

**MMC East Tower and Visitors Garage Overbuild Site Plan - including CMP and Detours for Congress Street Closure**

3.21.2018 draft **POTENTIAL CONDITIONS OF APPROVAL**

As shared with MMC WITHOUT COLUMNS 2 & 3

SUBJECT	SITE PLAN ORDINANCE	REGULATORY FRAMEWORK	PROPOSED CONDITION TEXT
<b>Final documentation of land transfers</b>	14-527 Site Plan Evidence of RTI		That the documentation of the land transfers and street acceptances associated with the sites shall be completed prior to the certificate of occupancy.
<b>FAA approvals</b>	14-527 Site Plan Evidence of State and/or Federal Approvals		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.
<b>Design</b>	14-526 (d) Site Design Standards	<b>e) Design.</b> New buildings within the IOZ shall adhere to the Design Guidelines set forth in Chapter 5: Design of the IDP and the site plan standards of the City of Portland	[under discussion]
<b>TDM</b>	14-526 (a) (5) TDM Institutional uses of 50,000 sq ft or more total floor area are required to design and implement a TDM (thus the East Tower requires a TDM)	<b>(g) Transportation: (TDM)</b>	That the applicant shall finalize a <i>TDM Plan</i> that addresses the Regulatory Framework and Site Plan requirements, for review and approval by the Planning Board within 6 months of the date of this approval.
<b>Pedestrian Integration and CPTED</b>	14-526 (c) (2) Public Safety and Fire Prevention - CPTED standards and	<b>(h) Environment.</b> Development proposed by MMC shall be designed to integrate with the surrounding context, including open space and pedestrian networks and infrastructure.	That the applicant shall develop a long term public <i>Pedestrian Network Plan</i> 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 units beneath the Visitors Garage are available for lease or sale; such plan to be submitted for review and approval prior to the issuance of a certificate of occupancy for the Visitors Garage.
<b>Helipad Relocation impacts</b>	14-526 (d) (1) b. "the bulk, location or height of proposed buildings and structure shall minimize, to the extent feasible, any substantial diminution in the value or utility to neighboring structures under different ownership..."	<b>Helipad.</b> MMC shall be governed by the provisions of the Helistop Overlay Zone with the following exceptions: a. Setback requirements of Section 14-327(3); and b. Fencing requirements of Section 14-327(4).	That within 9 months of the date of this site plan approval the applicant shall submit a " <i>Sound Measurement Plan</i> " 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 " <i>Sound Measurement Plan</i> " 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.

