**PLANNING BOARD HEARING 3.27.2018** Planners Presentation

**MMC Vertical Additions – East Tower incl Helipad; Visitor Garage**

1. Intro: MMC submitted the Level III site plan application for the East Tower and Visitor Garage overbuild and relocated helipad in December 2017. It is the first of three Site Plan applications associated with the short-term MMC expansion plans. The proposals follow on from the City’s adoption of an Institutional Overlay Zone zoning process for major education and medical institutions in May 2017, and the adoption at the end of 2017 of the MMC Institutional Overlay Zone (and the associated Institutional Development Plan and Regulatory Framework (both attached to the Report).

1. Proposal Summary:
* 60,000 sf floorspace added in two stories on top of the East Tower for patient rooms
* 3 levels added to the visitor garage to add 225 parking spaces
* Relocation of the existing helipad, and the addition of a second helipad, on the top of the East Tower
* The Central Utility Plant upgrades are not part of this review.
1. Reviews:
* IOZ Regulatory Framework – these are zoning requirements and include Dimensional Requirements, Design Standards by reference to the IDP, Transportation, Construction Management Plan and Helipad requirements. The review is set out in the Report in a table on pages 5-7, with the applicable Regulatory Framework requirements in the left column with status updates in the other columns
* Note: the MMC IOZ Regulatory Framework required submission of the TDM and Signage Plan at the time of the first site plan and these were submitted.
* Site Plan - the review relates mainly to details to bring the site up to current site plan standards, as the development is on top of existing buildings and does not alter their footprint.
* To confirm: Historic Preservation Review is not required
* To confirm: Traffic Movement Permit is not triggered by these developments, but a traffic analysis is required.

1. Public Comment: A Neighborhood Meeting was held Jan 10th, 2018 and the Planning Division received two public comments prior to the second Workshop and one comment today that has been circulated.
2. PB workshops:Two workshops were held over the past 2 months and covered the following topics - the Hearing Report summarizes the Boards comments on page 2, which focused on:
* Questions and concerns regarding the design of both buildings as chronicled in the Design Review Memo
* Discussion of the Construction Management Plan and the associated detours that were complex because of the need to close Congress Street for 8 weeks
* Discussion of the Helipad, which resulted in additional submissions that clarified the scale and nature of the use and more data on the predicted sound impacts
1. Since last Workshop the applicant has:
	* Submitted a detailed narrative outlining the basis of the design decisions regarding the East Tower and submitted a rendering of the East Tower as from I295
	* Revised the parking garage elevation facing Congress Street to bring the grid cladding up and above the top level
	* Added to the presentations so they document the alternatives to a Congress Street closure that were considered, and the basis for finalizing the detour routes and associated signage and signals
	* Revised the CMP and detour proposals to reflect staff input eg re delivery routes, pedestrian and bus stop accommodations
	* Developed a communications plan and implementation schedule regarding the Congress Street Closure
	* Met with MDOT, Seadogs, Metro and others to coordinate and ensure visitors and bus users are aware of the detours, and are working with DPW to finalize details of advance work in the ROW
	* Confirmed the stormwater separation constraints and met with staff to explore other options
* Provided a narrative regarding the FAA approvals that are required for these projects and the associated construction.
1. TDM Review: It should be noted that the TDM Plan was submitted and revised in response to staff comments during the review. Staff did not bring this forward for a detailed discussion at the Planning Board meetings because it raised questions over other developments that were not yet under review, and also because it was understood that MMC were planning to hire a TDM coordinator and it would be helpful if that person could be involved in finalizing the TDM. A proposed condition of approval on this site plan is that the TDM be finalized prior to the issuance of a Certificate of Occupancy for the East Tower overbuild.
2. Staff Review
	* Process:
		1. Check in meetings In view of the complexity of the construction of the proposed developments staff organized four long meetings with many representatives of key City departments and the MMC construction team to consider impacts and options for addressing them and develop schedules and protocols to ensure impacts were minimized (notes are included in the packet)
		2. Peer Reviews most notably by Kleinfelders to review the constructability of the Visitors Garage and determine whether the full closure of the Congress street was necessary
		3. Numerous topic-based meetings on detailed aspects of the project
		4. Attendance at regular MMC meetings with neighborhood representatives

* + Current status: Reviewers are generally comfortable with the proposals subject to the suggested conditions, as noted below:

