

CITY OF PORTLAND, MAINE

PLANNING BOARD

Elizabeth Boepple, Chair
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April 3, 2017

Denis Lachman
55 Hamblet Avenue
Portland ME 04103

Pat Carroll, Carroll Associates
217 Commercial Street, Suite 200
Portland ME, 04101

Project Name: **502 Deering Center: 6-unit residential development plus 1 commercial space**
Project ID: #2016-290 (Subdivision & Site Plan)
Address: 502 Stevens Avenue CBL: 135-E-9
Applicant: Denis Lachman
Planner: Matthew Grooms

Dear Mr. Lachman and Mr. Carroll:

On March 28, 2017, the Planning Board considered a proposal for a new 3 story building comprising 6 residential units, and one commercial unit, totaling approximately 7,767 sq ft, located at 502 Stevens Avenue. Two parking spaces per residential unit is proposed, with ten (10) parking spaces being located on-site, and two (2) additional parking spaces being leased off-site at 229 Pleasant Avenue. This project also includes a landscaped amenity area. The Planning Board reviewed the proposal for conformance with the standards of the Subdivision, Site Plan and B-1b Zone.

The Planning Board voted 6-0 (Morrissette absent) to approve the application with the following waiver and conditions as presented below:

A. WAIVER

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 March 28, 2017 for application 2016-290 (502 Deering Center) relevant to Portland's technical and design standards and other regulations; and the testimony presented at the planning board hearing:

- i. The Planning Board voted 6-0, based upon the consulting transportation engineer's review (Attachment 1), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (*Section 1.14*) which requires that aisle width for right-angle parking be 24 feet per Figure I-27. The Planning Board waives the Technical Manual standard (*Section 1.14*) to allow a 21-foot-wide aisle within the proposed surface parking lot;

- ii. The Planning Board voted 6-0 (Morrisette absent), based upon the consulting transportation engineer's review (Attachment 1), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (Section 1.7.2.3) which requires that a two-way driveway width be a minimum of 20 feet per Figure I-27. The Planning Board waives the Technical Manual standard (*Section 1.7.2.3*) to allow an 18 foot-wide two-way driveway.
- iii. The Planning Board voted 6-0 (Morrisette absent), based upon the consulting stormwater engineer's review (Attachment 3), that extraordinary conditions exist or undue hardship may result from strict compliance with the Maine Stormwater Best Management Practices Manual, as referenced by Maine DEP Chapter 500, as referenced by Section 5 of the Technical, which requires that a 25-foot separation be provided between a subsurface stormwater infiltration system and an adjacent property boundary. The Planning Board waives the Technical Manual standard (*Section 5*) to allow a reduction of the minimum separation requirement for a stormwater infiltration system.

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 March 28, 2017 for application 2016-290 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the Planning Board voted 6-0 (Morrisette absent) that the plan is 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:

- i. Requiring that the revised recording plat be submitted for review and approval by the Planning Authority, Department of Public Works and Associate Corporation Counsel.
- ii. The applicant shall provide finalized easements for shared site access for review and approval by Planning Authority, Department of Public Works and Associate Corporation Counsel.

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 March 28, 2017 for application 2016-290 relevant to the site plan regulations; and the testimony presented at the planning board hearing, the Planning Board voted 6-0 (Morrisette absent) that the plan is 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. The applicant shall provide a revised construction management plan, including the details regarding safe pedestrian access along the west side of Stevens Avenue adjacent to the proposed development as requested by the city's consulting traffic engineer;
2. The applicant shall provide either a monetary contribution to the City's Tree fund in an amount determined by the City Arborist or shall be responsible for the planting of required trees at a nearby location in order to meet the City's Street Tree standards.
3. The applicant shall provide a maintenance agreement for the stormwater drainage system, shall be submitted, signed and recorded prior to the issuance of a building permit with a copy to the Department of Public Works.
4. The sidewalk ramp design detail at the southeast corner of Hartley Street shall be revised to be in compliance with City Standards (less than 2 percent slope). The revised detail shall be submitted for review and approval by the Planning Authority.

5. The applicant shall provide a revised stormwater plan to address the stormwater engineer's Comment 2 from the review memo dated March 23, 2017 (Attachment 3). This plan shall be reviewed and approved by the Planning Authority and the Department of Public Works prior to the issuance of a building permit.
6. The applicant shall provide an approval letter from the Department of Public Works in regards to their wastewater capacity application prior to the issuance of a building permit.

