



# PLANNING BOARD REPORT PORTLAND, MAINE

Pleasant Avenue Church Redevelopment  
3, 15, and 16 Pleasant Avenue  
Level III Site Plan and Subdivision Review  
2015-102  
Peninsula Property Development

Submitted to: Portland Planning Board Date: November 5, 2015 Public Hearing Date: November 10, 2015	Prepared by: Nell Donaldson, Planner CBLs: 130-H-13, 130-I-12, 130-I-14 Project #: 2015-102
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## I. INTRODUCTION

Hardypond Development Company has requested a final Level III site plan and subdivision review for the redevelopment of the former Clark Memorial Church site at 3 Pleasant Avenue in Deering Center. The project involves the creation of separate lots for the church and the associated rectory, the adaptive reuse of the church building for 25 market rate apartments, the development of the rectory as one additional residential unit, and easements on an existing lot across Pleasant Avenue for the purposes of off-street parking. Few site changes are proposed.

In the period since the public workshop, the applicant has minimized the amount of impervious surface on site to bring it under the threshold for stormwater treatment, modified the design of the single-family parking to ensure safe access, relocated trash and recycling containers to the rear of the renovated church building, moved an electrical transformer away from the Forest Avenue frontage, added street trees, and proposed landscaping for the parking area. Outstanding comments are discussed in this final report.

As a project resulting in 26 new residential units, this development is being referred to the planning board for compliance with the site plan and subdivision standards. The Planning Division sent a total of 142 notices to property owners within 500 feet of the site and a legal ad ran on October 19 and 20, 2015.

**Applicant:** Bob Gaudreau, Hardypond Development Company, LLC

**Consultants:** Andrew Johnston, FST; John Shields, Shields Architecture; John Swan, Owen Haskell

## II. REQUIRED REVIEWS

<b><i>Waiver Requests</i></b>	<b><i>Applicable Standards</i></b>
<b>Street trees</b> <i>Single-family (15 Pleasant)</i> - 2 trees required. 2 existing trees. Meets standard. <i>Multi-family (3 Pleasant)</i> - 25 trees required. 2 existing trees, 6 proposed. Waiver with contribution for 17 additional trees (\$3,400).	Site Plan Standard, <i>Section 14-526(b)2.b(iii)</i> and Technical Manual, <i>Section 4.6.1</i> . All multi-family development shall provide one street tree per unit. Single-family developments shall provide two street trees per unit. Waiver permitted where site constraints prevent it, with applicant contributing proportionate amount to Tree Fund.
<b><i>Review</i></b>	<b><i>Applicable Standards</i></b>
Site Plan	<i>Section 14-526</i>
Subdivision	<i>Section 14-497</i>

**III. PROJECT DATA**

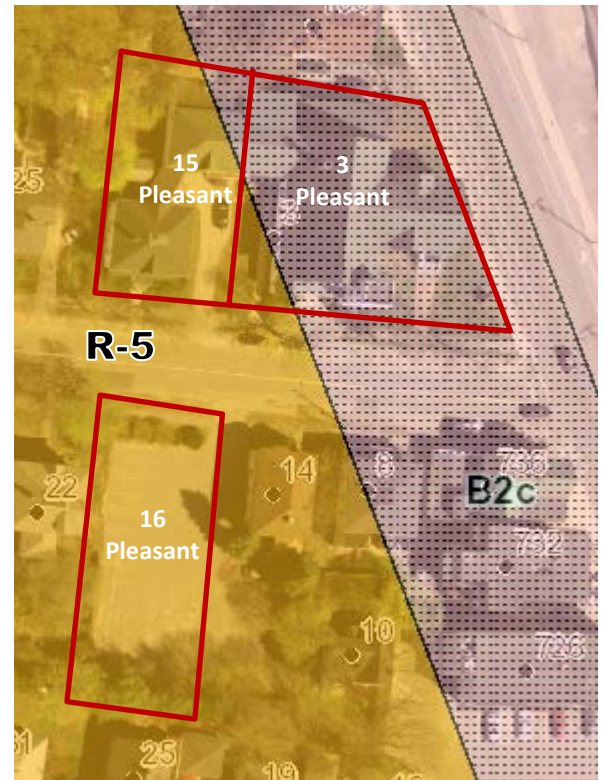
Existing Zoning	R-5 and B-2c
Existing Use	Church, rectory, and parking area
Proposed Use	Residential (conversion of church for multi-family, conversion of rectory for single-family) and parking
Proposed Development Program	25 units residential in church, 1 single-family in rectory
Parcel Sizes	15,741 (multi-family in church at 3 Pleasant Avenue) 6,797 SF (single family at 15 Pleasant Avenue) 10,132 (parking area at 16 Pleasant Avenue)

