum Silver
	RD	Red (premium color)
	FG	Forest Green (premium color)
	CC	Custom Color (Consult Factory)

- Wall Bracket**
WB-R-XX Bracket and "6" arm included. Replace XX with color designation.
- 1 Available with DL1 and DL2 only.
 - 2 Reduced envelope lamp required for 1000W.
 - 3 Factory wired for highest voltage unless specified.
 - 4 Not available with 100W Pulse Start Metal Halide.
 - 5 Consult factory for VG option with spider mounting.

Dimensions



Arm Mount



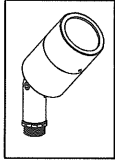
Spider Mount

	A	B	C	EPA	Weight
DL1	8 1/2"	18"	20 1/2"	.7 ft ²	35 lbs.
	216 mm	457 mm	521 mm	0.1 m ²	15.9 kg
DL2	9 1/2"	22 1/2"	22 3/4"	1 ft ²	55 lbs.
	241 mm	572 mm	578 mm	0.1 m ²	24.9 kg
DL3	10 3/4"	26"	23"	1.3 ft ²	77 lbs.
	273 mm	660 mm	584 mm	0.1 m ²	34.9 kg

Note EPA and weight values do not include mounting arm.
Spider mount adds: DL1 - 0.2 ft² EPA (2 lbs)
DL2 - 0.3 ft² EPA (3 lbs), DL3 - 0.5 ft² EPA (5 lbs)
See Spaulding EPA Value pages for more detailed information.

(tree lights)

Det. 8.4

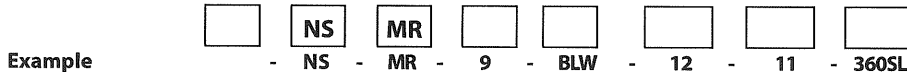


MR-16 Halogen

NITE STAR™

PROJECT:	
TYPE:	
CATALOG NUMBER:	
LAMP(S):	
NOTES:	

CATALOG NUMBER LOGIC



Material

Blank - Aluminum
B - Brass

Series

NS - Nite Star™

Source

MR - MR16

Lamp

0 - By Others	5 - FMW(35W), 40° Flood	7 - EXZ(50W), 26° N. Flood
1 - ESX(20W), 12° Spot	15 - EYR(42W), 12° Spot	8 - EXN(50W), 40° Flood
2 - BAB(20W), 40° Flood	16 - EYS(42W), 25° N. Flood	9 - FNV(50W), 60° W. Flood
3 - FRB(35W), 12° Spot	17 - EYP(42W), 40° Flood	
4 - FRA(35W), 23° N. Flood	6 - EXT(50W), 13° Spot	

Finish

Aluminum & Brass Finish			Brass	
Powder Coat Color	Satin	Wrinkle	Machined	MAC
Bronze	BZP	BZW	Polished	POL
Black	BLP	BLW	Mitique™	MIT
White (Gloss)	WHP	WHW		
Aluminum	SAP	—		
Verde	—	VER		

*Also available in Premium Finishes
See submittal SUB-1439-00 for Premium Finishes*

Lens Type

9 - Clear (Standard)
10 - Spread*
12 - Soft Focus*
13 - Rectilinear*

Shielding

11 - Honeycomb Baffle*

Options

360SL - 360SL™ Knuckle Mounting System

* Accommodates up to 2 Lens/Shielding media

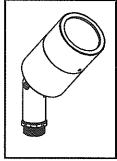
LAMP DATA

BK No.	Lamp Watts	Description	Rated Life (hrs.)	Center Beam Candlepower	Beam Angle	Beam Type
1	20	ESX	4,000	4,000	12°	Spot
2	20	BAB	4,000	500	40°	Flood
3	35	FRB	5,000	7,600	12°	Spot
4	35	FRA	5,000	2,300	23°	Narrow Flood
5	35	FMW	5,000	1,100	40°	Flood
15	42	EYR	5,000	7,500	12°	Spot
16	42	EYS	5,000	2,600	25°	Narrow Flood
17	42	EYP	5,000	1,100	40°	Flood
6	50	EXT	5,000	9,800	13°	Spot
7	50	EXZ	5,000	3,200	26°	Narrow Flood
8	50	EXN	5,000	1,600	40°	Flood
9	50	FNV	5,000	700	60°	Wide Flood

B-K LIGHTING	40429 Brickyard Drive • Madera, CA 93636 • USA 559.438.5800 • FAX 559.438.5900 www.bklighting.com • info@bklighting.com	SUBMITTAL DATE	DRAWING NUMBER
		03-19-08	SUB-1017-00

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Att. 8.5

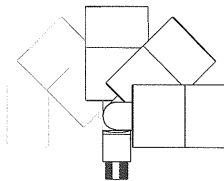
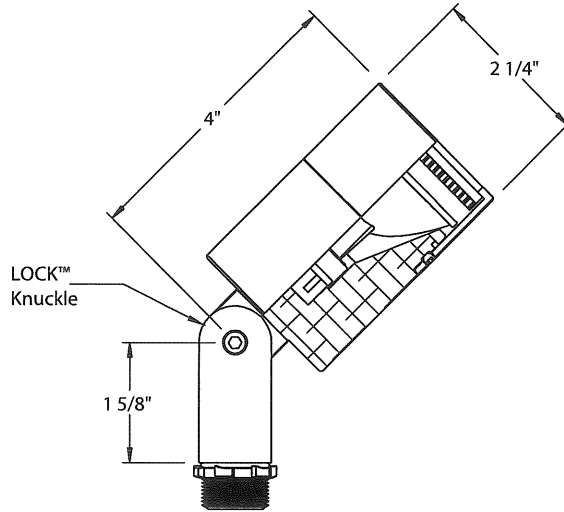


MR-16 Halogen

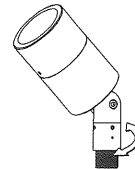
NITE STAR™

PROJECT:	
TYPE:	

SIDE VIEW



180° Vertical adjustment
(Standard)



Horizontal Rotation
(Optional 360SL™ Knuckle)

SPECIFICATIONS

Body

Fully machined from solid, copper-free aluminum. Also available in solid machined brass. Unibody design provides enclosed, water-proof wireway and heat sink to maximize lamp life. Integral knuckle for maximum mechanical strength. High temperature, silicone 'O' Ring provides water-tight seal.

Knuckle

The LOCK™ (Locking 'O' Ring Compression Knuckle) is comprised of two components. The first is integral to the body and features an interior, machined taper. The second is machined from solid billet and features a second, reverse angle taper. The resultant mechanical taper-lock allows a full 180° vertical adjustment without the use of serrated teeth, which inherently limit aiming. High temperature, silicone 'O' Ring provides water-tight seal and compressive resistance to maintain fixture position. Design withstands 73 lb. static load prior to movement to ensure decades of optical alignment. 1/2" pipe thread for mounting.

Optional 360SL™ Knuckle Mounting System additionally provides biaxial source control with 360° horizontal rotation in addition to vertical adjustment.

Cap

Machined from copper-free aluminum. Also available in machined brass. Flush mounted lens. Accommodates up to (2) lens or louver media.

Lens

Shock resistant, tempered, clear glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment.

Lamp

For use with 50 watt maximum, MR-16 lamp.*
*Except GE Light Q42MR16/CVNSP9 (EZY).

Transformer

For use with 12 VAC remote transformer.

Socket

Specification grade, ceramic body lamp holder. GU5.3 base. Nickel alloy contacts and heat resistant, spring loaded, stainless steel lamp retaining clips.

Wiring

Teflon® coated wire, 18AWG, 600V, 250° C rated and certified to UL 1659 standard. Leads extend 6" beyond knuckle.

Hardware

Tamper-resistant, stainless steel hardware. LOCK™ vertical aiming screw is additionally black oxidized.

Finish

StarGuard® (Pat. Pend.), a 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish.

Warranty

5 year limited warranty.

Listings

ARL and CSA listed to UL 1838 standard. Suitable for indoor or outdoor use. Suitable for use in wet locations.



*Teflon is a registered trademark of DuPont Corporation.

B-K LIGHTING	40429 Brickyard Drive • Madera, CA 93636 • USA 559.438.5800 • FAX 559.438.5900 www.bklighting.com • info@bklighting.com	SUBMITTAL DATE 03-19-08	DRAWING NUMBER SUB-1017-00

CATALOG NUMBER LOGIC

EXAMPLE: TS - MB-2 - BLP - 36"

Series:

Style:

MB-2
TMC

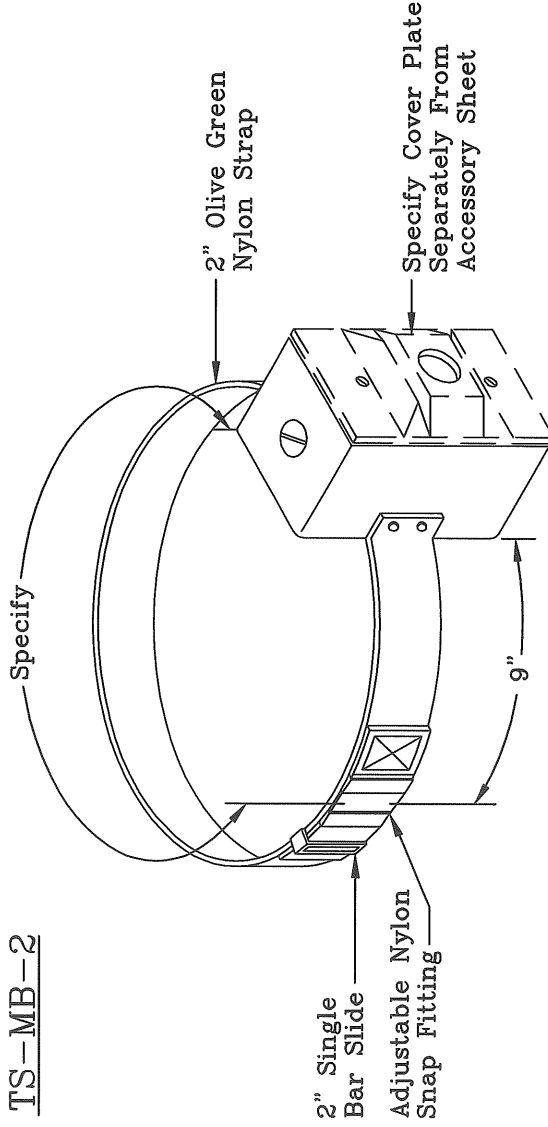
Finish:

Powdercoat	Satin	Wrinkle
Bronze	BZP	BZW
Black	BLP	BLW
White (Gloss)	WHP	WHW
Aluminum	SAP	---
Verde	---	VER

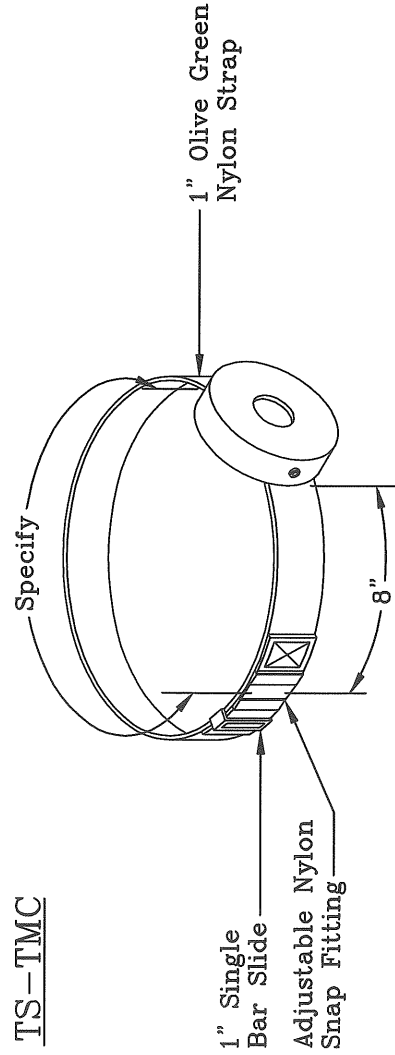
Adjustable Strap Length: _____

3" Minimum

TS-MB-2



TS-TMC



For Remote Transformers
See Sheets TRSS Series, TR Series,
Power Pipe, Power Pipe II or Power
Canopy in Accessory Section.



TREE STRAP™ SERIES

DRAWING NUMBER
SUB-1039-02

B-K LIGHTING, INC.

4/00

LICENSE AGREEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the **PORTLAND MUSEUM OF ART**, a Maine non-profit corporation with a place of business at Seven Congress Square, Portland, Maine 04101 (“PMA”), hereby grants to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine 04101 (the “City”), a revocable license to occupy portions of land owned by PMA on or near Spring Street in Portland, Cumberland County, Maine, such licensed land being depicted on **Exhibit A** attached hereto. The foregoing license being for the purpose of allowing limited public use of the licensed land, subject and pursuant to the conditions contained below. The license granted in this license agreement is subject to the following conditions:

1. This license agreement is not assignable by the City.
2. The license is subject to the following conditions:
 - a. No dogs shall be allowed on the licensed land.
 - b. The public may use the licensed land only during daylight hours (i.e., sunrise to sunset).
 - c. The licensed land may be used only for passive recreational activities (i.e., no athletic activities, no street performers, no bicycles).
3. The City shall not be responsible for maintenance of the landscaping and other improvements on the licensed land. The City shall not make any improvements or alterations to the licensed land.
4. This license agreement may be revoked by PMA in the event that: (i) PMA intends to develop the licensed land; (ii) the licensed land is being used in violation of the conditions of this license agreement; or (iii) the improvements on the licensed land are being vandalized or the landscaping and other improvements thereon damaged from overuse or misuse.

IN WITNESS WHEREOF, the parties have caused this license agreement to be executed this ___ day of May, 2008.

CITY OF PORTLAND

By: _____
Joseph E. Gray, Jr.
City Manager

PORTLAND MUSEUM OF ART

By: _____

Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named Joseph E. Gray, Jr., City Manager of the City of Portland as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Notary Public/Attorney at Law
Print name:
My commission expires:

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named _____, Executive Director of the Portland Museum of Art as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said entity.

Notary Public/Attorney at Law
Print name:
My commission expires:

**COMMITMENT & INTEGRITY
DRIVE RESULTS**41 Hutchins Drive
Portland, Maine 04102
www.woodardcurran.comT 800.426.4262
T 207.774.2112
F 207.774.6635**MEMORANDUM**

TO: Jean Fraser
FROM: Dan Goyette, PE and Megan LaPierre, EIT
DATE: May 19, 2008
RE: Portland Museum of Art, Spring Street Site Plan

Woodard & Curran has reviewed the revised site plan application for the Portland Museum of Art Spring Street parking lot. The Museum has purchased the former YWCA property located at the corner of Spring Street and Walnut Street, and is proposing to construct a 45-vehicle parking lot for museum employees. The project will include extensive landscaping and the construction of a bioretention cell for stormwater treatment.

Documents Reviewed

- Letter to Jean Fraser, Planner, from by Stephen R. Mohr, Mohr & Seredin Landscape Architects, Inc., dated May 6, 2008.
- Engineering Plan Sheets, B-1, L1.0 to L5.0, L5.1, L5.2, and C-1 to C-4, prepared by Mohr & Seredin Landscape Architects, Inc. and Land Consulting Engineers on behalf of the Portland Museum of Art, dated May 7, 2008,

Comments

- Notes have been added to sheet L2.0 to instruct contractor to repair the damaged area of the concrete sidewalk per City of Portland Technical Standards. A concrete sidewalk detail should be provided.
- It was noted that the proposed bioretention cell has a ponding depth of 18". Maine DEP standards for BMPs call for a maximum ponding depth of 6" to allow for plant growth. Woodard & Curran finds the 18" ponding depth acceptable as long as the application can ensure the selected plants will survive. However, we would recommend the applicant also get approval from the DEP.

All other comments have been adequately addressed.

Please contact our office if you have any questions.

DRG/MDL
203943

Attachment 9b

From: Gregory Cass
To: Jean Fraser
Date: 5/20/2008 1:30:10 PM
Subject: PMA parking lot

Jean we should be all set even with the gates.
Greg

Attachment 9c

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/21/2008 1:28:19 PM
Subject: PMA - Final Traffic Comments

Jean -

Based upon a review of the most recent site plan, we approve the proposed design of the gate system controlling access/egress movements from the main parking lot. We have no further comments on the site plan.

Please contact me if you have any questions.

Bets regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

TErrico@WilburSmith.com

[www.WilburSmith.com](http://www.wilbursmith.com/) <<http://www.wilbursmith.com/>>

CC: "James Carmody" <JPC@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

From: Jeff Tarling
To: Jean Fraser
Date: 5/22/2008 2:21:27 PM
Subject: Re: PMA

Jean -

The revised PMA plan meets the recommendations mentioned in my previous memo. The birch groves should be effective with the cultural practices that are planned along with irrigation. Added vines along the wall should help cover the wall area more effectively. In time they should be able to reach the chain link fence area as well. The proposed rain garden should be a positive site feature, as in all rain gardens the duration and frequency of flooding has much to do with the success of the plant material. Often the long summer dry spells are tough on the moisture tolerant plant material. Overall, the Landscape Plan of this unique project should have beneficial effect on the area and meet the landscape standards needed.

Jeff Tarling
City Arborist

CC: Barbara Barhydt ; Tom Civiello

**PMA PARKING LOT
VICINITY OF 87 SPRING STREET
(SITE OF FORMER YWCA)
CONDITIONAL USE AND SITE PLAN REVIEW
PORTLAND MUSEUM OF ART, APPLICANT**

Submitted to:

Portland Planning Board
Portland, Maine

May 27, 2008

Submitted by:
Jean Fraser, Planner

May 23, 2008

I. INTRODUCTION

Mohr & Seredin, on behalf of the Portland Museum of Art, has requested conditional use and site plan approval for a proposal to use an existing vacant site of 38,500 sq ft (.88 acre) as a surface parking lot for 45 vehicles, with associated access, lighting and landscaping improvements. The site is located at the corner of Spring Street and Oak Street and was formerly occupied by the YWCA, which has now been demolished. The Museum has been using an area of existing graveled for parking, with the numbers of vehicles at or below the numbers using the site when the YWCA occupied the site.

The proposed parking lot (and associated access) comprises 60% of the site and would be for the use of Museum administration staff, volunteers and docents and not for the general public. The proposed landscaping comprises 16,000 sq ft of gardens which would cover 40% of the site. The gardens are intended as a "landscape statement identifying this parcel as part of the [Museum] campus"(Attachment 1). The proposals include upgraded vehicle and pedestrian access from Spring Street, new storm drainage, site lighting and planting.

The proposal is anticipated to be an interim use for 15-20 years while the Museum develops a longer range plan for Museum use of this site (see Attachments 1 & 2). Staff suggests that the Board review this proposal as if it were a permanent use and site plan development.

The property is zoned B-3 and this development will be reviewed for compliance with the B-3 Zone, Site Plan, and Conditional Use (14-218(3)) standards of the Land Use Code. This site is adjacent to a Historic Landmark (Clapp House) but not within the Historic District.

A total of 104 notices were sent to area residents and interested citizens and a notice also appeared in the *Portland Press Herald*. The Children's Museum of Maine have commented that they are concerned about the proposed new section of (lower) chain link fencing as it poses a safety risk to their patrons (Attachment 9b, received just as this Report was going to print). Public Comment

Proposal Site

The site is currently vacant and level, following the recent demolition of the former YWCA building that covered most of the parcel (see Boundary Survey in Attachment 13b). It is bounded to the west by the boundary of the Historic District and Clapp House, designated a Historic Landmark and on the national Historic Register. Behind the site towards Free Street, at a higher level, is a parking area for the Holiday Inn which is also used by visitors to the Children's Museum of Maine. A walkway with stairs up to this parking area runs through the site alongside the access drive and is the subject, along with the adjacent lighting, of an 8 foot easement to Holiday Inn.



Spring Street, looking west



Spring Street, looking east



Corner near Oak Street sidewalk

Along the back of the site there is an existing concrete retaining wall (on Museum property) with chain link fencing above it. The central sections of the existing chain link fencing are not fixed permanently to the retaining wall and the panels currently rest on the ground (on other side of the wall from the site). There are 10 trees within the site in addition to one existing street tree (See Land Title survey and Existing Conditions

Plan L1.0 in Attachment 13 and Attachment 10 for additional photographs taken by staff).

II. SUMMARY OF FINDINGS

Zoning:	B-3
Parcel Size:	38,500 sq ft (0.88 acre)
Existing Parking Spaces:	24-26 spaces
Proposed Parking Spaces:	35 spaces plus 10 "tandem" spaces; total of 45 parking spaces
Area of site for gardens:	16,000 sq ft (.37 acre)

III. PROPOSED DEVELOPMENT

The proposed Layout is shown in Plan L2.0 (Attachment 13d) and includes the following:

- Paving and striping of a parking lot towards the rear of the site, with lighting around the perimeter and new drainage infrastructure;
- Widening and repaving of the access driveway, with brick pedestrian path alongside the accessway and relocated lighting with new fixtures;
- New bioretention cell/raingarden at east end of the parking lot (near Oak Street) as part of an improved drainage and water treatment system;
- Three landscaped terraces along Spring Street, with lawn areas and bosques of birch trees (with irrigation; some existing trees to be removed including adjacent to Clapp House) (also see Landscape Plan L4.0 and sketches in Attachments 11 and 13);
- Other tree and shrub planting to screen proposed parking and retaining wall (with irrigation);
- Repainting of concrete wall along the wall to rear, to be covered with vines and climbing plants plus repair and repainting of existing chain link on top of wall with new sections of lower chain link in the central section (See L5.3 in Attachment 13k); and
- New Museum sign at the corner of Spring and Oak Streets (shown on Attachment 13h).

Following discussion at the Planning Board Workshop, the applicant has revised the proposals to also include (see letter of 5.15.2008 Attachment 6 and Plan Set in Attachment 13):

- An electronically controlled gate at the throat of the parking area;
- Revised sidewalk repairs and improvements to meet the City standards;
- Revised proposals for improving the existing rear wall, based on the sketch plan circulated to the Planning Board at the Workshop, including additional vine species and increased plant quantities;
- Revised lighting to increase illumination in the walkway and parking areas, and introduce lighting within the terraced garden areas;
- Revised bicycle rack design; and
- License to the City for limited public access to the landscaped gardens associated with the parking lot.

IV. STAFF REVIEW

The proposed development has been reviewed by staff for conformance with the relevant review standards of the conditional use and site plan ordinances. Staff comments are highlighted in this report.

V. SITE PLAN REVIEW (numbering refers to Ordinance 14-526 Standards paragraph numbers)

1/2. Traffic

The proposals retain the existing site access pattern, which comprise a single existing curb cut from Spring Street near Clapp House. The existing driveway into the parking lot is proposed to be widened from 16 feet to 20 feet. An existing 6 foot wide pedestrian path and associated lighting (subject to an easement with Harper Hotels Inc for a pedestrian connection between the Holiday Inn and parking on Free Street) adjacent to

the access drive is relocated to accommodate the widened drive and proposed to be resurfaced in brick with new lighting alongside.

The parking lot to the rear of the site is designed for 35 regular spaces and 10 tandem spaces for a total of 45 spaces. The previous use as a YWCA had 24-26 parking spaces on the site. A summary traffic statement by William Bray PE has been submitted ([Attachment 1](#)). The parking will be limited to vehicles directly involved in the administration of the Museum such as staff, volunteers, docents and occasional specialists associated with specific Museum activities such as setting up exhibits- this is described in more detail in the letters from Mohr & Seredin dated 4.23.2008 and 5.6.08 ([Attachments 3 & 4](#)). At the workshop and in [Attachment 6](#) the applicant confirmed that an electronically controlled gate will be installed at the throat of the parking area to ensure that the use of the parking area is limited as proposed.

Thomas Errico the City's Traffic Engineering Reviewer, has confirmed that the proposed driveway design and parking space layout is acceptable as based on the confirmation that it will be used for long term duration vehicles (eg Museum employees) ([Attachment 5c](#)). He has also reviewed the proposal for the installation of the gate and found this to be satisfactory ([Attachment 9c](#)).

Mr Errico requested further clarification as to where the employees currently park. The applicant has responded in a letter from Mohr & Seredin dated 5.6.08 ([Attachment 4](#)) that employees currently park in non-metered street locations, metered parking on surrounding streets and daily fee parking on Free/Spring Streets.

The proposal includes a bicycle parking rack for at least eight bicycles located on the applicant's property to the rear of Clapp House (shown on Drawing No L2.0 ([Attachment 13d](#)), which is near the rear entrance to the Museum. This number meets the City's Bicycle Ordinance requirements and the design (see L5.2 in [Attachment 13j](#)) is similar to that recommended in the City's Bicycle Parking technical and design standards and guidelines although the spacing is closer than the recommended specification.

3/4. Bulk, Location, Health, Safety Air/ Height of Proposed Buildings

The proposal does not include any buildings or substantial structures and therefore this standard does not apply.

5. Sewers, Stormdrains, Water

The proposals do not include any structures and will not place any burden on the existing sewer system. Stormwater run-off from the parking area is proposed to be directed into a bio-retention cell/rain garden with an underdrain and emergency overflow into the separated storm drainage system in Spring Street (described in [Attachment 1](#)). The applicant has revised the proposals to address the Engineering Review comments of 4.24.2008 ([Attachment 5b](#)) and the proposals are acceptable subject to the provision of a concrete sidewalk detail (latest Engineering Review comments in [Attachment 9a](#)).

The applicant was particularly advised of the concerns regarding the proposed depth of the bio-retention cell (See staff e-mail of 5.1.2008 in [Attachment 5c](#)) as the viability of the proposed herbaceous plantings may be affected by the design of this water treatment system. The Engineering Review comments state:

It was noted that the proposed bioretention cell has a ponding depth of 18". Maine DEP standards for BMPs call for a maximum ponding depth of 6" to allow for plant growth. Woodard & Curran finds the 18" ponding depth acceptable as long as the application can ensure the selected plants will survive. However, we would recommend the applicant also get approval from the DEP. ([Attachment 9a](#))

The City Arborist also has commented on this issue:

The proposed rain garden should be a positive site feature, as in all rain gardens the duration and frequency of flooding has much to do with the success of the plant material. Often the long summer dry spells are tough on the moisture tolerant plant material. (Attachment 9d).

Staff has suggested two potential conditions of approval to address this issue: one requiring the approval of the MDEP to the proposed design and one regarding the ongoing maintenance of the rain gardens.

The applicant has requested a capacity letter from the Portland Water District but none has been submitted to date. The applicant has explained in a letter of 5.6.2008 (Attachment 4) that the anticipated water use associated with the proposed irrigation system will be much less than the water demand associated with the YWCA use; therefore Staff has not included a suggested condition on this matter.

6. Landscaping and Existing Vegetation

See below under “Compliance with B3 Design Standards”.

7. Soils and Drainage

See above under “Sewers, Stormdrains, Water”

8. Exterior Lighting

See below under “Compliance with B3 Design Standards”.

9. Fire

The Fire Department does not have any concerns regarding the proposals (Attachment 9b).

10. City Infrastructure (sidewalks)

See below under “Compliance with B3 Design Standards”

16. Compliance with B3 Design Standards

B-3 Site Plan Standard- Design Standards

The site plan ordinance includes standard 16, which addresses design standards for proposals within the B-3 zone. The first section of this standard relates to the pedestrian environment and sub-paragraph 4 addresses sidewalk areas and open space. This standard applies to the proposal and is as follows:

4. Sidewalk areas and open space: The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the downtown pedestrian environment, conform with special City of Portland streetscape programs described in the Technical and Design Standards and guidelines, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment. Factors to be considered include the design, placement, character, durability, and quality of the following:
 - a. Sidewalk, crosswalk, and street paving materials;
 - b. Landscaping, planters, irrigation, and tree guards and grates;
 - c. Lighting;
 - d. Pedestrian amenities such as benches and other seating, trash receptacles, kiosks, bus shelters, artwork, directional and informational signage, fountains, and other special features; and

e. Sidewalk vendors and sidewalk cafes.

These design features of the proposal are described and reviewed below:

a. Sidewalk

Public Works have outlined the scale of improvements required to the sidewalks and sidewalk ramp at the corner of Oak Street and Spring Street (Attachment 5d). The applicant has revised the proposals and they are satisfactory subject to the submission of a concrete sidewalk detail (Attachment 9a).

b. Landscaping

The landscape proposals are described in the Application (Attachment 1) and illustrated on Plan L4.0 Landscape and Planting Plan (Attachment 13g). The proposals along Spring Street comprise a visual landscape design that suggest the massing of the historic homes removed from this site (prior to the YWCA); three flat terraces are separated by slopes with formal birch planting in the terraced areas. These tree plantings are augmented by groups of shrub planting and lawn; irrigation has been incorporated to assure survival of the planting.

The original proposals for this garden area did not include amenities that would encourage or support public access such as stone dust paths, lighting, benches, artwork etc. The proposals have been revised to include low level lighting attached to trees in the center of each terrace (see section "c. Lighting" below).

At the east end of the proposed parking lot there is a proposed unfenced bioretention cell that will operate as a rain garden with herbaceous water plants. There has been some discussion regarding whether the depth of this cell will support adequate plant growth (summarized above under "5. Sewers, Stormdrains, Water"), but generally this proposal is acceptable as a drainage and landscape feature.

Based upon the landscape plan, it appears that all of the existing trees along the Spring Street frontage, including a large conifer adjacent to Clapp House, will be removed. Five trees along the rear of the site at the west end are retained.

Additional tree planting (mostly red maples) are proposed in groups of three at the throat of the parking lot and in four places along the rear of the site in front of the concrete retaining wall. The treatment of the concrete retaining wall is proposed to be painted with anti-vandal paint and the creation of an "armature of plant growth on the entire wall" (Attachment 4, second page).

The staff had indicated to the landscape architects (Attachment 5f) that the quality of the rear wall treatment is an issue given the number of years that this is going to be "exposed". The applicants agents have described the chain link fence as a "safety barrier" in Attachment 2 (which is an important function given the height of the retaining wall) and they propose to upgrade and paint the existing higher fence sections black and install a new central section at a lower height than the two existing sections. The new central section is black PVC covered and would provide safety barrier protection for the parking area at the higher level of 22 inches retaining wall topped by 22 inches chain link fence - see Plan 5.3 in Attachment 13k). The Children's Museum of Maine have commented (Attachment 9b) that they consider this is too low to afford a safety barrier as the combination of retaining wall and chain link would pose a safety risk to their patrons. A suggested condition of approval has been included to address these comments.

Any screening of the chain link fencing (as viewed from Spring and Oak Streets) would be by the

proposed trees and climbing vines for part of the year. The City Arborist offered recommendations on the submitted proposal (below) and the Historic Preservation Program Manager also raised this as a concern (see comments under “Historic Congruity” below). The City Arborist commented on the original submitted proposals:

“Recommendations would include the adding to the screening of the back walls. While the plan proposes a wide variety of vine treatments the number or density of plants perhaps should be increased especially behind the five parking spaces near the top of the landscape sheet L4. To the right and left of this area trees help with the screening. Either a greater number of vines, espalier trees perhaps would help meet the screening goals.” (Attachment 5h)

The revised proposals are shown in Attachments 13g and k and include additional vine species and an increased number of vine plantings but no increase in the number of new trees. The proposals are acceptable to the City Arborist (Attachment 9d) who notes that “*Added vines along the wall should help cover the wall area more effectively. In time they should be able to reach the chain link fence area as well*”. The previous comments Historic Preservation Program Manager still stand (Attachment 5g).

c. Lighting

Attachment 1 includes a description of the lighting as originally proposed, which has been updated by the proposals described in Attachments 6, 7 and 8 and illustrated in Attachments 13d and e. The proposals now comprise:

- Parking lot: 5 pole mounted lights, specification as “Dallas” (full cut off) as in Attachment 8, with revised locations and illumination levels as shown on Attachment 13e; the illumination levels were increased in response to staff concerns that the original low levels of illumination, particularly along the walkway and in parts of the parking lot, would compromise security;
- Along walkway: 5 new pole-mounted lights, also Dallas (full cut off), described in Attachments 6 and 8 and shown on the Photometric Plan in Attachment 13e. These have addressed the previous concern about lighting levels being too low, but now create several areas where illumination is well over the City standards- see comments below)
- Landscaped terraces: Four 50 watt downlights located within each of the three terraces, mounted on trees at an 8-foot height and angled downward at 45degrees (see description in Attachment 6 and locations and photometrics in Attachment 13e)

The City’s Technical and Design Standards set a minimum of 0.2 foot candles and a maximum of 5.0 footcandles for areas “intended to be lighted”, which in this case are the walkway and parking areas. The photometric in Attachment 13e shows that while the parking lot is generally at illumination levels that comply with the City standards, there are two spots of over 9 footcandles along the walkway and this is almost double the City’s maximum. An e-mail from Mohr and Seredin (Attachment 8) explains:

“The existing five walkway lights (identified as 'A') are owned, controlled and maintained by the Holiday Inn, who has an easement across the PMA property. These lights were originally installed prior to the current technical standards. We are relocating these existing five walkway lights because the City has requested a twenty-foot driveway. Aside from this relocation, the proposed lighting plan replicates the existing walkway

light levels. We will discuss the possibility of decreasing the light levels with the Holiday Inn.”

Staff understand that these walkway lights are new fixtures and new locations and therefore have suggested a condition that requires the walkway lighting to be revised in order to bring the illumination levels into compliance with City standards.

In the Workshop Memo Staff recommended “that some low level lighting should be included within the gardens area, perhaps by the use of bollards, illuminating the birch trees or other creative solution, which enhance the attractiveness, comfort, security and usability of the area..” The proposed inclusion of tree-mounted downlighters addresses this concern and appears acceptable; it is described as being low level and well dispersed” (Attachment 6). However, the fixtures are not “cut off” in design. The City’s Technical Standards allow non-cutoff fixtures provided that the photometrics fall within IESNA Guidelines. Staff recommends a lighting waiver be granted for the downlighting proposals, subject to confirmation that the proposals fall within the IESNA Guidelines.

d. Pedestrian Amenities

The proposed gardens comprise about a third of the site and all of the Spring Street frontage. The Workshop Memo noted that the original design did not include benches, lighting of the gardens or other amenities and indicated that “some lighting may be desirable for security and aesthetic purposes, and other amenities might make the space more usable”. The revised proposals include low level lighting as described above.

18. Determination not to be incongruous with nearby historic landmark

Site Plan Standard 15-526 (18) requires that “*if any part of a proposed structure or object is within one hundred (100) feet of any landmark...subject to the protection of article IX and not separated from such landmark or district by any public street, or any portion of any such street, such structure or object shall be determined not to be incongruous to the architectural style or character of those portions of such designated landmark or district as are currently visible to the development when viewed from a street or public open space*”. The proposals have therefore been reviewed by the City’s Historic Preservation Program Manager (Deb Andrews) and have been determined to meet this standard (Attachment 5g).

However, Ms Andrews has raised a potential concern regarding the choice of retaining/replacing the chain link fence on the top of the retaining wall. She has reviewed the revised proposals and indicated that her previous comments still stand.