STANDARD CONDITIONS OF APPROVAL

Please note the following standard conditions of approval and requirements for all approved site plans:

1. **Subdivision Recording Plat** A revised recording plat listing all conditions of subdivision approval must be submitted for review and signature prior to the issuance of a performance guarantee. The performance guarantee must be issued prior to the release of the recording plat for recording at the Cumberland County Registry of Deeds.
2. **Subdivision Waivers** Pursuant to 30-A MRSA section 4406(B)(1), any waiver must be specified on the subdivision plan or outlined in a notice and the plan or notice must be recorded in the Cumberland County Registry of Deeds within 90 days of the final subdivision approval).
3. **Develop Site According to Plan** The site shall be developed and maintained as depicted on the site plan and in the written submission of the applicant. Modification of any approved site plan or alteration of a parcel which was the subject of site plan approval after May 20, 1974, shall require the prior approval of a revised site plan by the Planning Board or Planning Authority pursuant to the terms of Chapter 14, Land Use, of the Portland City Code.
4. **Separate Building Permits Are Required** This approval does not constitute approval of building plans, which must be reviewed and approved by the City of Portland's Permitting and Inspection Division.
5. **Site Plan Expiration** The site plan approval will be deemed to have expired unless work has commenced within one (1) year of the approval or within a time period up to three (3) years from the approval date as agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the one (1) year expiration date.
6. **Subdivision Plan Expiration** The subdivision approval is valid for up to three years from the date of Planning Board approval.
7. **Performance Guarantee and Inspection Fees** A performance guarantee covering the site improvements, inspection fee payment of 2.0% of the guarantee amount and six (6) final sets of plans must be submitted to and approved by the Planning Division and Public Works Department prior to the release of a subdivision plat for recording at the Cumberland County Registry of Deeds, and prior to the release of a building permit, street opening permit or certificate of occupancy for site plans. If you need to make any modifications to the approved plans, you must submit a revised site plan application for staff review and approval.
8. **Defect Guarantee** A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
9. **Preconstruction Meeting** Prior to the release of a building permit or site construction, a pre-construction meeting shall be held at the project site. This meeting will be held with the contractor, Development Review Coordinator, Public Work's representative and owner to review the construction schedule and critical aspects of the site work. At that time, the Development Review Coordinator will confirm that the contractor is working from the approved site plan. The site/building contractor shall provide three (3) copies of a detailed construction schedule to the attending City representatives. It shall

be the contractor's responsibility to arrange a mutually agreeable time for the pre-construction meeting.

10. **Department of Public Works Permits** If work will occur within the public right-of-way such as utilities, curb, sidewalk and driveway construction, a street opening permit(s) is required for your site. Please contact Carol Merritt at 874-8300, ext. 8828. (Only excavators licensed by the City of Portland are eligible.)
11. **As-Built Final Plans** Final sets of as-built plans shall be submitted digitally to the Planning Division, on a CD or DVD, in AutoCAD format (*.dwg), release AutoCAD 2005 or greater.
12. **Mylar Copies** Mylar copies of the as-built drawings for the public streets and other public infrastructure in the subdivision must be submitted to the Public Works Department prior to the issuance of a certificate of occupancy.

The Development Review Coordinator must be notified five (5) working days prior to the date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. All site plan requirements must be completed and approved by the Development Review Coordinator prior to issuance of a Certificate of Occupancy. Please schedule any property closing with these requirements in mind.

If there are any questions, please contact Matthew Grooms at (207) 874- 8725.

Sincerely,



Elizabeth Boepple, Chair
Portland Planning Board

Attachments:

1. Development Review Comments dated January 31, 2017
2. Development Review Comments dated March 6, 2017
3. Woodard and Curran Review Memo dated March 23, 2017
4. Ty Lin Email Correspondence dated March 24, 2017
5. B-1b Design Review Memo dated March 24, 2017
6. Planning Board Report
7. Sample Stormwater Maintenance Agreement
8. Performance Guarantee Packet

Electronic Distribution: cc.

Jeff Levine, AICP, Director of Planning and Urban Development
Stuart O'Brien, City Planning Director
Barbara Barhydt, Development Review Services Manager
Matthew Grooms, Planner
Philip DiPiero, Development Review Coordinator, Planning
Mike Russell, Director of Permitting and Inspections
Ann Machado, Zoning Administrator, Inspections Division
Jonathan Rioux, Inspections Division Deputy Director
Jeanie Bourke, Plan Reviewer/CEO, Inspections Division
Chris Branch, Director of Public Works
Katherine Earley, Engineering Services Manager, Public Works
Bill Clark, Project Engineer, Public Works

Doug Roncarati, Stormwater Coordinator, Public Works
Greg Vining, Associate Engineer, Public Works
Michelle Sweeney, Associate Engineer, Public Works
John Low, Associate Engineer, Public Works
Rhonda Zazzara, Field Inspection Coordinator, Public Works
Jeff Tarling, City Arborist, Public Works
Jeremiah Bartlett, Public Works
Keith Gautreau, Fire Department
Danielle West-Chuhuta, Corporation Counsel
Thomas Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard and Curran
Rick Blackburn, Assessor's Department
Approval Letter File