	Existing	Proposed	Net Change
Building Footprint (church)	8,995 SF	8,995 SF	0 SF
Building Floor Area (church)	17,582 SF	17,582 SF	0 SF

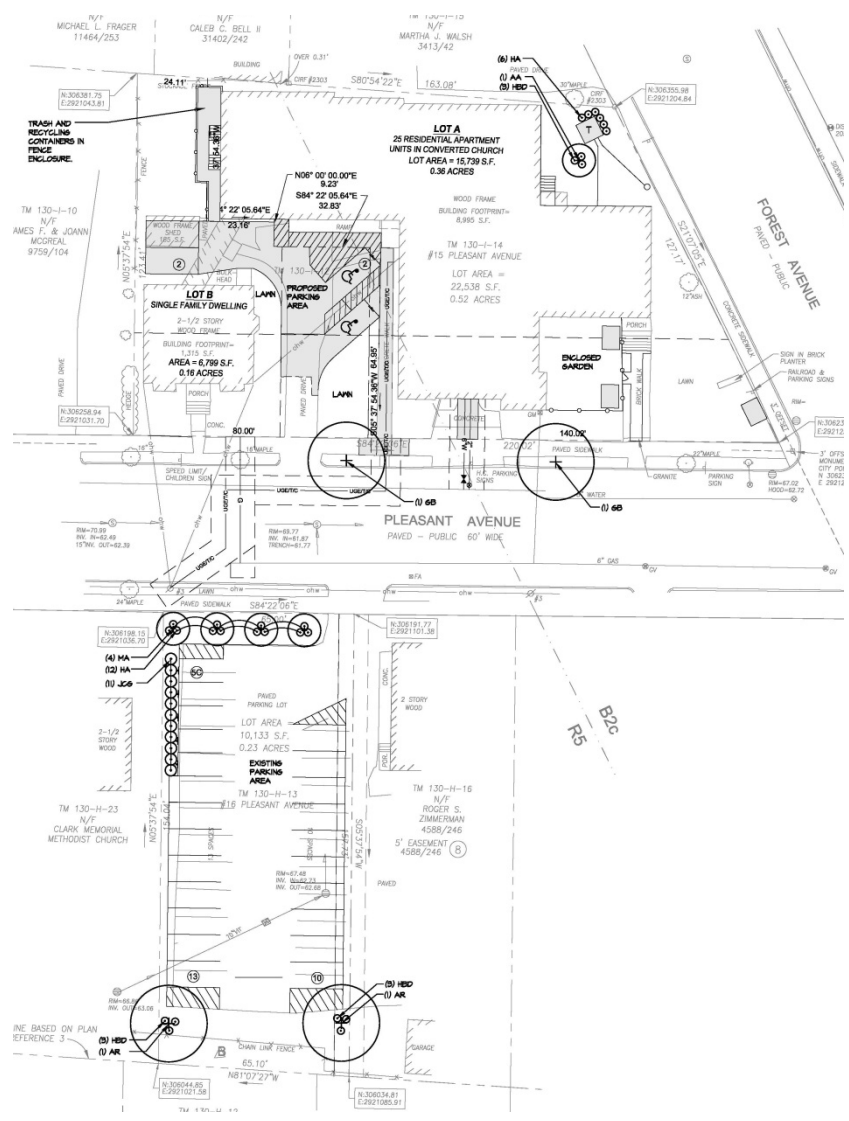
Building Footprint (single-family)	~1,315 SF	~1,315 SF	0 SF
Building Floor Area (single-family)	~2,630 SF	~2,630 SF	0 SF

