

Memorandum
Department of Planning and Development
Planning Division



To: Chair Lowry and Members of the Portland Planning Board

From: Rick Seeley, Senior Planner, GPCOG

Date: May 6, 2005

Re: May 10, 2005 Planning Board Workshop
Maine Medical Center Site Plan Review
(Building Addition, Helipad, Parking Garage, and Central Utility Plant
Vicinity of Bramhall, Charles, Wescott, Ellsworth, Crescent, Gilman and
Congress Streets)

Overview of Remaining Review Processes

Since the Planning Board forwarded its recommended draft Conditional Rezoning Agreement to the City Council in February, the City Council has made additional amendments and approved a final Conditional Rezoning Amendment amending the City Zoning Map to include the new conditional zone and the helipad overlay zone.

Maine Medical Center is now returning to the Planning Board for site plan review and related reviews that their project needs to undergo. Besides site plan review, the project is subject to review as a conditional use for being an expansion to a hospital in the R-6 zone, and the new parking garage is also subject to conditional use review because it is a replacement use for housing that will be demolished. And although staff has reviewed and accepted MMC's Housing Replacement Plan, this plan still needs a formal decision by the Planning Board. The project also needs Site Location of Development review. And the City's process for approval of the proposed Street Vacation, Acceptance and Land Transfers Plan will also require the Planning Board to review the plan before the City Council decides whether to authorize it. This staff review memo anticipates that much of the review process for the several types of review listed above has been accomplished and it remains mainly to incorporate revisions submitted herewith and those still in development by MMC as of this writing, into those review processes as applicable.

This staff review memo describes for your consideration the changes made by the City Council to the Conditional Rezoning Agreement, discusses the site plan revisions received to date, includes staff comments received to date and includes staff

recommendations and issues related to public improvements that have emerged in the review process to date. This memo also recommends an order in which the Planning Board may wish to conduct the various remaining reviews described above.

Conditional Rezoning Agreement Changes Approved by the City Council

The full text and related exhibits of the final Conditional Rezoning Agreement as amended from the Planning Board's draft by the City Council is contained in the notebook that is Attachment 1. Here is a description of each change in the order in which they appear in the final document

- **Future Phases and Conditional Zone Boundary:** The City Council agreed in principal with the idea put forth by the Planning Board that MMC should better define their future expansion plans and agree to stay within certain boundaries in carrying out those plans. The final Agreement includes a description of this area and language reflecting this intent in paragraph 1.
- **Changes to Exhibit B:** Exhibit B consists now of 22 separate elements of the site plan, listed individually in paragraph 2, but also attached to the Agreement. The Exhibits themselves have been updated to reflect design changes to the new parking garage stair tower, footprint and façade, the addition of an enclosed public pedestrian access way to the east end of the garage, retail space on parts of the ground level of the garage and a new pedestrian plaza adjacent to this retail space at the east end of the garage near Congress Street. There is also additional landscaping proposed in front of the existing garage and the sidewalk from Gilman Street to MMC's eastern property line along Congress Street is proposed to be rebuilt as brick sidewalk. The previous Exhibit B-11 is no longer part of the Agreement since inclusion of the year round enclosed public pedestrian access way in the garage design. Street Vacation, Acceptance and Land Transfers Plan sheets 1 and 2 are now part of Exhibit B and a Concrete Sidewalk Plan has been added to show where MMC will construct concrete sidewalks that are no longer subject to the City's Brick Sidewalk Policy for the area.
- **Authorization for vertical expansions no longer part of Agreement:** While the City Council did not object to the possibility of proposed future vertical expansions at a later date, it did decide not to authorize them with this Agreement, striking out the language that would have done so, and advising MMC that
- **Other Changes to the Agreement:** These include:
 - Flight Route Exception Reports: The Flight Route Exceptions reports to be filed by helicopter pilots on any occasion when they deviate from approved flight routes for safety or medical consideration will now be reviewed every 6 months instead of every year.
 - Mitigation Funding Eligibility for New Owners: The Agreement now establishes a five-year period during which new owner of residential properties designated as eligible for noise mitigation funds may apply no later than 18 months after purchase.

- MMC Neighborhood Council Appointments: The Neighborhood Associations will appoint representatives to the MMC Neighborhood Council rather than the City Manager.
- Additional New Parking Garage Parking Uses: Snow ban use of the new garage by the public is now a requirement of the Agreement. Also, all vendors, contractors, and subcontractors must use garage during construction.
- Divestiture Schedule: The Agreement now requires that MMC divest itself of the four Bramhall Street properties previously to be sold by 1/1/15 be sold by January 1, 2010. (See Attachment 2).
- MMC Contribution for Off-Site Public Improvements: The City Council and MMC negotiated an increase in this amount from \$300,000 to \$800,000. This amount is part of the Agreement as a condition of the City Council's approval of the Agreement, and will not affect what the Planning Board can require as conditions of its approvals.
- Pedestrian Access to Congress Street from the Bramhall Campus: The Agreement now explicitly requires that the public will have year round use of the proposed pedestrian walkway on the east end of the new parking garage. Because MMC is providing this access way, MMC is no longer required to attempt to establish seasonal outdoor stairway, as in the version of the Agreement the Planning Board submitted to the Council.

Overview of Staff Comments Received to Date

Design Review of New Garage: Carrie Marsh memo See Attachment 4. Note that the City Council has approved the design in concept and that the B-3 design standards referred to in Attachment 3 are effectively amended to the degree that the City Council has approved the concepts as part of a conditional rezoning agreement. However, within this framework, note also that final design details are still being prepared by the applicants for presentation to you at a later date than this writing for consideration as part of site plan review.

Fire Protection and Emergency Vehicle Access to the site: Chief Mike Shutts has reviewed and has no problem with the proposed Gilman St cul-de-sac revision, made recommendations on hydrant and standpipe access preservation during construction, and has given specifications for maintaining ladder and hose access between garage façade screening panels, which are incorporated in concept at least, into the elevation view in Exhibit B-12.

Parking: John Peverada has assured staff verbally that his remaining concerns regarding vendor, contractor and subcontractor parking, as well as snow ban parking have been addressed by the City Council's amendments to the Agreement.

Traffic and Alternative Transportation Plan: See Tom Errico's email, dated May 5 2005 in Attachment 5, for his review comments on both these topics. The Alternative Transportation/ Travel Demand Management Plan is contained in Attachment 1, just after

Paul Gray's cover memo for Attachment 1, a copy of which is included separately in Attachment 3.

Public Improvements recommended as conditions of site plan approval: For the Planning Board's reference, the map and table of public improvement needs in the MMC neighborhood identified by City staff is included in Attachment 7. The table distinguishes staff recommendations for improvements to be required at the time of site plan review, made in January 2005, from other public improvement needs. Attachment 6 includes some amendments to items 8, 9, and 15 in the table of Attachment 7, proposed by the City Engineer. In addition, City staff have the following more recent comments and recommendations concerning public improvements that might be required at the time of site plan review.

- **Bramhall and Congress Signal:** Staff recommends MMC be required to replace this signal, including building in future signal pre-emption technology compatibility. A cost estimate is included in Attachment 5 in Tom Errico's email dated May 6, 2005.
- **Congress Street Sidewalks:** Staff estimates there is a gap of between 0 and 20 linear feet between end of existing new sidewalks and MMC property line. The property line is proximate to the end of the City-improved sidewalk, and staff therefore recommends that the new sidewalk constructed by MMC should close the gap. If the Planning Board does not require that MMC close the gap, once the actual distance is known, staff does recommend that City make use of MMC's contractor to complete the connection from the MMC property line to the existing new sidewalk. See Attachment 6 from the City Engineer. Also see photos of the Congress Street sidewalks in this area in Attachment 9.
- **Gilman Street Sidewalk:** Staff recognizes reasonable grounds for requiring or not requiring installation of a new sidewalk along upper Gilman Street from the existing parking garage exit, where the existing sidewalk ends to the top of Gilman Street or some portion thereof.
 - **For Requiring Sidewalk:** This is MMC's frontage on their property that is subject to site plan review. The east side of Gilman Street is now used for parking by MMC employees who must now cross the street to use a sidewalk if they are going up Gilman. The City Engineer is currently recommending sidewalk be required. See Attachment 6.
 - **Against Requiring Sidewalk:** MMC does not want its employees to park on Gilman, and does want them to use the garage. Sidewalk never proposed for this section of Gilman, landscape plan and curb replacement previously proposed and agreed to by staff. Practical difficulties of building sidewalk on upper Gilman: steep slope to existing curb line or top of existing retaining wall that extends 6 car lengths from top of Gilman down the hill. Storm drain outlet in concrete wall at curb line near top. There may not be sufficient space in front of the Central Utility Plant landscaping buffer to allow for a sidewalk as well. The area may be better served by retaining space there for landscaping that will help buffer visual and noise impacts of the use.