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<b>Construction Management Plan – actions affecting ROW</b>	14-526 (a) (1) a. Impact on Surrounding Street Systems	<p><b>(k) Construction Management</b></p> <p>1. At the time of site plan review, MMC shall submit a Construction Management Plan Substantially in accordance with the CMP principles identified in the approved IDP for review and approval by the Planning Auth.</p> <p>2. The CMP shall include a construction schedule, as well as strategies for managing neighborhood communication and noise, air quality, traffic, and parking impacts associated with the construction as set forth in the Construction man template ...attached as Appendix A to the IDP</p>	<p>That the applicant and its agents shall undertake all construction associated with this site plan in accordance with the CMP dated <b>XXX</b> and Detour Plan (MOT) dated <b>XXX</b> unless agreed in writing with Planning Authority, including: <b>(the final list depends on what is in todays submissions, which are under review)</b></p> <ul style="list-style-type: none"> <li>• Provision of alternative parking for any parking displaced by the construction either on or off the MCC campus; and</li> <li>• Coordination with the Seadogs and other event organizers, and with METRO, to ensure safety of all users; and</li> <li>• Ongoing monitoring and adjustments in consultation with city representatives</li> <li>• Park and Weymouth signal should meet Maine UTCD requirements and include pedestrian accommodations, ADA compliance and have full vehicle detection</li> <li>• Minor ROW adjustments such as curb radii at Boynton/Forest Streets, ADA ramps and bus stop pads</li> <li>• <b>Weymouth repave requirements</b></li> <li>• <b>Others</b></li> </ul>
<b>Construction Man. Plan-responsibility</b>	14-526 (a) (1) a. Impact on Surrounding Street Systems	As above	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 <b>X</b> above.
<b>Construction Man. Plan – impacts/commu nication</b>	14-526 (a) (1) a. Impact on Surrounding Street Systems	As above	That the applicant shall ensure that construction impacts are minimized for neighbors, including businesses, in the vicinity of the project, and implement the Communications Plan generally as outlined.
<b>Construction Management Plan – penalties for delay</b>	14-526 (a) (1) a. Impact on Surrounding Street Systems	As above	That the applicant shall comply with the submitted Construction Schedule which confirms that Congress Street will be closed between Monday May 7 <sup>th</sup> to Thursday, June 28 <sup>th</sup> inclusive. If Congress Street is not open to two-way through traffic (cars and pedestrians) on June 29 <sup>th</sup> , the Planning Board recommends that that penalties of <b>\$XXX</b> /day should apply for each day of delay.
<b>Stormwater Management Plan</b>	14-546 (b) (3) Env. Quality Standards “All development must demonstrate that the proposed site improvements are designed to minimize the amount of stormwater leaving the site”; 14-526 (c) (1) Consistency with City Master Plans “All developments shall be designed so as to be consistent with City Council approved master plans and facilities plans and with off-premises infrastructure, including...sewer and stormwater	<b>(i) Mitigation measures.</b> MMC shall mitigate site plan impacts to off-premise infrastructure in a manner proportionate to those impacts. Mitigation may include financial or in-kind contributions to existing or planned City projects focused on mitigating the impacts of MMC development. Mitigation contribution shall be determined based on the City’s standard procedure in effect at the time of site plan review.	That the stormwater system for the MMC Bramhall Street/ Congress Street expanded campus shall add detention capacity in lieu of stormwater separation in order to reduce the burden of the existing & proposed development on the City’s infrastructure. The applicant shall set out <b>[timetable still under discussion]</b> , the strategy & associated proposals for achieving substantial additional detention or for contributions to other measures that achieve the same objective.

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<b>Retail uses of units under VG</b>		<b>C. Uses</b> (note under list)	That the applicant shall submit a strategy ensuring the space on Congress Street beneath the Visitors Garage is occupied as soon as Turners vacates the space, to be coordinated with the <i>Pedestrian Network Plan</i> subject of condition X above; such strategy to be submitted for review and approval prior to the issuance of a certificate of occupancy for the Visitors Garage.
<b>Design of new signs</b>		<b>(f) Signs</b> Signs shall be designed in accordance with the campus-wide Signage Plan. All signs shall be designed in proportion & character with building facades & adjacent street typology. All signs shall be coordinated with the building & landscaping design & be constructed of appropriate permanent, high quality materials and finishes.	That any new signage relating to the East Tower or Visitors Garage shall be subject to separate site plan review by the Planning Authority prior to installation.
<b>ROW including Street Lights</b>	14-526 (a) d. 6. Municipal street lighting shall be adequate for the safety and comfort of pedestrians and motorists and, where applicable, ..., as specified in Section 10 of the Technical Manual. (& 14-526 (c) (1) Consistency with City Master Plans)		That the applicant shall implement the following upgrades in the ROW: <ul style="list-style-type: none"> <li>• 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.</li> <li>• Install ADA pedestrian ramps at 4 locations where there are crosswalks near the East Tower</li> </ul>
<b>Parking</b>	14-526 (a) (4) Location and Required number of Vehicle Parking Spaces - 4 Parking spaces and aisles shall meet the applicable dimensional stds.. of the Tech. Manual.		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.
<b>Bicycle parking</b>	14-526 (4) b. Location and Required number of Bicycle Parking Spaces (location and design to conform to Tech. Manual		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.
<b>Capacity letters</b>			That the applicant shall submit the ability to serve letters regarding water and wastewater prior to the issuance of a building permit for the East Tower overbuild.