Impervious Surface Area	20,875 SF	21,857 SF	982 SF
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Parking Spaces	23	27	4
Bicycle Parking Spaces	0	10	10
Estimated Cost of Project	\$2,000,000		



Figures 1, 2 and 3: existing church at 3 Pleasant Avenue from Forest Avenue (top left); existing rectory at 15 Pleasant Avenue (bottom left); existing zoning



Figures 4, 5, & 6: existing lots, church, and rectory building (left); proposed site plan, showing reuse of church and rectory buildings; proposed Pleasant Avenue elevation

**IV. BACKGROUND & EXISTING CONDITIONS**

The Pleasant Avenue Church redevelopment affects three parcels under common ownership near Woodfords Corner, two on the north side of Pleasant Avenue and one on the south (Figure 4). The Clark Memorial Church was built on the first of these parcels (3 Pleasant Avenue) and a portion of the second (15 Pleasant Avenue) between 1857 and 1882; the adjacent rectory building was added entirely on the second lot (15 Pleasant Avenue) in the early 20<sup>th</sup> century. A breezeway currently connects the southwest corner of the church with the northeast corner of the rectory. These two buildings share a driveway. Parking is located across Pleasant Avenue on the third lot (16 Pleasant Avenue), which currently consists entirely of surface parking and shares its driveway with an adjacent residential building.

The zoning on the site is split between Residential R-5 to the west and Community Business B-2C to the east (Figure 3). To the north, west, and south in the R-5 zone, the site is surrounded largely by single-family residential development, with some multi-family residential proximate to Forest Avenue. With respect to the B-2c zone, a hair salon occupies the site on Forest Avenue directly across Pleasant Avenue from the site; multi-family residential sits on Forest Avenue directly to the north.

## V. PROPOSED DEVELOPMENT

The applicant proposes to:

- Adaptively reuse the existing church building at 3 Pleasant Avenue to develop 25 market rate studio, one-bedroom, and two-bedroom apartments on three floors. Laundry and storage space would also be included in the building. Minor site improvements are proposed in association with the redevelopment. The 3 Pleasant Avenue lot would be reconfigured such that the church building would be wholly contained on the site.
- Demolish the existing breezeway between the church and rectory buildings in order to separate these buildings and allow the rectory to function as a separate single-family residence. The 15 Pleasant Avenue lot would be reconfigured to house the rectory building only. Parking would be developed at the rear of this newly reconfigured lot.
- Use the existing surface parking at 16 Pleasant Avenue, with some minor site improvements, for the purposes of off-street parking for the church redevelopment.

## VI. PUBLIC COMMENT

The applicant hosted a neighborhood meeting on Thursday, October 8 (*Attachment F*). Based on the meeting minutes, attendees' questions focused largely on the potential tenant population, plans for landscaping, traffic impacts, and noise. Staff also received public comments from several neighbors (*Attachments PC-1 to PC-6*). These neighbors raised concerns about the size of the development, as well as parking and traffic implications. No comments were received following the board workshop on this item.

## VII. RIGHT, TITLE, & INTEREST

The applicant's submittal includes a deed as evidence of right, title, and interest (*Attachment D*). The development will involve parking and access easements on both the 15 Pleasant Avenue and 16 Pleasant Avenue sites, as well as an easement for a transit shelter at the site's southeast corner on Forest Avenue. These easements have been included as a condition of approval.

## VIII. FINANCIAL & TECHNICAL CAPACITY

The estimated cost of the development is \$2 million. The applicant has submitted a letter from TD Bank attesting to their capacity to successfully complete the project (*Attachment D*).

## IX. ZONING ANALYSIS

As noted during the preliminary review, off-street parking on 16 Pleasant Avenue constitutes a conditional use under the R-5 zone, but, because this parking currently exists, it is not being reviewed anew here. It should also be noted that, because the church and rectory buildings currently exist and are being reused, there are existing non-conformities with respect to dimensional requirements. Per the zoning review, no new non-conformities are being created.