- Pathway from Gilman Street Cul-de-sac to the Dana Center Parking Lot: As with the Gilman Street sidewalk question, there are reasonable grounds for requiring or not requiring a pathway in this location. For photos, see Attachment 8.
 - **For Requiring a Pathway:** Desire lines are wearing into the hillside and causing erosion, could present pedestrian hazard in cold and/or wet or icy weather. Recommended by City Engineer, see Attachment 6. Path could travel desire line and beyond to connect to existing stairway from Dana Center lot to the existing picnic table area.
 - **Against Requiring a Pathway:** MMC does not want employees using this route to enter the hospital, but rather to use the garage. Placing a path would encourage what MMC does not want and need not encourage for any reason related to site plan review. The grade is steep and it would remain a hazardous route in inclement weather and winter. Federal Americans with Disabilities Act (ADA) requirements for accessibility would be difficult to comply with in this location.

Future Motions Needed from the Planning Board in Order Recommended by Staff

Lastly, below is the order staff recommends that the Planning Board make and consider motions in with respect to its various review process responsibilities for this particular project.

- **Conditional Use for Hospital Expansion**
- **Conditional Use for Parking Garage as a Use Replacing Housing**
- **Housing Replacement Plan**
- **Site Plan Review**
- **Site Location of Development**
- **Street Vacation, Acceptance and Land Transfers: Recommendations to Council**

Staff anticipates that remaining submissions will be received from MMC soon after the May 10th workshop and plans to complete staff level review and recommendations in time for a Planning Board meeting on May 31, 2005. The applicant has requested a public hearing on that date and is preparing to conduct a neighborhood meeting in time to allow the Planning Board to proceed with a hearing on that date should it be ready to do so.

Attachments

1. Approved Conditional Zone Agreement with Exhibits (Notebook)
2. Map, dated 1/10/05: "Locations and Land Use of MMC Holdings in the Vicinity of the MMC Bramhall Campus" showing Planned Divestiture properties.
3. Paul Gray's memo to the Planning Board, dated May 3, 2005.
4. City of Portland Urban Designer, Carrie M. Marsh's staff memo,
5. City Consulting Engineer, Tom Errico's staff memo (e-mail), May 5, 2005
6. Public Improvement Needs Table and Map, 1/7/04 [dated in error: actual creation date was 1/7/05]

7. City Engineer's memo on Additional Public Improvement Needs (e-mail), May 5, 2005.
8. Photographs of Congress Street sidewalks, May 5, 2005
9. Photographs of "Desire Lines" from Gilman Street cul-de-sac, May 5, 2005

Order 172-04/05
Given 1st reading: 2/23/05 Postponed on 3/7/05
Public Hearing & postponed on 4/4/05
Amended & Passage: 4/25/05 9-0

JILL C. DUSON (MAYOR)(A/L)
PETER O'DONNELL (A/L)
JAMES F. CLOUTIER(A/L)
NICHOLAS M. MAVODONES (A/L)

CITY OF PORTLAND
IN THE CITY COUNCIL

WILLIAM R. GORHAM (1)
KAREN A. GERAGHTY (2)
DONNA J. CARR (3)
CHERYL A. LEEMAN (4)
JAMES I. COHEN (5)

AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR PROPERTY
IN VICINITY OF WESTERN PROMENADE/ MAINE MEDICAL CENTER

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below:

CONDITIONAL ZONE AGREEMENT
MAINE MEDICAL CENTER

AGREEMENT made this ____ day of _____, 2005, by MAINE
MEDICAL CENTER, a Maine corporation with a principal place of business located in the
City of Portland, County of Cumberland and State of Maine, its successors and assigns
("MMC").

WITNESSETH:

WHEREAS, MMC is the owner of land and buildings located in Portland at Map 53,
Block D, Lots 1, 2 and 7; Map 53, Block E, Lots 1, 2, 10 and 13; Map 53, Block G, Lots 1 and
13; Map 54, Block H, Lot 1; and Map 64, Block C, Lots 1 and 2; and Map 55, Block B, Lot 13
(the "PROPERTY"); and

WHEREAS, MMC is the largest provider of obstetrical services in Maine and provides the only statewide fulltime maternal fetal medicine service serving women and newborns at high risk and MMC has the only Level III neonatal intensive care unit in Maine; and

WHEREAS, in order to respond to the changing professional and clinical standards for the care of sick infants within the neonatal intensive care unit and to meet the spatial requirements of today's routine and high risk obstetrical and newborn care, MMC must build an addition comprised of 192,000 square feet (the "Charles Street Addition"); and

WHEREAS, MMC proposes to construct the Charles Street Addition by expanding vertically, on the site of an existing medical building bounded generally by Charles Street, Wescott Street, Ellsworth Street and Crescent Street; and

WHEREAS, in order to avoid a substantial expansion of the footprint of the buildings at MMC and, instead, to construct the Charles Street Addition by vertical expansion, it is necessary to modify the otherwise applicable height requirement in the R-6 Zone; and

WHEREAS, in order to accommodate the needs of the Charles Street Addition and to improve parking and traffic circulation on the MMC campus, MMC proposes to construct a new 512 car capacity parking garage along Congress Street (the "New Parking Garage"); and

WHEREAS, in order to achieve the requisite parking capacity within the available space, MMC needs to build the New Parking Garage at a height taller than the currently applicable height limit in the R-6 Zone and also to locate the New Parking Garage closer to Congress Street than the currently applicable setback requirement in the R-6 zone; and

WHEREAS, in order reduce transport time for critical patients coming to MMC's emergency department, MMC proposes to construct a helicopter landing pad on top of the

existing parking garage which fronts on Congress Street (the “Helicopter Landing Pad” also occasionally referred to as “Heliport or Helistop”); and

WHEREAS, in order to replace currently fragmented heating and cooling systems throughout its campus, MMC intends to construct a central utility plant, built into the hillside between the hospital and Gilman Street (the “Central Utility Plant”); and

WHEREAS, the Central Utility Plant will be built at a proposed height of 45 feet but is also designed to accommodate a future vertical expansion of two additional floors, with a maximum future height of 70 feet; and

WHEREAS, MMC currently has operating rooms, intensive care beds, and adult and pediatric beds in an existing building constructed in 1985 (expanded in 1998) and referred to as the “L. L. Bean Wing;” and

WHEREAS, MMC has no current construction plans for the L. L. Bean Wing, but anticipates that the L. L. Bean Wing will need to be expanded vertically at some time within the next decade; and

WHEREAS, the L. L. Bean Wing was designed structurally to accommodate such vertical expansion by an additional two stories; and

WHEREAS, MMC desires to provide for such eventual vertical expansion within this Agreement and additional vertical expansions, except as noted below, are not included within the scope of this Contract and will be subject to negotiation and approval in the future, when presented; and

WHEREAS, by expanding vertically for the Charles Street Addition rather than horizontally, MMC will need to remove only two residential buildings, and will do so in full

compliance with the housing replacement requirements of section 14-483 of the Portland Code of Ordinances; and

WHEREAS, in addition to such required replacement, MMC will divest itself of ownership of nine other buildings (two on Crescent Street, two on Ellsworth Street, one on Hill Street and four on Bramhall Street), enabling others to return them to residential use; and

WHEREAS, MMC has requested a rezoning of the **PROPERTY** in order to permit the above-described improvements; and

WHEREAS, the **CITY** by and through its Planning Board, pursuant to 30-A M.R.S.A. §4352(8) and Portland City Code §14-60, *et seq.*, and §14-315.3, after notice and hearing and due deliberation thereon, recommended the rezoning of the **PROPERTY** as aforesaid, subject, however, to certain conditions more specifically set forth below; and

WHEREAS, the **CITY** has determined that because of the unique circumstances of the location of an urban medical center campus in close proximity to historic and densely populated neighborhoods within the R-6 Zone, and in order to balance the interests of MMC and its residential neighbors, it is necessary and appropriate to impose the following conditions and restrictions in order to ensure that the rezoning is consistent with the City's Comprehensive Plan; and

WHEREAS, on April 25, 2005, the **CITY** authorized the amendment to its Zoning Map based upon the terms and conditions contained within this Agreement, which terms and conditions become part of the zoning requirements for the **PROPERTY**;

NOW THEREFORE, in consideration of the rezoning, MMC covenants and agrees as follows:

1. **MMC** will restrict any further expansion of its uses¹ in the Western Prom/ Parkside/ Gilman Street neighborhoods to the property specifically included in the following defined Campus²:

(a) The main campus, bounded by the north side of Bramhall Street, the western side of Wescott Street, a portion of the northern side of Crescent Street terminating with the proposed end of the new garage, and the south side of Congress Street between the existing and proposed new garage, and the eastern side of Gilman Street;

(b) The existing medical office building located on Congress Street across from the main campus;

(c) The Vaughn Street parking lot and McGeachey Hall;

(d) The existing West Street Medical Office Building located behind the row houses at the eastern end of West Street (CBL 55-B-13);

(e) The block bounded on Congress Street, Gilman Street, Valley Street and A Street.