Planning and Urban Development Department Planning Division



January 31, 2017

Denis Lachman
55 Hamblet Avenue
Portland, ME 04103

RE: Staff Review Comments for 502 Deering Center (2016-290) – Planning Board Review

Project Name: 502 Deering Center Project ID: (2016-290)
Project Address: 502 Stevens Avenue CBL: 135-E-9
Applicant: Denis Lachman
Planner: Matthew Grooms

Dear Mr. Lachman,

Thank you for submitting a Level III Final Plan application for a three story mixed-use commercial and residential development at 502 Stevens Avenue. This proposal is being reviewed as a final plan for Planning Board review subject to the following applicable Land Use Code provisions:

- Subdivision Ordinance, Article IV
- Site Plan Ordinance, Article V
- Neighborhood Meeting Regulations, Section 14-32

Final Plan for Planning Board Review: Staff Review Comments

I. Transportation Standards

A. Traffic Engineering Comments (Tom Errico)

1. I reviewed the trip generation and safety analysis prepared by Maine Traffic Resources and I find the methods used to be acceptable. The project is not expected to generate a significant amount of traffic and there are no documented safety deficiencies in the vicinity of the project. The project does not require a Traffic Movement Permit. In my professional opinion the project will not have a significant impact on transportation conditions in the project area.
2. The applicant is requesting a waiver from the City's Technical Standards for parking aisle width. The project is proposing 21 feet (the City standard is 24 feet). Given low trip generating characteristics and the general layout of the site (backing maneuvers onto Stevens Avenue are very unlikely), I support a waiver.

3. The applicant is requesting a waiver from the City's Technical Standards for driveway width. The project is proposing 18.24 feet (the City standard for minimum width is 20 feet). Given low trip generating characteristics, I support a waiver.
4. The proposed project is relocating the existing crosswalk across Stevens Avenue from the north side of Hartley Street to the south side. Please note the following:
 - a. The applicant will be responsible for the removal of existing pavements markings that meet City requirements.
 - b. Changes to signage (parking, warning, etc.) will be the responsibility of the applicant. It is suggested that new pedestrian crossing warning signs be installed. Recommendations for on-street parking regulations should be provided.
 - c. A design detail for the proposed sidewalk ramp at the southeast corner of Hartley Street shall be provided. Specific details on slopes, width dimensions, and curb details shall be provided.
 - d. A detectible warning panel shall be installed at the northeast corner of Hartley Street. Details shall be provided for review and approval.
5. The applicant has submitted a Construction Management document. Given the presence of school children, I do not support the temporary closure of the sidewalk with a detour to the opposite side of the street. The applicant shall maintain a fully ADA compliant sidewalk facility along the project frontage. Additionally, the applicant shall maintain or provide a reasonable alternative to the existing Steven Avenue crossing.

II. Environmental Quality Standards

A. Stormwater/Engineering Comments (Lauren Swett)

1. It is noted that not all of the civil engineering plan sheets (sheet C0-C10) are stamped by a professional engineer. The Grading and Stormwater Plan, Utilities Plan, and two of the detail sheets have been stamped by a professional engineer. The Site Plan has not been stamped and the sheet of site details has also not been stamped. The Applicant should verify with the City that this will be acceptable for this project. While a majority of the engineering design components are on the stamped plans, the Site Plan and site details are typically stamped by a professional engineer.
2. The City of Portland requires that all Level III site plan applications submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards (Technical Manual, Section 5. II. Applicability in Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.). The Applicant has indicated that they are modifying their stormwater management system, and will be providing updated plans. We have not reviewed stormwater system in detail at this time, and will when the material is available.
3. It is noted that the stormwater system proposed on the site crosses property boundaries, and includes components on both properties utilizing the shared driveway. The responsibility for maintenance of this system should be clearly defined.
4. An area of pervious pavers is provided within the driveway and at the southern building entrance as shown on the Site Plan. The detail for the pervious pavers indicates that the

system includes underdrain that connects to the footing drains. The Grading and Stormwater Plan does not include this system. Additional coordination between plans is required.

5. Additional grading detail (i.e. spot grades) should be provided for the shared driveway. As currently shown, the grading appears to drain from the new building towards the existing single family home to the east. It is assumed that the intent is for stormwater to drain to a site stormwater system, but further detail is required.
6. The grading at the western end of the shared driveway, on the adjacent property should be evaluated. It appears that there is an existing 119 contour that crosses through the stormwater detention area. The grading should be adjusted to account for this contour.
7. The utility plan appears to still show the existing overhead utility electrical and telephone lines. Based on the demolition plan, it appears that these lines should be removed.
8. We recommend that the Applicant adjust their grading and utility plans such that the proposed utilities (water, storm drain, sewer, gas, electric, etc.) be shown in a bolder line type. As the plans are scanned for reproduction, some of these systems are difficult to see and may be confused as existing conditions.
9. Two details are provided for reinforced concrete sidewalk, and the bituminous pavement detail does not include specific asphalt types. All site details, including pavement, curbing, sidewalk, and handicap ramps should be in conformance with City of Portland technical standards, including references to appropriate dimensions and materials.