The applicant has proposed to use the active street frontage provisions of the B-2c zone to achieve the desired residential density for the adaptive reuse of the church. The B-2c allows for a density of 1 per 1,600 SF in off-peninsula locations by right, with the density increasing to 1 per 435 SF for projects with active street frontages. This means that, with the by-right density of the B-2c zone, the applicant could develop eight units in the former church. Assuming the density for projects with active street frontages, 30 units would technically be permitted.

*Section 14-188* of the code defines an active street frontage as follows:

*A building will be determined to have an active street frontage upon meeting the following guidelines to the greatest extent practicable as determined by the Planning Board or Planning Authority:*

- *the primary building façade shall be within ten feet of the front street line;*
- *there shall be no parking on the lot within 35 feet of the front street line;*
- *no more than 25% of the first floor primary façade shall consist of access to garages, unutilized space, service entrances, storage or mechanicals, and the*

*remaining minimum 75% shall have an average depth of a minimum of 20 feet for residential or commercial uses;*

- *all primary ground floor entries to multi-family buildings must orient to street, not to interior blocks or parking lots.*

During the board workshop on this proposal, staff discussed the potential to either redesign or move the southernmost ADA parking space on the 15 Pleasant Avenue lot to meet the intent of the active street frontage provisions, although compliance is not technically required given that the parking on the plan falls in the R-5 zone and not the B-2c. In their revised submittal, the applicant has reiterated the difficulty of redesigning these spaces, as well as a preference for retaining the ADA spaces in close proximity to the accessible building entrance. The spaces have not been relocated.

As discussed at the workshop, the building, in its existing condition, falls just over the 10 foot limit from the front property line. This means that, technically, it does not meet the build-to guideline for an active street frontage. However, at the workshop, the board appeared to generally agree that, given that the building is existing, it meets this guideline to maximum extent practicable.

Findings related to the active street frontage provisions have been included in the motions.

#### **X. SITE PLAN SUBMISSION REQUIREMENTS (Section 14-527) and SUBDIVISION PLAT AND RECORDING PLAT REQUIREMENTS (Section 14-496)**

Staff has reviewed the subdivision plat. The city's surveyor has indicated his approval (*Attachment 5*). The plat remains to be fully reviewed by Corporation Counsel, and elements relating to easements, a unit breakdown, and any conditions of approval remain to be added. A final subdivision plat meeting the requirements of *Section 14-496(b)* has been included as a condition of approval.

#### **XI. SUBDIVISION REVIEW (14-497(a). Review Criteria)**

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's subdivision ordinance. Staff comments are below.

##### ***1. Water, Air Pollution***

There are very minor site changes proposed, including the demolition of a breezeway, the removal of a shed, and some additional paving. The development is not anticipated to have detrimental water or air impacts.

##### ***2 & 3. Adequacy of Water Supply***

The applicant has provided evidence of capacity from the Portland Water District (*Attachment C*).

##### ***4. Soil Erosion***

No unreasonable soil erosion or reduction in the capacity of the land to hold water is anticipated.

##### ***5. Impacts on Existing or Proposed Highways and Public Roads***

The applicant has provided an estimated trip generation of 16 peak hour trips based on the Institute of Transportation Engineers Trip Generation Manual (*Attachment C*). No traffic impact analysis has been conducted. Tom Errico, the city's consulting traffic engineer, has concurred that no traffic study is required (*Attachment 1*).

##### ***6. Sanitary Sewer/Stormwater Disposal***

The applicant has proposed to use existing sewer connections in Pleasant Avenue. The applicant has provided evidence of sewer capacity (*Attachment G*).

##### ***7. Solid Waste***

In the revised plans, the applicant has moved the proposed trash and recycling enclosure away from Forest Avenue to the west side of the property.

### **8. Scenic Beauty**

This proposal is not deemed to have an adverse impact on the scenic beauty of the area.

### **9. Comprehensive Plan**

The proposed project will add rental housing to the city's housing stock, and thus meet a number of housing objectives of the comprehensive plan. The project will also adaptively reuse an existing building on a major commuter corridor and transit line, thus achieving some of the smart growth objectives of the comprehensive plan as well.

### **10. Financial and Technical Capacity**

The applicant has submitted a letter from TD Bank attesting to the applicant's capacity to successfully complete the project (*Attachment D*).