2. The following exhibits are incorporated into and made a part of this Agreement:

Exhibit A: Helistop Overlay Zone Map

Exhibit B: Site Plan

1. Sheet C050: Campus Plan, Revision date: 9/16/04
2. Sheet C100: Site Plan, Revision date: 9/16/04
3. Sheet C101: Site Plan, Revision date: 9/16/04
4. Sheet C102: Site Plan, Revision date: 9/16/04
5. Sheet C103: Site Plan, Revision date: 9/16/04
6. Sheet C400: Landscape Plan, Revision date: 9/16/04
7. Sheet C401: Landscape Plan, Revision date: 9/16/04
8. Sheet C402: Landscape Plan, Revision date: 9/16/04

¹ “Future expansion of its uses” shall mean new construction of building(s) and or conversion of existing uses (including residential uses) into hospital related uses and the like. It shall not mean the occupancy of an existing building which contains a legally conforming medical related use.

² This provision shall not prohibit **MMC** from expanding or building in other areas of the City if permitted by zoning.

9. Sheet C403: Landscape Plan, Revision date: 9/16/04
10. Landscape Plan at Existing Garage, See sheets 401 & 402
11. Pedestrian Connection to Congress Street, 4/14/04
12. Parking Garage Rendered Elevation, North, (Option 1; Exhibit B, p.12, April 25,2005)
13. Parking Garage Rendered Elevation, (Option 1, Exhibit B, p. 12, perspective; April 25, 2005)
14. Parking Garage Rendered Elevation, South, 1/27/05
15. Central Utility Plant Rendered Elevation, 1/27/05
16. Charles Street Addition Rendered Elevation, South 1/27/05
17. Charles Street Addition Rendered Elevation, East 1/27/05
18. Charles Street Addition Rendered Elevation, North 1/27/05
19. Charles Street Material Board 1/27/05

20. Street Vacation/Acceptance and Land Transfer Plan (Sheet 1)
21. Street Vacation/Acceptance and Land Transfer Plan (Sheet 1)
22. Concrete Sidewalk Plan

Exhibit D: Miller Memo 01/06/05 and MMC Helipad Flight Paths, Harris Miller Miller & Hanson Inc., 9/16/04

Exhibit E: Helipad Operating Guidelines (2 pages); source, Lifeflight of Maine

Exhibit F: Helipad Plans

1. Heliport Plan, 1/27/05
2. Heliport Elevation, 1/27/05
3. Heliport Perspective, 1/27/05

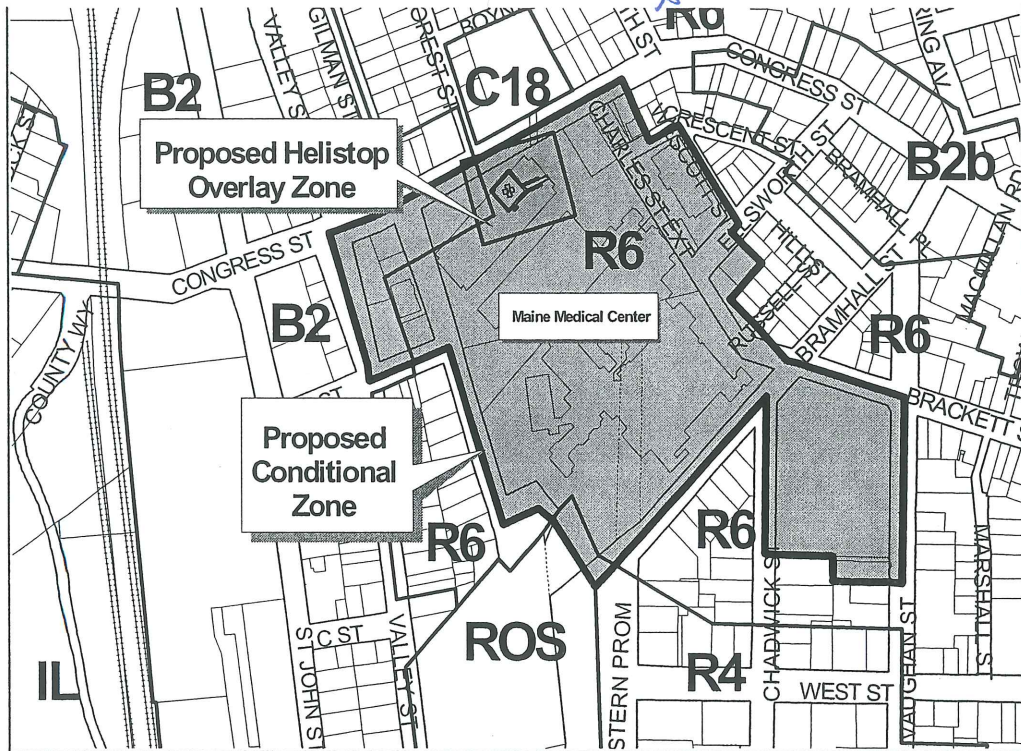
Exhibit G: Vaughan Street Parking Lot Landscaping Plan

1. Landscape Plan, 7/8/04
2. Wall Treatment
3. Fence Detail
4. Landscape Section

3. The CITY shall amend the Zoning Map of the City of Portland, dated December 2000, as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by Portland City Code §14-49, by adopting the map change amendment below, which map change includes a Helistop Overlay Zone as more particularly depicted on Exhibit A.

Chris [unclear]
[unclear]
[unclear]

What
w/ the
finger?



Proposed Rezoning for Maine Medical Center
from R6 & B2 to Conditional
with Helistop Overlay Zone

January 2005

100 0 100 200 Feet

Map prepared by the City of Portland's Department of Planning & Development and the GIS Workgroup

4. The **PROPERTY** and site improvements shall be developed and operated substantially in accordance with the site plan shown on Exhibit B (the "Site Plan"), which Site Plan includes but is not limited to street layouts, landscaping, and building elevation drawings for initial construction, subject to the approval of the Site Plan by the City's Planning Board in compliance with the requirements of Chapter 14, Article V. The architectural treatment of the façade of the New Parking Garage may be revised during site plan review and shall meet the site plan standards of 14-526(16). Minor revisions to the Site Plan in the nature of field adjustments may be approved by the Planning Authority, without the need for amendment of this Agreement or further approval by the City Council.

B-3

5. No building permits shall be issued unless and until MMC receives conditional use approval pursuant to section 14-474 (Expansion of Institutional Use) and section 14-483 (Housing Replacement), site plan approval pursuant to section 14-483(e) of the City Code, approval under the Site Location of Development Act and an MDOT traffic movement permit, if required. No occupancy of the newly constructed buildings shall be permitted unless and until all site plan conditions of approval have been satisfied and the City Council has taken final action on the street discontinuances and street acceptances required for the realignment of certain streets, as shown on the Site Plan (Exhibit B).

6. **MMC** shall provide to the **CITY** a performance guarantee covering all required site improvements under section 14-525(j) of the City Code and the two replacement dwelling units provided under paragraph 6(d) of this Agreement.

7. The **PROPERTY** shall be governed by the zoning provisions, as such may be amended from time to time, applicable in the zoning districts underlying the Conditional Zone except as follows:

(a) Height Limits. The maximum structure height (measured according to the definition of "building, height of" in section 14-47) shall be:

- 95 feet for the Charles Street Addition, as depicted on the Site Plan
- 70 feet for the New Parking Garage, as depicted on the Site Plan
- 45 feet for the Central Utility Plant, as depicted on the Site Plan
- 111 feet for the L. L. Bean Wing, as already constructed.

(a) Setbacks.

- The minimum setback of the New Parking Garage shall be zero (0) feet from the right of way line of Congress Street.
- The minimum setback of the southeast corner of the Charles Street Addition shall be five (5) feet from the relocated right of way line of Ellsworth Street, as depicted on Exhibit B.
- The minimum setback of the Central Utility Plant shall be five (5) feet from Gilman Street.

