
Section I

**Conformity with Land Use
Ordinance**

I. Conformity with Land Use Ordinance

The following outline is made in accordance with the City of Portland Code of Ordinances, Chapter 14 Land Use, Article V Section 14-526 as well as the City of Portland Technical Manual, Chapter 14 Standards for Local Site Location of Development Review.

OVERVIEW

The proposed 4-story building has been designed to conform to City standards as well as improve upon existing non-conformities. This project conforms with Portland's Land Use Ordinance Section 14-526 as demonstrated in the following narrative.

(a) Transportation Standards

1. Impact on Surrounding Street Systems:

- a. The site is located at 121 Cassidy Point Drive which is a major intermodal transportation center with direct access to Route 1 and I-295. The proposed use will reduce the amount of traffic in this area, transitioning from an auto and truck repair business with an estimated 250 weekday trips to approximately 60.
 - (i) Reviewed by Tom Errico, Traffic Engineer with T.Y. Lin and presented to Planning Board on 7/10/18

2. Access and Circulation:

a. Site Access and Circulation:

This project conforms with the design standards of Section 14-526 as demonstrated in the following narrative:

- (i) The development will provide safe access and internal circulation for both pedestrians and vehicles as seen on the Site Plan, see Sheet C-20.
- (ii) Points of access and egress have been located to avoid conflicts with existing turning movements and traffic flows.
- (iii) The site does not feature drive up services as mentioned in this requirement.

b. Loading and Servicing:

- (i) The site will have minimal loading for the establishment. Any loading will be accommodated by the loading dock located along the north-facing portion of Cassidy Point Drive. Dumpster placement has been located to facilitate the



approach, loading and departure of a trash truck.

c. Sidewalks:

- (i) This project seeks a sidewalk modification from the Planning Board. The existing concrete and brick walkways are in a degenerative state and have served as vehicular parking spaces, based upon Google Earth imagery dating back to 1997. Acorn believes that sidewalks should be waived for the following reasons, pursuant to Sec. 14-506:
 - a. There is no reasonable expectation for pedestrian usage coming from, going to and traversing the site.
 - b. A safe alternative-walking route is reasonable and safely available. Street lights are located on the opposite side of Cassidy Point Drive from project site, which provide a safer route for the few pedestrians that walk along Cassidy Point Drive.

3. Public Transit Access:

- a. Not applicable.
- b. Not applicable.
- c. Not applicable.

4. Parking:

a. Location and Required Number of Vehicle Parking Spaces:

- (i) The proposed project requires 12 off-street parking spaces. This is derived from Sec 14-332 (l), for business/manufacturing/industrial building not catering to retail trade and with floor area over 3,000 square feet with one parking space for every 1,000 square feet of floor area. The 50% allowable reduction for the Waterfront Port Development Zone (WPDZ) from Sec. 14-332.1 (j) has also been applied. The proposed building with approximately 17,500 square feet of floor area, existing metal building with approximately 5,236 square feet of floor area and a 50% parking reduction results in a total of 12 required spaces. The proposed plan suggests three interior and nine exterior parking spaces for a total of twelve spaces, one of which is an ADA van-accessible space located on the northerly side of the proposed building.
- (ii) A parking study is not required.
- (iii) The proposed parking count of 12 spaces meets the required 12 spaces after applying the 50% allowable reduction for the WPDZ.
- (iv) There are no proposed parking stalls or aisles.



- (v) There is no proposed parking lot.
- b. Location and Required Number of Bicycle Parking Spaces:
 - (i) The site plan includes one proposed bicycle rack (to accommodate four bicycles) meeting and exceeding the required three spaces per City standards.
- c. Motorcycles and Scooter Parking:
 - (i) There are no areas designated for motorcycles or scooters.
- d. Snow Storage:

Locations for snow storage are indicated on Site Plan, see Sheet C-20.

- 5. Transportation Demand Management (TDM):
 - a. A TDM plan is not required for this project.
 - b. A TDM plan is not required for this project.
 - c. A TDM plan is not required for this project.

(b) Environmental Quality Standards

- 1. Preservation of Significant Natural Features:
 - a. Not applicable.
 - b. Not applicable.
 - c. A waiver is not requested.
- 2. Landscaping and Landscaping Preservation:
 - a. Landscape Preservation:
 - (i) No existing trees or plants at project site.
 - (ii) There are no trees >10" dbh within any required setbacks.
 - (iii) It is not anticipated that the project will necessitate any tree protection.
 - (iv) A waiver is not requested.
 - (v) Not applicable.
 - b. Site Landscaping:
 - (i) Landscaped Buffers:



- a. Solid waste is anticipated to be stored in the designated dumpster enclosure located between the two buildings on site.
- b. Not applicable.
- c. Not applicable.
- d. Not applicable.

(ii) Parking Lot Landscaping:

- a. Not applicable
- b. Not applicable
- c. Not applicable.
- d. Not applicable.
- e. Not applicable.