B. Tree & Landscape Comments (Jeff Tarling)

1. Street-trees - the project does not offer street trees along Stevens Avenue, this is in keeping to nearby street-scape conditions and we would not ask or require street trees along the frontage. Street trees could be planted near the site in the vicinity of the project and we would ask for the standard contribution to the Tree Fund to place trees nearby. Street frontage - there could be opportunity to include small planting space between the building and sidewalk. Frequently we see small herbaceous or display plantings in areas like this.
2. Landscape & buffering - The project currently offers little in the way of landscape planting or buffering along the rear Lincoln School boarder. Recommendations would include buffering the school from the project and likely the future project residents would like to see some buffering between active school ground activities and their residence. Solutions include: reducing the proposed lawn area and adding in landscape planting that can best tolerate occasional snow loading while providing some level of screening. Fencing - Installing 5' to 6' high fencing along the City / Lincoln School property line would be recommended. This could be new black vinyl chain link or wooden decorative fencing.
3. Additional trees & woody plant material is recommended for the sites shown as P = perennial planting. Four trees are recommended for the back parking lot area, this includes: 1 in the perennial area bump out near the driveway curve. The curbing should include the entire bump out area from the driveway curve to protect any future landscape or lawn edges, a second tree near the handicap parking spaces, to the left looking at the plan, in the perennial planting area. Trees 3 & 4 would be placed in or near the corners to help meet parking lot landscape standards of shading the parking spaces.

4. Snow removal will be a challenge for the site once constructed as shown as the paved parking area exceeds available snow storage on site.
5. Landscape updates are likely pending to address these concerns. Will also discuss with Portland Schools the best treatment for their boarder.

III. Public Infrastructure and Community Safety Standards

A. Fire Department Comments (Keith Gautreau)

1. Premises Identification
 - a. The main entrance of the building must be the address for the property. This should be consistent with 911, tax assessor, Inspections Division and future mailing address.
 - b. Street addresses shall be marked on the structure and shall be as approved by the City E-911 Addressing Officer. If the building entry faces a different street, both the street name and number should be large enough to read from the street.
 - c. Address numbers must be a minimum of 4 inches high. The number should be in Arabic numerals rather than spelled out (for example, "130" instead of "One Hundred and Thirty").
 - d. Color: Addresses should be in a color that contrasts with the background. Whenever possible, should be illuminated.
 - e. Provide additional address signs at entrances to the property when the building address is not legible from the public street.
 - f. Buildings set back in groups that share common entrances can make quickly locating a specific building and the shortest route difficult. On such sites, additional signs with directional arrows and/or diagrams of the buildings and access layout should be posted.
2. There's a public hydrant located across the street at Hartley and Stevens.
3. Emergency vehicle access is good for the site. The sidewalk being flush with pavement allows for 21 ft of emergency access.

IV. Site Design Standards

A. Site Plan Review Comments (Matthew Grooms)

1. How will waste be handled on site? If a dumpster is required, it shall meet all applicable standards as found in Sec. 14-161, the B-1b Design Standards and Article V. Site Plan, and be screened via an appropriate dumpster enclosure.
2. The applicant shall clearly indicate the proposed commercial use locations and associated dimensions on Sheet A1.1 First Floor Plan with Site.
3. On Sheet C.2. Site Plan, provide the location and dimension of all proposed exterior mechanical equipment.
4. On Sheet C.2. Site Plan, if appropriate, provide a note stating that all exterior mechanical equipment will be screened from public streets and adjacent sites by structure walls, evergreen landscaping, fencing, masonry walls or a combination thereof.

5. On Sheet C.2. Site Plan, is the triangle sign found around the edges of the proposed building indicative of building entrances? If so, please add this symbol to the legend.
6. Per Section 14-526 (d), could the applicant provide information describing how rooftop snow and ice loading is being addressed, specifically along Steven's Avenue.
7. On Sheet L.1. Landscape and Lighting, the applicant shall provide a note stating that all proposed light fixtures are full cutoff, in line with Section 12.2.6 Luminaire Types, of the City's Technical Manual.
8. On Sheet L.2. Landscape Details, the applicant shall provide details for the proposed light fixtures.
9. The applicant shall provide elevation views of the proposed building including corner grades and building height information so that building height may be calculated.