(d) Replacement Housing. The replacement of the two existing residential structures at 33 Crescent Street (identified as Map 53, Block E, Lot 2) and 37 Crescent Street (identified as Map 53, Block E, Lots 1, 10 and 13) containing a total of seven dwelling units and two single-room occupancies by a portion of the New Parking Garage shall be deemed to meet the requirements of section 14-137(c), provided that **MMC** shall comply fully with the requirements of section 14-483 (Preservation and Replacement of Housing Units). Specifically, **MMC** shall comply with section 14-483 by (i) converting the building at 325-329 Brackett Street identified as Map 54, Block D, Lot 7 (the last approved use of which was office space) into two dwelling units prior to the issuance of a certificate of occupancy for the New Parking Garage and then divesting itself of ownership of the building prior to the issuance of a certificate of occupancy for the Charles Street Addition and (ii) paying Three Hundred Fifteen Thousand Five Hundred Eighty dollars (\$315,580.00) into the **CITY**'s Housing Development Fund (representing five dwelling units and two single-room occupancies) upon

approval of the Site Plan by the CITY's Planning Board. The deadline for divestiture may be extended by the Planning Authority if MMC demonstrates that reasonable good faith efforts to market the property instituted at least 6 months prior to the deadline have failed to produce a bona fide offer at or above fair market value and on commercially reasonable terms.

(e) Sidewalks. MMC shall comply with the CITY's Brick District Policy Plan, except that, at the time of final site plan review, the Planning Board may approve the use of concrete sidewalk materials, as shown on Exhibit B 22, because of the particular needs or requirements of the hospital use.

(f) Street level uses in garage. The street level of the new parking garage may be used for any use allowed in the B-2 zone.

8. The Helicopter Landing Pad shall not be subject to the provisions of section 14-409 (Heliports), but shall be governed by the provisions of the Helistop Overlay Zone, sections 14-325 through 14-327), except as follows:

(a) Setbacks. Because it is to be located on the roof of an existing structure, the landing pad shall not be required to meet the setback requirements of Section 14-327(3) or the fencing requirements of Section 14-327(4).

(b) Flight routes. MMC shall identify preferred flight routes, to be approved by the CITY, designed to minimize noise impact of helicopter flights on surrounding residential areas, shall notify all flight providers likely to use the Helicopter Landing Pad of such preferred routes, and shall take the following measures to ensure that such preferred routes are utilized whenever weather conditions, safety considerations and the best interests of the patient being transported permit, with the expectation that this will be the usual case. MMC will instruct all providers which regularly use the Helicopter Landing Pad that pilots must file an exception report with the Air Medical Provider Administration of Lifeflight of Maine or its successor entity for operations modified for safety considerations or at the direct request of Approach Control at the Portland International Jetport. Logs of these exception reports will be made available to MMC and to the CITY every six months. When and if the Portland Jetport has the capacity to maintain and preserve data which specifically identifies flight routes actually taken by aircraft using the Helicopter Landing Pad, the CITY shall consult such data to review compliance with this paragraph, and MMC, upon request of the CITY, will be responsible for the CITY's reasonable costs of translating such data into useable form, but not for the costs of the flight monitoring. Initially, such preferred flight routes shall be as shown on the map attached to this Agreement as Exhibit D. At the initiative of either the CITY or MMC, the map of preferred flight routes may be amended from time to time by agreement between MMC and the City Council. The City Council shall consult with the Portland International Jetport and shall convene a neighborhood meeting to obtain input from residents of any affected residential areas before agreeing to any such amendment. An agreement between the parties to change preferred flight routes under this paragraph shall include noise mitigation measures in addition to those described in paragraph 7(g) below provided the noise mitigation measures are recommended by

an independent noise consultant. In addition, after one full year of operation of the Helicopter Landing Pad (measured from the date of the first patient transport flight to use the Helicopter Landing Pad), the City Council shall review the operation of the preferred flight routes and may initiate amendments to the map of preferred flight routes, following the procedures specified above. In connection with review or amendment of flight routes under this paragraph, the CITY may engage the services of an independent consultant and MMC will reimburse the CITY for its reasonable costs of obtaining such consulting services provided that the CITY, in advance of engaging the consultant, affords MMC an opportunity to comment on the scope of the consultant's engagement.

(c) Fly Neighborly. In negotiating any contract or agreement with any provider of emergency medical transport by helicopter, MMC will require the provider to operate in compliance with the "Fly Neighborly Guide" revised February 1993, (and any subsequent revisions) prepared by the Helicopter Association International Fly Neighborly Committee and published by the Helicopter Association International. MMC shall establish a complaint number and a protocol for handling complaints, which shall be publicized within the neighborhood, and the complaints will be reviewed no less than quarterly by the Maine Medical Center Neighborhood Council, noted below.

(d) Helipad operating guidelines. Helicopter landings on the Helipad are approved for emergency patient care only. Any use of the Helicopter Landing Pad for other than emergency patient care transport shall be deemed a violation of this Agreement and shall result in the termination of the Helicopter Overlay. The following standard practices will be incorporated as general policy for operations in and out of the Maine Medical Center Helipad and shall be communicated by MMC to providers. At all times, the Pilot in Command (PIC) will determine safety of operations as a first consideration. Under normal operating circumstances, take-offs, landings and standing-by on the Helicopter Landing Pad shall be conducted according to the Operating Guidelines, attached hereto as Exhibit E, subject at all times to the judgment of the helicopter pilot concerning safety and to the judgment of the emergency medical personnel concerning the health of the patient.

(e) Equipment. In generating any specifications in connection with the negotiation of any contract or agreement with any provider of emergency medical transport by helicopter, MMC will specify that helicopters utilizing the Helicopter Landing Pad (with the exception of U.S. military or government aircraft) are relatively new turbine powered aircraft meeting requirements under ICAO Annex 16 Chapter 8 for in-flight noise levels and complying with FAA airworthiness standards, 14 CFR part 36.11 and 14 CFR 21 Sub-part D, or any amended or successor requirements or standards.

(f) Design and construction. The Helicopter Landing Pad shall be constructed as shown on Exhibit A.

(g) Mitigation. MMC will pay for the installation costs associated with the full installation of soundproofing improvements contained within Exhibit D, except in lieu of central air conditioning MMC will also pay for the installation of ventilation improvements to one or more rooms within each such dwelling unit as reasonable and appropriate as determined by the

CITY. The **CITY** shall contract for such work and **MMC** shall be responsible for the costs associated therewith, plus a 10% administrative fee to be paid to the **CITY**. Before entering into any contract for such work, the **CITY** shall notify **MMC** and give **MMC** the opportunity to comment on the scope of the proposed work and the estimated cost thereof. The properties to be included under this provision are as follows: 879 Congress Street (Map 53, Block I, Lot 16), 921 Congress Street (Map 65, Block D, Lot 17), 925 Congress Street (Map 65, Block D, Lot 16) and 929 Congress Street (Map 65, Block, D, Lot 14). Such funds shall only be expended if the present owners of such buildings request such improvements no earlier than six months and no later than eighteen months after commencement of the operation of the Helicopter Landing Pad. For a period of five years from the date of this Agreement, any new owner of the aforementioned properties may request such improvements no later than eighteen months after purchase of said property(s).

(h) Accreditation. The principal provider of air medical transport to **MMC** shall be accredited by the Committee on Accreditation of Medical Transport Systems or its successor agency. Providers using the helicopter landing pad shall be accredited by the Committee on Accreditation of Medical Transport Systems or its successor agency, unless special circumstances warrant a non accredited provider such as the Air National Guard, the U.S. Coast Guard or other users.

9. Signage shall comply with the requirements of sections 14-336 through 14-372.5 of the City Code, except as otherwise approved by the Planning Board under Chapter 14, Article V.

10. For the purpose of keeping surrounding residential areas apprised of its future development plans, and to address any neighborhood issues related to the operations of the **MMC** campus (including but not limited to complaints or operating issues with respect to the helipad and future planning and development programs associated with **MMC**), **MMC** shall, no less than quarterly, and with two weeks written notice, invite representatives of the Maine Medical Center Neighborhood Council to meet with designated representatives of **MMC**. For purposes of this requirement, the Maine Medical Center Neighborhood Council shall consist of two representatives of the Parkside Neighborhood Association, , two representatives of the Western Prom Neighborhood Association, and two representatives of the Gilman/Valley Streets neighborhood. The neighborhood organizations shall designate the persons who shall serve on the Maine Medical Center Neighborhood Council. In the event there is no formal neighborhood organization, the City Council District Councilor shall designate the persons to serve on the Maine Medical Center Neighborhood Council.

11. **MMC**, prior to occupancy of the Charles Street Addition, shall relocate the sewer serving 31 Crescent Street, as depicted on the Site Plan (Exhibit B). In addition, **MMC** shall provide two off-street parking spaces for use by the tenants of 31 Crescent Street for so long as 31 Crescent Street serves as a residential structure.