(iii) Street Trees:

- a. Per Section 4.6.3 – Landscape and Landscape Preservation Standards of the Technical Manual for Commercial, Industrial and Institutional Development, a total of fifteen street trees are required. The *Amelanchier* spp. (Serviceberry) & *Carpinus Caroliniana* (American Hornbeam) were chosen from the City of Portland Recommended Tree List as native street trees to be planted on the parcel property or within the public right-of-way. The *Juniperus Virginiana* (Eastern Red Cedar) was also chosen as a native tree to plant within the parcel property to meet the required tree count. The proposed tree placement is provided on private property within 10 feet of the property line along the street frontage, due to the abundance of utility lines, easements and overhead lines within the public right-of-way. See Sheet L-1, Landscape Plan, located within the Civil Plan Set.
- b. Not applicable.

3. Water Quality, Stormwater Management and Erosion Control:

a. Stormwater:

- (i) The site drainage will not be directed to flow or pond onto adjacent lots. A new catch basin and improved site grading is proposed on the southerly side of Cassidy Point, to capture stormwater runoff previously uncaptured.
- (ii) Any stormwater that flows onto adjacent lots will not exceed the pre-development



flows.

- (iii) The runoff from the site into the City property is anticipated to remain the same as the pre-development condition.
 - (iv) Not applicable.
- b. A site-specific Stormwater Management Plan has been developed for the project to show compliance with Section 5 of the Technical Manual, including the basic standards of MEDEP Chapter 500. Please refer to sections K and L, the Stormwater Management and Erosion & Sedimentation Control Plans, respectively, for more information.
 - c. The project is not located in a watershed of an urban impaired stream as listed by the MEDEP.
 - d. Not applicable.
 - e. The development is not anticipated to pose a contamination risk to groundwater during or after construction. The project will be serviced by a public wastewater system.
 - f. The development will provide for adequate and sanitary disposal of sewage in accordance with Section 2 of the Technical Manual.

(c) Public Infrastructure and Community Safety Standards

- 1. Consistency with City Master Plans:
 - a. The project has been designed to be consistent with the City's Zoning Ordinance and off-site infrastructure.
 - b. Not applicable.
- 2. Public Safety and Fire Prevention:
 - a. The site has been designed to promote safe and inviting public access.
 - b. Adequate emergency access has been provided to allow an ambulance and fire truck to access 3 sides of the building.
 - c. The nearest fire hydrant is located approximately 79.8' from the proposed southwesterly building corner.
- 3. Availability and Adequate Capacity of Public Utilities:
 - a. Public utilities in the vicinity of the site have capacity to serve the project. Ability to Serve letters have been sent to the respective companies. Responses received thus far have been included in the submission.



- b. The electrical service will be restrung using overhead lines.
- c. The new sewer and stormwater infrastructure will meet the provisions of the Technical Manual.
- d. The project will be served by connecting to the public sewer system within Cassidy Point Drive.
- e. The sanitary sewer collection system meets all applicable sections of the Technical Manual. The stormwater management system is designed to meet the basic standards of Chapter 500. Treatment is not required; however, some stormwater will be treated through the addition of landscaping features that do not currently exist.
- f. The facility is expected to store solid waste on site within the enclosed dumpsters located between the two buildings and will be handled by a private company.

(d) Site Design Standards

- 1. Massing, Ventilation and Wind Impact:
 - a. Not applicable.
 - b. Not applicable.
 - c. Not applicable.
- 2. Shadows:
 - a. The shadows created by the building will not influence public open spaces.
- 3. Snow and Ice Loading:
 - a. The structures will not distribute snow and ice onto adjacent properties.
- 4. View Corridors:
 - a. The project site is located outside the Downtown Vision View Corridor Protection Plan.
- 5. Historic Resources:
 - a. The development is not located in a historic district, historic landscape district or City designated landmark.
 - b. The development is not located adjacent to designated landmarks, historic district, or historic landscape district.
 - c. There are no known archaeological resources on the site.

6. Exterior Lighting:

a. Site Lighting.

(i) Exterior lighting will be designed to meet the requirements of Section 12 of the Technical Manual. A photometric plan designed by Swaney Lighting Associates, Inc is included within the Civil Plan Set.

(ii) Not applicable.

b. Architectural and Specialty Lighting.

(i) No architectural or specialty lighting is proposed.

(ii) No up-lighting is proposed.

c. Street Lighting.

(i) No new street lights are proposed.

7. Noise and Vibration:

a. No HVAC system is currently proposed.

8. Signage and Wayfinding:

a. All street and wayfinding signage shall meet the requirements of the Manual on Uniform Traffic Devices (MUTCD) and Division 22 of the City Code.

(i) The project is not located in a historic district or subject to Article IX.

(ii) Existing sign to remain untouched.

(iii) Not applicable.

9. Zoning Related Design Standards:

a. The project has been designed to meet the standards set forth in the WPDZ zone. Please refer to Sheet C-10, Site Plan, located within the Civil Plan Set for more information on Space & Bulk Standards.