VII. CONDITIONAL USE REVIEW

Museums are a permitted institutional use under the B-3 Zoning Ordinance, but surface parking lots are a conditional use in the B-3 Zone and therefore must met the following standards as set out under (14-218) (see relevant extracts below with staff comments):

(b) The following uses are permitted as provided in section 14-474 (conditional uses), provided that, notwithstanding section 14-474(a) or any other provision of this Code, the Planning Board shall be substituted for the board of appeals as the reviewing authority:

(5) Surface parking provided that:

- a/b. *In the case of lot undergoing minor/major site plan review, no new surface parking spaces, parking aisles, or vehicle lanes shall be allowed within thirty-five (35) feet of any street, except for driveway(s) located perpendicular to the street and providing access to the site;*
- c. *No surface parking spaces shall be encumbered by lease or other use commitment exceeding twenty-four (24) month term.*

Staff comment: These standards have been met.

The proposals have been reviewed against 14-474 (Conditional Uses) and the applicant has addressed the three standards of section 14-474 in their Conditional Use application "Statement of Conformance with Conditional Use Criteria"(Attachment 1). Staff has the following comments:

- (2) *Standards. Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the board determines that:*
 - a. *There are unique or distinctive characteristics or effects associated with the proposed conditional use;*

Staff comment: As outlined in the submitted note in Attachment 1, the previous use of the site for the YWCA did include parking for 24-26 spaces and the gardens are suggested as having a positive effect for the public using Spring and Oak Streets and for adjacent properties. The recent submission of a draft license agreement to the City of Portland (Attachment 8, last document) allows for limited public access to the garden area subject to the following conditions:

- 1. *This license agreement is not assignable by the City.*
- 2. *The license is subject to the following conditions:*
 - a. *No dogs shall be allowed on the licensed land.*
 - b. *The public may use the licensed land only during daylight hours (i.e. sunrise to sunset).*
 - c. *The licensed land may be used only for passive recreational activities (i.e., no athletic activities, no street performers, no bicycles).*
- 3. *The City shall not be responsible for maintenance of the landscaping and other improvements on the licensed land. The City shall not make any improvements or alterations to the licensed land.*
- 4. *This license agreement may be revoked by PMA in the event that: (i) PMA intends to develop the licensed land; (ii) the licensed land is being used in violation of the conditions of this license agreement; or (iii) the improvements on the licensed land are being vandalized or the landscaping and other improvements thereon damaged from overuse or misuse.*

Public access reinforces the positive effect of the landscaping aspects of the parking lot proposal. The draft license was submitted on May 22, 2008 and staff has not had time to review the suggested language; hence the inclusion of a potential condition requiring Corporation Counsel approval to the proposed license and its execution prior to the Certificate of Occupancy.

- b. *There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area; and*

Staff comment: The revised lighting proposals are considered by staff to improve the security of the overall site for pedestrians using the paths across the site (Spring Street to the upper level parking for the Hotel; pedestrians coming from the Museum to the parking lot) and for pedestrians using Spring Street when it is dark/at night.

It should be noted that there is no fencing around the bio-retention cell/raingarden area; this may require further consideration if it presents safety concern and the suggested condition regarding this feature would cover this possibility.

- c. *Such impact differs substantially from the impact which would normally occur from such a use in that zone.*

Staff comment: The B3 Zone and B3 Urban Design Standards include statements regarding the character of the B3 Zone, such as:

Downtown Portland is the center of the region's business, governmental, cultural, and residential communities. It is also a physical environment comprised of a variety of individual buildings, streetscapes, parks, and districts in which people carry on with day-to-day interactions. As a physical environment, it should be designed to facilitate these uses in a setting that has beauty, is comfortable and secure, which provides amenity and interest for the pedestrian, and which celebrates the coming together of people in a concentrated pedestrian world. (page 1 of the Urban Design Guidelines).

Staff appreciate there is a practical timetable for the Museum which means that this site is unlikely to be developed for a permanent Museum facility for at least 15-20 years. The need for parking is recognized and the proposals in terms of that use do not create an inconsistent impact.

- (d) *Conditions on conditional use permits. The board of appeals may impose such reasonable conditions upon the premises benefited by a conditional use as may be necessary to prevent or minimize adverse effects therefrom upon other property in the neighborhood. Such conditions shall be expressly set forth in the resolution authorizing the conditional use permit and in the permit. Violation of such conditions shall be a violation of this article.*

VI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #27-08 relevant to standards for conditional use and site plan regulations, and other findings as follows:

I. Lighting Waiver

That the Planning Board [does/does not] waive the Technical Standard (Section XV 3., which requires all lighting fixtures to be of the "cut off" type) to allow for the proposed tree-mounted downlighters, subject to confirmation that this lighting proposal meets the current Illuminating Engineering Society of North America (IESNA) recommendations as per the City's Site Lighting Technical Standards. This waiver is given in recognition of the applicant's objective to provide security lighting within the landscaped areas.

II. Site Plan Approval

1. That the site plan [is/is not] in conformance with the site plan standards of the land use code with the following conditions of approval:

Potential Conditions of Approval

- i. That the applicant submit for review and approval of the Planning Authority prior to the issuance of a building permit, the detail of the concrete sidewalk repair proposed within the Right of Way, which should comply with the City of Portland Technical Standards; and
- ii. That the applicant submit evidence of MDEP approval to the design of the bioretention cell prior to the issuance of a building permit; and
- iii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority; and
- iv. That the applicant shall submit revised proposals for the lighting along the pedestrian walkway through the site; for review and approval of the Planning Authority prior to the issuance of a building permit; and
- v. That any signs, including the proposed sign at the corner of Spring and Oak Streets shown in Plan 5.0, shall be subject to detailed review and approval prior to the issuance of a Certificate of Occupancy; and
- vi. [to address comments from the Children's Museum of Maine] That the applicant shall revise the design of the central portion of the fencing along the top of the existing retaining wall to address the concerns of the Children's Museum of Maine, to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit.

Site Right Tech of standards for

wh meeting the City

5-0

III. Conditional Use Approval

- 1. That the site plan [is/is not] in conformance with the conditional use standards of the land use code with the following conditions of approval:

Potential conditions of approval

- i. The applicant shall submit for final review and approval by Corporation Counsel, and execute prior to the issuance of a Certificate of Occupancy, the license to the City of Portland for limited public access to the landscape gardens associated with the parking lot; and
- vii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority.

5-0

Attachments as presented to the PB Workshop May 13, 2008

1. Applicant's application, including Mohr & Seredin written statement re conditional use and Right, Title, Interest information, Stormwater analysis, Traffic Note & Lighting Catalog cuts dated March 31, 2008
2. Mohr & Seredin letter of April 11, 2008 regarding lighting, existing retaining wall and short/long range plans for the site
3. Mohr & Seredin letter of April 23, 2008 regarding parking lot use, retaining wall treatment and lighting
4. Mohr & Seredin letter of May 6, 2008 regarding engineering details, current and proposed staff parking, retaining wall treatment and omission of benches from the gardens
5. Staff Comments
 - a. Zoning comments dated April 11, 2008
 - b. Engineering Review (Dan Goyette of Woodard & Curran) Memo of April 24, 2008
 - c. Planning staff e-mail of May 1, 2008
 - d. Public Services Memo re sidewalk improvements of May 1, 2008
 - e. Traffic Engineering Reviewer (Tom Errico) comments e-mail of May 6, 2008
 - f. Planning staff e-mail of May 6, 2008
 - g. Historic Preservation Program Manager comments of May 8, 2008
 - h. City Arborist Comments e-mail dated May 9, 2008

Attachments since PB Workshop May 13, 2008 for May 27, 2008 Hearing

6. Mohr & Seredin letter of May 15, 2008 (re gate, sidewalk repairs, revised treatment of rear wall, planting, lighting and bicycle rack)
7. Mohr & Seredin memorandum of May 21, 2008
8. Mohr & Seredin e-mail (Michael King) of May 22, 2008 including catalog cuts for revised lighting and draft public access license
9. Updated staff comments
 - a. Engineering Review (Dan Goyette of Woodard & Curran) Memo of May 19, 2008
 - b. Fire Department e-mail of May 20, 2008
 - c. Traffic Engineering Reviewer (Tom Errico) comments e-mail of May 21, 2008
 - d. City Arborist Comments e-mail dated May 22, 2008
10. Photographs of existing (staff)
11. Submitted Sketches (March 2008)
12. Updated rear wall proposal as circulated to PB Workshop
13. Plan Set (final revisions as received May 16, 2008 except where indicated)
 - a. Cover Sheet
 - b. Land Title Survey
 - c. L1.0 Existing Conditions
 - d. L2.0 Layout, Materials and Lighting Plan
 - e. L2.1 Lighting Photometric Plan (received May 21, 2008)
 - f. L3.0 Grading, Drainage, Utilities and Erosion Control Plan
 - g. L4.0 Landscape and Planting Plan
 - h. L5.0 Site Details (including sign)
 - i. L5.1 Site Details
 - j. L5.2 Site Details (including Bike Rack)
 - k. L5.3 Existing Retaining Wall: Elevations and Details
 - l. C-1 Drainage Improvements Plan
 - m. C-2 Existing and Proposed Conditions Maps
 - n. C-3 Drainage Improvements Details
 - o. C-4 Overall Neighborhood Drainage Plan

Public
comment

- 9b. Children's Museum of Maine e-mail comments of May 23, 2008

M O H R & S E R E D I N

Landscape Architects, Inc.

March 31, 2008

Ms. Barbara Barhydt, Development Review Services Manager
City of Portland Planning Department
389 Congress St.
Portland, ME 04101

**Re: Portland Museum of Art, Spring Street Site Plan Submission
Tax Map 39B, Lot 15**

Dear Barbara:

On behalf of the Portland Museum of Art (The Museum) we submit the attached site plan and Conditional Use applications, plans, and documents in support of a request for Conditional Use Site Plan approval for the property at 83 Spring Street recently purchased by The Museum. As you know from our meetings and discussions, The Museum is proposing to utilize this property for parking to support the Museum's mission, for outdoor gardens and to improve the appearance of the Museum's facilities on Spring Street. The Museum is putting forth this plan as an interim measure while it develops a long-range Master Plan for the former YWCA property.

The 38,500 s.f. parcel is located at the corner of Oak and Spring Streets and is within the B-3 Downtown Business Zoning District. Parking is permitted within this zone as a Conditional Use and requires Planning Board approval of a site plan developed in conformance with Portland's Land Use Ordinance. The proposal by The Museum is to create a paved parking area for 45 vehicles on the southwesterly corner of the property and to regrade 16,000 s.f. of the lot to create three landscaped terraces paralleling Spring Street. The site improvements will include new storm drainage, site lighting and planting.

Our office has developed this site plan in response to the specific program of The Museum, the historic residential precedents on Spring Street, and the functional issues which exist at this parcel. The proposed parking area includes 35 regular spaces and 10 tandem spaces for a total count of 45 vehicles. This lot will be used primarily by Museum staff, volunteers, docents, and therefore the tandem parking can be successfully used given The Museum's control over, and management of, this lot. The three terraces reflect the prior residential development on Spring Street that was removed to construct the YWCA and the slopes between the terraces reinforce the location of the original house lots that existed on the west side of Spring Street. The bosques of birch trees suggest the massing of the removed homes and are The Museum's landscape statement identifying this parcel as a part of their campus.

The site plan has been developed to include stormwater management measures on the property to address the quantity of runoff as well as water quality. When the YWCA was located on this parcel approximately 90% of the property was impervious and 10% was green space. The design as proposed includes approximately 40% green space and 60% impervious area. The redesign of the drainage system on the property directs the runoff from the parking area into a bio-retention cell/rain garden. This is a low-lying vegetated basin that is constructed with a soil underdrain that will result in runoff with a water quality that meets the City standards. The rain garden will have both an underdrain and an emergency overflow that will be connected to the separated storm drainage system in Spring Street. Runoff from the lawn terraces will be controlled by small drain inlets and underdrains which will also be tied into the separated storm drainage system. A stormwater management plan has been prepared by Steve Blais, PE, of Land Consulting Engineers and is attached with this submission.

Site lighting will be provided via low-level lights on the pedestrian walkway that crosses the southern end of the property and pole mounted lights on the western edge of the parking lot. The walkway lights are proposed as 50-watt metal halide bollard lights. These will be placed parallel to the walkway, adjacent to the parking area, to provide a lower-level, soft, polite illumination level at the edges of the parking lot closest to pedestrian activity. The four pole mounted lights will be located at the western side of the parking lot. These will be metal halide fixtures mounted at a 15-foot height. Both fixture types are simple, anodized black lights that comply with the City of Portland standards. By design the illumination levels are likely to be less than the City standards but as proposed are sufficient to provide safe, nighttime use of this area. An illumination diagram for the site has been included in this submission which shows the footcandle levels within the property. A proposed photometrics plan will be submitted under separate cover.

We have reviewed the traffic and circulation issues for the project and consulted with William Bray, P.E. regarding traffic issues. Prior to the demolition of the YWCA there were 24 to 26 parking spaces that utilized the existing 16-foot wide driveway from Spring Street. The proposed plan expands the parking spaces to 45, and we are proposing to widen the existing driveway to a 20-foot travel width. In doing so, we will relocate the existing 4-foot wide sidewalk in order to accommodate the additional travel width of the driveway. The use of the property by the YWCA produced a daily trip generation level that will not be matched by the proposed use of the space for 20 additional vehicles for parking. Mr. Bray has prepared a summary traffic statement that is attached with this submission.

The three bosques of birch trees are a significant element in the overall landscape design for this project. In order to showcase these plantings we are proposing to remove all of the existing Norway Maples that are on the property. The London Plane tree that is within the Spring Street right-of-way will be preserved. The birches and the proposed shrub masses will meet the intent of the parking lot landscaping guidelines set forth in the City's Technical Supplement. To assure survival of the planting they will all be irrigated as will the lawn areas on the terraces. The existing concrete wall will be treated with a paint that assures graffiti removal, and will be planted with vines on wires as well as on metal trellises. Details for the landscaping are included in this submission with a specific plant list for all proposed plantings.

The design for this property is based upon a simple terraced landform and the massing of the white birch trees that screen the proposed parking on the site. Accordingly, site improvements will be kept to a minimum to allow the strength of the planting and lawn terraces to be revealed. One sign will be located at the driveway entrance stating that the parking is for the Portland Museum of Art staff and a Portland Art Museum identification sign will be placed at the corner of Oak and Spring Streets. No other signs are proposed for the parcel. Granite seating may be incorporated into the park design in a form consistent with the seating found at The Museum entrance. The existing pre-cast concrete pedestrian walkway will be reconstructed with a brick surface to provide color contrast as well as a historical reference with the surface materials.

The property has an eight (8) foot wide easement held by Harper Hotels, Inc. for a pedestrian walkway and utilities. This easement is used by the Holiday Inn to provide pedestrian connection to the Free Street parking lot owned by Harper Hotels, Inc. No other easement are located on the parcel. The Museum is evaluating the issue of public access to the proposed landscaped areas and will discuss that issue with the Planning Board at the April Workshop.

There are no trash cans, solid waste facilities or dumpsters proposed for the project. The Museum handles these needs via their existing facilities so none are included on the site plan. The proposal does not include any structures, so there will be no effluent placed into the City's sanitary sewer system nor

will there be a water demand of domestic use. The stormwater flows leaving the site will be substantially reduced, and have the qualities improved. Based upon these two facts we believe that the public facilities in Spring Street have the capacity to meet the needs of the proposed project.

The Museum plans to proceed with the work immediately upon receipt of the permit from the City. Work will commence in June, and the planting and lawn will be installed by mid to late August, with a completion date by mid-September, 2008. No other state or federal permits are required to perform the work.

This submission includes the following:

1. Site Plan Application and fee.
2. Completed Site Plan Checklist
3. Letter of Agency
4. Letter of Financial Capacity
5. Property deed as evidence of Right, Title and Interest
6. Stormwater Management Report by Steve Blais, PE
7. Written Erosion Control Plan.
8. Traffic statement by William Bray, P.E.
9. Lighting Specifications
10. Perspective Sketches
11. Conditional Use Application and fee.
12. Statement of Conformance with Conditional Use Criteria.
13. Plans
 - S1 -- Standard Boundary Survey
 - L1.0 -- Existing Conditions Plan
 - L2.0 -- Layout, Materials and Lighting Plan
 - L3.0 -- Grading, Drainage, Erosion Control & Utilities Plan
 - L4.0 -- Landscape and Planting Plan
 - L5.0 -- Site Details
 - L5.1 -- Site Details
 - L5.2 -- Site Detail
 - D1 -- Drainage Plan
 - D2 -- Drainage Details and Sections

Please call if you require any other information, or if you want to meet to review this submission.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Mr. Dan O'Leary, PMA
Mr. Charlton Ames
Mr. Hans Underdahl



Portland Museum of Art

February 12, 2008

Alexander Q. Jaegerman, Director
Planning and Development Department
City of Portland
389 Congress Street
Portland, ME 04101-3509

Dear Alexander:

Thank you for the opportunity to meet with you and Lee Urban yesterday and to review the plans the Portland Museum of Art is developing for the property adjacent to the Museum at 87 Spring Street.

As I explained in our meeting, we have completed the search process for an engineering and landscaping consultant for this project and expect to proceed very soon with preparation of a site plan for review.

As we pursue this process, we understand that the Museum should not employ the site for new purposes, such as expanded or public parking, which would first require formal review and approval by the city.

We therefore are making every effort to restrict vehicle access to the site and to insure that our activity will conform to the same use established when the land was controlled by the previous owner. The YWCA maintained parking places for approximately 25 vehicles at the rear of the property. We have taken steps to limit our use to the same level and also to the same approximate location. We will also limit access to Museum staff, trustees, and occasional contractors, and we will monitor the area so that unauthorized use will not occur.

We look forward to making significant improvements to this property that will be valuable to our institution and to the city of Portland, and we appreciate your efforts to help us achieve a successful outcome.

Sincerely,

Daniel E. O'Leary
Director

Copy Lee, Barbara
This is Dan's
response to our
concern about
parking - I
asked him to

include a plan
showing where
parking is
presently allowed.

Alex



Conditional Use Application

Att. 1.5

Department of Planning and Development
Portland Planning Board

1. **Applicant Information:**

PORTLAND MUSEUM OF ART
Name
SEVEN CONGRESS SQ.
Address
PORTLAND, ME 04101
775-6148
Phone Fax

2. **Subject Property:**

87 SPRING STREET
Address
39 B LOT 15
Assessor's Reference (Chart-Block-Lot)

3. **Property Owner:** Applicant Other

SAME AS APPLICANT
Name
Address
Phone Fax

4. **Current Zoning Designation(s):**

B-3 DOWNTOWN BUSINESS

5. **Right, Title, or Interest:** Please identify the status of the applicant's right, title, or interest in the subject property:

THE MUSEUM OWNS THE LOT IN FEE SIMPLE INTEREST (DEED ATTACHED)

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

6. **Vicinity Map:** Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

SEE PROJECT PLAN COMR SHEET (EXEMPT ATTACHED)

7. **Existing Use:**

Describe the existing use of the subject property: FORMER YWCA SITE ; EXISTING USE IS OPEN SPACE and PARKING AREA FOR 25/26 VEHICLES

8. **Type of Conditional Use Proposed:**

SURFACE PARKING GREATER THAN 35 FEET FROM STREET LINES AS SET FORTH IN 14-218 (b) (5)



9. **Sketch Plan:** On a separate sheet please provide a sketch plan of the property, showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1"=10' to 1"=100'.) *SEE ATTACHED PLAN SET*

10. **Conditional Use Authorized by:** Section 14- *21B (b) (5) REVIEW BY PLANNING BOARD*

11. **Standards - Criteria for Conditional Use Appeal**

SEE ATTACHED WRITTEN RESPONSE

Upon a showing that a proposed use is a conditional use under this article, a conditional use permit shall be granted unless the Board determines that:

- a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;
- b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;
- c. Such impact differs substantially from the impact which would normally occur from such a use in that zone.

12. **Application Fee:** A fee for must be submitted by check payable to the City of Portland in accordance with Section 14-54 of the Municipal Code (see below). The applicant also agrees to pay all costs of publication (or advertising) of the Workshop and Public Hearing notices as required for this application. Such amount will be billed to the applicant following the appearance of the advertisement.

<input checked="" type="checkbox"/>	Fee for Service Deposit (\$200.00)	
	(Required for all applications in addition to the applicable application fee listed below)	
<input checked="" type="checkbox"/>	Conditional Use	\$100.00
	Legal Advertisements	percent of total bill
	Notices (workshop and public hearing)	.55 cents each

NOTE: Legal notices placed in the newspaper for the public hearing meeting are required by State Statute and local ordinance. The cost of any and all Newspaper advertisements, legal advertisements and Planning Board notices will be billed directly to the applicant.

13. **Signature:** The above information is true and accurate to the best of my knowledge.

30 MARCH 08

Date of Filing

Signature of Applicant

Further Information: Please contact the Planning Division for further information regarding the conditional use process. Applicants are encouraged to make an appointment to discuss their conditional use before filing the application.

Applicants are encouraged to include a letter or narrative to accompany the conditional use application which can provide additional background or contextual information, and describe the proposed conditional use and reasons for the request in a manner that best suits the situation.

Portland Planning Board, Portland, Maine- Effective: July 6, 1998

Statement of Conformance with Conditional Use Criteria

The Portland Museum of Art (PMA) is proposing to construct a parking lot and landscaped terraces on the property that they recently acquired at 87 Spring Street. This 38,500 s.f. parcel was formerly occupied by the YWCA structure; the buildings that occupied the parcel have been removed and a site plan developed by PMA for the reuse of the property. The proposed plan includes a parking lot for 45 cars on the southwest corner of the lot and the development of three landscape terraces adjacent to Spring Street.

The construction of surface parking lot in the B-3 Zoning District is permitted as a Conditional Use under Section 14-218(b)(5) of the City of Portland Land Use Ordinance. This section states that surface parking can be provided as long as it is reviewed as a Conditional Use by the Planning Board; that there is no parking located within 35 feet of any street and that no parking space shall be encumbered by a lease or other use commitment exceeding a 24-month term.

Our response to the criteria for the Conditional Use are set forth below based upon the plan as proposed by PMA. The ordinance states that a Conditional Use permit shall be granted unless the Board determines that the following criteria apply to a property or project.

a. There are unique or distinctive characteristics or effects associated with the proposed conditional use;

When the YWCA occupied this property there was parking for 24 to 26 vehicles and a structure with a footprint of approximately 26,200 s.f. that housed residential uses, office space and indoor recreational facilities. The proposed uses include parking for 45 vehicles, related site improvements, and landscaped open space. Reuse of the site for parking will not create any unique or distinctive characteristics differing from those that existed on the property when it was owned and used by the YWCA.

Some of the negative effects of the former use of the site will be offset by the proposed uses through the inclusion of water quality and stormwater management measures and the separation of sanitary and stormwater flows leaving the property. The proposal to develop over 40% of the property as landscaped/garden area is a unique and distinctive characteristic, but results in a positive effect for adjoining properties. The proposed terracing and planting will enhance the historic qualities seen in the McLellan and Clapp Houses and will provide an aesthetic benefit for the public on Spring and Oak Streets and for the adjacent properties.

b. There will be an adverse impact upon the health, safety, or welfare of the public or the surrounding area;

Reuse of this site for parking for 45 vehicles and the development of 16,000 s.f. of landscaped open space will not result in any adverse impacts upon the adjoining lots, surrounding area, or upon the health, safety or welfare of the public. A traffic and circulation assessment has been performed by William Bray which indicates the 20 vehicle increase in on-site parking from that formerly found on the property will not create any traffic or safety hazards. The development has been designed to minimize the

visibility of the parking area and to manage the runoff for stormwater quality and quantity.

The redevelopment of the property for the proposed uses will remove all combined sanitary sewer flows from the property and direct the runoff to the portion of the City stormwater system that is a separated drainage system. There will be no shadowing of neighboring properties, there will be no unusual noise or site lighting levels resulting from the proposed project and the inclusion of green space will improve the appearance of the property to the public that travel Spring Street.

- c. *Such impact differs substantially from the impact which would normally occur from such a use in that zone.*

The impacts that result from the use of this property for parking and green space do not differ from uses that occur within the broader B-3 Downtown Zoning District. As noted above this property had parking for 24 to 26 vehicles and therefore the small expansion of the parking is substantially the same use as existed on the property prior to this application. The inclusion of open space, planting, and the related site improvements are all uses that occur throughout the downtown area and in large measure provide benefits within this zone and do not negatively impact abutters, neighbors, the public or the larger Portland community.



Development Review Application Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Address of Proposed Development: 87 SPRING STREET		
Zone: B-3 DOWNTOWN BUSINESS		
Project Name: PORTLAND MUSEUM OF ART SPRING STREET PARKING and GARDENS		
Existing Building Size: NO BUILDING ON THE LOT sq. ft.	Proposed Building Size: NO BUILDINGS PROPOSED sq. ft.	
Existing Acreage of Site: 38,737 (0.89 AC) sq. ft.	Proposed Acreage of Site: SAME sq. ft.	
Proposed Total Disturbed Area of the Site: 38,200 sq. ft. *		
* If the proposed disturbance is greater than one acre, then the applicant shall apply for a Maine Construction General Permit (MCGP) or Chapter 500, Stormwater Management Permit with the Maine Department of Environmental Protection (DEP).		
Tax Assessor's Chart, Block & Lot: Chart # Block # Lot #	Property Owners Name/ Mailing address: PORTLAND MUSEUM OF ART SEVEN CONGRESS SQ. PORTLAND, ME 04101 CONTACT: MR DAN O'LEARY MUSEUM DIRECTOR	Telephone #: 775-6148 Cell Phone #: N/A
Consultant/Agent Name, Mailing Address, Telephone #, Fax # and Cell Phone #: MOTR & SERBIN LANDSCAPE ARCHITECTS, INC. 18 PLEASANT ST PORTLAND 04101 871-0003 (PH)	Applicant's Name/ Mailing Address: SAME AS OWNER	Telephone #: SAME AS OWNER Cell Phone #: N/A
Fee for Service Deposit (all applications) <input checked="" type="checkbox"/> (\$200.00)		
Proposed Development (check all that apply)		
<input type="checkbox"/> New Building <input type="checkbox"/> Building Addition <input type="checkbox"/> Change of Use <input type="checkbox"/> Residential <input type="checkbox"/> Office <input type="checkbox"/> Retail <input type="checkbox"/> Manufacturing <input type="checkbox"/> Warehouse/Distribution <input checked="" type="checkbox"/> Parking lot <input type="checkbox"/> Subdivision (\$500.00) + amount of lots _____ (\$25.00 per lot) \$ _____ + major site plan fee if applicable <input type="checkbox"/> Site Location of Development (\$3,000.00) (except for residential projects which shall be \$200.00 per lot _____) <input type="checkbox"/> Traffic Movement (\$1,000.00) <input type="checkbox"/> Storm water Quality (\$250.00) <input type="checkbox"/> Section 14-403 Review (\$400.00 + \$25.00 per lot) <input checked="" type="checkbox"/> Other CONDITIONAL USE (SEPARATE APPLICATION ATTACHED)		
~ Please see next page ~		

Major Development (more than 10,000 sq. ft.)

- Under 50,000 sq. ft. (\$500.00)
- 50,000 - 100,000 sq. ft. (\$1,000.00)
- Parking Lots over 100 spaces (\$1,000.00)
- 100,000 - 200,000 sq. ft. (\$2,000.00)
- 200,000 - 300,000 sq. ft. (\$3,000.00)
- Over 300,000 sq. ft. (\$5,000.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Minor Site Plan Review

- Less than 10,000 sq. ft. (\$400.00)
- After-the-fact Review (\$1,000.00 + applicable application fee)

Plan Amendments

- Planning Staff Review (\$250.00)
- Planning Board Review (\$500.00)

Billing Address: (name, address and contact information)

MOLTR & SEREDIN
18 PLEASANT ST.
PORTLAND, ME 04101

PHONE 871-0003
FAX 871-1419

ATTN: STEPHEN MOLTR
c/ TAMMA SEREDIN


Submittals shall include seven (7) folded packets containing of the following materials:

- A. Copy of the application.
- B. Cover letter stating the nature of the project.
- C. Written Submittal (Sec. 14-525 2. (c), including evidence of right, title and interest.
- D. A standard boundary survey prepared by a registered land surveyor at a scale not less than one inch to 100 feet.
- E. Plans and maps based upon the boundary survey and containing the information found in the attached sample plan checklist.
- E. Copy of the checklist completed for the proposal listing the material contained in the submitted application.
- F. In addition to the seven (7) sets of documents listed above, one (1) set of the site plans reduced to 11 x 17 must be submitted.

Portland's development review process and requirements are outlined in the Land Use Code (Chapter 14), which includes the Subdivision Ordinance (Section 14-491) and the Site Plan Ordinance (Section 14-521). Portland's Land Use Code is on the City's web site: www.portlandmaine.gov Copies of the ordinances may be purchased through the Planning Division.

I hereby certify that I am the Owner of record of the named property, or that the owner of record authorizes the proposed work and that I have been authorized by the owner to make this application as his/her authorized agent. I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in this application is issued, I certify that the Planning Authority and Code Enforcement's authorized representative shall have the authority to enter all areas covered by this permit at any reasonable hour to enforce the provisions of the codes applicable to this permit.

This application is for site review only; a Performance Guarantee, Inspection Fee, Building Permit Application and associated fees will be required prior to construction.

<p>Signature of Applicant:</p> 	<p>Date:</p> <p>30 MARCH 2008</p>
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Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

PORTLAND MUSEUM OF ART
SPRING STREET PARKING and GARDENS - 87 SPRING ST.

Project Name, Address of Project

Application Number

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
✓ SEE S-1	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
✓ COVER SHEET	(2)	Name and address of applicant and name of proposed development	a
✓ LI - L-4	(3)	Scale and north points	b
✓ S-1	(4)	Boundaries of the site	c
S-1 and COVER SHEET	(5)	Total land area of site	d
L-1 and L-3	(6)	Topography - existing and proposed (2 feet intervals or less)	e
✓	(7)	Plans based on the boundary survey including:	2
COVER SHEET	(8)	Existing soil conditions	a
N/A or L-1	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
N/A NO BUILDINGS	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
✓ COVER SHEET	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
N/A NONE EXIST.	(12)	Location of on-site waste receptacles	e
✓ L-1	(13)	Public utilities	e
✓ L-1	(14)	Water and sewer mains	e
✓ L-1 and L-3	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
✓ S-1	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
✓ S-1 and L-1 to L-4	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
✓ LI THRU L-4	(18)	Parking areas	g
EXISTING L-1	(19)	Loading facilities	g
✓ L-1 THRU L-4	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
✓ LI THRU L-4	(21)	Curb and sidewalks	g
✓ L-4	(22)	Landscape plan showing:	h
✓ L-1 and L-4	(23)	Location of existing vegetation and proposed vegetation	h
✓ L-1 and L-4	(24)	Type of vegetation	h
✓ L-4	(25)	Quantity of plantings	h
✓ L-4	(26)	Size of proposed landscaping	h
✓ L-4	(27)	Existing areas to be preserved	h
✓ L-5	(28)	Preservation measures to be employed	h
✓ L-5	(29)	Details of planting and preservation specifications	h
✓ L-4	(30)	Location and dimensions of all fencing and screening	i
✓ L-2	(31)	Location and intensity of outdoor lighting system	j
✓ L-1	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
COVER LETTER	(33)	Written statements to include:	c
COVER LETTER	(34)	Description of proposed uses to be located on site	cl
N/A	(35)	Quantity and type of residential, if any	cl
COVER LETTER	(36)	Total land area of the site	c2
N/A COVER LETTER	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
COVER LETTER	(38)	General summary of existing and proposed easements or other burdens	c3
N/A	(39)	Type, quantity and method of handling solid waste disposal	c4
COVER LETTER	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
COVER LETTER and BLAIS REPORT	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6

✓ COVER LETTER	(42)	An estimate of the time period required for completion of the development	7
<u>COVER LETTER</u>	(43)	A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction.	8
LETTER FROM PMA	(47)	Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved.	h8
<u>DEED SUBMITTED</u>	(48)	Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.	
<u>N/A</u>	(49)	A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.	
<u>WITH SUBMISSION</u>	(50)	A jpeg or pdf of the proposed site plan, if available.	
_____	(51)	Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.	

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- NO a wind impact analysis

- NO an environmental impact study
- NO a sun shadow study
- NO a study of particulates and any other noxious
- NO a noise study

Other comments:

THIS SUBMISSION INCLUDES:

EROSION & SEDIMENTATION CONTROL PLAN (S. MCGHEE, PE)
TRAFFIC STATEMENT (W. BRADY, P.E.)
DRAINAGE STUDY (S. BUAIS, PE)



Act. 1.13

Site Plan Checklist Portland, Maine

Department of Planning and Development, Planning Division and Planning Board

Project Name, Address of Project

Application Number

The form is to be completed by the Applicant or Designated Representative:

Check Submitted	Site Plan Item	Required Information	Section 14-525 (b,c)
✓ <u>alt. ALTA SURVEY</u>	(1)	Standard boundary survey (stamped by a registered surveyor, at a scale of not less than 1 inch to 100 feet and including:	1
✓ <u>IGN COVER SHEET</u>	(2)	Name and address of applicant and name of proposed development	a
✓	(3)	Scale and north points	b
✓	(4)	Boundaries of the site	c
✓	(5)	Total land area of site	d
✓ <u>ON EXIST. COND'S</u>	(6)	Topography - existing and proposed (2 feet intervals or less)	e
✓	(7)	Plans based on the boundary survey including:	2
✓ <u>WRITTEN STATEMENTS</u>	(8)	Existing soil conditions	a
N/A	(9)	Location of water courses, wetlands, marshes, rock outcroppings and wooded areas	b
N/A	(10)	Location, ground floor area and grade elevations of building and other structures existing and proposed, elevation drawings of exterior facades, and materials to be used	c
✓ <u>ON COVER SHEET</u>	(11)	Approx location of buildings or other structures on parcels abutting the site and a zoning summary of applicable dimensional standards (example page 9 of packet)	d
N/A	(12)	Location of on-site waste receptacles	e
✓ <u>EX. COND. PLAN</u>	(13)	Public utilities	e
✓	(14)	Water and sewer mains	e
✓	(15)	Culverts, drains, existing and proposed, showing size and directions of flows	e
✓ <u>ON BH ALTA SURVEY</u>	(16)	Location and dimensions, and ownership of easements, public or private rights-of-way, both existing and proposed	f
✓	(17)	Location and dimensions of on-site pedestrian and vehicular access ways	g
✓	(18)	Parking areas	g
✓ <u>EXISTING PMA</u>	(19)	Loading facilities	g
✓	(20)	Design of ingress and egress of vehicles to and from the site onto public streets	g
✓	(21)	Curb and sidewalks	g
✓	(22)	Landscape plan showing:	h
✓	(23)	Location of existing vegetation and proposed vegetation	h
✓	(24)	Type of vegetation	h
✓	(25)	Quantity of plantings	h
✓	(26)	Size of proposed landscaping	h
✓	(27)	Existing areas to be preserved	h
✓	(28)	Preservation measures to be employed	h
✓	(29)	Details of planting and preservation specifications	h
✓	(30)	Location and dimensions of all fencing and screening	i
✓	(31)	Location and intensity of outdoor lighting system	j
✓ <u>EXISTING ON SPRING ST</u>	(32)	Location of fire hydrants, existing and proposed (refer to Fire Department checklist)	k
✓	(33)	Written statements to include:	c
✓	(34)	Description of proposed uses to be located on site	cl
✓	(35)	Quantity and type of residential, if any	cl
✓	(36)	Total land area of the site	c2
✓ <u>N/A NO BUILDINGS PROPOSED</u>	(37)	Total floor area, total disturbed area and ground coverage of each proposed Building and structure	c2
✓	(38)	General summary of existing and proposed easements or other burdens	c3
✓ <u>NONE PROPOSED</u>	(39)	Type, quantity and method of handling solid waste disposal	c4
✓ <u>IN CONSULTATION</u>	(40)	Applicant's evaluation or evidence of availability of off-site public facilities, including sewer, water and streets	c5
✓ <u>STREAM DRAINAGE REPORT</u>	(41)	Description of existing surface drainage and a proposed stormwater management plan or description of measures to control surface runoff.	c6 c6

Dec. 1.14

- ✓
✓
_____ (42) An estimate of the time period required for completion of the development 7
- _____ (43) A list of all state and federal regulatory approvals to which the development may be subject to. Include the status of any pending applications, anticipated timeframe for obtaining such permits, or letters of non-jurisdiction. 8
- ✓
_____ (47) Evidence of financial and technical capability to undertake and complete the development including a letter from a responsible financial institution stating that it has reviewed the planned development and would seriously consider financing it when approved. h8
- ✓ DEED SUBMITTED (48) Evidence of applicant's right title or interest, including deeds, leases, purchase options or other documentation.
- N/A _____ (49) A description of any unusual natural areas, wildlife and fisheries habitats, or archaeological sites located on or near the site.
- ✓ ON DISC (50) A jpeg or pdf of the proposed site plan, if available.
MAP SUBMITTED
- _____ (51) Final sets of the approved plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.