B. Preliminary Subdivision Plan Comments – Section 14-496 (Matthew Grooms)

1. The applicant shall indicate the width of any right-of-way shown on the preliminary subdivision plan.
2. The applicant shall provide the location, width and purpose of any easements that have or are to be recorded.
3. The applicant shall provide the approximate or known location of all existing and proposed public and private infrastructure, including sanitary sewer, water, gas and electric. This shall include new points of connection for the proposed development.
4. The applicant calls out a 8" V.I.T on the preliminary subdivision plan. Could this item be added to the legend.

C. Design Review (Caitlin Cameron)

1. Standard (1) a. Urban Street Wall – Met – Project is located near the property line and creates strong street wall on street-facing façade consistent with other commercial or mixed use building placement while keeping bay projections above private property.
2. Standard (1) b. Mixed Uses – Met - Building is mixed-use with commercial ground floor and residential upper floors.
3. Standard (1) c. Building Entrances – Met – Primary building entrance is oriented to the street.
4. Standard (1) d. Windows – Met – Ground floor street frontage has an adequate amount of fenestration and at a level that provides some views into the building while maintaining some privacy for the users. **Fenestration should meet the minimum transparency standard of .7 VT – what is the proposed VT of storefront?**
5. Standard (1) e. Façade Character – Met – Street-facing facades are oriented to and/or adjacent to public sidewalk. **Façade design implies three retail spaces instead of one – reconsider placement of storefront to appropriately reflect the uses inside.**

6. Standard (1) f. Building Design – **Not Met** – The building design is compatible with the surrounding context in its scale, roof pitch, and fenestration. Vertical orientation of windows appropriate for context. What is material/profile of cornice? – currently depicted as a blunt profile. Building design is treated as though parcel is a corner lot – this is not an appropriate approach for a mid-block building. The chamfered corners are unnecessary, especially without corner condition and without entrances at chamfer. Placement of bays should be front façade-oriented, not corner oriented (similar to façade design of Pat’s Market building) and façade composition could be more symmetrical as a result. Why is the service door to basement stair angled?
7. Standard (1) g. Building Materials – **More information needed** – materials should be called out on elevation drawings. Tile or masonry is not contextual choices on this streetscape – clapboard should be the primary material for whole building. What is the proposed material for trim, bay panels, cornice?
8. Standard (1) h. Building Scale – **Met** - Proposed building is three stories, one story taller than most surrounding context. The scale is mitigated by elements such as a cornice line and bay windows.
9. Standard (1) i. Landscaping and Buffers – **Met** – It appears parking areas are screened from neighboring properties – planner will provide more guidance on this site plan criteria.

Additional Submittals Required:

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only *one set of revised plans* may be submitted for review. This item is scheduled to go before the Planning Board as a workshop item on February 14, 2017 at 4:30 pm. Following the workshop process, this item will be scheduled for a public hearing at the Planning Board’s next available meeting and the staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,

Matthew Grooms
Planner

Electronic Distribution:

Tuck O’Brien, Planning Division Director
Barbara Barhydt, Development Review Services
Manager
Victoria Morales, Associate Corporation
Counsel

Anne Machado, Zoning Administrator
Captain Keith Gautreau, Fire
Jeff Tarling, City Arborist
Tom Errico, P.E., TY Lin Associates
Lauren Swett, P.E., Woodard & Curran

Planning and Urban Development Department Planning Division



March 3, 2017

Denis Lachman
55 Hamblet Avenue
Portland, ME 04103

Pat Carroll, Carroll Associates
217 Commercial St, Suite 200
Portland, ME 04101

RE: Staff Review Comments for 502 Deering Center (2016-290) – Planning Board Review

Project Name: 502 Deering Center Project ID: (2016-290)
Project Address: 502 Stevens Avenue CBL: 135-E-9
Applicant: Denis Lachman
Planner: Matthew Grooms

Dear Mr. Lachman,

Thank you for submitting a Level III Final Plan application for a three story mixed-use commercial and residential development at 502 Stevens Avenue. This proposal is being reviewed as a final plan for Planning Board review subject to the following applicable Land Use Code provisions:

- Subdivision Ordinance, Article IV
- Site Plan Ordinance, Article V
- Neighborhood Meeting Regulations, Section 14-32

Final Plan for Planning Board Review: Staff Review Comments

I. Transportation Standards

A. Traffic Engineering Comments (Tom Errico)

1. The applicant should provide additional detail on the construction management plan. Please see the attached example for 23 Ocean Avenue. I do not support a sidewalk detour and would suggest a temporary barrier protected sidewalk along the frontage.