**SEE GREEN SHEET WITH REVISED MOTION THAT HAS ADDED A SUGGESTED CONDITION OF APPROVAL**

1. That the documentation of the land transfers and street acceptances associated with the sites shall be completed prior to the Certificate of Occupancy;

**BASED ON ADVICE FROM ASSOCIATE CORPORATION COUNSEL**

1. That the applicant shall submit evidence from the FAA that the location and height of the construction equipment, the overbuild heights, and helipad relocation is acceptable prior to the Certificate of Occupancy for the approved overbuild floor area, or the operation of equipment and helipad;

**TO MEET SITE PLAN REQUIREMENTS**

1. That within 9 months of the date of this site plan approval the applicant shall submit a “*Sound Measurement Plan*” for review and approval by the Planning Authority, for assessing the actual changes in sound impacts on nearby properties between the helipad operating at the existing site and at the new location, including criteria for mitigation where such impacts are severe based on appropriate national standards. The “*Sound Measurement Plan*” is required in the event that the predicted sound levels are incorrect, and it shall be approved and implemented at least 2 months before the helipad is relocated;

**THE MMC SUBMISSIONS PROVIDE PREDICTED SOUND IMPACT INFORMATION BUT THIS MAY NOT COVER ALL OF THE POTENTIAL AREAS OF SOUND IMPACT, SO THIS CONDITON WILL PROVIDE A BACK UP MECHANISM**

1. That the applicant shall undertake all construction associated with this site plan in accordance with the Turner CMP dated March 21, 2018 and Detour Plan (MOT) dated March 21, 2018 unless agreed in writing with Planning Authority, including:
	* 1. Provision of alternative parking for any parking displaced by the construction either on or off the MCC campus; and
		2. Coordination with the Seadogs and other event organizers, and with METRO, to ensure safety of all users; and
		3. Incorporate ongoing monitoring and adjustments in consultation with city representatives; and
		4. That the Park and Weymouth signal shall meet MUTCD requirements and include pedestrian accommodations, ADA compliance and have full vehicle detection; and
		5. Minor ROW adjustments such as curb radii at Boynton/Forest Streets, ADA ramps and bus stop pads; and
		6. Repairs to Weymouth Street prior to/after the detour as agreed with the Department of Public Works.
2. That the applicant is solely responsible for all activities (physical modification to the ROW, monitoring, revisions to the CMP etc) associated with CMP/detour plans referred to in condition iv. above;
3. That the applicant shall take steps as necessary to minimize construction impacts on neighbors, including businesses, in the vicinity of the project, and implement the Communications Plan generally as outlined;
4. That the applicant shall comply with the submitted Construction Schedule which notes a Congress Street closure between Monday May 7th to Thursday, June 28th 2018 inclusive. This closure period is dependent upon 1) the City of Portland issuing building permits in a timely manner and 2) the absence of other events beyond the control of the applicant (“force majeure”), including, without limitation, acts of God, war, fire, flood, acts of a sovereign nation or any state or political subdivision or any department or regulatory agency. Unless otherwise justified by 1) or 2 ) above, if Congress Street is not open to through traffic and pedestrian access on June 29th, the Planning Board recommends that penalties of $10,000/day should apply for each day of delay;

 **(ALL 4 ABOVE) THERE ARE 4 SUGGESTED CONDITONS RELATING TO THE CMP, CLOSURE OF CONGRESS STREET AND ASSOCIATED DETOURS WHICH ARE BASED ON DETAILED REVIEW COMMENTS AND ASSOCIATED DISCUSSIONS WITH BOTH REVIEWERS AND MMC**

1. That the stormwater system for the Congress Street Hospital Entrance shall add detention capacity in lieu of stormwater separation in order to reduce the burden of the existing and proposed development on the City’s infrastructure. As part of the site plan application for the Congress Street Hospital Entrance the applicant shall set out the strategy and associated proposals for achieving additional detention or for contributions to other measures that achieve the same objective;

**STAFF ACKNOWLEDGE THAT THE CURRENT SITE CONTEXT FOR THE EAST TOWER AND VISITORS GARAGE DOES NOT PROVIDE REALISTIC SCOPE TO ADDRESS THE STORMWATER ISSUES IN THE CONGRESS STREET CORRIDOR, AND STAFF SEEK TO INCREASE STORMWATER DETENTION IN FUTURE DEVELOPMENTS.**