12. **MMC** agrees that it will make the parking garage contemplated within this Agreement available for use by the public for snow ban purposes in a fashion similar to that

required in its Congress Street/Forest Street parking garage. In addition, MMC shall require all of its vendors, contractors and subcontractors to utilize a parking garage or other approved parking area/facility for vehicles and truck parking during construction.

13. MMC agrees to divest itself of ownership of the following existing structures owned by MMC according to the following schedule:

Prior to the issuance of a certificate of occupancy for the Charles Street Addition:

15 Crescent Street (Map 53, Block F, Lot 6)
25 Crescent Street (Map 53, Block E, Lot 5)
25 Ellsworth Street (Map 53, Block H, Lot 2)
32 Ellsworth Street (Map 54, Block C, Lot 5)
20 Hill Street (Map 54, Block C, Lot 1)

No later than January 1, 2010 or the issuance of a certificate of occupancy for any of the future expansions described in Section 6(b) above, whichever is earlier:

19 Bramhall Street (Map 63, Block A, Lot 4)
23 Bramhall Street (Map 63, Block A, Lot 3)
25 Bramhall Street (Map 63, Block A, Lot 2)
31 Bramhall Street (Map 63, Block A, Lot 1)

The deadline for divestiture of any of such property may be extended by the Planning Authority if MMC demonstrates that reasonable good faith efforts to market the property instituted at least 6 months prior to the deadline have failed to produce a bona fide offer at or above fair market value and on commercially reasonable terms.

14. MMC agrees that it will remove the existing building located at 261-269 Valley Street (formerly the "Eagles Club") within 12 months after the effective date of this Agreement and that the site of the removed building will be loamed and seeded unless and until otherwise developed pursuant to an approved site plan.

15. MMC shall provide landscaping of the area surrounding its Vaughn Street parking lot as shown on the landscaping plan attached hereto as Exhibit G and shall construct, maintain and continue to own the "pocket park" located at Ellsworth and Charles Streets as shown on the Site Plan (Exhibit B). The improvements to the Vaughn Street parking lot shall be completed within 12 months of the effective date of this Agreement.

16. MMC agrees to allow public pedestrian access between its campus and Congress Street through a new enclosed stairway to be constructed adjacent to the New Parking Garage, as depicted on Exhibit B.

17.. MMC shall contribute \$800,000 to the CITY to use for public improvements in the general vicinity of Maine Medical Center.

18.. MMC agrees that it will encourage its employees and visitors to use alternatives to single-occupant automobiles when traveling to and from the **PROPERTY**. In its application under the Site Plan Ordinance, MMC agrees to include among its written statements an Alternative Transportation Plan. The Alternative Transportation Plan will propose strategies to reduce single-occupant automobile trips to the **PROPERTY**. Such strategies shall include, but not be limited to, subsidies and other incentives for employees and visitors to use local and regional mass transportation, share rides (carpools and vanpools), ride bicycles and walk. The Planning Board will include the Alternative Transportation Plan in its consideration of sections 14-526(a)(1) and (2) of the City Code. In addition, an analysis of effectiveness and functioning of the Alternative Transportation Plan shall be provided to the City Council's Transportation Committee on an annual basis.

20.. The above restrictions, provisions and conditions are an essential part of the rezoning, shall run with the **PROPERTY**, shall bind and benefit **MMC**, its successors and assigns, and any party in possession or occupancy of the **PROPERTY** or any part thereof, and shall inure to the benefit of and be enforceable by the **CITY**, by and through its duly authorized representatives. Within 30 days of approval of this Agreement by the City Council, **MMC** shall record a copy of this Agreement in the Cumberland County Registry of Deeds, along with a reference to the book and page of the deeds to the property underlying said **PROPERTY**. Unless otherwise stated within this Agreement, this Agreement governs only the **PROPERTY** expressly covered by this Agreement and applies only within the boundaries of the rezoned area as shown on the map. Nothing in this Agreement shall have any effect on or be construed as having any bearing on the use or development of any other properties owned by **MMC** or its affiliates, all of which shall continue to be governed by the applicable provisions of the Portland Land Use Code, without regard to this Agreement.

21.. If any restriction, provision, condition, or portion thereof, set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct and independent provision and such determination and shall not affect the validity of the remaining portions hereof.

22.. Except as expressly modified herein, the development, use, and occupancy of the **PROPERTY** shall be governed by and comply with the provisions of the Land Use Code of the City of Portland and any applicable amendments thereto or replacement thereof.

23.. This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law (including 30-A MRS 4452) and **CITY** Ordinance. No alleged violation of this rezoning Agreement may be prosecuted, however, until the **CITY** has delivered written notice of the alleged violation(s) to the owner or operator of the **PROPERTY** and given the owner or operator an opportunity to cure the violation(s) within thirty (30) days of receipt of the notice. Following any determination of a zoning violation by the Court, and in addition to any penalties authorized by law and imposed by the Court, either the Portland Planning Board on its own initiative, or at the request of the Planning Authority, may make a recommendation to the City Council that the Conditional Rezoning be modified or the **PROPERTY** rezoned.

24.. In the case of any issue related to the **PROPERTY** which is specifically addressed by this Agreement, neither **MMC** nor their successors may seek relief which might otherwise be available to them from Portland's Board of Appeals by means of a variance, practical difficulty variance, interpretation appeal, miscellaneous appeal or any other relief which the Board would have jurisdiction to grant, if the effect of such relief would be to alter the terms of this Agreement. In cases that fall outside of the above parameters (i.e., alleged violations of any provisions of Portland's Land Use Code, including, but not limited to, the Site Plan Ordinance, which were neither modified nor superceded by this Agreement), the enforcement provisions of the Land Use Code, including, but not limited to, the right to appeal orders of the Planning Authority, Building Authority and Zoning Administrator shall apply. Nothing herein, however, shall bar the issuance of stop work orders.

WITNESS

MAINE MEDICAL CENTER

By:

Its:

STATE OF MAINE
CUMBERLAND, ss.

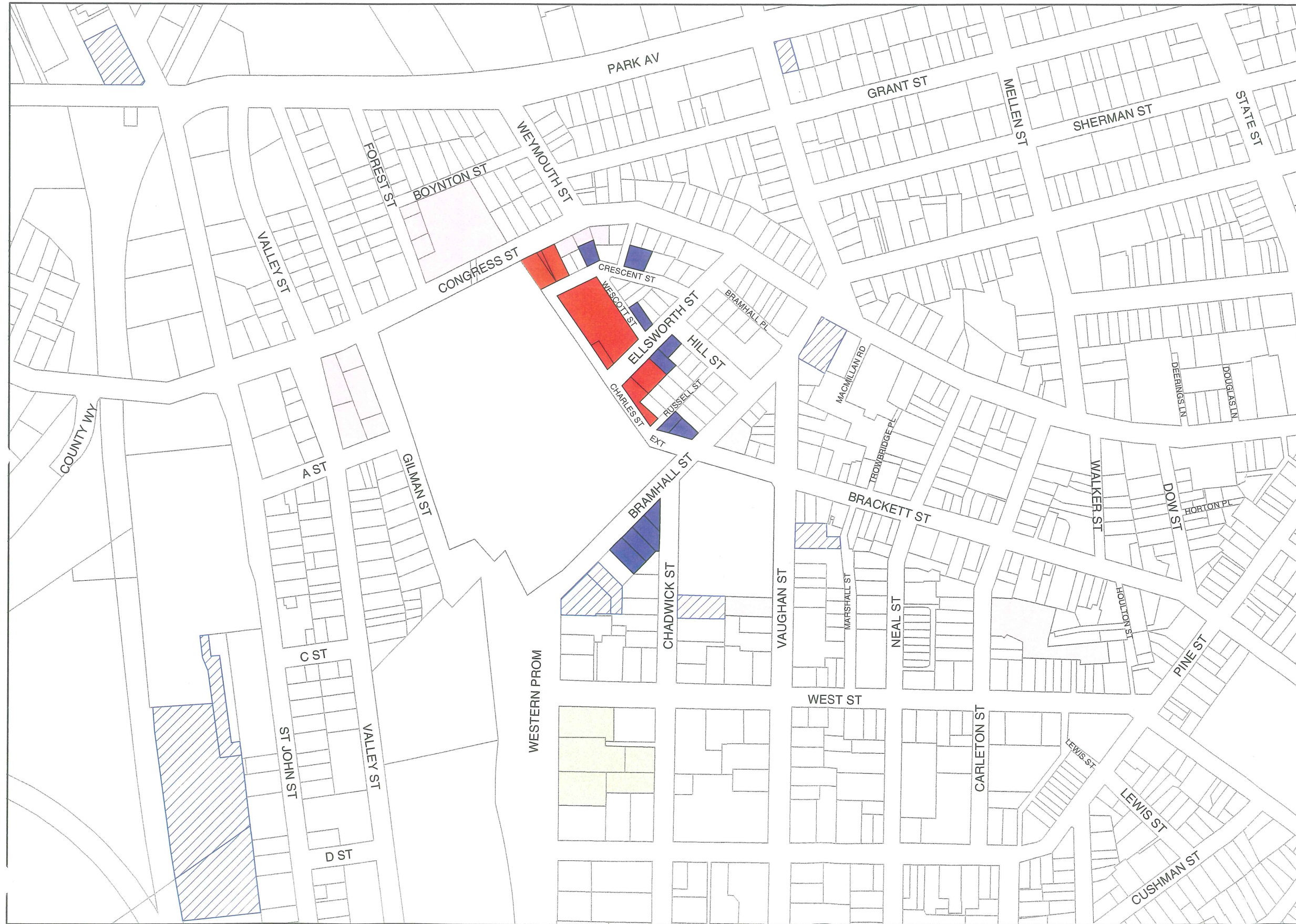
Date: _____, 2005

Personally appeared before me the above-named _____, in his capacity as _____ of Maine Medical Center, and acknowledged the foregoing instrument to be his free act and deed in his said capacities and the free act and deed of Maine Medical Center.