II. Environmental Quality Standards

A. Stormwater/Engineering Comments (Lauren Swett)

1. The City of Portland requires that all Level II site plan applications submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards (Technical Manual, Section 5. II. Applicability in Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.). We offer the following comments:
 - a. Basic Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. The Applicant has provided an erosion control plan that includes locations of measures, details and general housekeeping notes.
 - b. General Standard: The project will result in an increase in impervious surface, and stormwater treatment in conformance with the General Standard is required. The Applicant is proposing to utilize an underdrained infiltration system and pervious pavers to provide treatment. This method of treatment will be acceptable. We have reviewed the proposed design as well as the Maine DEP standards for infiltration systems and have the following comments:
 - The Applicant should provide sizing calculations for the stormwater treatment systems, verifying that they provide adequate capacity as required for treatment of the tributary areas.
 - Maine DEP requires 25 feet of separation of infiltration systems from property boundaries. The Applicant should consider adjusting the layout to provide adequate separation. Given the nature of the site and the fact that other stormwater systems and the driveway will cross property boundaries, the proximity of the infiltration system and its possible impact on the adjacent project could also be included in the easement.
 - The pervious pavers have been modified to no-longer include underdrain; however the HydroCAD model still includes a 4" pipe as an outlet. This should be clarified.
 - The underdrained infiltration system is relatively shallow. Based on a check of some of the at-grade elevations versus the system inverts, it appears that there will not be enough depth to construct the standard pavement section as defined in the project details. The Applicant should consider whether insulation may be required.
 - c. Flooding Standard: The project will result in an increase in impervious surface, and compliance with the flooding standard is required. The HydroCAD model indicates that flows will be reduced in the 2-year, 10-year, and 25-year storm events, and adequate flood control has been provided.
2. Two of the ponds modeled in the HydroCAD model (2P and 5P) have inverts that appear to be 100 feet higher than the correct grade. The model should be corrected with the correct elevation.
3. The stormwater system for the site is shown connecting to the combined sewer via an existing catch basin. This is not in conformance with the City of Portland standard, and approval from the City will be required.
4. The underdrained infiltration system is shown with a system vent attached to an existing fence post. The plan appears to show that this fence post is located on the adjacent property. This feature should be included in any easements with the abutter.

5. *It is noted that the stormwater system proposed on the site crosses property boundaries, and includes components on both properties utilizing the shared driveway. The responsibility for maintenance of this system should be clearly defined.* The Applicant has acknowledged this, noting that there will be an easement for the access driveway and joint facilities of the two properties. Details of this easement, and information on maintenance agreements should be provided.
6. An Inspection and Maintenance of Stormwater Management Facilities plan has been provided. The plan should be modified to include specific requirements for the stormwater features proposed on this site, including the pervious pavers.

B. Tree & Landscape Comments (Jeff Tarling)

1. The redevelopment of the site originally proposed to save the two mature Maple trees, one Norway & one Sugar Maple on the site. After review the likelihood of root damage during construction and the maturity of the trees make 'remove & replace' the best option. Due to site constraints and surrounding land use, no street trees are proposed or recommended for this location. Stevens Avenue street trees are all planted behind the sidewalk due to survivability. The project does add landscape treatment in the form of ornamental grasses and woody shrub planting along the edges.
2. Pavement edge treatment - Always suggest a minimal or bituminous 'Cape Cod' style curbing to protect landscape along pavement edges. It helps reduce deicing salts entering the landscape and reduced vehicle impact.
3. The project contains a small patio area with landscape treatment nearby. Fencing & edge treatment - it appears that the Lincoln School fencing around their playground has been recently updated and in good condition. (this is 8 foot high black vinyl fence) Privacy slats could be added to the degree necessary if the project wanted additional screening. Wood guardrail could be used to reduce snow, vehicle impact and headlight glare.

Additional Submittals Required:

Please upload the digital plans and documents to address staff comments. Upon receipt of the revised material, the City of Portland will review the additional plans and information for conformance with applicable ordinances. Please be aware that an application expires within 120 days of the date upon which this written request for additional information was made and only one set of revised plans may be submitted for review. This item is scheduled to go before the Planning Board as a public hearing item on March 28, 2017 at 7:00 pm where staff will provide the Planning Board with a recommendation to approve, approve with conditions, or deny the final site plan.

If you have any questions, feel free to contact me at (207) 874-8725 or by email at mgrooms@portlandmaine.gov.

Sincerely,

Matthew Grooms
Planner

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Lauren Swett, P.E., Woodard & Curran

MEMORANDUM



TO: Matt Grooms, Planner
FROM: Lauren Swett, PE
DATE: March 23, 2017
RE: 502 Stevens Avenue

Woodard & Curran has reviewed the Level III Site Plan Application Response to Comments for the new mixed-use building construction proposed at 502 Stevens Avenue in Portland. The project will include the replacement of an existing single-family residence with a three-story building that includes commercial space on the ground floor and four dwelling units total on the second and third floors.