Note: Depending on the size and scope of the proposed development, the Planning Board or Planning Authority may request additional information, including (but not limited to):

- drainage patterns and facilities
- erosion and sedimentation controls to be used during construction
- a parking and/or traffic study
- emissions
- a wind impact analysis
- an environmental impact study
- a sun shadow study
- a study of particulates and any other noxious
- a noise study

Other comments:

The following additional information has been submitted with this application

- Storm Drainage Study (Land Consulting Engineers)
- Erosion Control Plan (M&E)
- Traffic/Circulation Statement (William Brown, PE)

Att. 1.15



March 25, 2008

To whom it may concern:

Mohr & Seredin, Landscape Architects, Inc. is authorized to act on behalf of the Portland Museum of Art for the purposes of securing City of Portland permits for the PMA Spring Street Site Improvements Project at 87 Spring Street.

Yours truly,

A handwritten signature in black ink, appearing to read "Hans Underdahl".

Hans Underdahl

President

Portland Museum of Art Board of Trustees



March 25, 2008

To whom it may concern:

The cost to complete the PMA Spring Street Site Improvements Project is estimated not to exceed \$280,000. The Portland Museum of Art's Board of Trustees, at their meeting on March 19, 2008, voted to authorize sufficient funds be set aside to complete this project as budgeted. This money will be available through existing funds.

Yours truly,

A handwritten signature in cursive script that reads "Elena Murdock".

Elena Murdock
Deputy Director for Finance and Operations

Att. 1.17

QUITCLAIM DEED


THE YOUNG WOMEN'S CHRISTIAN ASSOCIATION OF PORTLAND, MAINE, a Maine nonprofit corporation, for consideration paid, GRANTS to the **PORTLAND MUSEUM OF ART**, a Maine nonprofit corporation having a mailing address of Seven Congress Square, Portland, Maine 04101, certain real estate located in Portland, Cumberland County, Maine, which is more particularly described in Exhibit A attached hereto and made a part hereof.


Reference is hereby made to the following deeds: State of Maine to Young Women's Christian Association of Portland, Maine by quitclaim deed dated November 19, 1958 and recorded in the Cumberland County Registry of Deeds in Book 2451, Page 19; and Porteous, Mitchell & Braun Company to Young Women's Christian Association of Portland, Maine by warranty deed dated August 12, 1966 and recorded in the Cumberland County Registry of Deeds in Book 3303, Page 47. Further reference is made to that certain "ALTA/ACSM LAND TITLE SURVEY at 87 Spring Street, Portland, Maine made for Maine State Housing Authority" dated December 1, 2006 and prepared by Owen Haskell, Inc.

IN WITNESS WHEREOF, this instrument is executed on behalf of The Young Women's Christian Association of Portland, Maine this 10th day of July, 2007 by Margaret F. Cleveland, its President, thereunto duly authorized.

SIGNED, SEALED AND DELIVERED
IN THE PRESENCE OF

THE YOUNG WOMEN'S CHRISTIAN
ASSOCIATION OF PORTLAND, MAINE

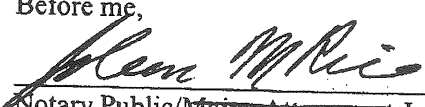
Witness



Margaret F. Cleveland, its President

STATE OF MAINE
County of Cumberland, SS.

July 10, 2007

Then personally appeared the above-named Margaret F. Cleveland, President of The Young Women's Christian Association of Portland, Maine, and acknowledged the foregoing instrument to be her free act and deed in said capacity and the free act and deed of The Young Women's Christian Association of Portland, Maine.

Before me,

Notary Public/Maine Attorney-at-Law
Printed Name: _____

SEAL

JOLEEN M. RICE
NOTARY PUBLIC, MAINE
COMMISSION EXPIRES MAY 3, 2012

EXHIBIT A

87 Spring Street, Portland, Maine

A certain lot or parcel of land, with the buildings thereon, situated on the northerly side of Spring Street and the westerly side of Oak Street in the City of Portland, County of Cumberland, and State of Maine, bounded and described as follows:

Beginning at the aforementioned intersection of Spring and Oak Streets;

Thence S 61° 29' 20" W along said northerly side of Spring Street, 264.94 feet to land now or formerly of the Portland Society of Art;

Thence, leaving said Spring Street, N 25° 44' 40" W along said Portland Society of Art land 114.90 feet;

Thence N 24° 10' 40" W, continuing along said Portland Society of Art land 47.37 feet to land now or formerly of Harper Hotels Inc.;

Thence, along said Harper Hotels Inc. the following courses and distances:

N 63° 27' 20" E a distance of 72.75 feet;

N 68° 06' 18" E a distance of 127.15 feet;

S 27° 48' 20" E a distance of 30.48 feet;

N 68° 56' 12" E a distance of 71.57 feet to the westerly side of the aforementioned Oak Street;

Thence S 21° 02' 20" E along said Oak Street 106.00 feet to the point of beginning and containing 0.89 acres, more or less.

Together with the benefit of rights and easements granted to The Young Women's Christian Association of Portland, Maine by Portland Society of Art as set forth in an Indenture dated October 8, 1980 and recorded in the Cumberland County Registry of Deeds in Book 4689, Page 284, and subject to the rights and easements granted to the Portland Society of Art in said instrument and the terms and conditions contained therein, as affected by an Amendment to Indenture dated December 1, 1982 and recorded in said Registry of Deeds in Book 5089, Page 116.

Subject to an easement granted to Harper Hotels, Inc. by The Young Women's Christian Association of Portland, Maine as set forth in an Easement Deed dated September 30, 1992 and recorded in the Cumberland County Registry of Deeds in Book 10376, Page 112.

Received
Recorded Register of Deeds
Jul 10, 2007 01:19:15P
Cumberland County
Pamela E. Lovley



STORMWATER ANALYSIS
For
PORTLAND MUSEUM OF ART
SPRING STREET PARKING and GARDENS
March 25, 2008

INTRODUCTION

As requested by Mohr & Seredin Landscape Architects, we have prepared this report to evaluate stormwater runoff from the interim Portland Museum of Art's Spring Street Parking and Gardens development, in Portland, Maine. This stormwater analysis will be updated as the Museum develops a long term Master Plan for the property.

The 0.89 ± acre parcel is located on the northwest corner of Spring Street and Oak Street in Portland, Maine. There is approximately ten feet of elevation change over the length of the 106 foot by 264 foot lot. This parcel will be referred to as the "Site" for the remainder of this report.

In this analysis the existing condition refers to the Site conditions prior to demolition of the Young Women's Christian Association (YWCA) Building. The Portland Museum of Art's plans for the Site are to construct an interim parking facility with 35 vehicles spaces and 10 tandem parking spaces separated from Spring Street by a series of landscaped terraces.

The proposed development reduces the amount of impervious areas on the Site due to the introduction of the new landscaped areas. The additional landscaped areas will absorb more rainwater, thus reducing the Site's stormwater impacts. To further reduce stormwater impacts, the Museum is proposing to construct an interim bioretention cell to treat the runoff from the proposed parking area and a portion of the driveway near the museum.

DATA COLLECTION AND ASSUMPTIONS

The following information sources were used to create a HydroCAD drainage model of the Site:

- CAD files from Mohr & Seredin.
- Field observations and data collected in the field by LCE.



HydroCAD is a Computer Aided Design program for modeling the hydrology and hydraulics of stormwater runoff. It is based largely on hydrology techniques developed by the Soil Conservation Service (now the Natural Resources Conservation Service), combined with other hydrology and hydraulics calculations. For a given rainfall event, these techniques are used to generate hydrographs throughout a watershed. This allows LCE to verify that a given drainage system is adequate for the area under consideration, or to predict where flooding or erosion problems are likely to occur.

Curve numbers (CNs) assigned to differing land cover and soil types were taken from tables within the HydroCAD software, which are from the SCS TR-55 manual, revised 1986. Because the Sites soils have been altered over the years, we have assumed them to have a hydrologic soil classification (HSG) of C.

24-hour rainfall depths were taken from the "City of Portland, Maine Technical and Design Standards and Guidelines, Adopted September 1987, March 2000". Times of concentrations were calculated with the HydroCAD software using the TR-55 methodologies including sheet flow, shallow concentrated flow, and circular channel flow.

Watershed subcatchments for the existing and proposed conditions are shown on the enclosed Drawing C-2. Modeling assumptions made for each subcatchment are summarized in the attached HydroCAD output.

EXISTING SITE CONDITIONS

The total impervious area for the Site's existing conditions is approximately 39,358 square feet. This area includes the former YWCA building, driveway, and parking area. The building had a flat roof, which we were told by YWCA staff and a building contractor connected directly into the City's stormwater system in Spring Street via a closed conduit system.

The Site generally slopes towards the northeast and has an elevation change of approximately 10 feet. Runoff from the Site flowed into the City of Portland's storm sewer system in Spring Street. There was no treatment that we are aware of for the Site's stormwater runoff other than a Casco Bay trap in the single parking lot catch basin located on the Site.



PROPOSED DEVELOPMENT CONDITIONS

The proposed project converts a portion of the existing building footprint into landscaped area; it reconfigures and expands, the existing parking, and it adds a new stormwater collection and treatment system on the property.

The total impervious area in the proposed condition is 20,945 square feet, an 18,413 square foot decrease from existing conditions. Land cover changes include converting impervious area to lawn/landscaped area as discussed above.

Positive drainage will be provided from the landscaped areas and new parking lot by sheet flow/vertical relief, and drainage inlets. The new parking area will drain via overland flow to a bioretention cell at the southeast corner of the Site. This BMP (best management practices) device will treat frequent "first flush" stormwater flows. A catch basin in the bioretention cell will serve as an overflow spillway for larger storms. This catch basin will be connected to the existing separated stormwater system in Spring Street via a 12-inch pipe.

The landscaped area includes a series of three stepped terraces. These terraces will be drained by smaller drain inlets which will be interconnected by 8" pipes and released into the City stormwater system as shown on Drawing C-1. Stormwater pipes and culverts are designed to pass the 25-year storm-event.

WATER QUANTITY

The interim development will have less runoff quantity than left the property in the existing conditions without use of any detention in the proposed stormwater management plan. This is due to the roughly 30% reduction in impervious area proposed by the plan.

The bioretention cell will further decrease stormwater flows. The table below compares the existing conditions to the interim developed condition's peak flows for the 2, 10, and 25-year storm events.



Table Comparing Peak Flows
Portland Museum of Art - Spring Street Gardens
March 25, 2008

Storm Event	Existing Conditions Peak Flow (cfs)	Interim Conditions Peak Flow (cfs)
2-Year	2.46	0.68
10-Year	4.61	3.50
25-Year	5.61	4.37

WATER QUALITY

In existing conditions, the Site had no water quality treatment devices other than a casco bay trap in the parking lot catch basin. Reducing the Sites impervious area reduces its stormwater quality impact.

The bioretention cell is designed using Maine Department of Environmental Protection standards. It will treat 1.0 inch of water from impervious surfaces and 0.4 inches of water from landscaped areas. The attached calculations and HydroCad data show the design of the bioretention cell.

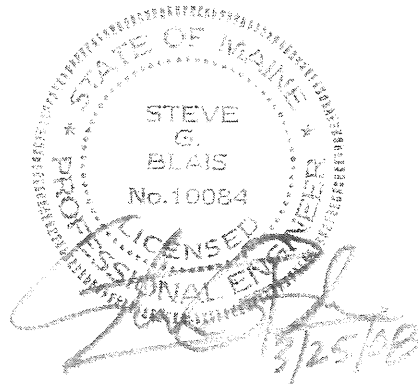
All construction will be in accordance with the most current Maine Erosion and Sedimentation Control Best Management Practices.

CONCLUSIONS

Due to the significant decreases in impervious area, the interim design described in this report will have less stormwater impacts than the YWCA Site did. The bioretention cell will provide additional stormwater mitigation.

This analysis will be revised when the Master Plan is completed. Stormwater quality and quantity will be compared between developed conditions of the Master Plan and existing conditions of the YWCA building Site.

Steve G. Blais, PE



Att. 1.03

PORTLAND MUSEUM OF ART
SPRING STREET GARDENS
Water Quality Computations
March 21, 2008

Water Quality Treatment Table

Treatment Unit	Treated Impervious Area	Treated Landscaped/Lawn Area	Total Treated Area	Required WQ Volume	Provided WQ Volume	Subcatchment
Bioretention Cell	13,700 SF	9,937 SF	23,637 SF	1,473 CF	1,483 CF	1.25

- Notes: 1. WQ Volume = (1.0" x Treated Impervious Area) + (0.4" x Treated Landscaped Area)
2. Req'd Filter Area = 5% of Treated Impervious Area + 2% of Treated Landscaped/Lawn Area

WATER QUALITY VOLUME CALCS.

08109

Type III 24-hr 2-Yr Rainfall=2.60"

Prepared by LAND CONSULTING ENGINEERS, PA

Printed 3/22/2008

HydroCAD® 8.50 s/n 003530 © 2007 HydroCAD Software Solutions LLC

Stage-Area-Storage for Pond 1.2P: BIO. CELL

Elevation (feet)	Surface (sq-ft)	Storage (cubic-feet)
93.50	550	0
93.55	565	28
93.60	580	56
93.65	595	86
93.70	610	116
93.75	625	147
93.80	640	178
93.85	655	211
93.90	670	244
93.95	685	278
94.00	700	313
94.05	720	348
94.10	740	384
94.15	760	422
94.20	780	461
94.25	800	500
94.30	820	540
94.35	840	582
94.40	860	625
94.45	880	668
94.50	900	713
94.55	920	758
94.60	940	804
94.65	960	852
94.70	980	901
94.75	1,000	950
94.80	1,020	1,000
94.85	1,040	1,052
94.90	1,060	1,105
94.95	1,080	1,158
95.00	1,100	1,213
95.05	1,136	1,268
95.10	1,172	1,326
95.15	1,208	1,386
95.20	1,244	1,447
95.25	1,280	1,510
95.30	1,316	1,575
95.35	1,352	1,642
95.40	1,388	1,710
95.45	1,424	1,780
95.50	1,460	1,853
95.55	1,496	1,926
95.60	1,532	2,002
95.65	1,568	2,080
95.70	1,604	2,159
95.75	1,640	2,240
95.80	1,676	2,323
95.85	1,712	2,408
95.90	1,748	2,494
95.95	1,784	2,582
96.00	1,820	2,673

SURFACE STORAGE = 1,213 CF

STORAGE IN SOIL MEDIA:

$$550 \text{ FT}^2 \times 1.5 \text{ FT} \times 30\% = 270 \text{ FT}^3$$

$$\begin{array}{r} 1,213 \text{ CF} \\ + 270 \text{ CF} \\ \hline 1,483 \text{ CF} = \text{Total Water Quality} \\ \text{Volume Provided} \end{array}$$



SGB
3/21/08

EROSION AND SEDIMENTATION CONTROL PLAN
for
Portland Museum of Art
Spring Street Parking and Gardens

87 Spring Street
Portland, Maine

March 30, 2008

INTRODUCTION

The following plan for controlling sedimentation and erosion in this project is based on conservation practices found in the Maine Erosion & Sediment Control BMPS Manual, Maine Department of Environmental Protection (DEP), March 2003, or latest edition. The contractor who implements this plan shall be familiar with this publication and adhere to it and the practices presented herein.

The project site is at the former YWCA property at the corner of Oak and Spring Streets in Portland, Maine. The proposed site work consists of approximately 38,200 s.f. of regrading of the site to create a parking lot for 45 vehicles and 16,000 s.f. of terraced landscape area.

The site is 38,737 s.f. in size and the work will involve the majority of the site, all of which is currently disturbed gravel and loam surface. There are currently erosion issues in the parts of the lot not used for parking which this project will address.

GENERAL EROSION AND SEDIMENTATION CONTROL PRACTICES

The following is a list of general erosion control practices that will be used to prevent erosion and sedimentation before, during and after the construction of this project. In addition, special care shall be used at all times to:

- 1) Limit disturbance and, hence, erosion;
- 2) Correct any erosion problems immediately;
- 3) Regularly monitor the implemented practices, especially after every rainfall;
- 4) Revegetate disturbed areas as soon as possible after construction;
- 5) Topsoil shall not be removed from the site.

Haybales and/or Silt Fence

As noted on the plans, haybales and/or silt fencing is to be installed at the toe of work area near Spring and Oak Streets which are the limits of the property and soil disturbance.

Temporary Protection Measures for Drainage Structures

As shown on the plan the existing catchbasin will be covered with a solid grate to prevent runoff from entering the system.

Construction Entrance

The existing driveway from Spring Street and the related on-site parking lot entrance will serve as the construction entrance for construction equipment necessary for work of this project. Wheeled or tracked equipment will travel over a stone construction entrance in the parking lot prior to driving over the paved drive leading to Spring Street.

On Site Sediment Basin

The rain garden area will be excavated at the start of the project so that it can serve as a temporary sediment basin for the proposed construction activities.

CONSTRUCTION PHASE

The following general practices will be implemented to prevent erosion during construction on this project:

1. Only those areas under active construction will be left in an untreated or unvegetated condition. Once construction of an area is complete, final grading, loaming and seeding shall occur immediately (refer to "Post Construction Revegetation" section). If final grading, loaming and seeding cannot occur immediately, it shall be done prior to any storm event and within 15 days of completing construction in the area. If final grading, loaming and seeding cannot occur within 15 days, or if the area is not under active construction for a period longer than 15 days, see Item No. 5 below.
2. Prior to the start of construction in a specific area, silt fencing, haybales and/or erosion control mix berms will be installed at the toe of slope and in areas as located on the plans to protect against any construction related erosion.
3. Topsoil will not be removed from the site and will be stockpiled when necessary in areas which have minimum potential for erosion and will be kept as far as possible from existing drainage areas. All stockpiles expected to remain longer than 15 days shall be:
 - A. Treated with anchored mulch (within 5 days of the last deposit of stockpiled soil).
 - B. Stockpiles expected to remain longer than 3 days shall be encircled with haybales or silt fence at the toe of the pile.
4. All disturbed areas expected to remain longer than 15 days shall be:
 - A. Treated with straw at a rate of 70-90 lbs. per 1000 square feet from 4/14 to 10/1, or at a rate of 150-200 lbs. per 1000 square feet from 10/1 to 4/15.
 - B. Seeded with conservation mix of perennial rye grass (1.0 lbs/1000 sq.ft.) and mulched immediately. From 10/1 to 4/15, follow the seeding rates as outlined below in sub-section 4.D. of the "Post Construction Revegetation" section.
 - C. Monitored every two weeks until seeding can occur and remulched as needed to protect slopes.
5. All grading will be held to a maximum 3:1 slope where practical. Greater slopes may be used where the banks are protected with soft armour matting, or riprap. All slopes will be stabilized with permanent seeding immediately after final grading is complete. (It is understood that immediately means within 5 days of the completion of work. See Post-Construction revegetation for seeding specification.)

6. Construction traffic will be directed over the construction entrance into the site area. Any areas subject to rutting will be stabilized immediately. The crushed stone construction entrance shall be maintained by the addition of more crushed stone as needed as the voids become filled. The entrance driveway and Spring Street shall be swept daily should mud be left on these paved surfaces by construction activities.

POST CONSTRUCTION REVEGETATION

The following general practices will be implemented to prevent erosion as soon as an area is ready to undergo final grading:

1. A minimum of 6" of loam will be spread over disturbed areas and graded to a uniform depth and natural appearance.
2. If final grading is accomplished during the normal growing season (4/15 to 10/1), permanent seeding will be done as specified below. Prior to seeding, limestone shall be applied at a rate of 100 lbs/1000 sq. ft. and 10:20:20 fertilizer at a rate of 18.4 lbs/1000 sq. ft. will be applied. Broadcast seeding at the following rates:

<u>Lawns</u>		<u>Swales</u>	
Hard Fescue	0.60 lbs/1000 sf	Creeping Red Fescue	0.46 lbs/1000 sf
Creeping Red Fescue	0.46 lbs/1000 sf	Red Top	0.05 lbs/1000 sf
Perennial Ryegrass	0.11 lbs/1000 sf	Tall Fescue	0.46 lbs/1000 sf

If permanent seeding areas that have received winter mulching, the top two inches of winter mulching shall be removed.

3. An area shall be mulched immediately after it has been seeded. Mulching shall consist of hay mulch, hydro-mulch or any suitable substitute deemed acceptable by the Design Professional.
 - A. Hay mulch shall be applied at the rate of 2 tons per acre. Hay mulch shall be secured by one of the following:
 1. Drive over with tracked construction equipment on grades of 5% and less.
 2. Blanket with tacked photodegradable/biodegradable netting on grades greater than 5%.
 - B. Hydro-mulch shall consist of a mixture of binder, wood fibre or paper fibre and water which is sprayed over a seeded area. Hydro-mulch shall not be used between 10/1 and 4/15.
4. Construction shall be planned to eliminate the need for seeding between October 1st and April 15th. Should seeding be necessary between these dates, the following procedure shall be followed:
 - A. Only unfrozen loam shall be used.
 - B. Loaming, seeding and mulching will not be done over snow or ice cover. If snow exists, it must be removed prior to placement of seed.
 - C. Where permanent seeding is necessary, Annual Winter Rye (1.2 lbs/1000 s.f.) shall be sown instead of the previously noted seeding rate.

- D. Where temporary seeding is required, Annual Winter Rye (2.5 lbs/1000 s.f.) shall be sown instead of the previously noted seeding rate.
 - E. Fertilizing, seeding and mulching shall be done on loam the day the loam is spread.
 - F. Hay mulch shall be secured with photodegradable/biodegradable netting. Tracking by machinery alone will not suffice. Winter mulching rates, as specified above in subsection 5.A. of the "Construction Phase" section, should be applied during this period.
5. Following final seeding, the site will be inspected every 30 days until 80% cover has been established. Reseeding will be carried out by the contractor within 10 days of notification by the Design Professional that the existing catch is inadequate.

MONITORING SCHEDULE

The contractor shall be responsible for installing, monitoring, maintaining, repairing, replacing and removing all of the erosion and sedimentation controls or appointing a qualified subcontractor to do so.

Maintenance measures will be applied as needed during the entire construction cycle. Immediately following any significant rainfall, and at least once a week, a visual inspection will be made of all erosion and sedimentation controls as follows:

- 1. Haybale barriers and silt fence shall be inspected and repaired. Sediment trapped behind these barriers shall be excavated when it reaches a depth of 6" and redistributed to areas undergoing final grading. Should the haybale barriers prove to be ineffective, the contractor shall install silt fence behind the haybales.
- 2. Construction entrance (crushed stone per details) shall be visually inspected daily. Spring Street and the access drive shall be swept should mud or debris be deposited/tracked onto them.

EROSION CONTROL REMOVAL

An area is considered stable if it is paved or if 80% growth of planted seeds are established. Once an area is considered stable, the erosion control measures can be removed as follows:

- 1. Haybales and Silt Fence

The haybales and silt fence shall be disposed of legally and properly off-site. All sediment trapped behind these controls shall be distributed to an area undergoing final grading or removed and relocated off-site.

The above erosion controls must be removed within 30 days of final stabilization of the site.

Conformance with this plan, and following these practices, will result in a project that complies with the State Regulations, and will protect water quality in areas downstream from the project.



Stephen B. Mohr, ASLA
Mohr & Seredin Landscape Architects, Inc.

William J. Bray, P.E.
235 Bancroft Street
Portland, Maine 04102
Phone (207) 774-3603
trafficsolutions@maine.rr.com

March 27, 2008

Stephen B. Mohr, ASLA
Mohr & Seredin, Landscape Architects, Inc.
18 Pleasant Street
Portland, Maine 04101

RE: Portland Museum of Art – Parking Lot Access

Dear Steve:

It is my understanding that the Portland Museum of Art is proposing to develop a 42 to 45-space surface parking lot in the general area of the recently removed YWCA building. Access to the facility will be provided across an existing 16-foot wide driveway that intersects Spring Street directly opposite the Holiday Inn parking garage entrance. Your March 11th note asks that I address the following two project design issues:

- Is the existing 16-foot wide access drive adequate for safe ingress/egress to the parking lot?
- Are there other traffic safety issues that need to be addressed with development of the proposed parking lot?

The American Association of State Highway and Transportation Officials (AASHTO) handbook, which presents national standards for the design and construction of highways and streets, has been adopted by the Maine Department of Transportation to provide uniform design practices within the State of Maine. The most recent 2004 edition of the AASHTO manual establishes the design width of a passenger vehicle at 7'0". In my opinion, based upon this design dimension, two passenger vehicles, one entering and a second departing, the proposed parking lot would have considerable difficulty passing each other safely with an overall driveway dimension of 16-feet. It is suggested that the driveway be widened to a minimum width of 20-feet, which provides a reasonable dimension for both vehicles to safely pass each other.

Vehicle sightlines were examined at the existing driveway intersection with Spring Street to determine if vehicles leaving the parking lot are visible to approaching vehicles traveling west on Spring Street. A clear line of sight in excess of 200-feet is attainable "looking" to the center of the approaching travel lanes on Spring Street, which is adequate for approach speeds of 25mph. Based upon the existing conditions plan that you provided for my review, the existing

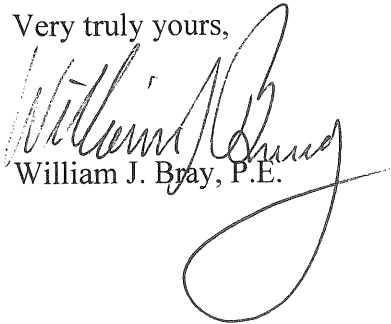
Att. 1.30

driveway apron is flared to 22-feet at the gutter line of Spring Street, which in my opinion should be more than adequate width to minimize possible encroachment problems of vehicles entering and departing the proposed parking lot.

In summary, it would be my professional opinion that the proposed parking lot project, with acceptance of the increased driveway width of 20-feet, will have no measurable impact on traffic safety on Spring Street.

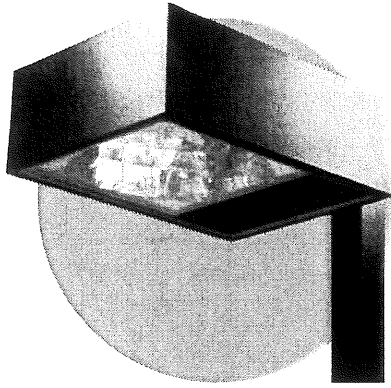
Please contact me at 400-6890 with questions or clarification of the information presented above.

Very truly yours,



William J. Bray, P.E.

RAVEN®



Features

- Lightweight, rugged, one-piece formed and welded aluminum for smooth construction and weatherproofing. Pre-drilled for mounting. Decorative embossed band and reveal colors available.
- Extruded aluminum doorframe with rigid corner bracing and die-cast zinc latches for tool-free entry. Quality silicone gasketing seals out insects, dirt and moisture. Decorative silk screening conceals electrical compartment. Flat tempered and impact-resistant glass provide sharp full cutoff.
- Hydroformed and performance series reflectors available. IES type II, III, IV, and V distributions. RCS: H2/H3/H5 (hydroformed), H2P/H3P (patented multi-faceted hydroformed), H4 (multi-piece), H5P (segmented). RCL: H2P/H3P (segmented), H4/H4P (multi-piece), H5 (hydroformed). All reflectors are field rotatable.
- Extruded arms along with multiple adapters provide mounting flexibility.
- Mogul porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell. Medium base for ED-17 lamp.
- CWA type, HPF ballast, starting rated at -20°F (-40°F for HPS). Removable Powr-Panl® available for maintenance and installation ease.
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL 1598 listed and CSA certified for outdoor use in wet locations.

Ordering Information

Example: RCS - A4 - H17 - HB - F - Q - DB - P1

- Series**
 RCS Raven Small (100-400W)
 RCL Raven Large (400-1000W)
- Mounting**
A4 Arm Mount (includes 4" rigid arm)
A10² Arm Mount (includes 10" rigid arm)
WB Wall Bracket (arm not required or included)
WBA4 Wall Bracket with 4" rigid arm
WBA10 Wall Bracket with 10" rigid arm
0 No arm or wall bracket (only order without arm or wall bracket when they are ordered as an accessory)
- Wattage/Source**
Metal Halide
 H17 175W (ED-28) RCS only
 H25 250W (ED-28) RCS only
 H40 400W (RCS: ED-28, RCL: BT-37)
 H1K 1000W (BT-56) RCL only
Super Metal Halide
 MS17 175W (ED-28) RCS only
 MS25 250W (ED-28) RCS only
 MS40 400W (RCS: ED-28, RCL: BT-37)
 MS1K 1000W (BT-56) RCL only
Pulse Start Metal Halide
 P10 100W (ED-17) RCS only
 P12 125W (ED-17) RCS only
 P15 150W (ED-28) RCS only
 P20 200W (ED-28) RCS only
 P25 250W (ED-28) RCS only
 P32 320W (ED-28) RCS only
 P35 350W (ED-28) RCS only
 P40 400W (RCS: ED-28, RCL: BT-37)
 P75 750W (BT-37) RCL only
 P1K 1000W (BT-37) RCL only
High Pressure Sodium
 S10 100W (ED-23 1/2) RCS only
 S15 150W (ED-23 1/2) RCS only
 S25 250W (ED-18) RCS only
 S40 400W (ED-18)
 S60³ 600W (T-14) RCL only
 S75³ 750W (BT-37) RCL only
 S1K 1000W (E-25) RCL only

Series	Mount	Wattage Source	Orient/ Dist.	Lens	Voltage	Color	Options
Lamp Orientation/Distribution							
H2			Horiz. II - RCS only (hydroformed)				Options
H2P ⁴			Horiz. II - Performance Series (RCS: patented multi-faceted hydroformed; RCL segmented)				W1 120V Wiring Prep W2 208V Wiring Prep W3 240V Wiring Prep W4 277V Wiring Prep W5 480V Wiring Prep W6 347V Wiring Prep RPA2 Round Pole Adapter (2 3/4 - 3 1/8") RPA3 Round Pole Adapter (3 1/4 - 3 3/4") RPA4 Round Pole Adapter (3 7/8 - 4 1/2") RPA5 Round Pole Adapter (5") RPA6 Round Pole Adapter (6") F(X) Fusing (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347) P(X) Photobutton (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 6-347) PR(X) Photo Cell Receptacle (replace X with voltage: 1-120, 2-208, 3-240, 4-277, 5-480, 6-347) QZ Quartz RS with lamp HS Internal House-Side Shield VG Polycarbonate Vandal Guard R(XX) Reveal (EB option must be chosen also) (replace XX with color) EB Embossed Band L Lamp
H3			Horiz. III - RCS only (hydroformed)				
H3P			Horiz. III - Performance Series (RCS: patented multi-faceted hydroformed; RCL segmented)				
H4			Horiz. IV (multi-piece)				
H4P			Horiz. IV - RCL only Performance Series (multi-piece)				
H5			Horiz. V - (hydroformed)				
H5P			Horiz. V - Performance Series RCS Only (segmented)				
Lens							
F			Flat				
Voltage							
Q ¹			Quad-Tap® 120/208/240/277V				
5			480V				
T ^{1,3}			Tri-Tap® 120/277/347V				
E			50Hz 220/240V (250 & 400W MH & HPS only)				
V ¹			Five-Tap 120/277/347/480V (120/208/240/277/480V) ¹				
0			No Ballast				
Color							
DB			Dark Bronze				
BL			Black				
WH			White				
GR			Gray				
PS			Platinum Silver				
RD			Red (premium color)				
FG			Forest Green (premium color)				
CC			Custom Color (consult factory)				

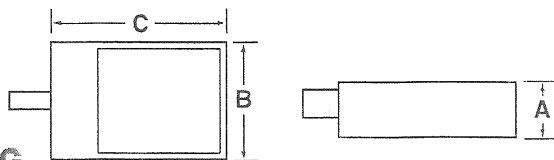
1 Factory wired for highest voltage unless specified.
 2 Required for 90° configurations.
 3 Must specify Q, 5, or T voltage. Available voltage tap on ballast may vary from catalog. Must specify wiring prep within options.
 Note All poles to be drilled with #2 pattern.