Before me,

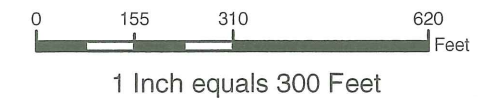
Notary Public/Attorney at Law

Locations and Land Use of MMC Holdings in the Vicinity of the MMC Bramhall Campus



Legend

- Hospital Buildings
- Vacant Lot
- MMC Offices in Commercial Buildings
- Residential
- Surface Parking
- Leased by MMC
- Required for Project
- Planned Divestiture



MEMORANDUM

TO: Planning Board
FROM: Paul D. Gray, Vice President of Planning
DATE: May 3, 2005
RE: **Applicant's May 10 Workshop Presentation**

Our presentation at the May 10, 2005 Workshop will focus on changes to the Conditional Zone Agreement approved by the City Council affecting site plan review, including:

- footprint and design of the parking garage, including the retail space and the pedestrian connector
- landscaping plan on Congress Street from Gilman Street to our property line above the new garage.
- concrete sidewalk plan
- site plan improvements staff has recommended as conditions of site plan approval
- Alternative Transportation/Travel Demand Management Plan

No changes were made during the City Council's review to:

- Charles Street Addition
- Helipad
- Central Utility Plant
- Improvements to the Gilman Street entrance to the campus for fire/emergency vehicles
- Replacement housing
- 31 Crescent Street sewer and parking
- Removal of Eagles Club

The future expansions of Charles Street, Bean, Parking Garage and Central Utility Plant were deleted from the agreement.

Parking Garage

Significant improvements have been made to the design of the parking garage. The objectives were to:

- break-up the "flat mass" façade
- bring reflective light on to Congress Street (given the northern exposure)
- create a retail space
- provide a year round pedestrian connector between the campus and Congress Street.

Conditional Zone Agreements Exhibits B-12, B-13, and B-14 present the revised design to meet these objectives. We will review these Exhibits at the Workshop.

Landscaping Plan on Congress Street

MMC has developed a landscaping/sidewalk plan for Congress Street that significantly improves the pedestrian experience from Gilman Street to our property line above the new garage. At the Workshop we will describe this plan using Conditional Zone Agreements Exhibits B-3 and B-4

Concrete Sidewalk Plan

Section 7(e) of the Conditional Zone Agreement states:

7 (e) Sidewalks. MMC shall comply with the CITY'S Brick District Policy Plan, except that , at the time of final review, the Planning Board may approve the use of concrete sidewalk materials, as shown on Exhibit B-22, because of the particular needs or requirements of the hospital use.

Exhibit B-22 presents the sidewalks that MMC is asking the Planning Board to allow us to use concrete. This provision was included in the Agreement recommended by the Planning Board to the City Council. We are proposing that the sidewalks which abut the hospital from the Bramhall/Charles Street intersection along Charles Street to Ellsworth to Wescott to Crescent be concrete. Our objective is patient and visitor safety.

Site Plan Improvements As Conditions of Approval

Planning Staff have recommended the following improvements as conditions of approval:

- brick sidewalks on all three sides (Vaughan, Brackett and Chadwick) of the Vaughan Street Parking Lot (see Exhibit G-1)
- brick sidewalk along Congress Street from Gilman to MMC property line above the new garage (see Exhibits B-3 and B-4)
- granite curb on Gilman Street from Central Utility Plant to top of Gilman Street (see Exhibit B-4)

MMC has agreed to these improvements and has incorporated them into the revised site plan exhibits.

Alternative Transportation/Travel Demand Management Plan

Section 17 of the Conditional Zone Agreement requires MMC to develop a plan and to provide on an annual basis to the City Council's Transportation Committee an analysis of the effectiveness and functioning of the Plan. Attached to this memorandum is the draft plan for your review.

A.H. 4



Memorandum
Department of Planning and Development
Planning Division

To: Chair Lowry and Members of the Portland Planning Board
From: Carrie M. Marsh, Urban Designer, City of Portland, Planning Division
Date: 05/04/05
Re: Maine Medical Parking Garage, Congress Street

Introduction

The proposed Maine Medical Parking Garage will be presented at an upcoming Planning Board Workshop. This memo discusses the conceptual design as presented in renderings of the proposed garage (detailed elevations and material samples are not available at this time).

Description

The renderings of the conceptual design indicate a large-scale building which appears to be a typical concrete parking garage structure with horizontal floorplates and a flat roof deck.

The renderings show a garage with six bays fronting on Congress Street. The four bays on the west end are screened with a metal mesh treatment. Moving west to east – the fifth bay is inset and sheathed with a blank brick wall. The sixth bay is again expressed to the sidewalk and covered in the metal screening. The concrete structure is exposed at the east and west elevations.

The applicant's architect noted in a meeting that the metal screening is reflective and will allow sunlight to reflect down on to Congress Street. The renderings suggest that there is a porosity to the material that will allow the concrete structure to be seen.

A stair tower and skywalk to Maine Medical are located on the east end of the structure and are sheathed in glass. External stairs connect the sidewalk level to the glass stair tower.

The street level of the parking garage includes a covered arcade along much of the length of the sidewalk. The walls along this arcade are blank, with the exception of glass storefront windows at the east end. Two egress/ingress bays to the parking garage front on Congress Street.

A retail space is shown at the street level on the northeast corner along Congress Street.

Considerations

The renderings reflect a conceptual design that was preferred by the City Council.

Detailed building elevations and material samples are necessary in order to fully understand the proposed design in relation to the Downtown Urban Design Guidelines.

The design appears to meet the guidelines on issues such as sidewalks and landscaping.

The conceptual design for the garage represents a departure from the Downtown Urban Design Guidelines on issues such as its relationship to the pedestrian environment. This standard refers to a required distinguishment of the lower 35 feet of a building façade; a consideration of the façade in relationship to its context; the use of materials and transparency at the pedestrian level; remediation of blank facades; orientation of entrances at the street; active uses along arcades; and impact of skywalks on the visual character of the Downtown streetscape.

Another standard to consider is the relationship to existing development, particularly with regard to building form, scale and massing; façade proportion and composition; and entrances.

A third category of the Downtown Urban Design Guidelines for consideration is that parking garages should create a positive aesthetic solution which fits the guidelines throughout the document. Parking garages should be compatible with and enhance the character of the pedestrian environment; maintain pedestrian uses along street frontages; and be designed and constructed to readily accommodate conversion to ground floor uses at a later date.

A# 5

Rick Seeley

From: Tom Errico [terrico@wilbursmith.com]
Sent: Thursday, May 05, 2005 4:13 PM
To: Rick Seeley
Cc: Katherine Earley; Eric Labelle
Subject: Maine Medical Center - Site Plan Traffic Review

Rick—

The following summarizes my initial comments related to the Site Plan process. Many of the comments are similar to those presented during the Contract Zone review.