Documents Reviewed by Woodard & Curran

- Level III Site Plan Response to Comments and attachments, dated March 14, 2017, prepared by Carol Associates Landscape Architects, Lachman Architects & Planners, and Pinkham & Greer Civil Engineers, on behalf of 502 Deering Center, LLC.
- Engineering Plans, dated March 13, 2017, prepared by Carroll Associates and Pinkham & Greer Civil Engineers, on behalf of 502 Deering Center, LLC.

Comments (*Comments repeated from previous memos included in italics*)

- 1) The City of Portland requires that all Level II site plan applications submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards (Technical Manual, Section 5. II. Applicability in Portland. C. a. and City of Portland Code of Ordinances Sec. 14-526. Site plan standards. (b). 3. b.). We offer the following comments:
 - a) Basic Standard: Plans, notes, and details should be provided to address erosion and sediment control requirements, inspection and maintenance requirements, and good housekeeping practices in accordance with Appendix A, B, & C of MaineDEP Chapter 500. The Applicant has provided an erosion control plan that includes locations of measures, details and general housekeeping notes.
 - b) General Standard: The project will result in an increase in impervious surface, and stormwater treatment in conformance with the General Standard is required. The Applicant is proposing to utilize an underdrained infiltration system and pervious pavers to provide treatment. This method of treatment will be acceptable. We have reviewed the proposed design as well as the Maine DEP standards for infiltration systems and have the following comments:
 - Maine DEP typically requires 25 feet of separation of infiltration systems from property boundaries. Due to site constraints a waiver of this standard would be supported for the project.
 - c) Flooding Standard: The project will result in an increase in impervious surface, and compliance with the flooding standard is required. The HydroCAD model indicates that flows will be reduced in the 2-year, 10-year, and 25-year storm events, and adequate flood control has been provided.
- 2) *The stormwater system for the site is shown connecting to the combined sewer via an existing catch basin. This is not in conformance with the City of Portland standard, and approval from the City will be required.* Public Works has indicated that this type of connection would now be allowed. The Applicant will need to address the connection requirements with the Water Resources Division of Public Works.
- 3) *It is noted that the stormwater system proposed on the site crosses property boundaries, and includes components on both properties utilizing the shared driveway. The responsibility for maintenance of this system should be clearly defined.* The Applicant has acknowledged this, noting that there will be an easement for the access driveway and joint facilities of the two properties. Details of this easement, and information on maintenance agreements should be provided.



Matthew Grooms <mgrooms@portlandmaine.gov>

502 Stevens Avenue - Final Traffic Comments

Tom Errico <thomas.errico@tylin.com>

Fri, Mar 24, 2017 at 8:32 AM

To: Matthew Grooms <mgrooms@portlandmaine.gov>

Cc: Katherine Earley <kas@portlandmaine.gov>, Jeremiah Bartlett <JBartlett@portlandmaine.gov>, Lauren Swett <lswett@woodardcurran.com>, Jeff Tarling <jst@portlandmaine.gov>

Hi Matt – I have reviewed the application materials and offer the following final traffic comments, as a status update of previous comments.

- I reviewed the trip generation and safety analysis prepared by Maine Traffic Resources and I find the methods used to be acceptable. The project is not expected to generate a significant amount of traffic and there are no documented safety deficiencies in the vicinity of the project. The project does not require a Traffic Movement Permit. In my professional opinion the project will not have a significant impact on transportation conditions in the project area.

Status: I have no further comment.

- The applicant is requesting a waiver from the City's Technical Standards for parking aisle width. The project is proposing 21 feet (the City standard is 24 feet). Given low trip generating characteristics and the general layout of the site (backing maneuvers onto Stevens Avenue are very unlikely), I support a waiver.

Status: I have no further comment.

- The applicant is requesting a waiver from the City's Technical Standards for driveway width. The project is proposing 18.24 feet (the City standard for minimum width is 20 feet). Given low trip generating characteristics, I support a waiver.

Status: I have no further comment.

- The proposed project is relocating the existing crosswalk across Stevens Avenue from the north side of Hartley Street to the south side. Please note the following:
 - The applicant will be responsible for the removal of existing pavements markings that meet City requirements.
 - Changes to signage (parking, warning, etc.) will be the responsibility of the applicant. It is suggested that new pedestrian crossing warning signs be installed. Recommendations for on-street parking regulations should be provided.
 - A design detail for the proposed sidewalk ramp at the southeast corner of Hartley Street shall be provided. Specific details on slopes, width dimensions, and curb details shall be provided.
 - A detectible warning panel shall be installed at the northeast corner of Hartley Street. Details shall be provided for review and approval.

Status: The plans have been revised and I generally find conditions to be acceptable. The sidewalk ramp design detail at the southeast corner of Hartley Street is not acceptable given some slopes that appear to be non-compliant (exceed 2 percent maximum). I would suggest a condition of approval that requires the applicant to submit a revised detail for review and approval by the Planning Authority.