Accessories - Order Separately

Catalog Number	Description
RCS Series	
RCS-PVG	Polycarbonate Vandal Guard
RCS-HS-23	Internal House-Side Shield (H2 & H3 distributions)
RCS-HS-23P	Internal House-Side Shield (H2P & H3P distributions)
RCS-HS-4	Internal House-Side Shield (H4 distribution)
RCL Series	
RCL-PVG	Polycarbonate Vandal Guard
RCL-HS-23P	Internal House-Side Shield (H2P & H3P distributions)
RCL-HS-4	Internal House-Side Shield (H4 distribution)
RCL-HS-4P	Internal House-Side Shield (H4P distribution)



Dimensions

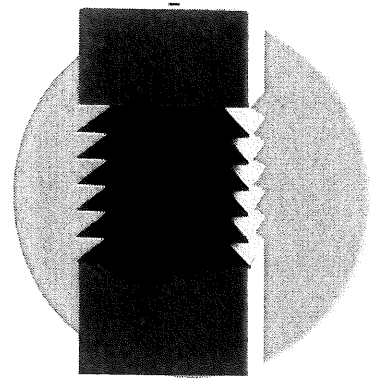


	A	B	C	EPA	Weight
RCS	8 1/2"	16 1/4"	23 1/2"	1.7 ft ²	42 lbs.
	203mm	413mm	591mm	0.2 m ²	19.1 kg
RCL	10 1/2"	22 1/4"	30"	2.6 ft ²	70 lbs.
	262mm	556mm	750mm	0.2 m ²	31.7 kg

Note: EPA and weight values do not include mounting arm
 See Spaulding EPA Value pages for more detailed information.

MODESTO

SQUARE/ROUND



Features

- Extruded aluminum square or round housing, with tamper resistant hardware. Flat top, or optional dome top for round MO2. Single screw access for top relamping.
- Thread-on glass diffuser and matte black polycarbonate louvers enclose lamp.
- Medium porcelain socket, pulse rated, with spring-loaded, nickel-plated center contact and reinforced lamp grip screw shell.
- Concealed, galvanized steel anchor base. Four 1/2" x 10" anchor bolts, on 4" diameter bolt circle.
- HPF ballast, starting rated at -20°F (-40°F for HPS). Metal Halide is CWA or Super CWA type. HPS is CWA, HR, or Reactor type.
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL1598 listed and CSA certified for outdoor use in wet locations.
- IESNA full cutoff classified.



Ordering Information

Example: MO1 - H17 - Q - DB - F1
 Series Wattage Source Volts Color Options

Series
 MO1 Modesto Square
 MO2 Modesto Round

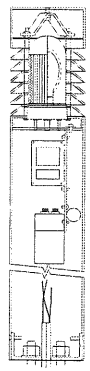
Wattage/Source
Metal Halide
 H17 175W (ED-17)
Pulse Start Metal Halide
 P50 50W (ED-17)
 P70 70W (ED-17)
 P10 100W (ED-17)
 P12 125W (ED-17)
 P15 150W (ED-17)
High Pressure Sodium
 S35² 35W (ED-17)
 S50 50W (ED-17)
 S70 70W (ED-17)
 S10 100W (ED-17)
 S15 150W (ED-17)

Voltage
 Q¹ Quad-Tap® - 120/208/240/277V
 T³ 120/277/347V CSA¹

Color
 DB Dark Bronze
 BL Black
 WH White
 GR Gray
 PS Platinum Silver
 RD Red (premium color)
 FG Forest Green (premium color)
 CC Custom Color (consult factory)

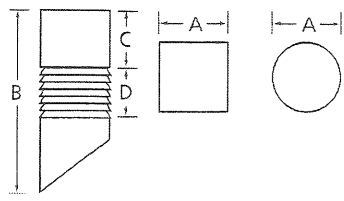
Options
 DM Dome Top (round only)
 24 24" Luminaire Height
 30 30" Luminaire Height
 36 36" Luminaire Height
 F1 Fusing - 120V
 F2 Fusing - 208V
 F3 Fusing - 240V
 F4 Fusing - 277V
 F6 Fusing - 347V
 HS120 Internal Shield - 120°
 HS180 Internal Shield - 180°
 L Lamp

1 Factory wired for highest voltage unless specified.
 2 120V only.
 3 70 watt system or higher only.



BOLLARDS

Dimensions



	A	B	C	D	Weight
MO1	6 3/4" sq.	42"	6"	3 3/4"	41 lbs.
	171 mm	1067 mm	152 mm	95 mm	18.6 kg
MO2	7" dia.	42"	6"	3 3/4"	41 lbs.
	178 mm	1067 mm	152 mm	95 mm	18.6 kg

M O H R & S E R E D I N

Landscape Architects, Inc.

April 11, 2008

Ms. Barbara Barhydt, Development Review Services Manager
City of Portland Planning Department
389 Congress St.
Portland, ME 04101

**Re: Supplemental Submission Information
Portland Museum of Art, Spring Street Site Plan Submission
Tax Map 39B, Lot 15**

Dear Barbara:

Thank you for the call yesterday alerting me to the change in schedule for the workshop for the Museum's Spring Street Parking and Garden project. We have informed the client of the change in the workshop date to May 13, 2008, and as discussed with you will continue to follow-up with City staff to resolve any issues that may arise as you continue your review of this application. Per our conversation, I submit the following supplemental information on behalf of the Museum in support of the pending request for Conditional Use and Minor Site Plan approval.

1. Photometrics:
We have completed the revisions to the site lighting plan (Sheet L2.1) and have had the attached photometric chart prepared for the site. As you can see we have maintained an average of one foot candle within the parking lot and are in conformance with the minimum to maximum requirement of the Technical Supplement. The height of the lights on this plan have been reduced to 15 feet and the wattage of each fixture reduced to 100, which we find to be a better solution than the one previously outlined in our submission of March 30, 2008.
2. Railing at the Existing Retaining Wall:
The existing retaining wall that separates the Museum property from the Harper Hotel has the proper safety barrier between the upper and lower lots. In two areas the existing fence is attached to the top of the wall and in the middle section chain link fencing has been placed against the wall at the upper level to create the appropriate barrier. We enclose a revised plan (L2.0) and section (L5.2) which indicates that the Museum proposes to repair and paint the two sections of chain-link fence that comply with code and to install new, lower chain-link fence in the middle section of the retaining wall so that the existing larger panels can be removed. We have confirmed that the wall is on the Museum's property and that they have the necessary rights to make the improvements discussed above.
3. Short and Long-Range Plans for the Site:
As discussed with the City staff in March, the Museum has developed the current plan as a short-range, interim plan that will provide the Museum with some use of the property while they develop a long-range plan for this parcel. The Board of Trustees recognized the importance of securing the property when the YWCA was closed, and acted to secure the property to help meet the long-term mission of the Portland Museum of Art. The Museum believes that it will take 20 to 25 years to properly develop a long-range plan for the property,

implement a capital program/campaign and start the construction related to the long-range plan for the property. Accordingly, the interim use of this parcel for parking and gardens is viewed by the Museum as a 15 to 20 year commitment. The design of the project has been based upon this time frame and is reflected in the selection of plant materials, the utility design and the other site improvements proposed for the property.

Please review this supplemental information and the enclosed plans and call if you have any questions. We can meet with you and/or Ms. Frasier if you want to review any of the submission material in greater detail.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Mr. Dan O'Leary, PMA
Mr. Thomas Denenberg, PMA
Mr. Charlton Ames
Mr. Hans Underdahl



April 23, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art Site Plan Submission Response to Staff Questions
Spring Street Parking and Gardens**

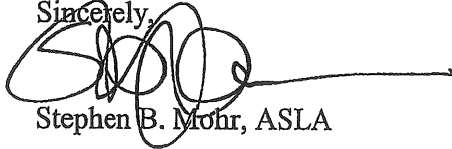
Dear Ms. Fraser:

Thank you for the telephone message on Friday regarding staff issues that have been raised for the Museum's proposed project on Spring Street. I offer the information below in response to your questions, and each item as a separate issue;

1. Use of the Parking Lot by the PMA
As indicated in our submission dated March 31, 2008, the 45 car parking lot is being constructed to serve the Museum's administration, staff and volunteers. Based on input from the Museum we know that the Museum administration, staff, volunteers and docents will be using this parking area on a daily basis, and therefore the 20 foot wide travel lane and tandem parking can be successfully managed. There will be other occasions when the Museum Trustees, visiting artists, special exhibit curators, exhibit installers, contractors or contracted work forces for the Museum may use this parking lot for specific short-term needs. The Museum is not constructing this parking lot for use by the general public. I trust this detailed response will address the staff concerns regarding the travel lane width and use of the tandem parking spaces.
2. Trellis and Wall Fence Details:
Our initial submission I indicated that the existing concrete wall would have trellises attached to it at 10' intervals on part of the wall. On top of the wall sections of the existing chain-link fence will be preserved, but new 22" high chain-link fence will be installed where a temporary chain-link barrier has been placed. In the supplemental submission made to the department on April 11, 2008 we included a section of the wall showing these improvements on drawing L5.2. At the time of the workshop we will provide additional graphics that further define the design of both the trellis and the new fence.
3. Proposed Site Lighting:
The photometric plan that was prepared and submitted on April 11, 2008 for the lighting for the project provides safe and sufficient light levels for the use of the parking based upon our discussions with the Museum, our experience, and generally accepted lighting standards for parking lots. As can be seen in the summary chart on drawing L2.1 there is an average level of 1.02 footcandles in the parking lot and the

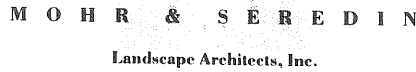
minimum to maximum light range falls within the range of 0 fc to 6.9 fc. There are three locations within the parking lot where the illumination level is considered low at a level of 0.1 fc. It is our opinion that these isolated areas of lower light levels will in fact be sufficiently illuminated due to the lighting sources adjacent to this property, including illumination from the Holiday Inn on Spring Street. It is our intent to request a waiver from the Planning Board for any areas of nonconformity with the City's Technical Standards because the Museum does not want to create excessive light levels in this part of their property.

Sincerely,

A handwritten signature in black ink, appearing to read "S. Mohr", with a long horizontal line extending to the right.

Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg



May 6, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art -- Spring Street Parking and Garden
Staff Review Comments**

Dear Ms. Fraser:

Thank you for your April 30 and May 6, 2008, emails outlining the Planning Department's preliminary review comments regarding the Portland Museum of Art's Spring Street Parking and Garden project. We have reviewed your comments as well as Woodard & Curran's April 24, 2008, memorandum. Based upon our review of these documents we offer the following responses, which appear in the order of the April 24 memorandum, and are then followed by responses to the most recent email from you.

1. Survey Data: The topographic survey uses NGVD 1929 and the project is tied into the Maine State Plane Coordinate system. Our surveyor will add appropriate notes to the topographic survey, which will be re-submitted once it is revised.
2. Sidewalk: Sheet L2.0 has been revised indicating the contractor shall repair the damaged area of the concrete sidewalk at the corner of Spring Street and Oak Street.
3. Sewer Main: Sheet L3.0 has been revised stating Contractor shall provide evidence that the sewer has been capped at the sewer main.
4. Stormwater Connection: Sheet L3.0 has been revised showing the proposed 12-inch stormwater drain connecting to the existing Oak Street stormwater manhole.
5. Stormwater Pipe: Sheet L3.0 has been revised showing all stormwater drains located within the City Right-of-Way as reinforced concrete pipe (RCP.)
6. Water Capacity Letter: The removal of the YWCA building and the departure of the School of Art from the Clapp House have reduced the water demand at this location by approximately 2,800 to 4,200 gallons (the range is a function of season and occupancy at the buildings) per day. The proposed irrigation system will use roughly 300 gallons a day during the summer months. We do not foresee any issues with this flow demand being met by the PWD, but have submitted a Capacity Request Letter to the Portland Water District, dated May 5, 2008.
7. Pipe Bedding Detail: Detail 8 on Sheet L5.0 has been revised to show crushed stone on top and bottom of pipe.
8. Catch Basin Detail: Detail 2 on Sheet C-3 has been revised to show a Casco trap.

9. Soil Filter Bed Detail: Detail 4 on Sheet C-3 has been revised to show an 18 inch depth for the soil filter bed.
10. Soil Filter Bed Plantings: Based upon our experiences with bio-retention cells, the proposed perennial plants were selected based upon their capacity to withstand both standing water/inundation conditions as well as dry/arid conditions. We will provide additional documentation regarding these issues if the Board deems it necessary.

With respect to the issues raised in your email of today we offer the following responses to the issue of the parking use by staff and the treatment of the concrete wall.

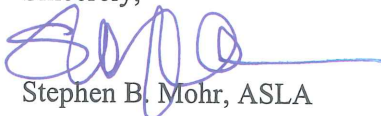
Employee Parking: The 24 to 26 parking spaces that existed at the former YWCA and Museum/Clapp properties included 4 spaces used by the Museum. As agreed with the City staff when the YWCA structure was removed, the area previously used for parking by the YWCA and Clapp House would be utilized for parking by the Museum staff while the plans were being developed for this project. The Museum staff that are currently parking in the temporary lot had previously either parked in all-day, non-metered on-street parking spaces (e.g. upper Pleasant St. or lower Oak St.) or in nearby parking garages.

The proposed 45 space parking lot, 10 spaces of which are tandem, will be used by staff for parking creating 41 spaces more than the Museum had at this location. Based on the current parking plan 30 to 35 of the spaces will be dedicated to staff (including the tandem spots), 2 are handicapped spaces, 1 is for delivery vans/museum contractors and the balance of the parking spaces will be reserved for docents, volunteers for specific shows, exhibit installation, curators and exhibit personnel or other Museum staff or Trustees who require short-term parking near the building. The staff that will now be parking in the proposed lot formerly parked in the non-metered locations, in metered parking on Free, Oak, Spring and Congress Streets, or they utilized surface or garage parking on Free and Spring Streets and paid a daily fee.

Wall Treatment: We are working on a revised plan for the treatment of the rear wall and fence which will create an armature of plant growth on the entire wall, extending up to and including the fence atop the wall. The small metal panels previously proposed for the wall in selected locations have been replaced with curved wire strands held off the wall 4 to 6 inches by metal stanchions to create a rigid trellis on the face of the wall. The trellis will be planted with the twining and clinging vine species previously set forth in our submission. We are studying the feasibility of extending the trellis up to the height of the fence so that the entire wall will become a green surface with wisteria, clematis, Virginia creeper, honeysuckle and Kiwi.

We have removed the benches from the plans, but the balance of the project remains as previously submitted. Please call if you have question as you finalize the memo to the Planning Board.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg

MEMORANDUM

To: FILE

From: Marge Schmuckal

Dept: Zoning

Subject: Application ID: 2008-0038

Date: 4/11/2008

This property is located within the B-3 Business Zone. Parking lots are required to be approved by the Planning Board under a conditional use appeal. Parking lots in the B-3 zone require parking to be setback a minimum of 35 feet from any street line. This submittal shows 65 feet and 70.5 feet setbacks. Bicycle racks are shown on the plans as encouraged.

A separate application and review is required for any new signage. The B-3 Zone restricts freestanding signs on the peninsula. Section 14- 434 restricts signage heights within areas situated on the corner of two streets.

All other zoning requirements related to this parking lot are being met.

Marge Schmuckal
Zoning Administrator

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE and Lauren Swett, EIT
DATE: April 24, 2008
RE: Portland Museum of Art, Spring Street Site Plan

Woodard & Curran has reviewed the site plan application for the Portland Museum of Art Spring Street parking lot. The Museum has purchased the former YWCA property located at the corner of Spring Street and Walnut Street, and is proposing to construct a 45-vehicle parking lot for museum employees. The project will include extensive landscaping and the construction of a bioretention cell for stormwater treatment.

Documents Reviewed

- Portland Museum of Art, Spring Street Site Plan Submission, prepared by Mohr & Seredin Landscape Architects, Inc., on behalf of the Portland Museum of Art, dated March 31, 2008.
- Engineering Plan Sheets, B-1, L1.0 to L5.0, L5.1, L5.2, and C-1 to C-4, prepared by Mohr & Seredin Landscape Architects, Inc. and Land Consulting Engineers on behalf of the Portland Museum of Art, dated March 28, 2008,
- Stormwater Analysis for Portland Museum of Art Spring Street Parking and Gardens, prepared by Land Consulting Engineers, on behalf of the Portland Museum of Art, dated March 25, 2008.
- Supplemental Submission Information for the Portland Museum of Art, Spring Street Site Plan Submission, prepared by prepared by Mohr & Seredin Landscape Architects, Inc., on behalf of the Portland Museum of Art, dated April 11, 2008

Comments

- The applicant should confirm that the survey for the project coincides with approved City standards. The survey needs to be tied to the vertical datum of NGVD 1929. Also, the project needs to be tied to the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. This should be indicated on the survey.
- The condition of the sidewalk at the site will need to be evaluated to determine if the applicant will be required to install new sidewalk and curbing.
- The applicant will need to provide verification to the City that the old sewer has been capped at the sewer main.
- The applicant has proposed to tie storm drain from the site into the existing catch basin on Spring Street. This connection should either be made to the existing manhole on Oak Street or a new manhole should be provided in Spring Street. The connection directly to the catch basin will not be allowed.
- City of Portland standards do not allow the use of HDPE pipe. PVC and RCP pipes are acceptable and need to at least be used within the City right-of-way for the connections to City infrastructure.
- The application states that the project has no domestic water needs, however an irrigation system connected to the existing Clapp House water supply is proposed. Has this water capacity requirement been addressed with the Water District?
- The landscaping plans and the engineering plans both include details for pipe trenches. These details should be the same and should show crushed stone above and below the pipe.



- Catch basins should have casco traps. A detail should be included and the casco trap should be shown in the catch basin detail as well.
- The bioretention cell detail does not include a depth for the soil filter bed.
- It was noted that the proposed bioretention cell has a ponding depth of 18". MaineDEP standards for BMPs call for a maximum ponding depth of 6" to allow for plant growth. We recommend that the applicant contact the DEP to discuss allowable ponding depth relative to the plants that have been chosen for the site.

Please contact our office if you have any questions.

DRG/LJS
203943

Attachment 5c

From: Jean Fraser
To: Jewell, Patty
Date: 5/1/2008 9:26:11 AM
Subject: RE: Review of PMA proposed pkg lot and gardens

Ms Jewell,

I do not have an e-mail address for Stephen Mohr and would be grateful if you could pass on the following update and confirm that Stephen has received it:

Hello Stephen,

I am writing to update you on the progress of the above Conditional Use and Site Plan review.

1. The Workshop date of Tuesday, May 13 is definite, although I do not yet know the time for your item.
2. For the PB Memo that I am preparing for the Workshop, I need 11X17 copies of all of the plans and revised plans that now make up this application (excluding any of the plans that are now superceded by revisions). I need these plans by Wednesday of next week (May 7) at the latest please.
3. I am still awaiting comments from some reviewers. I attach for information the Memo from the Engineering Reviewer dated 4.24.2008- this Memo will be included in the packet going to the Workshop and most are details that can be addressed after the Workshop.

Re bullet point 2 of this Memo, I anticipate that Public Works will confirm that there is a section of sidewalk at the corner of Spring and Oak that needs to be upgraded as part of the proposals.

Re the last two bullet points of this Memo, you may wish to address this prior to the Workshop and possibly revise the design of the Bioretention cell re ponding depth to ensure that it will operate as a "rain garden".

Please do not hesitate to call me if there are any questions.

Jean (Fraser)
Planner
874 8728

Attachment 5d

**CITY OF PORTLAND
DEPARTMENT OF PUBLIC SERVICES
Engineering Division**

M E M O

TO: Jean Fraser
FROM: Michael Farmer, Project Engineer
DATE: May 1, 2008
RE: PMA Parking Lot - Spring Street

The Department of Public Services recommends requiring the applicant for this project to reconstruct the sidewalk ramp at the intersection of Spring St. and Oak St., the first 7 feet of the adjacent sidewalk on Oak Street, and the first 12 feet of the adjacent sidewalk on Spring Street. The new sidewalk ramp and adjacent sidewalk areas should be constructed of brick, in accordance with the applicable City technical standards.

Attachment 5e

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/6/2008 11:42:20 AM
Subject: PMA Spring Street Parking Lot

Jean -

I have reviewed plans (prepared by Mohr & Seredin dated April 10, 2008) and supplemental materials (William J. Bray letter dated March 27, 2008) and generally support the current project with the following comments:

* I support the provision of a 20-foot driveway and a City driveway width standard waiver.

* I support the use of tandem parking stalls. I would note that this is based upon the use of the parking spaces by long-term duration vehicles, in this case employees. If the use of the parking lot changes, I would suggest that the parking layout be reviewed for its appropriateness.

* The applicant should provide a summary of existing parking conditions (e.g. where existing employees park), and how those conditions will change in the future.

If you have any questions or comments, please contact me.

Best regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

From: Jean Fraser
To: Mohr, Stephen
Date: 5/6/2008 3:17:39 PM
Subject: Re: FW: PMA Spring Street Project

Stephen,

Yes, I am working on the PB Memo now and will do a final review at the staff meeting tomorrow morning- so will look for your letter and 11x17 plan set (needed for 10am please).

I have just received comments from the Traffic Engineering Reviewer and he has asked for: "The applicant should provide a summary of existing parking conditions (e.g. where existing employees park), and how those conditions will change in the future." To be honest I am not quite sure what he means, but if you can answer that it would be one issue out of the way.

The other issue that we will probably raise with the Board is the quality of the rear wall treatment given the number of years that this is going to be "exposed"- I am sure there are vertical metal railings (painted black) or other designs that also meet code re safety over the retaining wall and so there is a question re incorporating a more permanent/attractive fence solution.

I will e-mail you a copy of the cover text of the PB Memo on Friday afternoon and you may collect a paper copy of the entire PB Memo on Monday morning.

Jean (Fraser)
Planner
874 8728

>>> "Stephen Mohr" <smohr@mohrseredin.com> 5/6/2008 2:47:09 PM >>>

Attachment 5g.

From: Deb Andrews
To: Jean Fraser
Date: 5/8/2008 12:47:41 PM
Subject: PMA Proposed Parking Lot and Garden

Jean:

At your request, I have reviewed the Portland Museum of Art's proposed parking/landscape treatment for the lot adjacent to Clapp House on Spring Street. You asked that I review the proposal according to the "congruity" standard included in the site plan ordinance, as the subject lot is located immediately adjacent to an individually-designated landmark structure and the eastern boundary of the West End Historic District.

In my view, the proposed treatment meets the site plan ordinance's congruity standard. Although it is hoped that the site will one day accommodate a new building within the Museum's expanded campus, the proposed landscape treatment effectively buffers the parking and the series of birch tree bosques provides an interesting reference to the building footprints of houses that historically occupied the frontage.

The one potential concern I have is that the proposal calls for retaining (and repairing where necessary) the chain link fence on top of the concrete wall at the northern edge of the site. Particularly where the proposed treatment may be in place for as many as 20 years, the chain link fence seems like an inferior choice of fencing material. At a minimum, I would encourage generous, fast-growing vine plantings at the base which would hopefully obscure the fencing.

Deb Andrews
Historic Preservation Program Manager

Attachment 5h

From: Jeff Tarling
To: Jean Fraser
Date: 5/9/2008 4:07:01 PM
Subject: PMA Spring Street Parking & Garden

Jean -

The proposed PMA Spring Street Parking & Garden landscape plan offers a unique approach to combining parking and garden landscape design treatment for the Spring Street property. The focal point of the project are three 'bosque' or groupings containing 48 White Birch trees planted in a formal design in three blocks of 16. Additional features include a rain garden area, groupings of evergreen trees, hydrangea shrubs, and an assortment of vines. Overall the proposed landscape design and its unique character will add interest to the area, especially in comparison to the more typical landscape treatment. Recommendations would include the adding to the screening of the back walls. While the plan proposes a wide variety of vine treatments the number or density of plants perhaps should be increased especially behind the five parking spaces near the top of the landscape sheet L4. To the right and left of this area trees help with the screening. Either a greater number of vines, espalier trees perhaps would help meet the screening goals. I would be glad to meet with the project team to review recommendations. Culturally, the White Birch groves will require special accommodations and extended care to be successful. While the use of White Birch should be striking with the white stems, River Birch would be an easier plant selection to grow.

Additional comments would include snow storage - where? and extending the use of curbing around the entire parking lot to protect the lawn and landscape areas.

Overall - unique approach that should make this an area of horticultural & design interest that fits with the PMA mission.

Jeff Tarling
City Arborist

CC: Barbara Barhydt ; Tom Civiello



May 15, 2008

Ms. Jean Fraser
City of Portland
398 Congress St.
Portland, ME 04101

**Re: Revised Submission Materials
Portland Museum of Art Spring Street Parking and Garden Project**

Dear Jean:

As you requested, we submit the attached PDF images of the plans for the Spring Street project. These plans have been revised to include the comments set forth in your memo as well as comments made by the Planning Board at the workshop on May 13, 2008. The specific revisions to the plans are as follows:

1. **Electronic gate for parking control:**
The plans have been revised to include an electronic gate and 18-foot long control arm. The gate has been located to control access into, and out of, the new parking lot. The gate is designed with both a key pad and magnetic swipe card so that access will be limited to the persons set forth in our earlier correspondence. The control key pad has been located on a granite block on the drivers' side of the entry aisle for ease of convenience. The details for the control gate are included on the detail sheet for the project.
2. **Sidewalk repairs and improvement in Spring and Oak Streets:**
We have included on our plans the information showing the extent of the sidewalk repair and improvements on Oak and Spring Streets. The work limits are in conformance with Mr. Farmer's memo. We are replacing the concrete sidewalks with brick as is required in this district. The details are shown on the project detail sheet.
3. **Treatment of the rear wall:**
The information that was presented to the Board for the treatment of the rear wall has been included on a separate drawing, L5.3, submitted in this package. As presented to the Board, we will be installing cables on the rear wall as an armature for the vines. The layout and construction details for the cables are shown on the newly inserted project sheet.
4. **Planting:**
As discussed with the City Arborist, and reviewed with the Planning Board, we have added an additional vine species, Sweet Autumn Clematis, to the plant list for the rear wall. We have also increased the plant quantities and increased plant

sizes for some of the vines. These changes are shown on drawing L4.0 and are noted in the plant list included on drawing L4.0. All other plantings remain as previously shown on the plans.

5. Lighting:

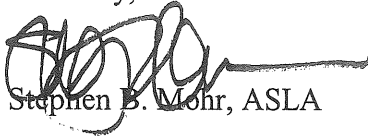
We have revised the lighting plan to address the staff and Board's concerns about illumination levels on the walkway, adjacent to the parking areas, and within the landscaped terraces. The bollard lights have been replaced with 100-watt pole-mounted lights at a 10-foot height parallel to the walkway. The light pole locations within the lot have been adjusted to provide more even illumination levels. After exploring several options the lighting for the landscaped terraces will consist of four (4), 50-watt downlights located on each of the three terraces. The downlights will be mounted at an 8-foot height and will be angled downward at 45 degrees. This lighting will provide a well dispersed, low-level of light within the center of each bosque of birch trees. The revised photometric plan will be sent to you under separate cover as we waiting for it to be completed.

6. Bicycle rack:

The previous submission included a detail for the proposed bicycle rack that is located on the west side of the Clapp House. We have revised that detail to provide a lower profile bicycle rack.

We have been in contact with the Museum's attorney who will be sending the draft license agreement under separate cover. I trust this will address all the issues raised by the Board and City staff. We will deliver four (4) copies of full-sized prints to your office on Friday, May 16.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Tom Denenberg
Charlton Ames

MOHR & SEREDIN

Landscape Architects, Inc.

18 Pleasant Street, Portland, Maine 04101

ph: 1.207.871.0003

fax: 1.207.871.1419

MEMORANDUM

Date: May 21, 2008

To: Ms. Jean Fraser

From: Michael King, Mohr & Seredin Landscape Architects, Inc.

Re: **Supplemental Information: L2.1 -- Photometrics Plan**
Portland Museum of Art, Spring Street Parking and Garden

Attached please find supplemental information in support of the Portland Museum of Art's pending Minor Site Plan Review application. Revised sheet L2.1 reflects the changes requested by the Planning Board (addition of lighting in tree areas) and the Holiday Inn (use of light poles instead of bollard lights.)

Please contact Stephen Mohr or myself if you have comments or questions as the staff reviews the Minor Site Plan Review Application. Thank you.

From: "Michael W. King" <mking@mohrseredin.com>
To: "'Jean Fraser'" <JF@portlandmaine.gov>, "Michael W. King" <mking@mohrseredin.com>
Date: 5/22/2008 9:27:23 AM
Subject: RE: Portland Museum of Art

Hi Jean --

Attached are PDF files containing catalog cuts for the parking lot/walkway lights (Dallas.PDF) and the tree lights (tree.lights.PDF.)

Also attached is the License Agreement. Please review and make us aware of comments.

The existing five walkway lights (identified as 'A') are owned, controlled and maintained by the Holiday Inn, who has an easement across the PMA property. These lights were originally installed prior to the current technical standards. We are relocating these existing five walkway lights because the City has requested a twenty-foot driveway. Aside from this relocation, the proposed lighting plan replicates the existing walkway light levels. We will discuss the possibility of decreasing the light levels with the Holiday Inn.

Regarding the lighting in the terrace area, we do not believe it requires waiver. According to the technical standards "exterior lighting shall be adequate for the safety of the occupants or users of the site." Per the License Agreement, occupants or users will not be allowed in the terrace area at night. It is our understanding these lights are intended for basic security, not to allow night time use of the space.

Michael King
Mohr & Seredin Landscape Architects, Inc.
207.871.0003

-----Original Message-----

From: Jean Fraser [mailto:JF@portlandmaine.gov]
Sent: Wednesday, May 21, 2008 3:43 PM
To: Michael W. King
Cc: Stephen Mohr
Subject: RE: Portland Museum of Art

Hello Mike,

Thank you for both the pdfs and the paper copies of the photometric plans re the revised lighting proposals.

We discussed them at this morning's meeting and I was asked to bring to your attention that the proposals do not meet our technical standards (copy attached) and the Planning Board will have to approve a waiver from these technical requirements.

While welcoming an increase in the lighting levels, the levels of 9.7 and 9.4 in particular are almost twice the maximum of 5 set out in our standards and we would like you to look at a way of reducing those (eg through

Att 8.2

relocation of poles) as staff may not be willing to support a waiver re these high levels.

The proposals for lighting in the terraced areas are interesting and also would require a waiver; assuming that the fixing would not damage the trees, staff would support this part of any waiver.

Please note we need the catalog cuts for all of the proposed lights (with illustration and information re being cut off type lens) to include in the Hearing report- can you pdf those to me please asap.

If any of this is unclear, please do not hesitate to call me.

Jean (Fraser)
Planner
874 8728

CC: "Stephen Mohr" <smohr@mohrseredin.com>

(for parking lot/walkway)

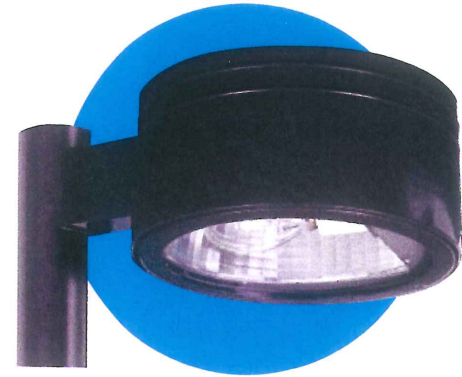
Att 8.3

DALLAS

SMALL/MEDIUM/LARGE

Features

- Round spun aluminum housing featuring an embossed decorative band. Optional color vinyl trim stripe available.
- Cast aluminum door with clear, flat tempered glass lens, fully gasketed to housing, secured with captive screws. Housing with spider mount hinges up, and door with arm mount hinges down for service.
- Specular, anodized aluminum reflectors for horizontal lamp, provide Type II, III, IV or V square light patterns. DL1 and DL2, Type II and Type III reflectors feature unique, patented micro-faceted design. IESNA full cutoff lighting classification achieved with flat lens.
- Extruded aluminum arm required for pole mount. Spider mount has four aluminum tube arms attaching housing to cast slipfitter for 2.375" OD tenon.
- Mogul porcelain socket, pulse rated, with spring loaded, nickel plated center contact and reinforced lamp grip screw shell. Medium base for ED-17 lamp.
- CWA type ballast, HPF, starting rated at -20°F (-40°F for HPS).
- Durable Lektrocote® TGIC thermoset polyester powder coat paint finish assures long life and maintenance-free service.
- UL 1598 listed for outdoor use in wet locations.



Ordering Information

Example: DL1 - A - H25 - H3 - F - 5 - BL - F4

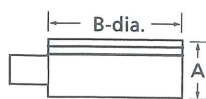
Series	Mount	Wattage Source	Lamp Orient./Dist.	Lens	Volts	Color	Options
Series							
DL1	Dallas 1 (100-175W)			F	Flat		
DL2	Dallas 2 (200-400W)						
DL3	Dallas 3 (1000W)						
Mounting							
A	Arm Mount (arm not included, order separately)						
ST	Spider Mount (2.375" tenon)						
Wattage/Source							
Metal Halide							
H17	175W (ED-28) DL1, DL2 only			Q ³	Quad-Tap® - 120/208/240/277V		
H25	250W (ED-28) DL2 only			S ⁴	480V ⁴		
H40	400W (ED-28) DL2, DL3 only			T ³	Tri-Tap® - 120/277/347V CSA		
H1K	1000W (BT-56) DL3 only			Color			
Super Metal Halide				DB	Dark Bronze		
MS17	175W (ED-28) DL1 only			BL	Black		
MS25	250W (ED-28) DL2 only			WH	White		
MS40	400W (ED-28) DL2, DL3 only			GR	Gray		
MS1K	1000W (BT-56) DL3 only			PS	Platinum Silver		
Pulse Start Metal Halide				RD	Red (premium color)		
P10	100W (ED-17) DL1 only			FG	Forest Green (premium color)		
P12	125W (ED-17) DL1 only			CC	Custom Color (Consult Factory)		
P15	150W (ED-28) DL1 only			Options			
P20	200W (ED-28) DL2 only			F1	Fusing - 120V		
P25	250W (ED-28) DL2 only			F2	Fusing - 208V		
P32	320W (ED-28) DL2 only			F3	Fusing - 240V		
P35	350W (ED-28) DL2 only			F4	Fusing - 277V		
P40	400W (ED-28) DL2 only			F5	Fusing - 480V		
High Pressure Sodium				F6	Fusing - 347V		
S70	70W (ED-23.5) DL1 only			PR1	Photo Cell Receptacle - 120V		
S10	100W (ED-23.5) DL1 only			PR2	Photo Cell Receptacle - 208V		
S15	150W (ED-23.5) DL1, DL2 only			PR3	Photo Cell Receptacle - 240V		
S25	250W (ED-18) DL2 only			PR4	Photo Cell Receptacle - 277V		
S40	400W (ED-18) DL2, DL3 only			PR5	Photo Cell Receptacle - 480V		
S1K	1000W (E-25) DL3 only			PR6	Photo Cell Receptacle - 347V		
Lamp Orientation/Distribution				QZ	Quartz Restrike with lamp		
H2 ¹	Horiz. II DL1, DL2 only			HS	Internal House Side Shield		
H3	Horiz. III			VG ²	Polycarbonate Vandal Guard		
H4 ²	Horiz. IV			RDB	Reveal (Dark Bronze)		
H5	Horiz. V (square)			RBL	Reveal (Black)		
				RWH	Reveal (White)		
				RGR	Reveal (Gray)		
				RPS	Reveal (Platinum Silver)		
				RRD	Reveal (Red)		
				RFG	Reveal (Forest Green)		
				L	Lamp		

Arm Logic - Order Separately

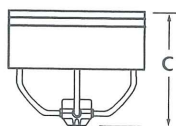
Series	ARM	Rigid Arm
Luminaire Shape	R	Round
Arm Length	6	6" Arm (EPA = 0.24 ft², 3.5 lbs) (0.02 m², 1.5 kg)
	10	10" Arm (EPA = 0.4 ft², 5.0 lbs) (0.03 m², 2.2 kg)
Pole Shape		
#1 Drill Pattern for Pole	S	Square
	R4	Round Straight (4.5")
	R5	Round Straight (5")
	R6	Round Straight (6")
#2 Drill Pattern for Pole	T2	Round Tapered (2.5")
	T3	Round Tapered (3")
	T35	Round Tapered (3.5")
	T4	Round Tapered & Straight (4")
Color		
DB		Dark Bronze
BL		Black
WH		White
GR		Gray
PS		Platinum Silver
RD		Red (premium color)
FG		Forest Green (premium color)
CC		Custom Color (Consult Factory)

- Wall Bracket**
WB-R-XX Bracket and "6" arm included. Replace XX with color designation.
- 1 Available with DL1 and DL2 only.
 - 2 Reduced envelope lamp required for 1000W.
 - 3 Factory wired for highest voltage unless specified.
 - 4 Not available with 100W Pulse Start Metal Halide.
 - 5 Consult factory for VG option with spider mounting.