### **11. Wetland/Water Body Impacts**

There are no anticipated impacts to wetlands.

### **12. Groundwater Impacts**

There are no anticipated impacts to groundwater supplies.

### **13. Flood-Prone Area**

Per the city's existing flood maps, the site is not located in a flood zone.

## **XII. SITE PLAN REVIEW**

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance. Staff comments are below.

### **1. Transportation Standards**

#### **a. Impact on Surrounding Street Systems**

As noted above, the applicant's narrative estimates that the project will add 16 peak hour trips to the adjacent street system. The impact of these trips is anticipated to be negligible. Mr. Errico has stated that he does not anticipate negative traffic or safety impacts (*Attachment 1*).

#### **b. Access and Circulation**

The applicant has proposed to provide vehicular access to ADA parking serving the church lot at 3 Pleasant Avenue and parking serving the single-family home at 15 Pleasant Avenue via the existing curb cut on the north side of Pleasant Avenue. This driveway, as well as the ADA parking for the church redevelopment, will technically lie on the single-family lot at 15 Pleasant Avenue, with a 30 foot wide access easement to the church property.

In the revised submittal, the applicant provided turning templates in an effort to document that circulation can occur to the parking for the single-family home at rear, but Mr. Errico indicated that his concerns remained. Ultimately, the applicant and Mr. Errico agreed that stacked parking represents the preferred design option for the single-family parking, and the applicant revised plans to that effect. Mr. Errico has indicated that he has no further comments on the parking circulation (*Attachment 1*).

As proposed, access to the off-site parking at 16 Pleasant Avenue (which will serve the church redevelopment) would be provided via an existing driveway shared with the property at 14 Pleasant Avenue. Easements will be necessary in this location as well. As noted above, parking and access easements have been included as a condition of approval.

Pedestrian access to the converted church building would remain largely as is, with the exception of a new secondary entrance at the northeast corner of the site on Forest Avenue, which would be reachable via a new sidewalk from the street. The main entrance from Pleasant Avenue would continue to exist as it

currently does, via a sidewalk with steps to the building. ADA access would continue to be provided to the west on Pleasant Avenue via a ramp; the sidewalk to the ADA ramp would be reconstructed. In the revised submittal, the applicant has made some modifications to ensure an accessible route from the street. There are no proposed changes to pedestrian access to the single-family lot or the parking. It should be noted that DPS has reviewed the condition of the Forest Avenue/Pleasant Avenue ramp; this ramp was reconstructed this summer and needs no further work.

c. *Public Transit Access*

Given that this project is over 20 residential units and located along a transit route, a transit facility, consisting of a transit shelter and a pullout bay, is technically required. Following conversations with METRO, the applicant has identified a transit shelter pad on the plans. The applicant has depicted a public access easement surrounding the shelter site on the draft subdivision plan. It appears that a pullout is not possible given right-of-way constraints. Additional coordination with METRO will be required to identify the exact location of the transit facilities. Plans showing the final location and details related to this shelter have been included as a condition of approval.

d. *Parking*

Division 20 of the land use ordinance requires one parking space per unit for residential development in the B-2 zone (*Section 14-332(a)*). At this ratio, the church redevelopment would be required to provide 25 parking spaces for the 25 residential units. The final plans show 23 parking spaces off-site at 16 Pleasant Avenue and two ADA spaces next door at 15 Pleasant Avenue, or exactly 25 spaces. Both of these parking areas lie within 100 feet of the church lot at 3 Pleasant Avenue, thus meeting the requirements of *Section 14-334* of the ordinance, which permits off-site parking for uses in non-residential zones. In the final submittal, the applicant has adjusted the striping adjacent to the handicapped parking spaces to ensure that it meets the requirements for a van accessible space.

Division 20 generally requires two parking spaces per unit for residential buildings in zones without exceptions. Two spaces are proposed at the rear of the single-family building at 15 Pleasant Avenue, meeting this requirement.

The final plans include 10 bike parking spaces in two bike racks, meeting the requirement for residential structures. In the revised plans, the applicant has moved one of these racks to a location outside of the fence as requested by staff.

e. *Transportation Demand Management*

A transportation demand management plan is not required.

