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Planning & Urban Development Department
Jeff Levine, AICP, Director

Planning Division
Alexander Jaegerman, FAICP, Director

August 28, 2013

Rebecca Maniklan
Maine Medical Center
22 Bramhall Street
Portland, ME 04102

Re: 887 Congress Street and MMC Parking Garage –Sign Permit for the Walkway- Permit # 2013 01666

Dear Ms. Maniklan:

I am in receipt of your application for a sign exception to have a window sign at the walkway between 887 Congress Street and MMC Parking Garage. The walkway was part of the original approval for the medical building at 887 Congress Street, and was approved in a separate site plan on or around April 13, 1999. At that time there was consideration for the transparency of the walkway glazing, and there was no intent to use the walkway for sign placement. The architectural design for this walkway was for a glazed, transparent, glass window canopy.

The present application for a sign is proposed to be 7.5 feet by 46 feet for a total of 345 square feet, which covers more than 50 percent of the walkway windows.

The property is located in a Conditional Rezone with an underlining zone of B-2 zone. The conditional rezoning agreement states the following in regard to signs in the zone:

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.

According to the above reference, all signs will need to meet the requirements of the sign ordinance and the underlining B-2 zone. Under the B-2 zone, signs cannot cover more than 50% of the sign. This sign covers more than 50% of the walkway windows.

The second issue is that no signs are allowed in the City's right-of way and this sign is in the right-of-way. The sign is also promoting the Maine Medical Center and not the medical building, thus this sign is considered at off-premises sign.

MMC has requested an appeal of the 50% coverage standard and the public right-of way standard. Section 14-526 (b)(8)(a)(iv) of the ordinance states the sign waiver criteria:

An applicant for site plan review that was either denied for failure to comply with the requirements of or is seeking a waiver as part of their site plan application from Section 14-369.5 shall meet the following standards for approval:

(a) Signs shall meet the requirements of Section 14-526 (e) 2. - Signage and Wayfinding;

(b) The size, scale, proportions, design, materials, placement, quantity and source and intensity of illumination of any approved signage shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or to which they are visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which it is located and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed, and mode of travel of the viewing public;

(c) The signage shall either be of special design merit or shall respond to unique circumstances or characteristics associated with the subject property;

(d) The provisions of this subsection shall be limited to commercial uses in business or industrial zones, industrial uses or institutional uses.

My staff conducted a site visit of the parcel and the vicinity. The medical building at 887 Congress Street has a free standing sign next to the building, as well as a building sign. There are also about eight banners hanging from the street lighting that displays the different medical specialties that MMC offers at the hospital. These banners are lined along the parking garage. Based on the waiver criteria, the sign does not meet standard b and c, see below for explanation:

1. (b) The size, scale, proportions, design, materials, placement, quantity and source and intensity of illumination of any approved signage shall be designed to complement and enhance the architectural attributes of the building(s) to which they are attached or to which they are visually related. In addition, such signs shall be appropriate to the scale and character of the neighborhood in which it is located and shall be designed to suit the conditions from which it will be viewed, especially in relation to the distance, travel speed, and mode of travel of the viewing public.

Staff Comment: This standard states the sign “shall be appropriate to the scale and character of the neighborhood in which it is located and shall be designed to suit the conditions from which it will be viewed”. As mentioned before, the architectural intention of this walkway was for a glazed, glass canopy and the size, scale, and proportion of the proposed sign will take this away from the structure. The proposed sign is of a scale and character of a billboard. It is not compatible with the neighborhood. There are no other signs in this neighborhood that are as large as this proposed sign.

2. (c) The signage shall either be of special design merit or shall respond to unique circumstances or characteristics associated with the subject property

Staff Comment: The walkway in itself is unique for this neighborhood but the sign does not respond to the characteristics of the structure. As mentioned above, the intention of the walkway was to have a glass window that is transparent. Even though the sign is described as translucent and not opaque, it will substantially impede the transparency of the glass fenestration and impair visibility into, out of, and through the walkway.

Thus, the request for a sign exception for the walkway at 887 Congress Street and the MMC Parking Garage is denied. I suggest that if you want to continue to pursue a sign on the overhead walkway, that you consider something considerably smaller, and architecturally integrated into the walkway design and which does not block or interfere with the transparency of the glazing. Any sign that is more substantial and visually dominant than that will be considered an amendment to the approved site plan for the walkway, and will be subject to review and approval by the Planning Board.

You have the right to appeal this decision to the Planning Board. Section 14- 529 (a) of the ordinance states that “any person aggrieved may appeal the decision to the planning board within thirty (30) calendar days of the date of the written decision of the planning authority”.

Please feel free to call me at 874-8714 or aqj@portlandmaine.gov if you have any questions.

Sincerely,



Alexander Jaegerman
Planning Division Director

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