Dimensions



Arm Mount



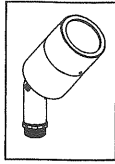
Spider Mount

	A	B	C	EPA	Weight
DL1	8 1/2"	18"	20 1/2"	.7 ft²	35 lbs.
	216 mm	457 mm	521 mm	0.1 m²	15.9 kg
DL2	9 1/2"	22 1/2"	22 3/4"	1 ft²	55 lbs.
	241 mm	572 mm	578 mm	0.1 m²	24.9 kg
DL3	10 3/4"	26"	23"	1.3 ft²	77 lbs.
	273 mm	660 mm	584 mm	0.1 m²	34.9 kg

Note EPA and weight values do not include mounting arm.
Note Spider mount adds: DL1 - 0.2 ft² EPA (2 lbs)
DL2 - 0.3 ft² EPA (3 lbs), DL3 - 0.5 ft² EPA (5 lbs)
See Spaulding EPA Value pages for more detailed information.

(tree lights)

Att. 8.4

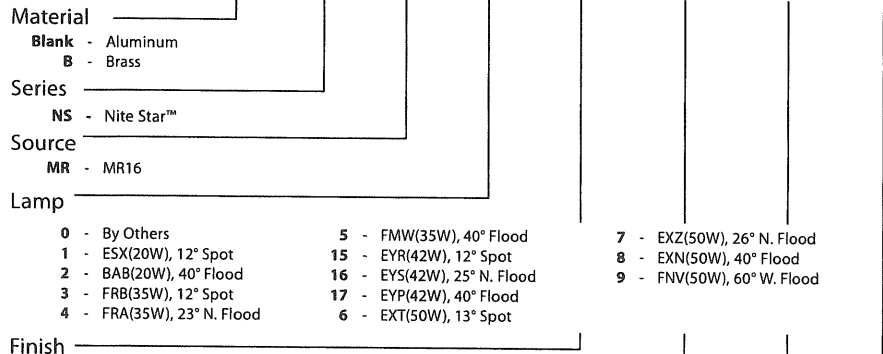
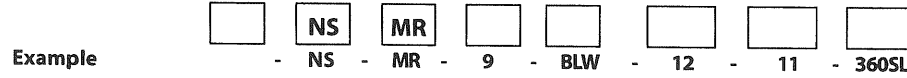


MR-16 Halogen

NITE STAR™

PROJECT:	
TYPE:	
CATALOG NUMBER:	
LAMP(S):	
NOTES:	

CATALOG NUMBER LOGIC



Finish

Aluminum & Brass Finish			Brass	
Powder Coat Color	Satin	Wrinkle	Machined	MAC
Bronze	BZP	BZW	Polished	POL
Black	BLP	BLW	Mitique™	MIT
White (Gloss)	WHP	WHW		
Aluminum	SAP	—		
Verde	—	VER		

*Also available in Premium Finishes
See submittal SUB-1439-00 for Premium Finishes*

Lens Type

- 9 - Clear (Standard)
- 10 - Spread*
- 12 - Soft Focus*
- 13 - Rectilinear*

Shielding

- 11 - Honeycomb Baffle*

Options

- 360SL - 360SL™ Knuckle Mounting System

* Accommodates up to 2 Lens/Shielding media

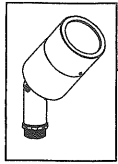
LAMP DATA

BK No.	Lamp Watts	Description	Rated Life (hrs.)	Center Beam Candlepower	Beam Angle	Beam Type
1	20	ESX	4,000	4,000	12°	Spot
2	20	BAB	4,000	500	40°	Flood
3	35	FRB	5,000	7,600	12°	Spot
4	35	FRA	5,000	2,300	23°	Narrow Flood
5	35	FMW	5,000	1,100	40°	Flood
15	42	EYR	5,000	7,500	12°	Spot
16	42	EYS	5,000	2,600	25°	Narrow Flood
17	42	EYP	5,000	1,100	40°	Flood
6	50	EXT	5,000	9,800	13°	Spot
7	50	EXZ	5,000	3,200	26°	Narrow Flood
8	50	EXN	5,000	1,600	40°	Flood
9	50	FNV	5,000	700	60°	Wide Flood

B-K LIGHTING	40429 Brickyard Drive • Madera, CA 93636 • USA 559.438.5800 • FAX 559.438.5900 www.bklighting.com • info@bklighting.com	SUBMITTAL DATE 03-19-08	DRAWING NUMBER SUB-1017-00
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AH. 8.5

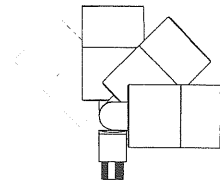
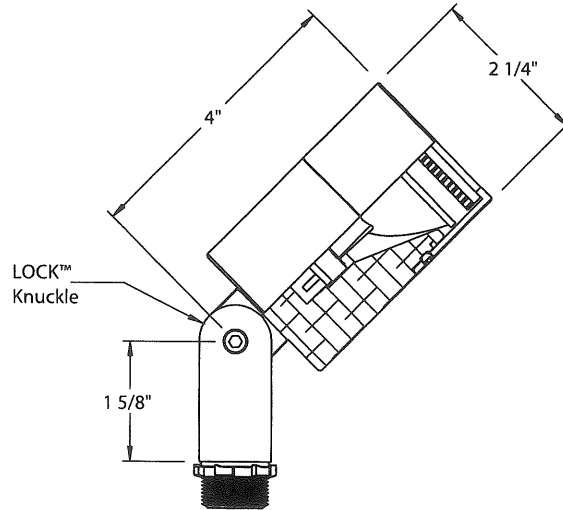


MR-16 Halogen

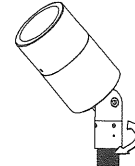
NITE STAR™

PROJECT:	
TYPE:	

SIDE VIEW



180° Vertical adjustment
(Standard)



Horizontal Rotation
(Optional 360SL™ Knuckle)

SPECIFICATIONS

Body

Fully machined from solid, copper-free aluminum. Also available in solid machined brass. Unibody design provides enclosed, water-proof wireway and heat sink to maximize lamp life. Integral knuckle for maximum mechanical strength. High temperature, silicone 'O' Ring provides water-tight seal.

Knuckle

The LOCK™ (Locking 'O' Ring Compression Knuckle) is comprised of two components. The first is integral to the body and features an interior, machined taper. The second is machined from solid billet and features a second, reverse angle taper. The resultant mechanical taper-lock allows a full 180° vertical adjustment without the use of serrated teeth, which inherently limit aiming. High temperature, silicone 'O' Ring provides water-tight seal and compressive resistance to maintain fixture position. Design withstands 73 lb. static load prior to movement to ensure decades of optical alignment. 1/2" pipe thread for mounting.

Optional 360SL™ Knuckle Mounting System additionally provides biaxial source control with 360° horizontal rotation in addition to vertical adjustment.

Cap

Machined from copper-free aluminum. Also available in machined brass. Flush mounted lens. Accommodates up to (2) lens or louver media.

Lens

Shock resistant, tempered, clear glass lens is factory adhered to fixture cap and provides hermetically sealed optical compartment.

Lamp

For use with 50 watt maximum, MR-16 lamp.*
*Except GE Light Q42MR16/C/VNSP9 (EZY).

Transformer

For use with 12 VAC remote transformer.

Socket

Specification grade, ceramic body lamp holder. GUS.3 base. Nickel alloy contacts and heat resistant, spring loaded, stainless steel lamp retaining clips.

Wiring

Teflon® coated wire, 18AWG, 600V, 250° C rated and certified to UL 1659 standard. Leads extend 6" beyond knuckle.

Hardware

Tamper-resistant, stainless steel hardware. LOCK™ vertical aiming screw is additionally black oxidized.

Finish

StarGuard® (Pat. Pend.), a 15 stage chromate-free process cleans and conversion coats aluminum components prior to application of Class 'A' TGIC polyester powder coating. Brass components are available in powder coat or handcrafted metal finish.

Warranty

5 year limited warranty.

Listings

ARL and CSA listed to UL 1838 standard. Suitable for indoor or outdoor use. Suitable for use in wet locations.



*Teflon is a registered trademark of DuPont Corporation.

B-K LIGHTING

40429 Brickyard Drive • Madera, CA 93636 • USA
559.438.5800 • FAX 559.438.5900
www.bklighting.com • info@bklighting.com

SUBMITTAL DATE
03-19-08

DRAWING NUMBER
SUB-1017-00

Att. 8.6

CATALOG NUMBER LOGIC

EXAMPLE: TS - MB-2 - BLP - 36"

Series: _____

Style: _____

MB-2
TMC

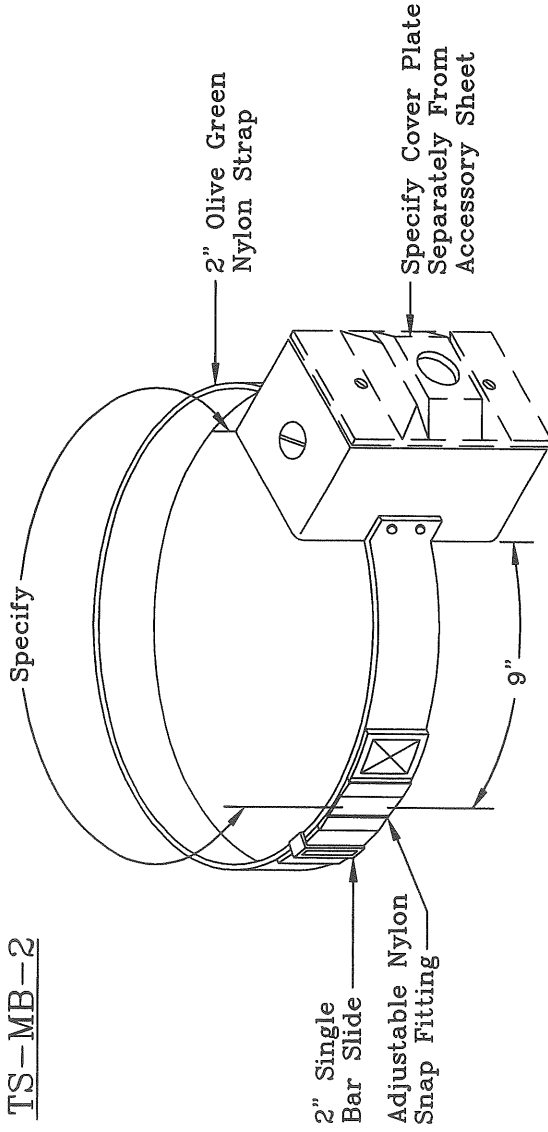
Finish: _____

Powdercoat	Satin	Wrinkle
Bronze	BZP	BZW
Black	BLP	BLW
White (Gloss)	WHP	WHW
Aluminum	SAP	---
Verde	---	VER

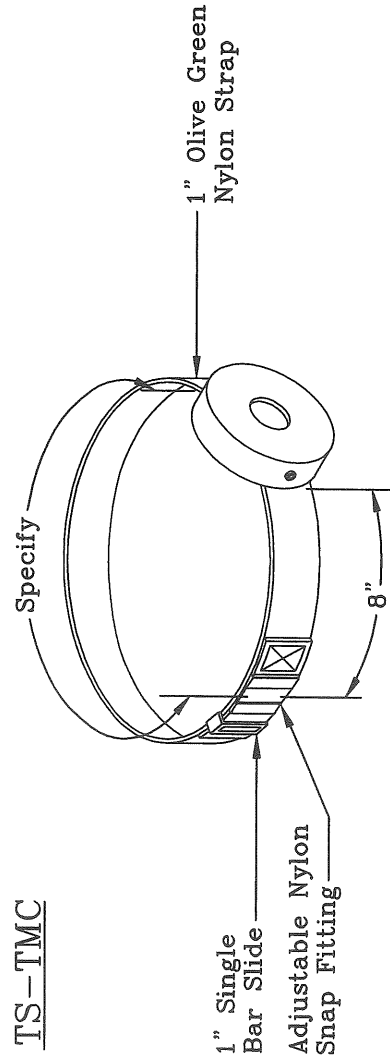
Adjustable Strap Length: _____

3" Minimumum

TS-MB-2



TS-TMC



For Remote Transformers
See Sheets TRSS Series, TR Series,
Power Pipe, Power Pipe II or Power
Canopy in Accessory Section.



TREE STRAP™ SERIES

4/00 **B-K LIGHTING, INC.** DRAWING NUMBER
SUB-1039-02

LICENSE AGREEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the **PORTLAND MUSEUM OF ART**, a Maine non-profit corporation with a place of business at Seven Congress Square, Portland, Maine 04101 (“PMA”), hereby grants to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine 04101 (the “City”), a revocable license to occupy portions of land owned by PMA on or near Spring Street in Portland, Cumberland County, Maine, such licensed land being depicted on **Exhibit A** attached hereto. The foregoing license being for the purpose of allowing limited public use of the licensed land, subject and pursuant to the conditions contained below. The license granted in this license agreement is subject to the following conditions:

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 - c. The licensed land may be used only for passive recreational activities (i.e., no athletic activities, no street performers, no bicycles).
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4. This license agreement may be revoked by PMA in the event that: (i) PMA intends to develop the licensed land; (ii) the licensed land is being used in violation of the conditions of this license agreement; or (iii) the improvements on the licensed land are being vandalized or the landscaping and other improvements thereon damaged from overuse or misuse.

IN WITNESS WHEREOF, the parties have caused this license agreement to be executed this ___ day of May, 2008.

CITY OF PORTLAND

By: _____
Joseph E. Gray, Jr.
City Manager

PORTLAND MUSEUM OF ART

By: _____

Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named Joseph E. Gray, Jr., City Manager of the City of Portland as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of the City of Portland.

Notary Public/Attorney at Law
Print name:
My commission expires:

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

PERSONALLY APPEARED before me the above named _____, Executive Director of the Portland Museum of Art as aforesaid, and acknowledged the foregoing instrument to be his free act and deed in his said capacity and the free act and deed of said entity.

Notary Public/Attorney at Law
Print name:
My commission expires:

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE and Megan LaPierre, EIT
DATE: May 19, 2008
RE: Portland Museum of Art, Spring Street Site Plan

Woodard & Curran has reviewed the revised site plan application for the Portland Museum of Art Spring Street parking lot. The Museum has purchased the former YWCA property located at the corner of Spring Street and Walnut Street, and is proposing to construct a 45-vehicle parking lot for museum employees. The project will include extensive landscaping and the construction of a bioretention cell for stormwater treatment.

Documents Reviewed

- Letter to Jean Fraser, Planner, from by Stephen R. Mohr, Mohr & Seredin Landscape Architects, Inc., dated May 6, 2008.
- Engineering Plan Sheets, B-1, L1.0 to L5.0, L5.1, L5.2, and C-1 to C-4, prepared by Mohr & Seredin Landscape Architects, Inc. and Land Consulting Engineers on behalf of the Portland Museum of Art, dated May 7, 2008,

Comments

- Notes have been added to sheet L2.0 to instruct contractor to repair the damaged area of the concrete sidewalk per City of Portland Technical Standards. A concrete sidewalk detail should be provided.
- It was noted that the proposed bioretention cell has a ponding depth of 18". Maine DEP standards for BMPs call for a maximum ponding depth of 6" to allow for plant growth. Woodard & Curran finds the 18" ponding depth acceptable as long as the application can ensure the selected plants will survive. However, we would recommend the applicant also get approval from the DEP.

All other comments have been adequately addressed.

Please contact our office if you have any questions.

DRG/MDL
203943

Attachment 9b

From: Gregory Cass
To: Jean Fraser
Date: 5/20/2008 1:30:10 PM
Subject: PMA parking lot

Jean we should be all set even with the gates.
Greg

Attachment 9c

From: "Errico, Thomas A" <TERRICO@wilbursmith.com>
To: "Jean Fraser" <JF@portlandmaine.gov>
Date: 5/21/2008 1:28:19 PM
Subject: PMA - Final Traffic Comments

Jean -

Based upon a review of the most recent site plan, we approve the proposed design of the gate system controlling access/egress movements from the main parking lot. We have no further comments on the site plan.

Please contact me if you have any questions.

Bets regards,

Thomas A. Errico, P.E.

Senior Transportation Engineer

Wilbur Smith Associates

59 Middle Street

Portland, Maine 04101

w: 207.871.1785 f: 207.871.5825

TErrico@WilburSmith.com

www.WilburSmith.com <<http://www.wilbursmith.com/>>

CC: "James Carmody" <JPC@portlandmaine.gov>, "Katherine Earley" <KAS@portlandmaine.gov>

From: Jeff Tarling
To: Jean Fraser
Date: 5/22/2008 2:21:27 PM
Subject: Re: PMA

Jean -

The revised PMA plan meets the recommendations mentioned in my previous memo. The birch groves should be effective with the cultural practices that are planned along with irrigation. Added vines along the wall should help cover the wall area more effectively. In time they should be able to reach the chain link fence area as well. The proposed rain garden should be a positive site feature, as in all rain gardens the duration and frequency of flooding has much to do with the success of the plant material. Often the long summer dry spells are tough on the moisture tolerant plant material. Overall, the Landscape Plan of this unique project should have beneficial effect on the area and meet the landscape standards needed.

Jeff Tarling
City Arborist

CC: Barbara Barhydt ; Tom Civiello

Public Comment

From: Jean Fraser
To: Barhydt, Barbara
Date: Friday, May 23, 2008 4:07:44 PM
Subject: Fwd: FW: PMA proposal

[Attachment 9b to Hearing Report #27-08 PMA Parking Lot]

>>> "chris sullivan" <chris@kitetails.com> 5/23/2008 4:00:25 PM >>>

-----Original Message-----

From: chris sullivan [<mailto:chris@kitetails.com>]
Sent: Friday, May 23, 2008 3:54 PM
To: 'jf@portlandmaine.gov'
Subject: PMA proposal

Jean,

Thanks for forwarding us the PMA proposal and plans. After looking at the plans we are concerned with the height of the new 22" fence over the retaining wall. Because of the low height of the existing wall and the climbability of a chain-link fence we are concerned that it would encourage children to climb it to look over the edge posing a fall risk. This is important given our proximity to the fence and the fact that frequently our patrons park in the Holiday Inn lot next door.

Christopher Sullivan
Operations Manager
Children's Museum of Maine
142 Free St.
Portland, Maine 04101
(207)828-1234, x 234
www.kitetails.com

From: Penny Littell
To: Michael W. King
Date: 5/27/2008 9:26:32 AM
Subject: Re: FW: Portland Museum of Art

The License looks fine. However, we don't usually have the manager sign a license given to the City, so I would recommend removing that. Thanks.

>>> "Michael W. King" <mking@mohrseredin.com> 5/22/2008 2:13:16 PM >>>
Penny --

Jean Fraser asked me to forward you the attached draft License Agreement. The agreement pertains to the Portland Museum of Art property on Spring Street and its proposed license agreement with the City of Portland.

Please give Jean or myself a call if you have questions or need further clarification. Thanks.

Michael King
Mohr & Seredin Landscape Architects, Inc.
207.871.0003

E-mail message checked by Spyware Doctor (5.5.0.212)
Database version: 5.09880
<http://www.pctools.com/en/spyware-doctor/>

CC: Jean Fraser

from Penny

*To J:
This is ok
by me except*

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CITY OF PORTLAND

By: _____
~~Joseph E. Gray, Jr.~~
~~City Manager~~

They are giving us the license.

PORTLAND MUSEUM OF ART

By: _____

Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

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Notary Public/Attorney at Law
P rint name:
My commission expires:

STATE OF MAINE
CUMBERLAND, ss.

May _____, 2008

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foregoing instrument to be his free act and deed in his said capacity and the free act and
deed of said entity.

Notary Public/Attorney at Law
P rint name:
My commission expires:

From: "chris sullivan" <chris@kitetails.com>
To: <jf@portlandmaine.gov>
Date: 5/23/2008 3:56:37 PM
Subject: PMA proposal

Jean,

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Christopher Sullivan
Operations Manager
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Portland, Maine 04101
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MOHR & SEREDIN

Landscape Architects, Inc.

18 Pleasant Street, Portland, Maine 04101

ph: 1.207.871.0003

fax: 1.207.871.1419

MEMORANDUM

Date: May 21, 2008

To: Ms. Jean Fraser

From: Michael King, Mohr & Seredin Landscape Architects, Inc.

Re: **Supplemental Information: L2.1 -- Photometrics Plan**
Portland Museum of Art, Spring Street Parking and Garden

Attached please find supplemental information in support of the Portland Museum of Art's pending Minor Site Plan Review application. Revised sheet L2.1 reflects the changes requested by the Planning Board (addition of lighting in tree areas) and the Holiday Inn (use of light poles instead of bollard lights.)

Please contact Stephen Mohr or myself if you have comments or questions as the staff reviews the Minor Site Plan Review Application. Thank you.

MEMORANDUM



TO: Jean Fraser
FROM: Dan Goyette, PE and Megan LaPierre, EIT
DATE: May 19, 2008
RE: Portland Museum of Art, Spring Street Site Plan

Woodard & Curran has reviewed the revised site plan application for the Portland Museum of Art Spring Street parking lot. The Museum has purchased the former YWCA property located at the corner of Spring Street and Walnut Street, and is proposing to construct a 45-vehicle parking lot for museum employees. The project will include extensive landscaping and the construction of a bioretention cell for stormwater treatment.

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Comments

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All other comments have been adequately addressed.

Please contact our office if you have any questions.

DRG/MDL
203943

Copy for
JCF



To: All reviewers plus Alex Jaegerman, Barbara Barhydt and Penny Littell for information + Deb Andrews
From: Jean Fraser
Date: May 16 2008

Additional information submitted for the following project:

Application ID #: 2008-0038
Project Name: PMA parking lot and gardens
Project Address: 87 Spring Street

This is the final plan set which will go to the Planning Board Hearing on May 27 (report going out Friday, May 23, 2008).

I need final comments on this project on Wed Dev Rev (May 21) and in writing immediately after - very little has changed (see their cover letter) but please note:

1. Re engineering- they submitted the revised engineering responses last week and I circulated those at Dev Rev on May 7 but there was not time for review- so need final review of the revisions. Also note they have added in proposals for the sidewalk which they say address Mike Farmer's Memo.
2. Gates proposed at parking lot entrance which is a new proposal
3. Landscaping and planting has changed- some of which was presented to the Planning Board Workshop in response to Jeffs' comments of May 9- need final review of the attached.
4. PENNY- please note they are sending the draft license agreement.... do we need to have this sorted before the Hearing or can that be a condition?

Thanks
Jean

5. Deb- They have revised the rear wall treatment so it has a sort of historic flavor eg. espalier-ish...

In addition to the revised plan set pl. also see the PB workshop memo for info (can return to me if you don't want) .

From: Jean Fraser
To: Mohr, Stephen
Date: 5/14/2008 1:11:04 PM
Subject: Portland Museum of Art parking lot/gardens

Stephen:

Reviewers now have a week to carry out a final review of any revisions and I will be finalizing my report a week from tomorrow.

In order to meet the timetable and allow reviewers time to provide written comments to go into the Report, it would help if you could send - **preferably in the next day** - pdfs of the final set of plans that you wish to be presented to the Planning Board .

The reason I need pdfs is that several of the key reviewers are a long way from this office and it would expedite the review given the tight timetable.

From the PB discussions yesterday I understand there will be some minor "new" revisions to add to the revised engineering information and the revised wall treatment already shown to us but not reviewed. Please send the entire plan set so that I can ensure that the final and correct (and consistent eg re benches) versions are reviewed.

Please include the following in the final plans:

1. Gate and sign for the parking lot (location and design)
2. Details of enhanced lighting and revised photometrics
3. Planting plan/schedule
4. Detail of the bike rack
5. Details of the sidewalk improvements to accord with the e-mail from Mike Farmer, PS
6. Any proposed lighting in garden areas and an explanation re the proposals/ absence of proposals for that

Regarding the licence re public access, please ensure a copy is also sent to me when it is sent to Penny Littell. Again this needs to be sent asap and preferably tomorrow.

I am out of the office this afternoon but will be in all day tomorrow if any of this needs further discussion.

Thanks

Jean (Fraser)
Planner
874 8728

CC: Barhydt, Barbara

From: Deb Andrews
To: Jean Fraser
Date: 5/8/2008 12:47:41 PM
Subject: PMA Proposed Parking Lot and Garden

Jean:

At your request, I have reviewed the Portland Museum of Art's proposed parking/landscape treatment for the lot adjacent to Clapp House on Spring Street. You asked that I review the proposal according to the "congruity" standard included in the site plan ordinance, as the subject lot is located immediately adjacent to an individually-designated landmark structure and the eastern boundary of the West End Historic District.

In my view, the proposed treatment meets the site plan ordinance's congruity standard. Although it is hoped that the site will one day accommodate a new building within the Museum's expanded campus, the proposed landscape treatment effectively buffers the parking and the series of birch tree bosques provides an interesting reference to the building footprints of houses that historically occupied the frontage.

The one potential concern I have is that the proposal calls for retaining (and repairing where necessary) the chain link fence on top of the concrete wall at the northern edge of the site. Particularly where the proposed treatment may be in place for as many as 20 years, the chain link fence seems like an inferior choice of fencing material. At a minimum, I would encourage generous, fast-growing vine plantings at the base which would hopefully obscure the fencing.

Deb Andrews
Historic Preservation Program Manager

Dev Rev. 4-30

PMA gdn/pkglot

Issues to discuss

- trip generation? more info / issue?

① Traffic - OK w/ letter + access + tandem parking ^{20'} _{10'}

② Eng - 35 normal

cond of sidewalk - repair etc

"rain garden" - design / depth bio retention cell
adv. of separating run-off + sewer

PL ③ 15-20 life of gardens - consistent w/ City Agreements

④ Gardens - Jeff - wall

over 40% of site
60% impervious

lighting - was 15' before lower than existing maybe
bosques of birch trees
removal Norway maples
granite benches

Plaza outdoor eating/café

gateway ⑤ B3

Discussed:

maybe low ped. level lighting in gardens

PL will ck re issue of timescale? "temporary" vs interim

Traffic basically OK.

Jeff not at mtg

JF still not convinced re impact

From: Jean Fraser
To: Jewell, Patty
Date: 4/30/2008 2:03:19 PM
Subject: Review of PMA proposed pkg lot and gardens

Ms Jewell,

I do not have an e-mail address for Stephen Mohr and would be grateful if you could pass on the following update and confirm that Stephen has received it:

Hello Stephen,

I am writing to update you on the progress of the above Conditional Use and Site Plan review.

1. The Workshop date of Tuesday, May 13 is definite, although I do not yet know the time for your item.
2. For the PB Memo that I am preparing for the Workshop, I need 11X17 copies of all of the plans and revised plans that now make up this application (excluding any of the plans that are now superceded by revisions). I need these plans by Wednesday of next week (May 7) at the latest please.
3. I am still awaiting comments from some reviewers. I attach for information the Memo from the Engineering Reviewer dated 4.24.2008- this Memo will be included in the packet going to the Workshop and most are details that can be addressed after the Workshop.

Re bullet point 2 of this Memo, I anticipate that Public Works will confirm that there is a section of sidewalk at the corner of Spring and Oak that needs to be upgraded as part of the proposals.

Re the last two bullet points of this Memo, you may wish to address this prior to the Workshop and possibly revise the design of the Bioretention cell re ponding depth to ensure that it will operate as a "rain garden".

Please do not hesitate to call me if there are any questions.

Jean (Fraser)
Planner
874 8728

CC: Barhydt, Barbara

*4/30/08
Spoke to Stephen Mohr
& all OK - I will
let him know of any
fundamental comments
Annie J.*

From: Jean Fraser
To: Mohr, Stephen
Date: 5/6/2008 3:17:39 PM
Subject: Re: FW: PMA Spring Street Project

Stephen,

Yes, I am working on the PB Memo now and will do a final review at the staff meeting tomorrow morning- so will look for your letter and 11x17 plan set (needed for 10am please).

I have just received comments from the Traffic Engineering Reviewer and he has asked for: "The applicant should provide a summary of existing parking conditions (e.g. where existing employees park), and how those conditions will change in the future." To be honest I am not quite sure what he means, but if you can answer that it would be one issue out of the way.

The other issue that we will probably raise with the Board is the quality of the rear wall treatment given the number of years that this is going to be "exposed"- I am sure there are vertical metal railings (painted black) or other designs that also meet code re safety over the retaining wall and so there is a question re incorporating a more permanent/attractive fence solution.

I will e-mail you a copy of the cover text of the PB Memo on Friday afternoon and you may collect a paper copy of the entire PB Memo on Monday morning.

Jean (Fraser)
Planner
874 8728

>>> "Stephen Mohr" <smohr@mohrseredin.com> 5/6/2008 2:47:09 PM >>>

From: Stephen Mohr
Sent: Tuesday, May 06, 2008 2:44 PM
To: 'jf@portlandmaine.gov'
Subject: PMA Spring Street Project

Jean;

Good afternoon. I hope you got outside today, as it is lovely.

We will be getting the 11 by 17 plans and a little follow-up info to your questions to you first thing tomorrow morning. That way you can go over any issues with staff at the Weds meeting this week?

I believe you will be preparing the memo to the Board later this week, and hope you can email, or fax (871-1419) a copy of your memo to me.

Thanks,

Stephen

Stephen B. Mohr
Mohr & Seredin Landscape Architects, Inc.

18 Pleasant Street
Portland ME 04101

(207) 871-0003
smohr@mohrseredin.com

From: Marge Schmuckal
To: Jean Fraser
Date: 5/5/2008 9:16:15 AM
Subject: Re: Portland Museum of Art project (#2008-0038)

Jean,
I am not classifying them as a "use". That is landscaping. It is not a zoning issue.
Marge

>>> Jean Fraser 5/2/2008 3:55:51 PM >>>
Marge,

I am drafting the PB Memo on this and just need to be clear re the zoning....

Museums are permitted (institutional) use in B-3; surface parking is a conditional use in the B-3 zone...

This proposal includes **40%** of the site as "gardens" which have no specific public amenities other than 3 benches near the sidewalk (ie no artwork, no lighting etc). Are you classifying the garden use as a "museum" use?

thanks
Jean

NOTICE RE PMA PARKING LOT/GARDENS (as agreed with BB 5.1.08)

The Portland Planning Board will hold a Workshop to consider a proposal by the Portland Museum of Art for use and improvement of the former YWCA site for a Museum-related employee/volunteer parking lot and open gardens along Spring and Oak Streets.

The project will be reviewed for compliance with the site plan and conditional use (B-3 Zone) requirements.

The workshop is an opportunity for the applicant to present a proposal to the Planning Board in an informal session, which is open to the public. Public comments will be taken at this meeting.



PORTLAND MAINE

Planning Division
Jean Fraser, Planner

4.24-08.

Jeff

Re: Portland Museum of Art
#2008-0038

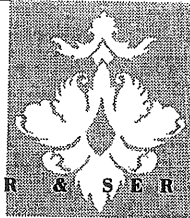
Proposed "gardens" ($\frac{2}{3}$ site is gardens)
($\frac{1}{3}$ AMA-only parking)

Could you please look at / advise on 2 issues:

① 65-70' deep gardens surround the parking lot - total approx 18,500 sq ft. These gardens are unlit and adjoining dock/springs; (parking lot has low lighting) - any news on this?

② Long, long prominent back wall is concrete topped with chain link - they are adding metal trellises + repairing concrete. Seems minimal??

This site will stay like this (once approved) for 15-20 years so not temporary - PMA want "quality" gardens....
thanks Jean



M O H R & S E R E D I N
Landscape Architects, Inc.

April 23, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art Site Plan Submission Response to Staff Questions
Spring Street Parking and Gardens**

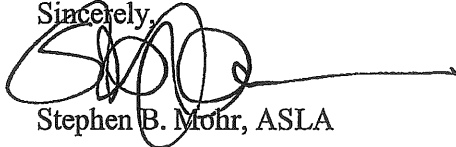
Dear Ms. Fraser:

Thank you for the telephone message on Friday regarding staff issues that have been raised for the Museum's proposed project on Spring Street. I offer the information below in response to your questions, and each item as a separate issue;

1. **Use of the Parking Lot by the PMA**
As indicated in our submission dated March 31, 2008, the 45 car parking lot is being constructed to serve the Museum's administration, staff and volunteers. Based on input from the Museum we know that the Museum administration, staff, volunteers and docents will be using this parking area on a daily basis, and therefore the 20 foot wide travel lane and tandem parking can be successfully managed. There will be other occasions when the Museum Trustees, visiting artists, special exhibit curators, exhibit installers, contractors or contracted work forces for the Museum may use this parking lot for specific short-term needs. The Museum is not constructing this parking lot for use by the general public. I trust this detailed response will address the staff concerns regarding the travel lane width and use of the tandem parking spaces.
2. **Trellis and Wall Fence Details:**
Our initial submission I indicated that the existing concrete wall would have trellises attached to it at 10' intervals on part of the wall. On top of the wall sections of the existing chain-link fence will be preserved, but new 22" high chain-link fence will be installed where a temporary chain-link barrier has been placed. In the supplemental submission made to the department on April 11, 2008 we included a section of the wall showing these improvements on drawing L5.2. At the time of the workshop we will provide additional graphics that further define the design of both the trellis and the new fence.
3. **Proposed Site Lighting:**
The photometric plan that was prepared and submitted on April 11, 2008 for the lighting for the project provides safe and sufficient light levels for the use of the parking based upon our discussions with the Museum, our experience, and generally accepted lighting standards for parking lots. As can be seen in the summary chart on drawing L2.1 there is an average level of 1.02 footcandles in the parking lot and the

minimum to maximum light range falls within the range of 0 fc to 6.9 fc. There are three locations within the parking lot where the illumination level is considered low at a level of 0.1 fc. It is our opinion that these isolated areas of lower light levels will in fact be sufficiently illuminated due to the lighting sources adjacent to this property, including illumination from the Holiday Inn on Spring Street. It is our intent to request a waiver from the Planning Board for any areas of nonconformity with the City's Technical Standards because the Museum does not want to create excessive light levels in this part of their property.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mohr', with a long horizontal line extending to the right.

Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg

* to call Stephen Mohr *

4. 18. 08

left message w/ S. Mohr
indicating info re the
following needed soon to
reviewers can finalize comments
for the Board

Info. so reviewers can comment/support at workshop.

- ① Re tandem parking - ^{width of access} traffic engineers need clear commitment that parking lot will be used only by museum staff, volunteers and docents
- ② Rear concrete wall w/ chain link - for Planning Board would like clear sketches/perspectives that clearly show the chain link/^{wall} as it will look from the distance.
- ③ Staff not concerned about lighting.

In message to Stephen I confirmed I was out of the office Mon, Tues, wed (21-23) April and gave him my e-mail address - JF to follow-up on Thurs April 24.

Jean



To: All reviewers except Fire Department

From: Jean Fraser, Planner

Date: April 16, 2008

Additional information submitted for the following project:

Application ID #: 2008-0038

Project Name: PMA Parking Lot

Project Address: 87 Spring Street

Comments needed by: April 30, 2008 (PB Workshop May 13th, 2008)

Please see supplementary information regarding lighting, railings and retaining wall treatment, and timeframe for this development (ie they state it will be 15-20 years before permanently developed).

to Pl. Bd. May 13th.

Points for prelim Review also Rev 4.16.08.
Cond Use + B3.

Zoning OK.

Bicycle racks -

Downtown Urban Design stds

Chain link along rear wall

(vines + paint on wall)
metal trellises.

Screening of pkg vs. surveillance (note low lts)

Traffic

No info on trip gen prev (Y) + proposed.

double-stacked (tandem) parking. (10 of 45)
45 spaces (+ 2-3 ? handicapped)

need to be
definitive
re access w/ the
+ tandem

Future use / timetable

Any reqs in sale docs ? Master Plan.

Drainage - incl. bio retention cell / rain garden.
Stormwater Man. Plan submitted.

To do for now

① trip gen. info

② commitment re
use by employees +
volunteers only

③ elevation / detail of wall
w/ chain link
color perspective
for board

Trees

removing all Norway maples
on London plane or spring to stay (in Row)
ungated birch trees + shrubs

Fue - OK w/ Greg

Discussion Tanya Seredin, Mohr/Seredin 4.15.08.

① all proposals in gray included - all PMA land

② Open space -

terraces mimic historic building massing of large buildings stepped - 3 ft chg/level between flat terraces - all grassed.

meant to be friendly but passive; PMA ok w/ public access (benches) ?
of easement

no fencing anywhere

no lighting in OS area

③ Parking area

lighting below min. (.2 ft candles)

expected to be museum related - meetings/
events so used in dark in winter.

but museum hours

December 3, 2009

Mr. Phil DiPierro, Development Review Coordinator
City of Portland
Portland City Hall
389 Congress Street
Portland, ME 04101

**RE: Portland Museum of Art – Spring Street Parking and Garden Project
Construction Bond Release**

Dear Phil;

As a follow-up to our October 16, 2009 conversation regarding The Portland Museum of Art (PMA) Construction Bond we hereby submit the following supplemental information regarding the outstanding punchlist items at the property:

Casco Trap: The Site Contractor, R.E. Coleman confirms that the trap within the water garden drainage structure has been installed.

Handicap Signage and Striping: The regulatory signage and associated handicap parking striping has been completed.

Sealing the Sanitary Sewer Lateral: As you may remember the second reported lateral was not located after a day of exploratory excavation that was supervised by the City of Portland Public Works Department. The lateral was not located therefore it was not sealed as requested, but the first lateral was found and sealed. You indicated that you have verified this with the City Sewer Division and that the missing lateral will not be an issue between PMA and the City in the future.

As-Built Drawings: The as-built drawings have been prepared and an ACAD Copy of the file on CD, a full-size paper copy and a mylar copy of the plan set, is enclosed for your submittal to the City Engineering Department as required. M&S has also enclosed an 11" x 17" printed copy of the plans for your records.

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Signage: A copy of the contract and a purchase order for the signage is enclosed. The extruded aluminum PMA signs by Neokraft of Lewiston includes installation. Installation is currently scheduled for late December.

In accordance with our recent telephone conversation and our December 3, 2009 site walk-through, we respectfully request release of the Construction Bond for the PMA Spring Street Parking and Garden project.

Please feel free to contact me should you have any comments, questions or require additional information.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mohr', with a long horizontal flourish extending to the right.

Stephen B. Mohr, ASLA
Mohr & Seredin Landscape Architects, Inc.

enc. CD - AutoCAD 2004 PMA As-Built File
Mylar Copy- As-Built Plan Set
As-Built Plan Set-Paper
11" x 17" As-Built Plan Set

cc: M. Bessire, PMA
T. Denenberg, PMA
J. Neal, PMA
R. Coleman/G. Fadrigon, RE Coleman Excavation, Inc.



Neokraft Signs Inc.
486 Main Street
Lewiston, Maine 04240
Telephone: 207.782.9654
Facsimile: 207.782.0009
1.800.339.2258
<http://www.neokraft.com>

Quotation LL010958REV2

November 10, 2009

Portland Museum of Art
Attention: Jim Neal
Seven Congress Square
Portland, ME 04101
Phone: 207-775-6148

RE: Portland Museum of Art
Spring Street
Portland, ME

Fabricate and Install Monument Signs:

(2) Extruded aluminum ground signs painted Matthew Color Selector Black Forest 52A-1A to match existing building shutters (survey required). Dimensional copy is flat cut-out lettering. Install on approximate location shown on drawing. Exact location is to be determined.

Signs	\$5,000.00 + Sales Tax
Installation	3,400.00
Total	\$8,400.00 + Sales Tax & Permit

CUSTOMER NOTE: A 50% deposit and a signed and dated copy of this proposal and accompanying drawings are required before your order can be processed.

Robert Phillips
Neokraft Signs Inc.

Salesperson:

Accepted by:

Title:

Director

Company Name:

Portland Museum of Art

Dated:

Nov. 12, 2009

REQUISITION/PURCHASE ORDER

PORTLAND MUSEUM OF ART
SEVEN CONGRESS SQUARE
PORTLAND, MAINE 04101
(207) 775-6148

NUMBER 50741

VENDOR: Neokast DEPARTMENT _____

PURPOSE: 2 Signs - Spring St

COST: \$400

MANUAL CHECK

DATE NEEDED

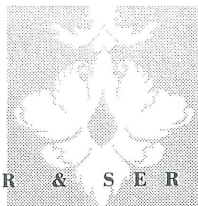
DESCRIPTION:

FOR FIN. OFFICE USE ONLY

2 signs

REQUESTED BY: Ehfor DATE: 11/21/09
 APPROVED BY: JD DATE: _____
 ACCOUNT: 09-575000 8,263 - Accrued
01-158940 137 - accrued

Please submit in duplicate. PURCHASE ORDER NUMBER IS TO BE PROVIDED TO SUPPLIER TO APPEAR ON THE INVOICE FOR



M O H R & S E R E D I N
Landscape Architects, Inc.

COPY

December 3, 2009

Mr. Phil DiPierro, Development Review Coordinator
City of Portland
Portland City Hall
389 Congress Street
Portland, ME 04101

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cc: M. Bessire, PMA
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Robert Phillips
Neokraft Signs Inc.

Salesperson: *Robert Phillips*

Accepted by: *[Signature]*

Title: Director

Company Name: Portland Museum of Art

Dated: Nov. 12, 2009

REQUISITION/PURCHASE ORDER

PORTLAND MUSEUM OF ART
SEVEN CONGRESS SQUARE
PORTLAND, MAINE 04101
(207) 775-6148

NUMBER 50741

VENDOR: Neokast DEPARTMENT _____

PURPOSE: 2 Signs - Spring St

COST: 8400

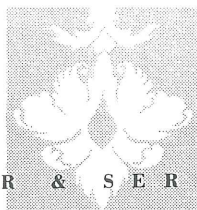
MANUAL CHECK DATE NEEDED / /

DESCRIPTION: signs FOR FIN. OFFICE USE ONLY

REQUESTED BY: Ehfor DATE: 11/21/09
 APPROVED BY: JD DATE: _____
 APPROVED BY: _____ DATE: _____
 ACCOUNT: 09-578000 8,263 - Acc red
01-158960 137 - acc red

Please submit in duplicate. PURCHASE ORDER NUMBER IS TO BE PROVIDED TO SUPPLIER TO APPEAR ON THE INVOICE FOR ABBREVIATED SIGNATURE

#688



M O H R & S E R E D I N
Landscape Architects, Inc.

COPY

December 3, 2009

Mr. Phil DiPierro, Development Review Coordinator
City of Portland
Portland City Hall
389 Congress Street
Portland, ME 04101

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Construction Bond Release**

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November 10, 2009

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Robert Phillips
Neokraft Signs Inc

Salesperson: [Signature]

Accepted by: [Signature]

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Dated: Nov. 12, 2009

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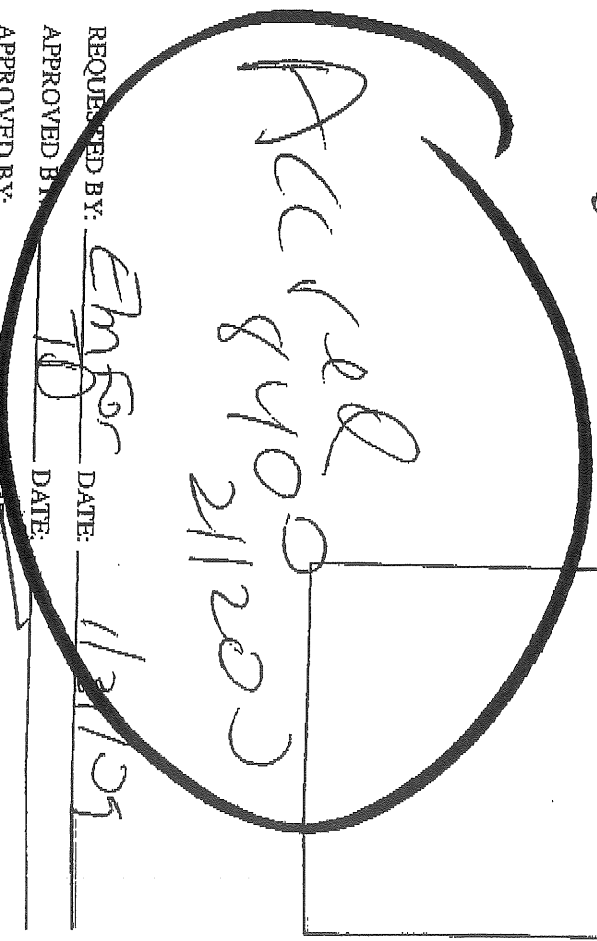
MANUAL CHECK DATE NEEDED / /

DESCRIPTION: 2 signs FOR FIN OFFICE USE ONLY

REQUESTED BY: Ehfor DATE: 11/21/09

APPROVED BY: [Signature] DATE: / /

ACCOUNT: 09-575000 8,263 - Accrued



Please submit in duplicate. PURCHASE ORDER NUMBER IS TO BE PROVIDED TO SUPPLIER TO APPEAR ON THE INVOICE FOR APPROVED GOODS.

Philip DiPierro - PMA LOC

From: "Stephen Mohr" <smohr@mohrseredin.com>
To: "Penny Littell " <PL@portlandmaine.gov>, "Philip DiPierro " <PD@portlandmaine.gov>
Date: 1/28/2009 1:58 PM
Subject: PMA LOC
CC: "Michael W. King" <mking@mohrseredin.com>, "Thomas Denenberg"
<tdenenberg@portlandmuseum.org>

Penny;

Good afternoon. I left a voice mail for you today, but thought it appropriate to follow-up with an email to provide additional background on the PMA LOC issue.

As you may know, an LOC in the amount of \$215,542 was provided to the City for the performance guarantee for the PMA Spring Street Parking and Planting project. In mid-December (December 19th) we submitted a request to Phil DiPierro to get the LOC reduced by \$150,000 to \$65,542. That amount reflects a cost to warranty the trees, and attend to the punchlist items noted by a city inspection that identified a short list of work that still needed attention (see below). These are primarily cosmetic (except for the Casco trap) and do to affect the performance or function of the project. We agree with the list, with the exception of the cable trellis, which we reviewed with Jeff Tarling, and with the access license, which has been sent to Phil.

According to Phil, the issue with any request for a reduction in the LOC is not possible due to the fact that one of the two sewer laterals was not found and sealed. Although not particularly relevant, no funds were identified in the LOC for the sealing of the sewer stubs into the site, even though we were aware (we were told 3 day before the final plans were submitted to you) that the sewer stubs to the former YWCA site had not been capped when the building was removed by the Boulos Company. One of the PB's Conditions of Approval was that the sewer lateral(s) be sealed per the City ordinances, and we showed them on our plans as needing to be capped, even though we did not know precisely where they were located in Spring Street. We are not disputing that PMA owes the City the proper sealing of the remain sewer lateral.

One lateral was found and sealed in mid October. After the majority of the project was completed by RE Coleman in September, PMA brought in a separate contractor, Costello Dismantling, to seal the two sewer laterals. A City of Portland Public Works rep (we believe it was John Emerson) was on site to review the work. One lateral was found, and properly sealed. The other could not be found, and according to the folks who were on the site at the time the City's rep directed Costello to find the lateral on the property (they did not know where it was, and therefore it could not be capped) and notify the rep so that he could return to review the sealing of the line. That is a pieced-together history of the events of that day in October, but it is what we have from several emails from Phil and what we hear from Costello. We at M&S were out of the loop on this, as the sewer lateral capping was being

performed independent of our contract with the PMA, and the work was not done by RE Coleman, the project contractor who was covered by the LOC.

As noted above, the project is completed per the plans, with the exception of the following 8 items, two of which we think are already addressed:

- done* ● One more abandoned sewer line needs to be sealed in compliance with the City of Portland specifications. \$10,000
- A Casco trap needs to be installed on the outlet of CB #1. \$500
- Striping and the installation of signs need to be completed in the handicap parking area. \$2000
- The PMA identification sign and the regulatory sign at the entrance off Spring Street need to be installed in compliance with the site plan and conditions of approval.
- done* ● Remove the catch basin grate and install a manhole cover on the existing catch basin structure at the west end of the parking lot.
- done* ● It appears as though the cable trellis was installed incorrectly. I will confirm it's adequacy with the City's arborist when I do the landscape inspection, hopefully tomorrow - weather dependent.
- done* ● I need to confirm with corporation council the submission of the public access easement. \$15,400
- As Built drawings need to be submitted

The value of this work is, by our opinion, \$8,850 without the sewer plug. If the sewer has to be plugged at the main in Spring Street it will cost \$6,550. The original planting budget was \$72,082, and assuming a 15% replacement requirement (which is high, as we inspected everything in late November) \$10,800 would suffice to cover the planting warranty. Based upon these figures the LOC could be reduced as low as \$26,200, but in December we wanted to provide the city with sufficient buffer so that you were comfortable with the LOC amount to assure a timely response to the punchlist.

In light of all of this, I would appreciate some help from you to look at these facts, discuss the issues with Phil, and arrive at an appropriate LOC reduction so that the \$215,252 can be lowered to reflect actual work tasks to be completed, rather than the entire original project scope. We would like the LOC to be reduced to \$30,000 at this point in time for the original project scope, and have the city identify a separate amount to be set-up for the sewer sealing. I copy Tom Denenberg at PMA on this, as we believe PMA will want/have to post the performance guarantee on the sewer work, which is their responsibility.

Thanks in advance for your help and guidance with this matter. Please feel free to call to go over this if you believe it would help.

Best Regards,

Stephen

PG
 \$215,542
 10% - DG \$21,554.20
 + \$15,400.00

 34,954.20

Stephen B. Mohr
 Mohr & Seredin Landscape Architects, Inc.
 18 Pleasant Street
 Portland ME 04101

(207) 871-0003
smohr@mohrseredin.com



PORTLAND MAINE

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

Finance Department
Ellen Sanborn, Director

February 6, 2009

Bangor Savings Bank
280 Fore Street
Portland, ME 04101

Re: R.E. Coleman, Inc. – 87 Spring Street
Letter of Credit No. 1013 dated July 17, 2008

This is to inform you that I am authorizing the reduction in the above-named letter of credit by the amount of \$178,587.80, which leaves a balance of \$36,954.20 remaining.

If you require any further information, please let me know.

Sincerely,

Ellen Sanborn
Finance Director

ES:mmma

cc: Barbara Barhydt, Development Review Services Manager
 Philip DiPierro, Development Review Coordinator



PORTLAND, MAINE

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

Planning and Urban Development
Penny St. Louis Littell, Director

Planning Division
Alexander Jaegerman, Director

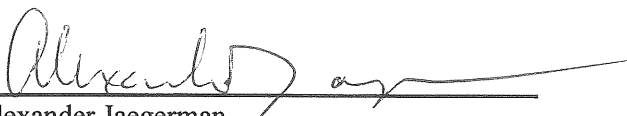
TO: Ellen Sanborn, Finance Department
FROM: Alexander Jaegerman, Planning Division Director
DATE: January 30, 2009
SUBJECT: Request for Reduction of Performance Guarantee
Portland Museum of Art, 87 Spring Street
(ID# 2008-0038 Lead CBL#039 B 015001)

Please reduce the letter of credit #1013 for the Portland Museum of Art project, R.E. Coleman, at 87 Spring Street.

Original Amount	\$215,542.00
<u>This Reduction</u>	<u>\$178,587.80</u>
Remaining Balance	\$ 36,954.20

This is the first reduction for the project.

Approved:


Alexander Jaegerman
Planning Division Director

cc: Barbara Barhydt, Development Review Services Manager
Philip DiPierro, Development Review Coordinator
File: Urban Insight

Philip DiPierro - Re: Portland Museum of Art

From: Philip DiPierro
To: King, Michael W.
Date: 12/11/2008 12:09 PM
Subject: Re: Portland Museum of Art

Hi Michael, sorry for taking so long to inspect this one. I still need to do a final landscape inspection with the City arborist. We have it scheduled for tomorrow - weather dependent.

The following punch list items will need to be completed prior to the issuance of the certificate of occupancy or release of the performance guarantee.

- One more abandoned sewer line needs to be sealed in compliance with the City of Portland specifications.
- A casco trap needs to be installed on the outlet of CB #1.
- Striping and the installation of signs need to be completed in the handicap parking area.
- The PMA identification sign and the regulatory sign at the entrance off Spring Street need to be installed in compliance with the site plan and conditions of approval.
- Remove the catch basin grate and install a manhole cover on the existing catch basin structure at the west end of the parking lot.
- It appears as though the cable trellis was installed incorrectly. I will confirm it's adequacy with the City's arborist when I do the landscape inspection, hopefully tomorrow - weather dependent.
- I need to confirm with corporation council the submission of the public access easement.
- As Built drawings need to be submitted.

Please contact me with any questions. Thanks.

Philip DiPierro
Development Review Coordinator
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

Phone 207 874-8632
Fax 207 756-8258

>>> "Michael W. King" <mking@mohrseredin.com> 12/5/2008 9:35:38 AM >>>
Hi Phil --

Have you had a chance to look at the Portland Museum of Art project? Let me know if you need any additional information from us in order to remove the Performance Guarantee. Thanks.

Mike

Michael W. King, LEED AP
Mohr & Seredin Landscape Architects, Inc.
18 Pleasant Street

Portland, ME 04103
207.871.0003
www.mohrseredin.com

From: Philip DiPierro [mailto:PD@portlandmaine.gov]
Sent: Monday, December 01, 2008 12:27 PM
To: Michael W. King
Subject: Re: Portland Museum of Art

Hi Michael, how much of the landscaping is incomplete? Are there any other outstanding items that need to be finished?

Philip DiPierro
Development Review Coordinator
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

Phone 207 874-8632
Fax 207 756-8258

>>> "Michael W. King" <mking@mohrseredin.com> 12/1/2008 11:47:41 AM >>>
Good Morning Phil --

As you are aware, the Portland Museum of Art parking lot project (located on Spring Street) was completed in September. What is the process for decreasing the amount of the Performance Guarantee to include only a portion of the landscaping? Is there a release form that needs to be completed by the contractor? Thanks.

Michael King
Mohr & Seredin Landscape Architects, Inc.

E-mail message checked by Spyware Doctor (6.0.0.386)
Database version: 5.11240
<http://www.pctools.com/spyware-doctor-antivirus/>

E-mail message checked by Spyware Doctor (6.0.0.386)
Database version: 5.11280
<http://www.pctools.com/spyware-doctor-antivirus/>

Revised

Planning and Development Department
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: July 9, 2008

Name of Project: Portland Museum of Art – Spring Street Parking Lot

Address/Location: 87 Spring Street, Portland, Maine

Developer: Portland Museum of Art

Form of Performance Guarantee: _____

Type of Development: Subdivision _____ Site Plan (Major/Minor) **Minor**

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road/Parking Areas				1,780 s.y.	22.00	\$39,160 ✓
Curbing				265 l.f.	30.00	\$7,950 ✓
Sidewalks	350.s.f.	15.00	\$5,250 ✓	300 s.f.	15.00	\$4,500 ✓
Esplanades						
Monuments						
Street Lighting						
Street Opening Repairs	1 l.s.	1000.00	\$1,000 ✓			
Other						
2. EARTH WORK						
Cut				1 l.s.	15000.00	\$15,000 ✓
Fill				1 l.s.	20000.00	\$20,000 ✓
3. SANITARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations						
Other						
4. WATER MAINS						
5. STORM DRAINAGE						
Manholes						
Catchbasins				1 ea.	2,200	\$2,200 ✓
Piping				285 l.f.	30.00	\$8,550 ✓
Detention Basin						
Stormwater Quality Units				1 l.s.	3,500	\$3,500 ✓
Other (Field Inlets)				3 ea.	750	\$2,250 ✓

6. SITE LIGHTING	_____	_____	_____	10	2,0000	\$20,000 ✓
Tree Lights (Type C)	_____	_____	_____	12	185	\$2,220 ✓
7. EROSION CONTROL						
Silt Fence	_____	_____	_____	360 l.f.	3.00	\$1,080 ✓
Check Dams	_____	_____	_____	_____	_____	_____
Pipe Inlet/Outlet Protection	_____	_____	_____	_____	_____	_____
Level Lip Spreader	_____	_____	_____	1 l.s.	2,500	\$2,500 ✓
Slope Stabilization	_____	_____	_____	1 l.s.	1,500	\$1,500 ✓
Geotextile	_____	_____	_____	_____	_____	_____
Hay Bale Barriers	_____	_____	_____	_____	_____	_____
Catch Basin Inlet Protection	_____	_____	_____	1	500	\$500 ✓
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____	_____	_____	_____
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	1	\$72,082	\$72,082
10. MISCELLANEOUS Chain-link Fence	_____	_____	_____	180 l.f.	35	\$6,300 ✓
TOTAL:	\$6,250			\$209,292		
GRAND TOTAL:	\$6,250			\$209,292		

INSPECTION FEE (to be filled out by the City)

*total \$215,542
ok 7/9/08 [initials]*

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	<u>\$125.7</u>	<u>\$4,185.84</u>	<u>\$4,310.84</u>
or			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	<u><i>[Signature]</i></u>	<u><i>[Signature]</i></u>	_____
	(name)	(name)	

*12/24/08
release \$142,960
Hold \$72,582*

LANDSCAPE COST ESTIMATE

Date: **June 30, 2008**

Name of Project: **Portland Museum of Art – Spring Street Parking Lot**

Address/Location: **87 Spring Street, Portland, Maine**

TO BE FILLED OUT BY THE APPLICANT:

<u>Item</u>	<u>PUBLIC</u>			<u>PRIVATE</u>		
	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>
1. LANDSCAPING						
Trees	_____	_____	_____	61	400	\$24,400
Shrubs	_____	_____	_____	255	90	\$22,950
Perennials	_____	_____	_____	97	6	\$582
Sod	_____	_____	_____	1 l.s.	12,500	\$12,500
Irrigation	_____	_____	_____	1 l.s.	11,650	\$11,650
 TOTAL:	_____					\$72,082



18 Pleasant Street, Portland, Maine 04101
ph: 1.207.871.0003
fax: 1.207.871.1419

MEMORANDUM

Date: December 19, 2008

To: Phil DiPierro, City of Portland

From: Michael King, Mohr & Seredin
Stephen Mohr, Mohr & Seredin

CC: Tom Denenberg, PMA
Kevin Eames, PMA

Re: Portland Museum of Art: Release of Performance Guarantee

Thanks for your December 11th email outlining your punch list items needing to be completed prior to the release of the Performance Guarantee. These items are address below:

1. Sealing of Abandoned Sanitary Sewer Lines: On October 18th, Costello Dismantling plugged and sealed the sanitary sewer lateral nearest to Oak Street. A City of Portland Department of Public Works representative was on site for the entire process and approved the work.

The other lateral could not be located by exploratory digging and no reliable plans could be produced by the City of Portland. The contractor believes the sewer lateral may take a 90 degree turn at some point before it crosses the property line, possibly even connecting to the other sewer lateral. Because it could not be located and does not appear to be on the PMA lot, it was not sealed on the 18th.

2. Casco Trap at CB #1: The site contractor will install the Casco Trap by the end of this month.

3. Striping at Handicap Parking Area: The Museum staff has several concerns about locating the handicap parking near the loading dock. The Museum requested to remove the two required handicap parking spaces shown on the approved plan. We do not see a viable place to install the striping and signage, and we have requested that the Museum stripe and sign the parking layout according to plan.

4. PMA Identification Signage and Regulation Signage: PMA requested that Mohr & Seredin study PMA signage for the entire campus. The overall signage plan, including the signs for the YWCA site, needs to be reviewed by the City of Portland's Historic

Preservation Review Committee. We hope to present the signage plan to Historic Preservation in early January and will have the signs installed shortly thereafter.

5. Removal of Catch Basin at West End of Parking Lot: The site contractor will install the manhole cover by the end of this month.
6. Cable Trellis: The design of the cable trellis was revised to increase the structural integrity of the cables and bolts. We have discussed these revisions with Jeff Tarling and believe the cables meet the intent of the plan.
7. Public Access Easement: Attached is a copy of the executed License Agreement.
8. As-Built Drawings: The as-built drawings will be submitted to the City by the end of the month.

Some of these items (signage and handicap parking) will not be completed until the spring. It is our intent to ask the City to reduce a portion (approximately \$150,000) of the Performance Guarantee based upon the percentage of work completed to date. Please review this information and contact Stephen or myself if you need additional information.

cc: Tom Denenberg, PMA
Kevin Eames, PMA

CITY OF PORTLAND, MAINE
PLANNING BOARD

Janice E. Tevanian, Chair
David Silk, Vice Chair
Bill Hall
Joe Lewis
Lee Lowry, III
Shalom Odokara
Michael J. Patterson

June 10, 2008

Stephen B. Mohr, ASLA
Mohr & Seredin Landscape Architects Inc.
18 Pleasant Street
Portland, Maine 04101

RE: Portland Museum of Art Parking Lot, 87 Spring Street, Portland
CBL: 039 B015 001
Application ID: 2008-0038

Dear Mr. Mohr:

On May 27, 2008, the Portland Planning Board considered the Portland Museum of Art proposal for a 45 space surface parking lot and associated access, lighting and landscaping improvements on the site of the former YWCA on Spring Street. The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use and Site Plan Ordinances.

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #27-08 relevant to standards for conditional use and site plan regulations, and other findings, the Planning Board approved the application with the following motions, waivers and conditions as presented below.

CONDITIONAL USE

The Planning Board voted (5-0, Hall and Odokara absent) that the proposed plans are in conformance with the conditional use standards of the Land Use Code, subject to the following conditions:

- dme*
- i. The applicant shall submit for final review and approval by Corporation Counsel, and execute **prior to the issuance of a Certificate of Occupancy**, the license to the City of Portland for limited public access to the landscape gardens associated with the parking lot; and
 - ii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority.
- N/A*

LIGHTING WAIVER

The Planning Board voted 5-0 (Hall and Odokara absent) to waive the Technical Standard, Section XV 3., which requires all lighting fixtures to be of the "cut off" type, to allow for the proposed tree-mounted downlighters, subject to confirmation that this lighting proposal meets the current Illuminating Engineering Society of North America (IESNA) recommendations as per the City's Site Lighting Technical Standards. This waiver is given in recognition of the applicant's objective to provide security lighting within the landscaped areas.

SITE PLAN REVIEW

The Planning Board voted (5-0, Hall and Odokara absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

- done*
- N/A*
- done*
- N/A*
- done*
- i. That the applicant submit for review and approval of the Planning Authority **prior to the issuance of a building permit**, the detail of the concrete sidewalk repair proposed within the Right of Way, which should comply with the City of Portland Technical Standards; and
 - ii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority; and
 - iii. That the applicant shall submit revised proposals for the lighting along the pedestrian walkway through the site, which meet the City's Site Lighting Standards, for review and approval of the Planning Authority **prior to the issuance of a building permit**; and
 - iv. That any signs, including the proposed sign at the corner of Spring and Oak Streets shown in Plan 5.0, shall be subject to detailed review and approval **prior to the issuance of a Certificate of Occupancy**; and
 - v. That the applicant shall revise the design of the central portion of the fencing along the top of the existing retaining wall to address the concerns of the Children's Museum of Maine, to be submitted for review and approval by the Planning Authority **prior to the issuance of a building permit**.

The approval is based on the submitted plans and the findings related to conditional use and site plan review standards as contained in Planning Report #27-08, which is attached.

Please note the following provisions and requirements for all site plan approvals:

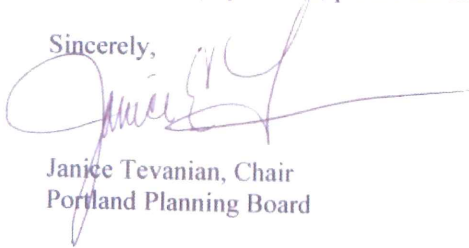
1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874-8728.

Sincerely,



Janice Tevanian, Chair
Portland Planning Board

Attachments:

1. Planning Board Report #27-08
2. Performance Guarantee Packet

Electronic Distribution:

cc: Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Works Director
Kathi Earley, Public Works
Bill Clark, Public Works
Michael Farmer, Public Works
Jim Carmody, City Transportation Engineer
Jane Ward, Public Works
Captain Greg Cass, Fire Prevention
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File



MOHR & SEREDIN

Landscape Architects, Inc.

18 Pleasant Street, Portland, Maine 04101

ph: 1.207.871.0003

fax: 1.207.871.1419

MEMORANDUM

Date: December 19, 2008

To: Phil DiPierro, City of Portland

From: Michael King, Mohr & Seredin
Stephen Mohr, Mohr & Seredin

CC: Tom Denenberg, PMA
Kevin Eames, PMA

Re: Portland Museum of Art: Release of Performance Guarantee

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7. Public Access Easement: Attached is a copy of the executed License Agreement.
8. As-Built Drawings: The as-built drawings will be submitted to the City by the end of the month.

Some of these items (signage and handicap parking) will not be completed until the spring. It is our intent to ask the City to reduce a portion (approximately \$150,000) of the Performance Guarantee based upon the percentage of work completed to date. Please review this information and contact Stephen or myself if you need additional information.

cc: Tom Denenberg, PMA
Kevin Eames, PMA

LICENSE AGREEMENT

FOR VALUABLE CONSIDERATION, the receipt and sufficiency of which is hereby acknowledged, the **PORTLAND MUSEUM OF ART**, a Maine non-profit corporation with a place of business at Seven Congress Square, Portland, Maine 04101 ("PMA"), hereby grants to the **CITY OF PORTLAND**, a Maine body corporate and politic, with a mailing address of City Hall, 389 Congress Street, Portland, Maine 04101 (the "City"), a revocable license to occupy portions of land owned by PMA on or near Spring Street in Portland, Cumberland County, Maine, such licensed land being depicted on **Exhibit A** attached hereto. The foregoing license being for the purpose of allowing limited public use of the licensed land, subject and pursuant to the conditions contained below. The license granted in this license agreement is subject to the following conditions:

1. This license agreement is not assignable by the City.
2. The license is subject to the following conditions:
 - a. No dogs shall be allowed on the licensed land.
 - b. The public may use the licensed land only during daylight hours (i.e., sunrise to sunset).
 - c. The licensed land may be used only for passive recreational activities (i.e., no athletic activities, no street performers, no bicycles).
3. The City shall not be responsible for maintenance of the landscaping and other improvements on the licensed land. The City shall not make any improvements or alterations to the licensed land.
4. This license agreement may be revoked and terminated by PMA in the event that: (i) PMA intends to develop the licensed land; (ii) the licensed land is being used in violation of the conditions of this license agreement; or (iii) the improvements on the licensed land are being vandalized or the landscaping and other improvements thereon damaged from overuse or misuse.

IN WITNESS WHEREOF, Portland Museum of Art has caused this license agreement to be executed this 2 day of July, 2008.

PORTLAND MUSEUM OF ART

By:


Thomas Denenberg
Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

July 2, 2008

PERSONALLY APPEARED before me the above named Thomas Deverberg
Executive Director of the Portland Museum of Art as aforesaid, and acknowledged the
foregoing instrument to be his free act and deed in his said capacity and the free act and
deed of said entity.

Susan Stinson

Notary Public/Attorney at Law

Print name: Susan Stinson

My commission expires:

SUSAN STINSON
Notary Public, Maine
My Commission Expires August 26, 2013

M O H R & S E R E D I N

Landscape Architects, Inc.

July 3, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art -- Spring Street Parking and Garden
License Agreement**

Dear Ms. Fraser:

Attached please find the signed and notarized Portland Museum of Art Spring Street Parking and Garden License Agreement. This is the original signed agreement and it has not been forwarded to the City of Portland Legal Department.

We believe this is the final outstanding item of the Planning Board's Condition of Approval, dated June 10, 2008. Thanks for your help and make us aware if there are other items in need of our attention.

Sincerely,



Michael King
Mohr & Seredin Landscape Architects, Inc.

Enc. License Agreement, dated July 2, 2008

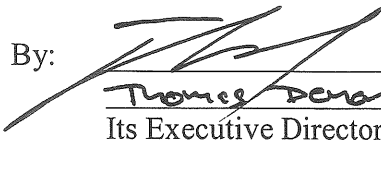
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IN WITNESS WHEREOF, Portland Museum of Art has caused this license agreement to be executed this 2 day of July, 2008.

PORTLAND MUSEUM OF ART

By: 
Thomas Deraberg
Its Executive Director

STATE OF MAINE
CUMBERLAND, ss.

July 2, 2008

PERSONALLY APPEARED before me the above named Thomas Deverberg
Executive Director of the Portland Museum of Art as aforesaid, and acknowledged the
foregoing instrument to be his free act and deed in his said capacity and the free act and
deed of said entity.