1. I have reviewed the Maine Medical Center Alternative Transportation/Travel Demand Management Plan and find the Plans Goals, Objectives and Strategies to be excellent. I would suggest that a mechanism be established such that the City is briefed on the progress of the plan and allowed input on a regular basis.
2. The City has received complaints about the safety of the Congress Street/Deering Avenue/Bramhall Street intersection as it relates to right-turn-on-red movements from westbound Congress Street. The applicant should provide an assessment of whether a right-turn-on-red prohibition should be considered.
3. The proposed Site Plan illustrates several crosswalks along Wescott Street and the relocated Charles Street. The applicant should provide information that supports the need and location for the proposed crosswalks.
4. Information provided by the applicant seems to be conflicting. I have received traffic information that indicates Wescott Street will be a one-way street, while the site plan seems to illustrate a two-way street. The applicant should provide confirmation on the street regulation.
5. Following a review of field conditions at the Congress Street/St. John Street intersection, the applicant should revise (or confirm that it is accounted for in the analysis) their analyses to reflect the unbalanced lane usage on Congress Street in the eastbound direction. Both approach lanes are not used for through traffic based upon downstream conditions.
6. I continue to be concerned about the level of traffic that will exist in the Congress Street/Valley Street area following the expansion of the project and construction of the I-295 Connector. I recommend that the applicant conduct traffic counts and analysis at the Congress Street/Valley Street intersection following construction of both the Hospital Expansion and the I-295 Connector.
7. I continue to suggest that the applicant be asked to upgrade the traffic signal at the Congress Street/Deering Avenue/Bramhall Street intersection. While traffic levels are not expected to increase at the subject intersection, Maine Medical Center activity represents a significant portion of the vehicular and pedestrian volume using the intersection. The intersection provides a primary gateway to Maine Medical Center and the traffic signal needs attention. Future funding opportunities are not programmed for this location, either through PACTS, MaineDOT, or the City CIP. Accordingly, it will be many years before any improvements can be implemented. The existing traffic signal has some of the oldest equipment in the City and City Maintenance staff is frequently asked to attend to breakdowns in the system. Furthermore movements at the intersection are projected to operate at substandard levels of service during time periods when the pedestrian phase is in use. I am in the process of obtaining a cost estimate for replacement of the signal and will provide that information to you as soon as I receive it.
8. I am concerned about the operation of the proposed parking garage entrance on Congress Street. Capacity analysis indicates long delays and level of service "F" conditions for movements from the garage. I would suggest that this location be monitored after project completion, and if determined as having problems, specific strategies identified and implemented to correct the deficiency.

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

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates

5/6/05

Rick Seeley

From: Tom Errico [terrigo@wilbursmith.com]
Sent: Friday, May 06, 2005 2:02 PM
To: Rick Seeley
Cc: Katherine Earley
Subject: Maine Medical Center - Site Plan Review

Rick—

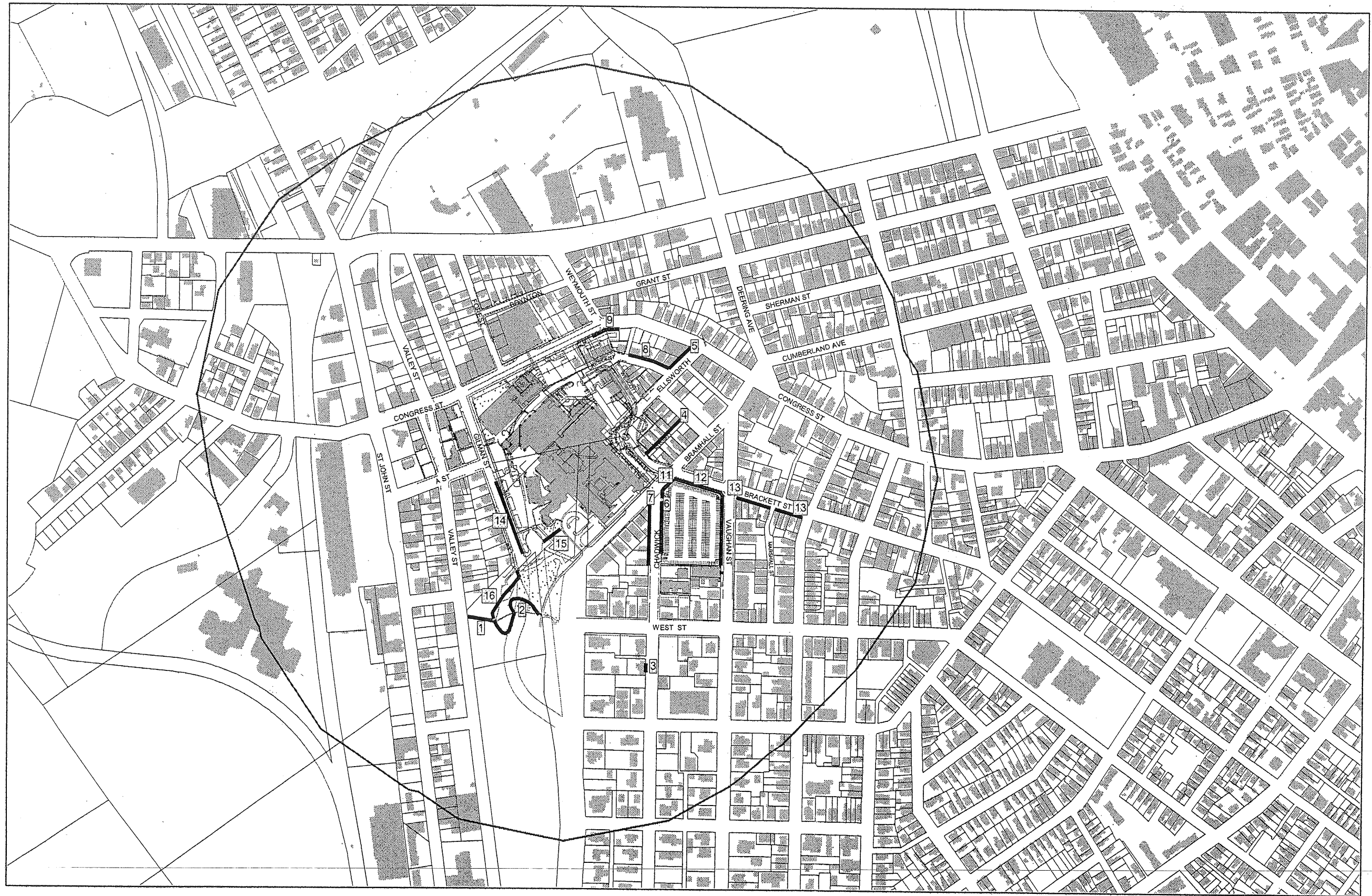
Supplemental to my email from yesterday I have obtained a cost estimate to replace the existing traffic signal at the Congress Street/Deering Avenue/Bramhall Street intersection. It is my understanding that the cost to upgrade the system signal system is \$121,000.00. It is my understanding that this accounts for installation of mast arm signal supports, video detection, and count-down pedestrian signal heads. I am trying to get confirmation that the proposed system would allow for emergency vehicle pre-emption in the future. I think the cost accounts for that, but I need to confirm it.

Please call me if you have any questions.

Thomas A. Errico, P.E.
Senior Transportation Engineer
Wilbur Smith Associates
59 Middle Street
Portland, Maine 04101
(207) 871-1785 Phone
(207) 871-5825 Fax

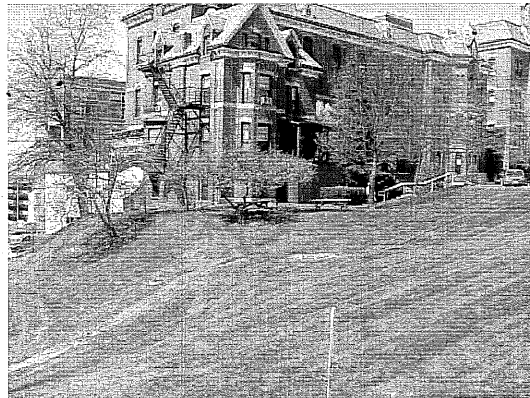
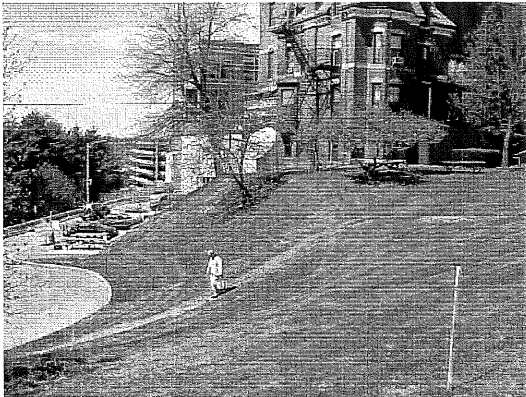
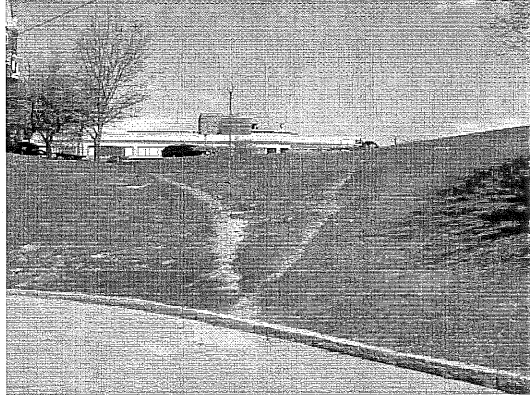
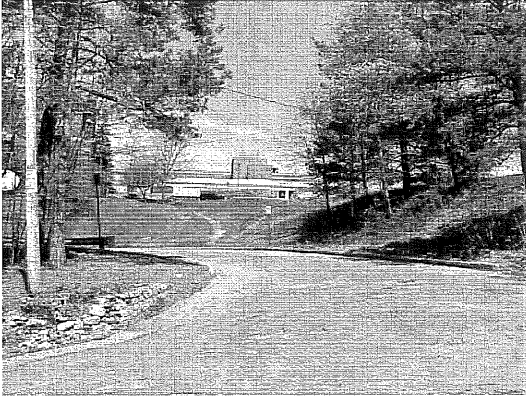
AH:7