1. That the applicant shall finalize a TDM Plan that addresses the Regulatory Framework and Site Plan requirements, for review and approval by the Planning Board prior to the issuance of a Certificate of Occupancy for the East Tower;

**AS MENTIONED EARLIER, STAFF CONSIDER THAT THE TDM PLAN WILL BENEFIT FROM MORE TIME TO WIDEN ITS SCOPE AND INVOLVE A TDM COORDINATOR.**

1. That the applicant shall develop a long term public Pedestrian Network Plan (both on and off the ROW) showing the integration of the upper level MMC campus with the Congress Street corridor, including measures to address CPTED principles, for implementation when the retail space beneath the Visitors Garage is available for lease or sale; such plan to be submitted for review and approval by the Planning Authority prior to the issuance of a building permit for the Congress Street Hospital Entrance;

**STAFF HAVE NOTED THAT THERE IS A PUBLIC PEDESTRIAN CONECTION ALONGSIDE THE VISITORS GARAGE LINKING THE MAIN HOSPITAL WITH CONGRESS STREET INLCUDING BUS STOPS AND FUTURE RETAIL SPACE, AND THIS NEEDS TO BE REVIEWED IN TERMS OF NEED AND SAFETY IN THE WIDER CONTEXT.**

1. That the applicant shall implement the following upgrades in the ROW prioe to the issuance of a Certificate of Occupancy:
2. Update the four (4) pedestrian light fixtures along the Congress Street frontage of the Visitors Garage to LED, and for each add the bracket and LED light fixture at the top of the existing poles.
3. Install ADA pedestrian ramps at 4 locations where there are crosswalks near the East Tower.

**THIS CONDITION DIRECTLY ADDRESSES THE COMMENTS OF THE TRANSPORTATION PROGRAM MANAGER IN ATTACHMENT 12.**

1. That the applicant shall submit an assessment of the existing bicycle parking near the East Tower to confirm whether it meets the City’s Technical Standards for the location, number and design of bicycle parking to serve the East Tower as expanded, and add to/relocate or replace bicycle parking as necessary to meet the standards prior to the issuance of a Certificate of Occupancy for the East Tower;

**THE APPLICANT SUBMITTED ADDITIONAL INFORMATION BUT IT DID NOT ADDRESS THE SPECIFIC BIKE PARKING ISSUES AT THE EAST TOWER THAT ARE SUBJECT OF THE SITE PLAN REQUIREMENTS**

1. That the final parking layout of the Visitors Garage shall meet the City’s Technical Manual Standards and all applicable State and Federal standards regarding handicap accessibility;

**STAFF REQUEST CONFIRMATION THAT THE PROJECT MEETS THE STATE AND FEDERAL STANDARDS THAT APPLY**

1. That the applicant shall submit the ability to serve letter regarding wastewater prior to the issuance of a building permit for the East Tower overbuild;

**STAFF UNDERSTAND THAT DPW ARE PREPARING THIS LETTER.**

1. That any new signage relating to the East Tower or Visitors Garage shall be subject to separate site plan review in the context of the Regulatory Framework and IDP Design Standards by the Planning Authority prior to installation;

**THE SUBMITTED SIGNAGE PLAN RELATES TO EXISTING SIGNS, SO THE CONDITION IS SUGGESTED TO ENSURE THAT IF NEW SIGNAGE IS FOUND TO BE NECESSARY THAT THE QUESTION OF INTEGRATION WITH BOTH THE EXISTING AND THE FUTURE SIGNAGE BE ADDRESSED AS PART OF A WIDER REVIEW.**

1. That the applicant shall submit a strategy ensuring the space on Congress Street beneath the Visitors Garage is occupied as soon as Turner vacates the space, to be coordinated with the Pedestrian Network Plan subject of condition x. above; such strategy to be submitted for review and approval by the Planning Authority priorto the issuance of a Certificate of Occupancy for the Congress Street Hospital Entrance;

**THIS CONDITION IS SUGGESTED TO ADDRESS THE REGULATORY FRAMEWORK NOTE REGARDING *USES* AND COMMENTS AT THE PLANNING BOARD WORKSHOPS**

Possible condition if sound of garage entrance loudspeakers comes up (based on B2 reqs re drive throughs):

*“That any speakers, intercom systems, or other audible means of communications, or other noises generated by the visitors garage access/egress equipment, shall not exceed 55 dB or shall be undetectable above the ambient noise level as measured by a noise meter at the property line, which ever is greater”.*