Susan Stinson
Notary Public/Attorney at Law
Print name: Susan Stinson
My commission expires:

SUSAN STINSON
Notary Public, Maine
My Commission Expires August 26, 2013

Bangor Savings Bank

Date of Issue: **07/17/2008**
Irrevocable Letter of Credit Number : **1013**
Mr. Alex Jaegerman, Acting Director
Dept. of Planning and Development
City of Portland
389 Congress Street
Portland, ME 04101

Re: R.E. Coleman, Inc.
87 Spring Street

Bangor Savings Bank hereby issues its Irrevocable Letter of Credit for the account of R.E. Coleman, Inc., (hereinafter referred to as "Developer"), held for the exclusive benefit of the City of Portland, in the aggregate amount of \$215,542.00. These funds represent the estimated cost of installing site improvements as depicted on the Spring Street Parking and Garden Site Plan, approved on May 27, 2008 and as required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525, and Chapter 25 §§ 46 through 65.

This Letter of Credit is required under Portland Code of Ordinances Chapter 14 §§499, 499.5, 525 and Chapter 25 §46 through 65 and is intended to satisfy the Developer's obligation, under Portland Code of Ordinances Chapter 14 §§501, 502 and 525, to post a performance guarantee for the above referenced development.

The City, through its Director of Planning and Development and in his sole discretion, may draw on this Letter of Credit by presentation of a sight draft and the Letter of Credit and all amendments thereto, up to thirty (30) days before or sixty (60) days after its expiration, stating any one of the following:

1. the Developer has failed to satisfactorily complete the work on the improvements contained within the Spring Street Parking and Garden Site Plan approval, dated May 27, 2008, or
2. the Developer has failed to deliver to the City a deed containing the metes and bounds description of any streets, easements or other improvements required to be deeded to the City; or
3. the Developer has failed to notify the City for inspections.

In the event of the Bank's dishonor of the City of Portland's sight draft, the Bank shall inform the City of Portland in writing of the reason or reasons thereof within three (3) business days of the dishonor.

After all underground work has been completed and inspected to the satisfaction of the Department of Public Works and Planning, including but not limited to sanitary sewers, storm drains, catch basins, manholes, electrical conduits, and other required improvements constructed chiefly below grade, the City of Portland Director of Planning and Development or its Director of Finance as provided in Chapter 14 §501 of the Portland Code of Ordinances, may authorize Bangor Savings Bank, by written certification, to reduce the available amount of the escrowed money by a specified amount.

This performance guarantee shall expire on June 1, 2009. It is a condition of this Letter of Credit that it is deemed to be automatically extended without amendment for period(s) of one year each from the current Expiration Date hereof, or any future Expiration Date, unless within thirty (30) days prior to any expiration, the Bank notifies the City by certified mail (restricted delivery to

Duane Kline, Director of Finance, City of Portland, 389 Congress Street, Portland, Maine 04101) that the Bank elects not to consider this Letter of Credit renewed for any such additional period.

In the event of such notice, the City, in its sole discretion, may draw hereunder by presentation of a sight draft drawn on the Bank, accompanied by this Letter of Credit and all amendments thereto, and a statement purportedly signed by the Director of Planning and Development, at Bank's offices located at 280 Fore Street, Portland, Maine, stating that:

~~This drawing results from notification that the Bank has elected not to renew its Letter of Credit No. 1013.~~

On its Expiration Date or on the date the City determines that all improvements guaranteed by this Letter of Credit are satisfactorily completed, this Performance Guarantee Letter of Credit shall be reduced by the City to ten (10) percent of its original amount and shall automatically convert to an Irrevocable Defect Letter of Credit. Written notice of such reduction shall be forwarded by the City to the Bank. The Defect Letter of Credit shall ensure the workmanship and durability of all materials used in the construction of the Spring Street Parking and Garden Site Plan approval, dated May 27, 2008 as required by City Code §14-501, 525 and shall automatically expire one (1) year from the date of its creation ("Termination Date").

The City, through its Director of Planning and Development and in his sole discretion, may draw on the Defect Letter of Credit by presentation of a sight draft and this Letter of Credit and all amendments thereto, at Bank's offices located at 280 Fore Street, Portland, Maine, prior to the Termination Date, stating any one of the following:

1. the Developer has failed to complete any unfinished improvements; or
2. the Developer has failed to correct any defects in workmanship; or
3. the Developer has failed to use durable materials in the construction and installation of improvements contained within the Spring Street Parking and Garden Site Plan.

This Agreement will be governed by federal law applicable to Lender and, to the extent not preempted by federal law, the laws of the State of Maine without regard to its conflicts of law provisions, and except to the extent such laws are inconsistent with the 2007 Revision of the Uniform Customs and Practice for Documentary Credits of the International Chamber of Commerce, ICC Publication No. 600. This Agreement has been accepted by Lender in the State of Maine.

Date: 7-17-2008

By:  _____

Its Duly Authorized Agent

July 14, 2008

Mr. Alex Jaegerman, Acting Director
Mr. Philip DiPierro
Dept. of Planning and Development
City of Portland
389 Congress St.
Portland, ME 04101

**Re: Portland Museum of Art
Spring Street Parking and Garden**

Dear Alex and Philip:

Attached please find a check for the inspection fee for the Portland Museum of Art project at 87 Spring Street. The amount of \$4,310.84 was set by Mr. Philip DiPierro in an email dated Wednesday, July 9, 2008. As requested by Mr. DiPierro we are submitting this letter and check to you for processing.

A Letter of Credit from Bangor Savings Bank will be forthcoming for this project in the next day. We will submit that letter to you and request that you review it as promptly as possible so that we can move forward setting up the pre-construction conference. We plan to have equipment dropped off at the site on Thursday morning and are proceeding with pre-construction activities later this week, and would greatly appreciate your help in wrapping-up these few details.

Sincerely,


Stephen B. Mohr, ASLA

July 14, 2008

Mr. Alex Jaegerman, Acting Director
Mr. Philip DiPierro
Dept. of Planning and Development
City of Portland
389 Congress St.
Portland, ME 04101

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Sincerely,


Stephen B. Mohr, ASLA

MOHR & SEREDIN
LANDSCAPE ARCHITECTS, INC.
18 PLEASANT STREET
PORTLAND, MAINE 04101
207-871-0003

EXPLANATION	AMOUNT

52-150/112

14473

INT

Four thousand, three hundred ten dollars ^{9/108} DOLLARS

CHECK AMOUNT

TO THE ORDER OF	DESCRIPTION	CHECK NUMBER
<i>City of Portland</i>	<i>Inspection fee</i>	<i>14473</i>

\$ **4,310.84**

MAINE BANK & TRUST
• a maine bank for maine people •
PORTLAND, MAINE





**Planning and Development Department
SUBDIVISION/SITE DEVELOPMENT**

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: June 30, 2008

Name of Project: **Portland Museum of Art – Spring Street Parking Lot**

Address/Location: **87 Spring Street, Portland, Maine**

Developer: **Portland Museum of Art**

Form of Performance Guarantee: _____

Type of Development: Subdivision _____ Site Plan (Major/Minor) **Minor**

TO BE FILLED OUT BY THE APPLICANT:

<u>Item</u>	<u>PUBLIC</u>			<u>PRIVATE</u>		
	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>	<u>Quantity</u>	<u>Unit Cost</u>	<u>Subtotal</u>
1. STREET/SIDEWALK						
Road/Parking Areas	_____	_____	_____	1,780 s.y.	9.00	\$16,020
Curbing	_____	_____	_____	265 l.f.	30.00	\$7,950 ✓
Sidewalks	350.s.f.	15.00	\$5,250 ✓	300 s.f.	15.00	\$4,500 ✓
Esplanades	_____	_____	_____	_____	_____	_____
Monuments	_____	_____	_____	_____	_____	_____
Street Lighting	_____	_____	_____	_____	_____	_____
Street Opening Repairs	1 l.s.	1000.00	\$1,000 ✓	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
2. EARTH WORK						
Cut	_____	_____	_____	1 l.s.	15000.00	\$15,000 ✓
Fill	_____	_____	_____	1 l.s.	20000.00	\$20,000 ✓
3. SANITARY SEWER						
Manholes	_____	_____	_____	_____	_____	_____
Piping	_____	_____	_____	_____	_____	_____
Connections	_____	_____	_____	_____	_____	_____
Main Line Piping	_____	_____	_____	_____	_____	_____
House Sewer Service Piping	_____	_____	_____	_____	_____	_____
Pump Stations	_____	_____	_____	_____	_____	_____
Other	_____	_____	_____	_____	_____	_____
4. WATER MAINS	_____	_____	_____	_____	_____	_____
5. STORM DRAINAGE						
Manholes	_____	_____	_____	_____	_____	_____
Catchbasins	_____	_____	_____	1 ea.	2,200	\$2,200 ✓
Piping	_____	_____	_____	285 l.f.	30.00	\$8,550 ✓
Detention Basin	_____	_____	_____	_____	_____	_____
Stormwater Quality Units	_____	_____	_____	1 l.s.	3,500	\$3,500 ✓
Other (Field Inlets)	_____	_____	_____	3 ea.	750	\$2,250 ✓

\$38,500

6. SITE LIGHTING	_____	_____	_____	10	2,0000	\$20,000 ✓
7. EROSION CONTROL						
Silt Fence	_____	_____	_____	360 l.f	3.00	\$1,080 ✓
Check Dams	_____	_____	_____			
Pipe Inlet/Outlet Protection	_____	_____	_____			
Level Lip Spreader	_____	_____	_____	1 l.s.	2,500	\$2,500 ✓
Slope Stabilization	_____	_____	_____	1 l.s.	1,500	\$1,500 ✓
Geotextile	_____	_____	_____			
Hay Bale Barriers	_____	_____	_____			
Catch Basin Inlet Protection	_____	_____	_____	1	500	\$500 ✓
8. RECREATION AND OPEN SPACE AMENITIES	_____	_____	_____			
9. LANDSCAPING (Attach breakdown of plant materials, quantities, and unit costs)	_____	_____	_____	1	\$72,082	\$72,082 ✓
10. MISCELLANEOUS	_____	_____	_____			
TOTAL:	\$6,250					\$177,632.00
GRAND TOTAL:	\$6,250					\$177,632.00

INSPECTION FEE (to be filled out by the City)

	<u>PUBLIC</u>	<u>PRIVATE</u>	<u>TOTAL</u>
A: 2.0% of totals:	_____	_____	_____
<u>or</u>			
B: Alternative Assessment:	_____	_____	_____
Assessed by:	_____	_____	_____
	(name)	(name)	

210' Fence
12 Down lights

June 17, 2008

Mr. Phil DiPierro, Development Review Coordinator
 City of Portland
 Portland City Hall
 389 Congress Street
 Portland, ME 04101

RE: Portland Museum of Art – Spring Street Parking and Garden

Dear Mr. DiPierro;

The Portland Museum of Art (PMA) is proposing to construct a parking lot and landscaped terraces on the property that they recently acquired at 87 Spring Street. This 38,500 s.f. parcel was formerly occupied by the YWCA structure; the buildings that occupied the parcel have been removed and a site plan developed by PMA for the reuse of the property. The proposed plan includes a parking lot for 45 cars on the southwest corner of the lot and the development of three landscape terraces adjacent to Spring Street

In accordance with Site Plan review procedure, we respectfully request a determination of the amount of a Performance Guarantee that will be required by the City.

The site is shown as assessor's parcels, 39/B/15. The proposed site improvements will not connect to the water, wastewater and electrical/communications utilities located along Spring Street. Water (for irrigation system) and secondary electrical service (for site lighting) will be provided by PMA's Clapp House building, as shown on enclosed drawing L3.0. The City of Portland has requested to have the site's stormwater connect (via reinforced concrete pipe) to an existing stormwater manhole on Oak Street (see L3.0.) Also, the City has requested that concrete walkway repairs along Spring Street and Oak Street (see L2.0) be included in this project.

Our estimate of site development costs to be covered by the Performance Guarantee are outlined as follows:

1.	Erosion and Sedimentation Control:	\$4,000.00
2.	Brick Sidewalk Improvements/Repair:	\$6,500.00
3.	Stormwater Connection (Oak Street):	\$7,500.00
	TOTAL	\$18,000.00

*Curbing
 Pavement
 Lighting
 Landscaping*

Jean Fraser, City of Portland, asked to have three complete sets of drawings forwarded to you; these drawings are attached with this letter.

Please feel free to contact me should you have any questions or require additional information.

Sincerely,

A handwritten signature in black ink that reads "Michael King". The signature is written in a cursive, slightly slanted style.

Michael King
Mohr & Seredin Landscape Architects, Inc.

enc. Three (3) complete sets of drawings

cc: Portland Museum of Art

CITY OF PORTLAND, MAINE
PLANNING BOARD

Janice E. Tevanian, Chair
David Silk, Vice Chair
Bill Hall
Joe Lewis
Lee Lowry, III
Shalom Odokara
Michael J. Patterson

June 10, 2008

Stephen B. Mohr, ASLA
Mohr & Seredin Landscape Architects Inc.
18 Pleasant Street
Portland, Maine 04101

RE: Portland Museum of Art Parking Lot, 87 Spring Street, Portland
CBL: 039 B015 001
Application ID: 2008-0038

Dear Mr. Mohr:

On May 27, 2008, the Portland Planning Board considered the Portland Museum of Art proposal for a 45 space surface parking lot and associated access, lighting and landscaping improvements on the site of the former YWCA on Spring Street. The Planning Board reviewed the proposal for conformance with the standards of the Conditional Use and Site Plan Ordinances.

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #27-08 relevant to standards for conditional use and site plan regulations, and other findings, the Planning Board approved the application with the following motions, waivers and conditions as presented below.

CONDITIONAL USE

The Planning Board voted (5-0, Hall and Odokara absent) that the proposed plans are in conformance with the conditional use standards of the Land Use Code, subject to the following conditions:

- i. The applicant shall submit for final review and approval by Corporation Counsel, and execute prior to the issuance of a Certificate of Occupancy, the license to the City of Portland for limited public access to the landscape gardens associated with the parking lot; and
- ii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority.

LIGHTING WAIVER

The Planning Board voted 5-0 (Hall and Odokara absent) to waive the Technical Standard, Section XV 3., which requires all lighting fixtures to be of the "cut off" type, to allow for the proposed tree-mounted downlighters, subject to confirmation that this lighting proposal meets the current Illuminating Engineering Society of North America (IESNA) recommendations as per the City's Site Lighting Technical Standards. This waiver is given in recognition of the applicant's objective to provide security lighting within the landscaped areas.

SITE PLAN REVIEW

The Planning Board voted (5-0, Hall and Odokara absent) that the plan is in conformance with the site plan standards of the Land Use Code, subject to the following conditions of approval:

- i. That the applicant submit for review and approval of the Planning Authority prior to the issuance of a building permit, the detail of the concrete sidewalk repair proposed within the Right of Way, which should comply with the City of Portland Technical Standards; and
- ii. That the applicant shall be responsible for ongoing maintenance and monitoring of the operation of the bioretention cell/raingarden, and immediately address any problems that may arise (eg re survival of plantings, safety for the public), whether identified by the applicant or other parties, to the satisfaction of the Planning Authority; and
- iii. That the applicant shall submit revised proposals for the lighting along the pedestrian walkway through the site, which meet the City's Site Lighting Standards, for review and approval of the Planning Authority prior to the issuance of a building permit; and
- iv. That any signs, including the proposed sign at the corner of Spring and Oak Streets shown in Plan 5.0, shall be subject to detailed review and approval prior to the issuance of a Certificate of Occupancy; and
- v. That the applicant shall revise the design of the central portion of the fencing along the top of the existing retaining wall to address the concerns of the Children's Museum of Maine, to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit.

The approval is based on the submitted plans and the findings related to conditional use and site plan review standards as contained in Planning Report #27-08, which is attached.

Please note the following provisions and requirements for all site plan approvals:

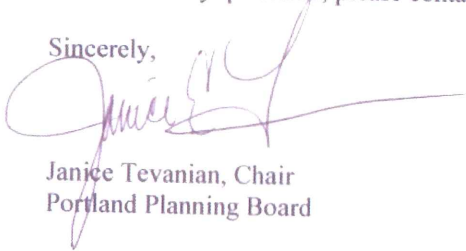
1. The above approvals do not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Inspection Division.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and seven (7) final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. Final sets of plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
5. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.

6. Prior to construction, a pre-construction meeting shall be held at the project site with the contractor, development review coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.
7. If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)

The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as all site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Jean Fraser at 874-8728.

Sincerely,



Janice Tevanian, Chair
Portland Planning Board

Attachments:

1. Planning Board Report #27-08
2. Performance Guarantee Packet

Electronic Distribution:

cc: Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Inspections Division
Lisa Danforth, Administrative Assistant
Michael Bobinsky, Public Works Director
Kathi Earley, Public Works
Bill Clark, Public Works
Michael Farmer, Public Works
Jim Carmody, City Transportation Engineer
Jane Ward, Public Works
Captain Greg Cass, Fire Prevention
Jeff Tarling, City Arborist
Tom Errico, Wilbur Smith Consulting Engineers
Dan Goyette, Woodard & Curran
Assessor's Office
Approval Letter File
Hard Copy: Project File

Final - yes we had a permit for the parking lot
City of Portland, Maine - Building or Use Permit Application

389 Congress Street, 04101 Tel: (207) 874-8703, Fax: (207) 874-8716

Permit No: 08-0814	Issue Date: 07/22/2008	CBL: 039 B015001
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Location of Construction: 87 SPRING ST	Owner Name: PORTLAND MUSEUM OF ART	Owner Address: SEVEN CONGRESS SQ	Phone:
Business Name:	Contractor Name: R E Coleman	Contractor Address: 17 Coleman Way Falmouth	Phone: 2078312822
Lessee/Buyer's Name	Phone:	Permit Type: Commercial	Zone:

Past Use: Vacant Lot	Proposed Use: Parking Lot - Develop 45 space parking lot w/ Planting areas	Permit Fee: \$1,910.00	Cost of Work: \$189,000.00	CEO District: 1
Proposed Project Description: Develop 45 space parking lot w/ Planting areas		FIRE DEPT: <input type="checkbox"/> Approved <input type="checkbox"/> Denied	INSPECTION: Use Group: Type:	
		Signature:	Signature:	
		PEDESTRIAN ACTIVITIES DISTRICT (P.A.D.)		
		Action: <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied		
		Signature: Date:		

Permit Taken By: Idobson	Date Applied For: 07/03/2008	Zoning Approval		
------------------------------------	--	------------------------	--	--

<ol style="list-style-type: none"> This permit application does not preclude the Applicant(s) from meeting applicable State and Federal Rules. Building permits do not include plumbing, septic or electrical work. Building permits are void if work is not started within six (6) months of the date of issuance. False information may invalidate a building permit and stop all work.. 	Special Zone or Reviews <input type="checkbox"/> Shoreland <input type="checkbox"/> Wetland <input type="checkbox"/> Flood Zone <input type="checkbox"/> Subdivision <input type="checkbox"/> Site Plan Maj <input type="checkbox"/> Minor <input type="checkbox"/> MM <input type="checkbox"/> Date:	Zoning Appeal <input type="checkbox"/> Variance <input type="checkbox"/> Miscellaneous <input type="checkbox"/> Conditional Use <input type="checkbox"/> Interpretation <input type="checkbox"/> Approved <input type="checkbox"/> Denied Date:	Historic Preservation <input type="checkbox"/> Not in District or Landmark <input type="checkbox"/> Does Not Require Review <input type="checkbox"/> Requires Review <input type="checkbox"/> Approved <input type="checkbox"/> Approved w/Conditions <input type="checkbox"/> Denied Date:
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CERTIFICATION

I hereby certify that I am the owner of record of the named property, or that the proposed work is authorized by the owner of record and that I have been authorized by the owner to make this application as his authorized agent and I agree to conform to all applicable laws of this jurisdiction. In addition, if a permit for work described in the application is issued, I certify that the code official's authorized representative shall have the authority to enter all areas covered by such permit at any reasonable hour to enforce the provision of the code(s) applicable to such permit.

SIGNATURE OF APPLICANT	ADDRESS	DATE	PHONE
RESPONSIBLE PERSON IN CHARGE OF WORK, TITLE		DATE	PHONE

DEVELOPMENT REVIEW COORDINATOR
POST APPROVAL PROJECT CHECKLIST

Date: 12/24/08

Project Name: Portland Museum of Art

Project Address: 87 Spring Str.

Site Plan ID Number: 2008-0038

Planning Board/Authority Approval Date: 5/27/08

Site Plan Approval Date: 5/27/08

Performance Guarantee Accepted: 7/22/08

Inspection Fee Paid: 7/15/08

Amount of Disturbed Area in SF or Acres: 38,737

MCGP/Chapter 500 Stormwater PBR: N/A

Plans/CADD Drawings Submitted: _____

Pre-Construction Meeting: 7/22/08

Conditions of Approval Met: 12/3/09

As-Builts Submitted: 12/3/09

Public Services Sign Off: 12/3/09

Certificate of Occupancy Memo Processed:
(Temporary or Permanent) 12/3/09

Performance Guarantee to Defect Guarantee: 1/30/09

Defect Guarantee Released: 12/3/09

TO: Inspections Department

FROM: Philip DiPierro, Development Review Coordinator

DATE: December 3, 2009

RE: C. of O. for # 87 Spring Street, Portland Museum of Art Parking Lot
(Id#2008-00386) (CBL 039 B 015001)

After visiting the site, I have the following comments:

Site work complete

At this time, **I recommend issuing a permanent Certificate of Occupancy.**

Cc: Barbara Barhydt, Development Review Services Manager
Tammy Munson, Inspection Services Manager
File: Urban Insight

DOWNTOWN URBAN DESIGN GUIDELINES

extracts as particularly relevant to PMA proposal.

These Downtown Urban Design Guidelines are a component of the City of Portland's Downtown Plan entitled *Downtown Vision: A Celebration of Urban Living and a Plan for Portland's Future* and of the City's Comprehensive Plan. They are supporting reference documents for the City's B-3 Downtown Business District Zoning Ordinance and Site Plan Standards, and a companion to the Technical and Design Standards and Guidelines for the City of Portland.

The Signage, Awnings and Canopies section contained herein supercede the Signage requirements of the Urban Renewal Plan for Maine Way (pages 9-11 of Planning Report #29-76: Urban Renewal Plan for Maine Way, amended May 1976.)

Introduction

Downtown Portland is the center of the region's business, governmental, cultural, and residential communities. It is also a physical environment comprised of a variety of individual buildings, streetscapes, parks, and districts in which people carry on with day-to-day interactions. As a physical environment, it should be designed to facilitate these uses in a setting that has beauty, is comfortable and secure, which provides amenity and interest for the pedestrian, and which celebrates the coming together of people in a concentrated pedestrian world. It is important that incremental changes to the physical environment through development or rehabilitation proposals continue to enhance the physical environment.

These guidelines are provided for the use of individual property owners and the development community in understanding the expectations of the greater community for the development of the Downtown. This represents a documentation of concerns which have been central issues within project reviews of proposed development in the past, and is an attempt to make the review process more understandable and predictable for the development community. These Guidelines are also intended to provide guidance and consistency for City staff and Planning Board development review. Finally, these Guidelines are intended to provide the public with a clearer presentation of important design issues to assure they reflect public concerns while providing a framework for public comment and involvement in the development process.

These Urban Design Guidelines are not intended to restrict the creativity of developers or designers in responding to the challenges of a given site. Rather they provide a framework of issues with which to be concerned in assuring that a creative design solution is compatible with the character of Portland's Downtown environment and is sensitive to pedestrian needs. These Guidelines are presented as a discussion of issues that specific site plan standards are intended to address. Unless otherwise provided for within the City Ordinances, these are guidelines only, a framework not to be ignored but flexible enough in intent, interpretation, and application to allow and encourage the developer and associated designers to come forward with creative and distinctive design solutions.

to accommodate the broadest possible variety of floor layouts, or be able to be modified at reasonable cost to accommodate future pedestrian oriented uses. Placement of exterior building features as in (b) above, as well as the placement of interior features such as columns, bearing walls, stairs, elevators, and mechanical systems should support the layout of pedestrian oriented uses rather than divide a space into areas which can be difficult to utilize effectively or with flexibility.

5. Continuity of street level uses

Continuity of pedestrian-oriented uses along designated street frontages is important to encourage pedestrian interest, movement and safety. Wherever possible, service entrances and vehicular entrances to parking lots, parking garages, drive-thru services, or other similar uses which interrupt the continuity of street-level uses should not be located along pedestrian oriented streets. Where such uses are unavoidable, extraordinary care should be taken to assure that the pedestrian environment remains both attractive and safe, and such interruptions should be kept to a minimum in both numbers and lengths. In such instances, the pedestrian should clearly have priority. Pedestrian paving patterns should continue across driveway entrances and should remain flush, with no steps or significant ramping introduced in order to accommodate vehicular access. Vehicular speeds should be kept to an absolute minimum. Lighting should assure both pedestrian comfort and safety.

C. Sidewalk Areas and Open Space

Standard: "The design of publicly accessible sidewalk areas and open space shall complement the general pattern of the Downtown pedestrian environment, conform with special City of Portland streetscape programs described in the Technical and Design Standards and Guidelines, and enhance the attractiveness, comfort, security, and usability of the pedestrian environment."

1. Sidewalk, crosswalk, and street paving materials

- Sidewalk: The design and construction of sidewalks and open space paving are important components of the pedestrian environment. Historically, the Downtown has been characterized by brick sidewalks and the City's general sidewalk maintenance and reconstruction program calls for brick sidewalks. Important factors which must be of concern in the installation and maintenance of brick sidewalks include the compatibility with adjoining or nearby paving surfaces, the appropriateness of the paving material in relation to proposed or existing buildings which are adjacent to the sidewalk, appropriateness during all seasons, and the character, durability, and ease of maintenance of the proposed material.

Prevalent problems found on many existing sidewalks are the uneven surfaces and excessive joints between bricks, both of which create hazardous walking conditions. These problems usually result from improper installation techniques or design including an inadequate base on which the brick is set or excessive spacing of pavers and inadequate maintenance (repointing). These issues can be addressed through careful design and installation of new surfaces, and a program of rehabilitation directed toward existing sidewalks.

Concern must also focus on Portland as a winter city, with frequent snow and ice conditions through an extended season each year. Maintenance of sidewalks becomes an imperative for assuring safe and comfortable pedestrian circulation throughout the Downtown. The use of brick as a surface material can result in a surface more slippery than alternative surfaces such as concrete pavers or poured concrete with a rough surface. Adequate sloping and drainage can aid in avoiding some problems. The use of concrete pavers in patterns and colors that replicate brick, and the combination of poured concrete and brick in attractive and practical paving patterns can also serve to address concerns over the potentially slippery nature of brick while retaining the historic character of brick sidewalks.

There is growing interest both in this country and in northern cities abroad in the use of heated sidewalks to maintain a clear and comfortable walking surface during colder months. The consideration of heating elements within the sidewalk construction is encouraged. The relation of such a system to underground utilities, the impact of such a system on the appearance of paving surfaces, the energy efficiency of providing and maintaining such a system relative to more conventional sidewalk maintenance, and the benefits such systems present in preserving street trees and other landscaping relative to other snow melting or snow clearing techniques should all be considered.

Open spaces such as parks and plazas offer special opportunities for creative and specialized paving patterns. The introduction of alternative patterns, colors and materials such as granite, brick, and concrete can create distinctive elements within these open spaces and are encouraged. Where such open spaces meet the public sidewalk, the specialized paving pattern should transition to the prevailing pattern of the public sidewalk so that sidewalk paving within the street right-of-way retains a consistent

unifying pattern along an entire street frontage and to assure that sidewalk paving forms a layer of commonality throughout an area. As a related issue, the design of publicly accessible open spaces should balance the provision of pedestrian paving surfaces with ample soft surfaces including landscaping and grass. Where pedestrian circulation will occur on such surfaces, these areas should be designed to prevent compaction and should be stabilized against erosion due to weather or use.

The provision of all sidewalks shall conform to the specifications and details contained within the City's *Technical and Design Standards and Guidelines*.

- Crosswalk: The design of street crosswalks which provide distinctive and clearly visible patterns on the walking surface offer both visual amenity and safety to the pedestrian. The use of painted crosswalks and thermally applied markings are techniques commonly endorsed by the City. In a few special instances, the City has permitted the installation of carefully designed crosswalks comprised of granite borders with a brick walking surface. While alternative crosswalk designs add amenity to the pedestrian environment and are encouraged under special situations or for special effect, the design and construction of any such special alternative must be carefully considered. Issues of durability, particularly as impacted by snow plowing, visibility, and ease of walking should be addressed. The provision of crosswalks across all City streets shall conform with the specifications and details contained within the City's *Technical and Design Standards and Guidelines*.

- Street: The design and construction of City streets shall conform to the specifications and details contained within the City's *Technical and Design Standards and Guidelines*. Where driveway surfaces on private property serve dual purpose as pedestrian circulation paths, the applicant or property owner is encouraged to explore creative alternative finish surfaces which provide greater pedestrian interest and amenity.

2. Landscaping, planters, irrigation, and tree guards and grates

- Landscaping: The use of landscaping, including overhead/canopy trees, ornamental trees, shrubs, ground cover, and flowers, is encouraged to enhance the character and livability of the Downtown. The use of plants with attractive flowers, colorful and changing foliage, distinctive bark, and prominent or unusual shape all serve to enrich the visual environment. The environmental benefits of providing shade, filtering noise, and cleansing the air are all vital properties of an attractive and healthy urban landscape.

- Compatibility: The coordinated use of landscaping serves as one method for providing distinctive character to different streets and areas of the Downtown. The selection of the primary plant materials (in particular the larger materials such as street and ornamental trees) and their location on a particular site, should be considered in coordination with public streetscape improvements which occur or are planned for the immediate area. Private improvements also should be compatible with other adjacent or nearby private improvements.

- Use and placement: The use of landscaping to provide visual interest, color, variety, and an ever changing and growing environment is an important element in support of an active pedestrian streetscape. The placement of street trees and planters within the public right-of-way should complement and enhance the pattern of similar features on adjacent and nearby properties and be consistent with planting programs established by the City. The use of landscaping also can be incorporated with or in place of fencing to screen or buffer otherwise objectionable or unsightly uses or building features such as building service areas, mechanical equipment, and surface parking lots.

- Plant selection: Consideration during the selection of all plant material should be given to the plant's tolerance to urban conditions which include poor drainage, litter and salt problems, vandalism and abuse, shade conditions, and disease and insects. Plant materials recommended for use within the Downtown are identified, along with appropriate sizes and installation specifications, within the *Technical and Design Standards of the City of Portland*. Where a developer or property owner wishes to deviate from this recommended plant list, such substitutions should be reviewed for approval by the City Arborist.

- Lighting: The illumination of plant materials can have a very pronounced impact on the character of the evening street environment. Whether providing accent lighting for individual specimen plant materials, general lighting for an area with distinctive plant materials, or illumination for special displays, celebrations or seasonal decoration, the added color and life provided by such lighting is encouraged. Wherever such illumination is proposed, care should be taken to assure that such lighting is complementary of existing City programs for street and sidewalk lighting, and that such proposed lighting enhances the pedestrian environment. Such special illumination, whether on private or public property, should generally be maintained by the owner of the proposed development, and the failure to maintain or a decision to remove such illumination should not result in an unattractive landscape.

- Planters, irrigation, and drainage: The manner in which landscaping is provided, watered, and drained is important to the viability and durability of the plant materials. In general, the larger the area in which plant material is located, the healthier it will be and the longer it will remain vigorous. Where individual tree wells are located along streets, the wells should be as large as possible to allow adequate water and air to the soil and root system. Where the dimensions of the sidewalk area permit, planting strips or portions of brick sidewalk set on sand should be considered to allow even greater area of permeable surface.

The provision of planters raised above the sidewalk surface provides plant material additional protection from compaction due to foot traffic, as well as providing some protection from salts and de-icers placed on icy sidewalks during the winter months. The introduction of such raised planters, particularly in situations where increased area of plant materials is viable, are encouraged. Care must be taken to assure that there is consistency in the style and character of planters provided within distinctive areas of the Downtown.

The adequate provision of a water source and method of drainage for planted areas is important to the continued viability of plant material. In areas such as small parks and plazas, the provision of an irrigation system is encouraged to assure adequate moisture. Such areas should also have drainage systems designed to prevent excess water accumulation or runoff onto pedestrian walk areas. Individual tree wells should be designed to allow adequate drainage, tying into curb line drainage systems wherever possible.

Specific planters, irrigation devices, and drainage methods recommended for use within the Downtown are identified within the *Technical and Design Standards of the City of Portland*. Where a developer or property owner wishes to deviate from these recommended specifications, such substitutions should be reviewed for approval by the City Arborist.

- Tree grates and guards: Generally throughout the Downtown, the provision of tree grates and guards are encouraged in order to assure adequate air and water access and to provide protection for trees located within pedestrian activity areas. In certain areas, where wide sidewalks exist and ample pedestrian circulation area is available, the use of granite pavers as a substitute for tree grates may be acceptable where such use

complements the character of the general area and is consistent with a City program for existing or proposed tree wells. Specific tree grates and guards recommended for use within the Downtown are identified, along with appropriate sizes and installation specifications, within the *Technical and Design Standards of the City of Portland*. Where a developer or property owner wishes to deviate from these recommended products, such substitutions should be reviewed for approval by the City Arborist.

- Maintenance: Continued maintenance of landscaping is an important ongoing effort vital to assuring the continued health of plant material and the continued effectiveness of landscaping as an attractive part of the pedestrian environment. A regular program of feeding, watering, pruning, damage repair, pest and weed control, and replacement of declining plant material should be established at the time of initial design and installation, and maintained thereafter.

3. Lighting

Downtown lighting by design should not only serve its functional purposes but also contribute to the attractiveness and aesthetic quality of the streetscape. Illumination of the sidewalks, storefronts and building facades improves the attractiveness and security of the downtown at night.

- Sidewalk lighting: Sidewalks should be amply lit with attractive and warm white light, using a combination of pole mounted, building mounted, soffit, and window lights. Care shall be taken to provide proper illumination levels, avoid glare from lighting sources, and avoid excess lighting spilling onto private property or skyward.

Frequent placement of lower wattage lights achieving a relatively uniform level of lighting is preferable to fewer brighter lights. The placement of lighting fixtures should be in relation to the scale of the pedestrian, downwardly directed, and shielded or reflected so as to avoid direct line of sight from pedestrians to the light source unless the light source is very low wattage and issues of glare do not exist.

- Building lighting: Lighting from store windows, entryways, marquis, canopies, awnings, soffits, and other integral building features is encouraged to integrate with and enhance sidewalk lighting.

- Building Facades: Prominent building facades should be lighted by carefully designed downwash systems of appropriate color and intensity. Generally only historic landmarks and civic buildings should be fully illuminated as well as buildings which substantially contribute to the character of the street and have sufficient ornamental detail to provide visual interest.