Public Improvement Needs Within 1/4 Mile of Maine Medical Center's Bramhall Campus						
1/7/2004						
Map ID No.	Project Name	Location	Description	Probable Cost	Measurements	Remarks
1	Stairway to Valley Street	Western Promenade Park	Rebuild stairs to Valley Street from Western Prom Park. Includes demolition of existing structure, steel construction of approx. 125' of stairs, footings, reconstruction of landings, and drainage beneath	\$150,000.00		
2	Path to top of Stairway to Valley Street	Western Promenade down to top of Western Promenade Stairway	Redesign and reconstruct path to stairs from Western Prom to include slope reduction using broad hairpin turns. Includes demolition of existing path, grading and construction of approx. 600' of 5'-wide bituminous walk and associated landscaping; Slope to be reduced using broad hairpin turns	\$42,000.00	600 feet x 5 feet wide	Path from top of stairs to park walkway.
3	Sidewalk and Apron Replacement	Chadwick St west side, between West St and Pine St	Brick sidewalk and driveway apron replacement in front of maintenance building.	\$12,603.00	(75' x 5')/9 = 41.7sy (\$90/sy Brick SW); ((23' x 9')/9) + ((37' x 9')/9) = 60sy (\$110/sy Brick Aprons); Curb ~ 75lf (\$30/lf).	
4	Sidewalk Replacement	Russell St, northwest side, Hill St to Brackett St	Brick sidewalk replacement. (See applicant's site plan for detail on where already proposed sidewalk on Brackett wraps around corner of Russell Street).	\$18,315.00	(220' x 4.5')/9 = 110sy (\$90/sy Brick SW); ((8'x4.5')/9) + ((13'x4.5')/9) + ((12'x4.5')/9) = 16.5sy (\$110/sy Brick Aprons); Curb ~ 220' (\$30/lf).	
5	Sidewalk Replacement	Ellsworth St, Congress to Crescent St., northwest side	Brick sidewalk replacement.	\$18,190.00	(107' x 10')/9 = 118.9sy (\$90/sy Brick SW); ((14'x10')/9) + ((21'x10')/9) = 38.9sy (\$110/sy Brick Aprons); Curb ~ 107lf (\$30/lf).	
6	New sidewalk and curbing	Chadwick St, along east side, north of parking lot entrance/exit to existing curbcut at Chadwick and Bramhall Sts.	New brick sidewalk with granite curb (See applicant's Landscape Plan for the Vaughan Street lot, which is attachment 15 to Rick Seeley's Planning Board memo of August 6, 2004, for context detail).	\$18,402.00	(230' x 5')/9 = 127.8sy (\$90/sy Brick SW); Curb ~ 230' lf (\$30/lf).	Proposed site plan requirement
7	Sidewalk Replacement	Chadwick Street, west side, from Bramhall to opposite the parking lot entrance	Brick sidewalk replacement. (Present esplanade is bare earth).	\$23,607.00	(200' x 6')/9 = 133.3 sy (\$90/sy Brick SW); ((16'x9')/9) + ((15'x9')/9) + ((20'x9')/9) = 51sy (\$110/sy Brick Aprons); Curb ~ 200lf (\$30/lf).	
8	Sidewalk Replacement	North side of Crescent St from Ellsworth to the new parking garage	Brick sidewalk replacement.	\$29,936.00	(181' x 7.5')/9 = 150.8sy (\$90/lf); ((32'x9')/9) + ((28'x7.5')/9) + ((28'x7.5')/9) + ((25'x7.5')/9) = 99.4sy (\$110/sy Brick Aprons); Curb ~ 181lf (\$30/lf).	
9	Sidewalk Replacement	Congress St. from new parking garage to proposed stairway in ROW from Crescent to Congress, or beyond if necessary in order to connect with recently rebuilt section of sidewalk on Congress west of Ellsworth.	Brick sidewalk replacement. See sheet C101 for extent of sidewalk applicant proposes already along Congress past end of new garage).	\$45,318.00	(412' x 8')/9 = 366.2sy (\$90/sy Brick SW); Curb ~ 412lf (\$30/lf).	Proposed site plan requirement
10	Sidewalk Replacement	Along Vaughan Street adjacent to new Vaughan St. Landscape Plan	Brick sidewalk replacement. (See applicant's Landscape Plan for the Vaughan Street lot, which is attachment 15 to Rick Seeley's Planning Board memo of August 6, 2004, for context detail).	\$49,002.00	(350' x 11')/9 = 427.8sy (\$90/sy Brick SW); Curb ~ 350lf (\$30/lf).	Proposed site plan requirement
11	Sidewalk Replacement	Along Bramhall Street and around corner onto Chadwick Street to first curbcut, all adjacent to new Vaughan St. Landscape Plan.	Brick sidewalk replacement. (See applicant's Landscape Plan for the Vaughan Street lot, which is attachment 15 to Rick Seeley's Planning Board memo of August 6, 2004, for context detail).	\$14,160.00	(118' x 9')/9 = 118sy (\$90/sy Brick SW); Curb ~ 118' (\$30/lf).	Proposed site plan requirement
12	Sidewalk Replacement	Along Brackett Street adjacent to new Vaughan St. Landscape Plan	Brick sidewalk replacement. (See applicant's Landscape Plan for the Vaughan Street lot, which is attachment 15 to Rick Seeley's Planning Board memo of August 6, 2004, for context detail).	\$36,402.00	(260' x 11')/9 = 317.8 (\$90/lf Brick SW); Curb ~ 260lf (\$30/lf).	Proposed site plan requirement
13	Sidewalk Replacement	Along Brackett Street from Vaughan Street to Marshall Street, and from Marshall St to Neal Street.	Brick sidewalk replacement.	\$45,215.00	(280' x 11')/9 = 342.2sy (\$90/lf Brick SW); ((12'x11')/9) + ((11'x11')/9) + ((11'x11')/9) = 54.7sy (\$110/sy Brick Aprons); Curb ~ 280lf (\$30/lf).	
14	Streetscape Improvements	Along upper Gilman St, east side, uphill of the new central utility plant	New granite curbing and landscaping detail, including repair/replacement of deteriorating retaining wall (See sheet no. C402 of the site plan for what applicant presently proposes).	\$49,596.00	(620' x 5')/9 = 344.4sy (\$90/sy Brick SW); Curb ~ 620lf (\$30/lf).	Proposed site plan requirement
15	Path Construction	Pedestrian accessway from the MMC Dana Center/Maine General parking lot to the top of Gilman St	Create new footpath to serve 'desire line' worn into the hill from the parking lot to the cul-de-sac. Includes construction of approx. 100' of 5'-wide bituminous walk and associated landscaping	\$7,000.00	100 feet x 5 feet	Proposed site plan requirement
16	Path Improvements	from top of Valley St stairs to top of Gilman St	Rebuild path, providing lighting for safety. Includes construction of approx. 200' of 5'-wide bituminous walk, associated landscaping, and safety lighting	\$64,000.00	(230' x 4')/9 = 102.2sy (\$35/sy Bit. Conc. SW).	
17	Path Improvements	Path From Western Prom Walkway to Gilman St.	Reconstruction of path from Western Prom walkway to top of Gilman St. Includes construction of approx. 225' of 5'-wide bituminous walk and associated landscaping	\$15,750.00	225 feet x 5 feet	
Subtotal				\$639,496.00		
Contingency (10%)				\$63,949.60		
Total				\$703,445.60		



Attachment 8

**Photographs of Desire Lines from Gilman Street cul-de-sac
And MMC Side of Upper Gilman Street
May 5, 2005**



Attachment 9

**Photographs of Congress Street Sidewalks
Near Proposed Parking Garage
May 5, 2005**