## 2. *Environmental Quality Standards*

a. *Preservation of Significant Natural Features*

There are no known significant natural features on the site.

b. *Landscaping and Landscape Preservation*

The final plans show additional landscaping around the parking area at 16 Pleasant Avenue, two street trees on the Pleasant Avenue frontage of the church building, and landscaping around the proposed transformer on the Forest Avenue frontage. Jeff Tarling, the city's arborist, has reviewed the landscaping plan and verbally indicated his approval.

The final plans show a transformer on the Forest Avenue frontage at the northeast corner of the property. Staff has discussed the location of the proposed transformer on the Forest Avenue frontage with DPS, Mr. Tarling, and the applicant in an effort to find a more discreet location. There is some potential that the transformer might be moved to a nearby pole; otherwise, evergreen landscaping or fencing will be required per the site plan ordinance. The resolution of this issue has been included as a condition of approval.

c. *Water Quality/Storm Water Management/Erosion Control*

The applicant has indicated in the revised submittal that the impervious surface on site would increase by just under 1,000 SF, less than the threshold for stormwater mitigation. As currently proposed, all stormwater would runoff as in the existing condition and discharge to the city's combined system, with no treatment planned. David Senus, the city's consulting civil engineer, has indicated his approval of the plans as proposed.

**3. Public Infrastructure and Community Safety Standards**

a. *Consistency with Related Master Plans*

As noted above, the project is generally deemed consistent with related master plans.

b. *Public Safety and Fire Prevention*

The applicant has provided a life safety summary for review by the city's Fire Prevention Bureau (*Attachment B*). Per this summary, the converted church building would have sprinklers. A hydrant is provided at the corner of Forest and Pleasant Avenues. At the request of Assistant Fire Chief Keith Gautreau, street trees have been located to minimize conflict with emergency responders. Assistant Chief Gautreau has indicated his general approval (*Attachment 4*).

c. *Availability and Capacity of Public Utilities*

The Portland Water District has provided documentation of capacity to serve the project (*Attachment C*). The applicant has also provided evidence of sufficient sewer capacity to service the residential units on the site (*Attachment G*).

**4. Site Design Standards**

a. *Massing, Ventilation, and Wind Impact*

No comments.

b. *Shadows*

Not applicable.

c. *Snow and Ice Loading*

No comments.

d. *View Corridors*

Not applicable.

e. *Historic Resources*

The existing church building is not designated as a historic structure, nor are there historic structures within 100 feet.

f. *Exterior Lighting*

No new exterior lighting is proposed.

g. *Noise and Vibration*

No comments.

h. *Signage and Wayfinding*

No signage or wayfinding is proposed at this time.

i. *Zoning-Related Design Standards*

The applicant has not proposed any changes to the existing rectory building. However, they have proposed modest exterior changes to the existing church building, including the addition of doors, windows, and several dormers. These additions have generally been designed to integrate with the building's existing



historic character. Based on the multi-family design standards, the city's urban designer has requested that the applicant:

- Review the elevations, particularly with respect to the north side, to ensure that the drawings accurately depict the existing roof design and window pattern;
- Align proposed windows on the second and third floors on the north side with existing first floor windows; and
- Confirm that proposed dormers match the existing roof pitch.

At the time of final plan review, no additional drawings had been provided. The resolution of the design comments has been included as a condition of approval.

## **XII. STAFF RECOMMENDATION**

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the planning board approve the proposed Pleasant Avenue Church Redevelopment project.

## **XIII. PROPOSED MOTIONS**

### **A. WAIVERS**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on November 10, 2015 for application 2015-102 relevant to Portland's technical and design standards and other regulations; and the testimony presented at the planning board hearing:

1. The planning board **finds/does not find** that the applicant has demonstrated that site constraints prevent the planting of all required street trees in the right-of-way. The planning board **waives/does not waive** the site plan standard (*Section 14-526 (b) (iii)*) requiring one street tree per unit for multi-family development and concludes that the applicant shall contribute \$3,400 for 17 street trees to Portland's tree fund.