- Street Lighting: Street lighting shall comply with the *Technical and Design Standards and Guidelines*. Where street and sidewalk lighting are intended to be provided by the same luminaire, the guidelines presented herein are applicable as well.

- Luminaire: Lighting fixtures for both pedestrian and street lighting conditions should be selected for their visual interest as well as illumination qualities. The selection of lighting fixtures, or luminaries, represents an important decision in establishing a sense of identity and orientation within the pedestrian environment. Just as different areas within the Downtown vary in general activities, land uses, and architectural character which result in their own identities, selection of luminaries should contribute to the identity of those distinct areas within the Downtown. The selection of luminaries should provide an attractive addition to the streetscape in both daylight and evening hours.

Specifications for luminaries along sidewalks and within plazas adjoining sidewalks should conform to the luminaire standard designated in the *Technical and Design Standards and Guidelines*. A lighting program has been established for the following general areas within the Downtown:

- i. Old Port Generally;
- ii. Old Port Wharf Street;
- iii. Waterfront;
- iv. Congress Street;
- v. Gateway entrance routes to the Downtown; and
- vi. Other public streets.

Areas not designated, such as privately owned publicly accessible plazas and public open space, may select a different luminaire style which complements the standard for the area in the above schedule if the design of the space commands a special, unique, and equally distinctive luminaire feature. Consideration should be given, however, in the design of such spaces to coordination with the surrounding area by incorporating the standard luminaire.

- Special Lighting: The introduction of special lighting can provide an especially festive Downtown environment. Seasonal decorative lighting, most notably for the holiday season from Thanksgiving to New Year's Day, greatly contributes to the festive spirit by including decorative lights on buildings, in windows, and on trees and other landscape features. Such seasonal special lighting efforts are encouraged and should be coordinated with both City and privately-based community seasonal lighting programs wherever feasible.

In some additional circumstances, special lighting might be designed and installed either on a temporary or permanent basis as a decorative feature or object in and of itself. Other special lighting features might be proposed for illuminating sculpture, murals, fountains, extraordinary landscape features, or other such features. Special lighting such as these are encouraged, subject to careful design and installation consistent to the general guidelines for lighting described elsewhere in this section.

In all instances, selection of luminaries should consider durability and ease of replacement and maintenance. Desired lighting intensities should be achieved without glare, generally with downwardly directed luminaries, with design features and intensity levels which assure comfortable pedestrian line of sight to the luminaire.

D. Pedestrian Amenities

The character and comfort of pedestrian open spaces such as parks, plazas, and sidewalk areas is greatly affected by the quality, character, and quantity of amenities provided for the use of people who visit those spaces. Specific requirements and specifications for each of the following amenities (except where noted) can be found in the City's *Technical and Design Standards and Guidelines*.

1. Benches and other seating

Pedestrians enjoy opportunities for pausing and resting, watching other people and activities, and eating lunch. Regular and frequent placement of benches or other seating along heavily used pedestrian routes is encouraged to accommodate these activities and thereby make the street environment more comfortable and inviting. Placement of seating should not interrupt or obstruct pedestrian circulation, and should assure maintenance and appropriate use. A variety of seating elements are encouraged, including benches, planter and retaining walls, steps or broad stairways, and individual fixed or moveable seats.

Within publicly accessible open space, adequate seating is a critical element which affects the use and success of that space. A general rule of thumb for the provision of seating applicable to a typical Downtown plaza is to provide one linear foot of seating for each thirty (30) square feet of open space. A balanced combination of seating types is usually encouraged.

The establishment of outdoor sidewalk cafes is encouraged. The design, location, and construction or installation of such features must be carefully considered to assure that the proposed café does not obstruct pedestrian circulation, is appropriate in character with the surrounding buildings and open space, is comprised of durable and attractive materials, and is consistent with any related City streetscape programs.

F. Urban Open Space

The design of publicly accessible open space is extremely important to the future desirability and use of that space. Variety in the size and character of Downtown open space offers opportunities for varying activities and uses, and accommodates differing preferences and needs of the Downtown population. Opportunities should be created wherever possible for varied activities ranging from sitting quietly reading a book to joining together with large numbers of people engaged in or observing some performance.

Publicly-accessible parks, plazas, and other open space should be readily accessible from both sidewalks and surrounding buildings to assure maximum pedestrian circulation. Further, open space should be so located and designed to readily allow views from the sidewalk, street, and surrounding buildings into the open space as well as outward views from within the space. Such viewing should not create the impression of being under a spotlight, but rather should be adequate to allow casual people watching, create visual interest, and maintain a sense of personal safety.

The provision of varied, high quality, creatively designed, and comfortable pedestrian amenities including seating, lighting, artwork, trash receptacles, and more as described elsewhere must be carefully considered and be compatible with the overall program of amenities both within the open space and along adjoining streets. Solar access, wind protection, and landscaping should combine to enhance pedestrian comfort and provide a variety of sunny and shaded areas.

II. RELATIONSHIP TO EXISTING DEVELOPMENT

The physical development of the Downtown has been incremental over the last century. For much of this period, a fairly limited palette of available building technology and materials combined with a generally consistent approach to architectural character and building form. This has resulted in an existing building fabric noteworthy for its comfortable and consistent scale and compatibility of building materials. A closer look at buildings throughout the Downtown supports this consistency of general character while also revealing an extremely rich diversity in architectural styles and detailing which collectively provide a rich visual experience and a sense of the evolving history of the City. Where markedly different buildings deviated from the prevalent character, those that remain today tend to be noteworthy public buildings such as the Customs House and City Hall, or buildings that introduced a new era of design such as the Fidelity Trust Company Building.

Any development within this context, whether an infill or an individual building lot at mid-block or the redevelopment of an entire vacant block, should look to the character and prevailing pattern of development as an important frame of reference for new construction or substantial alteration.

In recognition of the intimate, pedestrian scale of the Downtown area, a premise of these guidelines is that large buildings (either exceptionally tall or massive) should be built differently in a small-scaled city than they might be built in a City of larger size or different character. Care must be taken to assure that new buildings be so composed and sited to reinforce and respect the scale and composition of existing building fabric while striving to meet the evolving functional needs and aesthetic interests of contemporary society. Care must also be taken to encourage diversity, an essential quality in creating an interesting and lively Downtown.

A. Integrate with, respect and enhance:

Standard: "Proposed development shall respect, enhance, and be integrated with the existing character of the general pattern of development in the Downtown, surrounding building environment and streetscape."

The development of new buildings, building additions, and other improvements such as publicly accessible open space should be responsive to the character of existing buildings and open space, achieving a creative integration of past, present and future building design and construction. Throughout this discussion, it is important not only to respect and integrate with the existing fabric of the City, but also to enhance that fabric. Where existing structures are of high quality and in themselves positive examples of the concerns identified in these guidelines, they provide an important reference for nearby new construction. Where existing buildings are not responsive to the concerns described herein, proposals for new construction in their vicinity have the opportunity to creatively enhance that portion of the Downtown. Factors to be considered in meeting this standard include:

1. Street walls and building setbacks

Downtown Portland is characterized by a very consistent pattern of buildings located at the street line that provide very clear definition and character to the street. The street is the counterpoint to the built environment, and can be perceived as rooms and corridors in the fabric of the City. Buildings give spatial definition to the street, and the street provides relief in the form of light, air, and a viewing vantage for the buildings. A continuous street wall gives emphasis and meaning to open plazas and squares. Street walls assisting reinforcing the unique and irregular street pattern, maintaining the density of the urban fabric, and through contrast, enhancing the significance of open spaces. The most obvious examples are Congress and Exchange Streets, where very little variation in street wall occurs.

Along the Downtown's principle streets, it is particularly important to maintain this continuity by assuring that new development maintains the street wall condition by building to the street line. Subsection 2 of this Section II provides for some flexibility in this regard for special situations.

2. Open Space

The Downtown open space network is comprised of a variety of publicly-accessible parks and plazas, and the many public sidewalks and private interior corridors and arcades which tie these open spaces together.

The design of buildings adjacent to these various types of open space should strive to complement and reinforce the vitality of these areas for pedestrian activity. At the ground level, frequent points of access into the open space, pedestrian-oriented uses, and ample visibility between interior and exterior enhances and supports the viability of the open space. At upper stories, the generous provision of window area supports the security of the open space through increased supervision and visibility, while also providing substantial visual amenity for those surrounding buildings.

The massing of new buildings or building additions around open space should provide a sense of definition and enclosure to the open space, while not overwhelming the space either in scale or in impact on solar access or comfort within the park. The character of the exterior facades of buildings developed adjacent to open space should be of significant interest and detail to enhance the experience of park users. Unarticulated, blank facades are discouraged.

Proposals for the introduction of additional open space should look to the prevailing pattern of open space as it relates to building form and density throughout the Downtown. For example, Congress Street is characterized by a very consistent building wall established along the street, punctuated at only a limited number of locations by setbacks which provide for publicly accessible open space (i.e. City Hall and Maine Savings Plaza). Any proposal to introduce additional open space along Congress Street should consider any detrimental visual or pedestrian use impacts a break in the street wall might have, and should assure an enhanced pedestrian environment and not duplicate or detract from existing open space. Each street environment should be similarly considered as the placement of open space relative to each individual street or sub-area differs from one street or area to the next.

Other open spaces in the Downtown have occurred at points where significant changes in the street pattern occur (or once occurred). Congress Square, Monument Square, and Boothby Square each are at a point where the streets bend or streets merge or intersect at abrupt angles. Opportunities for future open space may present themselves at other similar kinds of locations Downtown.

Section I, Relationship to Pedestrian Environment, provides further discussion.

6. Parking garages and surface lots

The provision of parking within the Downtown for the foreseeable future will be a continuing component of new development. It is important that the placement and design of new parking garages and surface parking lots be compatible with and enhances the character of the pedestrian environment Downtown while providing as well for the functional needs of such utilitarian facilities.

While it is of significant benefit to have parking, particularly turnover parking, in close proximity to retail storefronts and cultural activities parking areas should not create significant breaks in the continuity of businesses and activities which support pedestrian circulation and interest. Wherever feasible, priority should be given to maintaining pedestrian uses along street frontages and placement of parking should be shifted away from those street frontages and placed at the interior of sites and at upper stories in parking garages. Similarly, parking should be discouraged along the frontage of publicly accessible open space where pedestrian uses are important to the function of that open space.

- Parking Garages: Where parking garages are located along streets with significant pedestrian activity, the street-level uses of such parking facilities should be dedicated to pedestrian-oriented uses wherever feasible. Where initial conditions preclude the establishment of pedestrian-oriented uses along the street, parking garages should be designed and constructed so as to readily accommodate conversion to such ground floor uses at a later date. In addition, parking garages often have frontages or provide access from more than one street. In such situations, every effort is encouraged to incorporate through-block pedestrian connections which are clearly designated and which allow convenient pedestrian circulation along paths separate and distinct from vehicle travel lanes.

The design of parking garage facades should attempt to create a positive aesthetic solution that supports the interest of pedestrians nearby. While it may not be necessary to go to the extreme of masquerading the garage façade as some other type of use, the façade should fit comfortably with the other guidelines described throughout this document. Thoughtful detailing and screening of direct line of sight to vehicles and lighting contained within the garage is important, as well as providing additional landscaping or other site amenities at the facility's edges near public sidewalks.

- Surface parking lots: In general, surface parking areas within the dense Downtown setting are discouraged except on a temporary or interim basis. Where such facilities are proposed, care should be taken to assure that the character of these surface areas are attractive to the pedestrian walking nearby. The provision of adequate landscaping and/or ornamental fencing to help screen one's view of large areas of vehicular parking, the provision of appropriate lighting for pedestrian safety and comfort adjacent to such facilities, and the introduction of artwork or other pedestrian amenities along the pedestrian path can make such a facility more attractive.

Vehicular access such as driveway entrances or curb cuts to parking facilities should balance the needs for vehicular convenience with the priority for maintaining a safe and attractive pedestrian environment. The placement of such access should strive not to disrupt the continuity of pedestrian circulation. The design of these areas should give a clear indication to drivers that they are crossing a pedestrian area and that the pedestrian has the right-of-way. Pedestrian sidewalk materials should not be interrupted to accommodate an asphalt driveway, but rather the pattern of pedestrian paving material might change only to the degree that a clear indication is made to both driver and pedestrian that vehicles are present.

For example, where sidewalks are brick, the driveway entrance might be characterized by the placement of brick in a soldier coursing pattern or in some substantially distinctive brick pattern than is clearly part of the pedestrian sidewalk, but also recognizable as a vehicular path. Just as the sidewalk surface should not be interrupted to accommodate a driveway entrance, nor should sidewalk tilt-downs be the preferred solution to allowing smooth pedestrian circulation, but wherever possible the vehicular surface should be raised to meet the sidewalk. All such details must comply with the *Technical and Design Standards and Guidelines*.

- Signage: Adequate signage to attract and direct the motorist must be so designed, constructed and located so as not to overwhelm the pedestrian environment nor obstruct pedestrian vision or circulation. The design of signage for parking available to the general public should be consistent with a Downtown-wide program of signage for parking described in the *Technical and Design Standards and Guidelines*.

**CITY OF PORTLAND, MAINE
DEVELOPMENT REVIEW APPLICATION
PLANNING DEPARTMENT PROCESSING FORM
Planning Copy**

2008-0038

Application I. D. Number

4/2/2008

Application Date

Ptld Museum of Art Spring St. Pking &

Project Name/Description

Portland Museum Of Art

Applicant

Seven Congress Sq , Portland , ME 04101

Applicant's Mailing Address

87 - 87 Spring St Arterial, Portland, Maine

Address of Proposed Site

039 B015001

Assessor's Reference: Chart-Block-Lot

Consultant/Agent

Agent Ph: _____ **Agent Fax:** _____

Applicant or Agent Daytime Telephone, Fax

Proposed Development (check all that apply): New Building Building Addition Change Of Use Residential Office Retail

Manufacturing Warehouse/Distribution Parking Lot Apt 0 Condo 0 Other (specify) **Conditional Use**

0 **B-3**

Proposed Building square Feet or # of Units _____ Acreage of Site _____ Proposed Total Disturbed Area of the Site _____ Zoning

Check Review Required:

- Site Plan (major/minor) Zoning Conditional - PB Subdivision # of lots _____
- Amendment to Plan - Board Review Zoning Conditional - ZBA Shoreland Historic Preservation DEP Local Certification
- Amendment to Plan - Staff Review Zoning Variance Flood Hazard Site Location
- After the Fact - Major Stormwater Traffic Movement Other _____
- After the Fact - Minor PAD Review 14-403 Streets Review

Fees Paid: Site Plan \$500.00 Subdivision _____ Engineer Review _____ Date 4/2/2008

Planning Approval Status:

Reviewer _____

- Approved Approved w/Conditions See Attached Denied

Approval Date _____ Approval Expiration _____ Extension to _____ Additional Sheets Attached

OK to Issue Building Permit _____ signature _____ date _____

Performance Guarantee Required* Not Required

* No building permit may be issued until a performance guarantee has been submitted as indicated below

- Performance Guarantee Accepted _____ date _____ amount _____ expiration date _____
- Inspection Fee Paid _____ date _____ amount _____
- Building Permit Issue _____ date _____
- Performance Guarantee Reduced _____ date _____ remaining balance _____ signature _____
- Temporary Certificate of Occupancy _____ date _____ Conditions (See Attached) _____ expiration date _____
- Final Inspection _____ date _____ signature _____
- Certificate Of Occupancy _____ date _____
- Performance Guarantee Released _____ date _____ signature _____
- Defect Guarantee Submitted _____ submitted date _____ amount _____ expiration date _____
- Defect Guarantee Released _____ date _____ signature _____



Memorandum

To: Carrie Marsh, Urban Designer
Deb Andrews, Historic Preservation Program Manager

From: Jean Fraser, Planner

Date: April 30, 2008

Re: PMA Proposed parking lot and gardens (site of former YWCA), Spring St

Location: Site Plan and Conditional Use Proposal for 38,500 SF parcel at the corner of Spring St and Oak St (opposite Holiday Inn and adjacent Clapp House at 97 Spring Street)

Proposal: 40% of site (outer edges) to be unlit landscaped gardens ("bosques of birch trees"); 60 % low lit parking lot (rear of site)- all with anticipated "life" of 15-20 years

Application # 2008-0038

Being considered by Planning Board Workshop on May 13, 2008 so I am preparing Workshop Memo next week.

I would appreciate your input and comments on the PMA's proposal to use this now-vacant lot for parking and gardens. It is not really "temporary" and this will be explained in the Workshop Memo- it is an interim use for 15-20 years. The gardens will be open to the public but are intended mainly as a visual statement I believe.

There have been a number of pre-application meetings since Feb 2008 (which I did not attend; Lee, Alex, Barbara and others attended) regarding this proposal and I have some notes re these meetings.

The proposed open space is intended to have a historic design character as explained in the attached letters. The parking lot is only to be used by museum staff and volunteers.

I have attached copies of what I have copies of and an extract from the landscape plan- the full set of plans is in the file on the "wall" nearest Deb's desk.

Some issues that I have identified:

1. B3 design guidelines seem to suggest that open spaces should have lighting and other amenities (page 23)... *Lighting would be nice from a design perspective - but it appears to meet photometric requirements in Tech Standards. It looks like there are benches (?) on the 3/28/08 plan.*
2. To me this is a kind of transition area and sort of "no man's land"- so that the retention of this "black hole" might make it more so? (Perhaps compounded by no lighting in gardens and low lighting in parking lot)
3. It is adjacent to the Clapp House Historic Landmark and the wider Historic Area so please confirm "congruity" *Deb?*
4. The rear wall is concrete topped by chain link fencing- for a 15-20 year life maybe something of a higher quality (?what) might be appropriate? *White Fences fence*
5. Or maybe this is brilliant?

Thanks
Jean

*attached = all sub. letters to date
site plan
land plan
photos + sketches.*

March 31, 2008

Ms. Barbara Barhydt, Development Review Services Manager
City of Portland Planning Department
389 Congress St.
Portland, ME 04101

**Re: Portland Museum of Art, Spring Street Site Plan Submission
Tax Map 39B, Lot 15**

Dear Barbara:

On behalf of the Portland Museum of Art (The Museum) we submit the attached site plan and Conditional Use applications, plans, and documents in support of a request for Conditional Use Site Plan approval for the property at 83 Spring Street recently purchased by The Museum. As you know from our meetings and discussions, The Museum is proposing to utilize this property for parking to support the Museum's mission, for outdoor gardens and to improve the appearance of the Museum's facilities on Spring Street. The Museum is putting forth this plan as an interim measure while it develops a long-range Master Plan for the former YWCA property.

The 38,500 s.f. parcel is located at the corner of Oak and Spring Streets and is within the B-3 Downtown Business Zoning District. Parking is permitted within this zone as a Conditional Use and requires Planning Board approval of a site plan developed in conformance with Portland's Land Use Ordinance. The proposal by The Museum is to create a paved parking area for 45 vehicles on the southwesterly corner of the property and to regrade 16,000 s.f. of the lot to create three landscaped terraces paralleling Spring Street. The site improvements will include new storm drainage, site lighting and planting.

Our office has developed this site plan in response to the specific program of The Museum, the historic residential precedents on Spring Street, and the functional issues which exist at this parcel. The proposed parking area includes 35 regular spaces and 10 tandem spaces for a total count of 45 vehicles. This lot will be used primarily by Museum staff, volunteers, docents, and therefore the tandem parking can be successfully used given The Museum's control over, and management of, this lot. The three terraces reflect the prior residential development on Spring Street that was removed to construct the YWCA and the slopes between the terraces reinforce the location of the original house lots that existed on the west side of Spring Street. The bosques of birch trees suggest the massing of the removed homes and are The Museum's landscape statement identifying this parcel as a part of their campus.

The site plan has been developed to include stormwater management measures on the property to address the quantity of runoff as well as water quality. When the YWCA was located on this parcel approximately 90% of the property was impervious and 10% was green space. The design as proposed includes approximately 40% green space and 60% impervious area. The redesign of the drainage system on the property directs the runoff from the parking area into a bio-retention cell/rain garden. This is a low-lying vegetated basin that is constructed with a soil underdrain that will result in runoff with a water quality that meets the City standards. The rain garden will have both an underdrain and an emergency overflow that will be connected to the separated storm drainage system in Spring Street. Runoff from the lawn terraces will be controlled by small drain inlets and underdrains which will also be tied into the separated storm drainage system. A stormwater management plan has been prepared by Steve Blais, PE, of Land Consulting Engineers and is attached with this submission.

Site lighting will be provided via low-level lights on the pedestrian walkway that crosses the southern end of the property and pole mounted lights on the western edge of the parking lot. The walkway lights are proposed as 50-watt metal halide bollard lights. These will be placed parallel to the walkway, adjacent to the parking area, to provide a lower-level, soft, polite illumination level at the edges of the parking lot closest to pedestrian activity. The four pole mounted lights will be located at the western side of the parking lot. These will be metal halide fixtures mounted at a 15-foot height. Both fixture types are simple, anodized black lights that comply with the City of Portland standards. By design the illumination levels are likely to be less than the City standards but as proposed are sufficient to provide safe, nighttime use of this area. An illumination diagram for the site has been included in this submission which shows the footcandle levels within the property. A proposed photometrics plan will be submitted under separate cover.

We have reviewed the traffic and circulation issues for the project and consulted with William Bray, P.E. regarding traffic issues. Prior to the demolition of the YWCA there were 24 to 26 parking spaces that utilized the existing 16-foot wide driveway from Spring Street. The proposed plan expands the parking spaces to 45, and we are proposing to widen the existing driveway to a 20-foot travel width. In doing so, we will relocate the existing 4-foot wide sidewalk in order to accommodate the additional travel width of the driveway. The use of the property by the YWCA produced a daily trip generation level that will not be matched by the proposed use of the space for 20 additional vehicles for parking. Mr. Bray has prepared a summary traffic statement that is attached with this submission.

The three bosques of birch trees are a significant element in the overall landscape design for this project. In order to showcase these plantings we are proposing to remove all of the existing Norway Maples that are on the property. The London Plane tree that is within the Spring Street right-of-way will be preserved. The birches and the proposed shrub masses will meet the intent of the parking lot landscaping guidelines set forth in the City's Technical Supplement. To assure survival of the planting they will all be irrigated as will the lawn areas on the terraces. The existing concrete wall will be treated with a paint that assures graffiti removal, and will be planted with vines on wires as well as on metal trellises. Details for the landscaping are included in this submission with a specific plant list for all proposed plantings.

The design for this property is based upon a simple terraced landform and the massing of the white birch trees that screen the proposed parking on the site. Accordingly, site improvements will be kept to a minimum to allow the strength of the planting and lawn terraces to be revealed. One sign will be located at the driveway entrance stating that the parking is for the Portland Museum of Art staff and a Portland Art Museum identification sign will be placed at the corner of Oak and Spring Streets. No other signs are proposed for the parcel. Granite seating may be incorporated into the park design in a form consistent with the seating found at The Museum entrance. The existing pre-cast concrete pedestrian walkway will be reconstructed with a brick surface to provide color contrast as well as a historical reference with the surface materials.

The property has an eight (8) foot wide easement held by Harper Hotels, Inc. for a pedestrian walkway and utilities. This easement is used by the Holiday Inn to provide pedestrian connection to the Free Street parking lot owned by Harper Hotels, Inc. No other easement are located on the parcel. The Museum is evaluating the issue of public access to the proposed landscaped areas and will discuss that issue with the Planning Board at the April Workshop.

There are no trash cans, solid waste facilities or dumpsters proposed for the project. The Museum handles these needs via their existing facilities so none are included on the site plan. The proposal does not include any structures, so there will be no effluent placed into the City's sanitary sewer system nor

will there be a water demand of domestic use. The stormwater flows leaving the site will be substantially reduced, and have the qualities improved. Based upon these two facts we believe that the public facilities in Spring Street have the capacity to meet the needs of the proposed project.

The Museum plans to proceed with the work immediately upon receipt of the permit from the City. Work will commence in June, and the planting and lawn will be installed by mid to late August, with a completion date by mid-September, 2008. No other state or federal permits are required to perform the work.

This submission includes the following:

1. Site Plan Application and fee.
2. Completed Site Plan Checklist
3. Letter of Agency
4. Letter of Financial Capacity
5. Property deed as evidence of Right, Title and Interest
6. Stormwater Management Report by Steve Blais, PE
7. Written Erosion Control Plan.
8. Traffic statement by William Bray, P.E.
9. Lighting Specifications
10. Perspective Sketches
11. Conditional Use Application and fee.
12. Statement of Conformance with Conditional Use Criteria.
13. Plans
 - S1 -- Standard Boundary Survey
 - L1.0 -- Existing Conditions Plan
 - L2.0 -- Layout, Materials and Lighting Plan
 - L3.0 -- Grading, Drainage, Erosion Control & Utilities Plan
 - L4.0 -- Landscape and Planting Plan
 - L5.0 -- Site Details
 - L5.1 -- Site Details
 - L5.2 -- Site Detail
 - D1 -- Drainage Plan
 - D2 -- Drainage Details and Sections

Please call if you require any other information, or if you want to meet to review this submission.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Mr. Dan O'Leary, PMA
Mr. Charlton Ames
Mr. Hans Underdahl

April 11, 2008

Ms. Barbara Barhydt, Development Review Services Manager
City of Portland Planning Department
389 Congress St.
Portland, ME 04101

**Re: Supplemental Submission Information
Portland Museum of Art, Spring Street Site Plan Submission
Tax Map 39B, Lot 15**

Dear Barbara:

Thank you for the call yesterday alerting me to the change in schedule for the workshop for the Museum's Spring Street Parking and Garden project. We have informed the client of the change in the workshop date to May 13, 2008, and as discussed with you will continue to follow-up with City staff to resolve any issues that may arise as you continue your review of this application. Per our conversation, I submit the following supplemental information on behalf of the Museum in support of the pending request for Conditional Use and Minor Site Plan approval.

1. Photometrics:
We have completed the revisions to the site lighting plan (Sheet L2.1) and have had the attached photometric chart prepared for the site. As you can see we have maintained an average of one foot candle within the parking lot and are in conformance with the minimum to maximum requirement of the Technical Supplement. The height of the lights on this plan have been reduced to 15 feet and the wattage of each fixture reduced to 100, which we find to be a better solution than the one previously outlined in our submission of March 30, 2008.
2. Railing at the Existing Retaining Wall:
The existing retaining wall that separates the Museum property from the Harper Hotel has the proper safety barrier between the upper and lower lots. In two areas the existing fence is attached to the top of the wall and in the middle section chain link fencing has been placed against the wall at the upper level to create the appropriate barrier. We enclose a revised plan (L2.0) and section (L5.2) which indicates that the Museum proposes to repair and paint the two sections of chain-link fence that comply with code and to install new, lower chain-link fence in the middle section of the retaining wall so that the existing larger panels can be removed. We have confirmed that the wall is on the Museum's property and that they have the necessary rights to make the improvements discussed above.
3. Short and Long-Range Plans for the Site:
As discussed with the City staff in March, the Museum has developed the current plan as a short-range, interim plan that will provide the Museum with some use of the property while they develop a long-range plan for this parcel. The Board of Trustees recognized the importance of securing the property when the YWCA was closed, and acted to secure the property to help meet the long-term mission of the Portland Museum of Art. The Museum believes that it will take 20 to 25 years to properly develop a long-range plan for the property,

implement a capital program/campaign and start the construction related to the long-range plan for the property. Accordingly, the interim use of this parcel for parking and gardens is viewed by the Museum as a 15 to 20 year commitment. The design of the project has been based upon this time frame and is reflected in the selection of plant materials, the utility design and the other site improvements proposed for the property.

Please review this supplemental information and the enclosed plans and call if you have any questions. We can meet with you and/or Ms. Frasier if you want to review any of the submission material in greater detail.

Sincerely,

A handwritten signature in cursive script, appearing to read "Stephen B. Mohr".

Stephen B. Mohr, ASLA

Cc: Mr. Dan O'Leary, PMA
Mr. Thomas Denenberg, PMA
Mr. Charlton Ames
Mr. Hans Underdahl



April 23, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art Site Plan Submission Response to Staff Questions
Spring Street Parking and Gardens**

Dear Ms. Fraser:

Thank you for the telephone message on Friday regarding staff issues that have been raised for the Museum's proposed project on Spring Street. I offer the information below in response to your questions, and each item as a separate issue;

1. **Use of the Parking Lot by the PMA**
As indicated in our submission dated March 31, 2008, the 45 car parking lot is being constructed to serve the Museum's administration, staff and volunteers. Based on input from the Museum we know that the Museum administration, staff, volunteers and docents will be using this parking area on a daily basis, and therefore the 20 foot wide travel lane and tandem parking can be successfully managed. There will be other occasions when the Museum Trustees, visiting artists, special exhibit curators, exhibit installers, contractors or contracted work forces for the Museum may use this parking lot for specific short-term needs. The Museum is not constructing this parking lot for use by the general public. I trust this detailed response will address the staff concerns regarding the travel lane width and use of the tandem parking spaces.
2. **Trellis and Wall Fence Details:**
Our initial submission I indicated that the existing concrete wall would have trellises attached to it at 10' intervals on part of the wall. On top of the wall sections of the existing chain-link fence will be preserved, but new 22" high chain-link fence will be installed where a temporary chain-link barrier has been placed. In the supplemental submission made to the department on April 11, 2008 we included a section of the wall showing these improvements on drawing L5.2. At the time of the workshop we will provide additional graphics that further define the design of both the trellis and the new fence.
3. **Proposed Site Lighting:**
The photometric plan that was prepared and submitted on April 11, 2008 for the lighting for the project provides safe and sufficient light levels for the use of the parking based upon our discussions with the Museum, our experience, and generally accepted lighting standards for parking lots. As can be seen in the summary chart on drawing L2.1 there is an average level of 1.02 footcandles in the parking lot and the

minimum to maximum light range falls within the range of 0 fc to 6.9 fc. There are three locations within the parking lot where the illumination level is considered low at a level of 0.1 fc. It is our opinion that these isolated areas of lower light levels will in fact be sufficiently illuminated due to the lighting sources adjacent to this property, including illumination from the Holiday Inn on Spring Street. It is our intent to request a waiver from the Planning Board for any areas of nonconformity with the City's Technical Standards because the Museum does not want to create excessive light levels in this part of their property.

Sincerely,

A handwritten signature in black ink, appearing to read 'S. Mohr', with a horizontal line extending to the right.

Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg



9. Soil Filter Bed Detail: Detail 4 on Sheet C-3 has been revised to show an 18 inch depth for the soil filter bed.
10. Soil Filter Bed Plantings: Based upon our experiences with bioretention cells, the proposed perennial plants were selected based upon their capacity to withstand both standing water/inundation conditions as well as dry/arid conditions. We will provide additional documentation regarding these issues if the Board deems it necessary.

With respect to the issues raised in your email of today we offer the following responses to the issue of the parking use by staff and the treatment of the concrete wall.

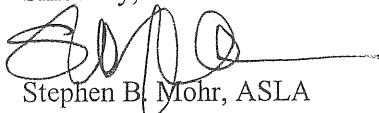
Employee Parking; The 24 to 26 parking spaces that existed at the former YWCA and Museum/Clapp properties included 4 spaces used by the Museum. As agreed with the City staff when the YWCA structure was removed, the area previously used for parking by the YWCA and Clapp House would be utilized for parking by the Museum staff while the plans were being developed for this project. The Museum staff that are currently parking in the temporary lot had previously either parked in all-day, non-metered on-street parking spaces (e.g. upper Pleasant St. or lower Oak St.) or in nearby parking garages.

The proposed 45 space parking lot, 10 spaces of which are tandem, will be used by staff for parking creating 41 spaces more than the Museum had at this location. Based on the current parking plan 30 to 35 of the spaces will be dedicated to staff (including the tandem spots), 2 are handicapped spaces, 1 is for delivery vans/museum contractors and the balance of the parking spaces will be reserved for docents, volunteers for specific shows, exhibit installation, curators and exhibit personnel or other Museum staff or Trustees who require short-term parking near the building. The staff that will now be parking in the proposed lot formerly parked in the non-metered locations, in metered parking on Free, Oak, Spring and Congress Streets, or they utilized surface or garage parking on Free and Spring Streets and paid a daily fee.

Wall Treatment; We are working on a revised plan for the treatment of the rear wall and fence which will create an armature of plant growth on the entire wall, extending up to and including the fence atop the wall. The small metal panels previously proposed for the wall in selected locations have been replaced with curved wire strands held off the wall 4 to 6 inches by metal stanchions to create a rigid trellis on the face of the wall. The trellis will be planted with the twining and clinging vine species previously set forth in our submission. We are studying the feasibility of extending the trellis up to the height of the fence so that the entire wall will become a green surface with wisteria, clematis, Virginia creeper, honeysuckle and Kiwi.

We have removed the benches from the plans, but the balance of the project remains as previously submitted. Please call if you have question as you finalize the memo to the Planning Board.

Sincerely,



Stephen B. Mohr, ASLA

Cc: Hans Underdahl
Charlton Ames
Dan O'Leary
Tom Denenberg

May 6, 2008

Ms. Jean Fraser, Planner
City of Portland
389 Congress St.
Portland, ME 04101-3503

**Re: Portland Museum of Art -- Spring Street Parking and Garden
Staff Review Comments**

Dear Ms. Fraser:

Thank you for your April 30 and May 6, 2008, emails outlining the Planning Department's preliminary review comments regarding the Portland Museum of Art's Spring Street Parking and Garden project. We have reviewed your comments as well as Woodard & Curran's April 24, 2008, memorandum. Based upon our review of these documents we offer the following responses, which appear in the order of the April 24 memorandum, and are then followed by responses to the most recent email from you.

1. Survey Data: The topographic survey uses NGVD 1929 and the project is tied into the Maine State Plane Coordinate system. Our surveyor will add appropriate notes to the topographic survey, which will be re-submitted once it is revised.
2. Sidewalk: Sheet L2.0 has been revised indicating the contractor shall repair the damaged area of the concrete sidewalk at the corner of Spring Street and Oak Street.
3. Sewer Main: Sheet L3.0 has been revised stating Contractor shall provide evidence that the sewer has been capped at the sewer main.
4. Stormwater Connection: Sheet L3.0 has been revised showing the proposed 12-inch stormwater drain connecting to the existing Oak Street stormwater manhole.
5. Stormwater Pipe: Sheet L3.0 has been revised showing all stormwater drains located with the City Right-of-Way as reinforced concrete pipe (RCP.)
6. Water Capacity Letter: The removal of the YWCA building and the departure of the School of Art from the Clapp House have reduced the water demand at this location by approximately 2,800 to 4,200 gallons (the range is a function of season and occupancy at the buildings) per day. The proposed irrigation system will use roughly 300 gallons a day during the summer months. We do not foresee any issues with this flow demand being met by the PWD, but have submitted a Capacity Request Letter to the Portland Water District, dated May 5, 2008.
7. Pipe Bedding Detail: Detail 8 on Sheet L5.0 has been revised to shown crushed stone on top and bottom of pipe.
8. Catch Basin Detail: Detail 2 on Sheet C-3 has been revised to show a Casco trap.