### **B. SUBDIVISION**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the planning board report for the public hearing on November 10, 2015 for application 2015-102 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the planning board finds that the plan **does/does not** meet the active street frontage provisions of the B-2c zone as defined in *Section 14-188* to the greatest extent practicable and **is/is not** in conformance with the subdivision standards of the land use code, subject to the following conditions of approval, which must be met prior to the signing of the plat:

1. The applicant shall finalize the subdivision plat to meet the requirements of *Section 14-496* for review and approval by Corporation Counsel, the Department of Public Services, and the Planning Authority; and
2. The applicant shall provide evidence of parking and access easements by and between 15 Pleasant Avenue, 16 Pleasant Avenue, and 3 Pleasant Avenue for review and approval by the Planning Authority; and
3. The applicant shall provide a public access easement on 3 Pleasant Avenue for purposes of the transit shelter for review and approval by the Planning Authority.

### **C. DEVELOPMENT REVIEW**

On the basis of the application, plans, reports and other information submitted by the applicant; findings and recommendations contained in the Planning Board Report for the public hearing on November 10, 2015 for application 2015-102 relevant to the site plan regulations; and the testimony

presented at the planning board hearing, the planning board finds that the plan **is/is not** in conformance with the site plan standards of the land use code, subject to the following conditions of approval that must be met prior to the issuance of a building permit, unless otherwise stated:

1. Prior to the issuance of a certificate of occupancy, the applicant shall submit plans depicting the final location of the proposed transit shelter for review and approval by the city’s consulting traffic engineer;
2. The applicant shall resolve the location of the proposed electrical transformer on the Forest Avenue frontage in order to either screen the transformer per the standards of *Section 14-526(b)2b* or otherwise remove it from public view for review and approval by the Planning Authority; and
3. The applicant shall provide revised elevations addressing the multi-family design standards for review and approval by the Planning Authority.

**XIV. ATTACHMENTS**

**PLANNING BOARD REPORT ATTACHMENTS**

1. Traffic Engineer review (memo from Thomas Errico, 11/5/15)
2. Department of Public Services review (memo from David Margolis-Pineo, 11/2/15)
3. Civil Engineer review (memo from David Sensus, 11/2/15)
4. Fire Prevention Bureau review (memo from Keith Gautreau, 11/2/15)
5. Surveyor review (memo from Bill Clark, 11/2/15)

**APPLICANT’S SUBMITTALS**

- A. Cover Letter (from Andrew Johnston, FST, 9/29/15)
- B. Level III Site Plan application
- C. Development Description
  - a. Project Overview
  - b. Project Purpose & Need
  - c. Existing Conditions
  - d. Proposed Development
  - e. Land Use Review
  - f. State and Federal Permits
  - g. Easements or Other Burdens
  - h. Traffic
  - i. Soils/Geotechnical Review
  - j. Natural Features
  - k. Utilities & Stormwater
- D. Right, Title, & Interest; Technical; & Financial Capacity
  - a. Right, Title and Interest
  - b. Technical Capacity
  - c. Financial Capacity
- E. Conformity With Site Plan Standards
- F. Neighborhood Meeting Packet
- G. Cover Letter (from Andrew Johnston, FST, 10/30/15)
- H. Cover Letter (from Andrew Johnston, FST, 11/5/15)

**PLANS**

- Plan 1. Cover Sheet
- Plan 2. Boundary Survey
- Plan 3. Subdivision Plan
- Plan 4. Site Layout Plan
- Plan 5. Site Details

- Plan 6. Landscaping Plan
- Plan 7. First Floor Plan
- Plan 8. Second Floor Plan
- Plan 9. Third Floor Plan
- Plan 10. South & East Elevations
- Plan 11. North & West Elevations

**PUBLIC COMMENT**

- PC-1. Email from Lorrie Ferrari (7/31/15)
- PC-2. Email from Theresa Puckett (8/19/15)
- PC-3. Email from Betty Libby (8/24/15)
- PC-4. Email from Philip Chamberlain (8/26/15)
- PC-5. Email from Marina Schneller (8/31/15)
- PC-6. Email from Betty Libby (10/8/15)