- The applicant has submitted a Construction Management document. Given the presence of school children, I do not support the temporary closure of the sidewalk with a detour to the opposite side of the street. The applicant shall maintain a fully ADA compliant sidewalk facility along the project frontage. Additionally, the applicant shall maintain or provide a reasonable alternative to the existing Steven Avenue crossing.

Status: The construction management plan is not acceptable. A sidewalk detour to the opposite side of the street is not acceptable and the plan shall be revised to include a temporary sidewalk in Stevens Avenue.

If you have any questions, please contact me.

Best regards,

Thomas A. Errico, PE
Senior Associate
Traffic Engineering Director

TYLIN INTERNATIONAL

12 Northbrook Drive

Falmouth, ME 04105

207.781.4721 (main)

207.347.4354 (direct)

207.400.0719 (mobile)

207.781.4753 (fax)

thomas.errico@tylin.com

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Planning and Urban Development Department

Planning Division



Subject: B-1b Design Review – 502 Stevens Avenue
Written by: Caitlin Cameron, Urban Designer
Date of Review: Friday, March 24, 2017

The project at 502 Stevens Avenue was reviewed according to the *City of Portland Design Manual* standards by Caitlin Cameron, Urban Designer, Matt Grooms, Planner, and Deb Andrews, Historic Preservation Program Manager, against the *B-1b Commercial Business Zones Standards* (Section (d) of the Design Manual).

Design Review Comments:

- All future signs are subject to the Sign Ordinance and will require a sign permit.

(d) B-1b Neighborhood Business Zones

Standard (1) a. Urban Street Wall – Met – Project is located near the property line and creates strong street wall on street-facing façade consistent with other commercial or mixed use building placement while keeping bay projections above private property.

Standard (1) b. Mixed Uses – Met – Building is mixed-use with commercial ground floor and residential upper floors.

Standard (1) c. Building Entrances – Met – Primary building entrance is oriented to the street.

Standard (1) d. Windows – Met – Ground floor street frontage has an adequate amount of fenestration and at a level that provides some views into the building while maintaining some privacy for the users. Fenestration should meet the minimum transparency standard of .7 VT.

Standard (1) e. Façade Character – Met – Street-facing facades are oriented to and/or adjacent to public sidewalk.

Standard (1) f. Building Design – Met – The building design is compatible with the surrounding context in its scale, roof pitch, fenestration, and general character. Vertical orientation of windows and use of bays is appropriate for context as is the use of storefront on the commercial ground floor. The design was revised to add balance to upper stories of what is a hierarchical façade composition; the corner bay is counter-balanced on the street façade with a bay of windows on the other corner with the same size, spacing, and materials as the bay. This special corner treatment is carried around the corner. The window placement at the center of the facade emphasizes the primary building entrance – the floor plans preclude the introduction of more windows on the street façade. The applicant chose to keep the chamfered corners with the argument that they direct people to the parklet and residential entrances on the sides of the building. The chamfers are scaled to allow for future storefront entries if needed.

Standard (1) g. Building Materials – Met – The neighborhood is predominantly clapboard with occasional brick and eclectic materials right in the commercial node. Materials are placed to reflect the mixed-use nature of the building with tile and storefront at the commercial ground floor and clapboard on the upper residential floors. Staff recommended ground floor tile be of larger scale (24"x24") to "ground" the base of the building. The desire is for a relatively smooth and continuous surface with a neutral color in order to be compatible with the predominantly clapboard and brick materials in the mixed-use and residential context. The upper stories are clapboard with panel which is preferred choice to be contextual

Standard (1) h. Building Scale – Met - Proposed building is three stories, one story taller than most surrounding context. The scale is mitigated by elements such as a cornice line and bay windows.

Standard (1) i. Landscaping and Buffers – Met – It appears parking areas are screened from neighboring properties – planner will provide more guidance on this site plan criteria.



PLANNING BOARD REPORT PORTLAND, MAINE

502 Deering Center
502 Stevens Avenue
Level III Site Plan and Subdivision Plan
2016-290
Denis Lachman, Applicant

Submitted to Portland Planning Board Public Hearing Date: March 28, 2017	Prepared by: Matthew Grooms Date: March 24, 2017
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I. INTRODUCTION

Developer Denis Lachman has requested a preliminary Level III site plan and subdivision review of a mixed-use six-unit commercial and residential infill development at 502 Stevens Avenue immediately east of Lincoln Middle School at the intersection of Stevens Avenue and Hartley Street. The proposed 7,767 SF development includes a three-story mixed-use building, associated ‘pocket park’ and 10 surface parking spaces located to the rear of the property. The site will be accessed from Stevens Avenue via a newly proposed shared driveway straddling the northerly property line. This lot is currently occupied by a 2,107 SF single family home. The demolition for this structure is currently under review. The site is within the B-1b zone.



Figure 1: Aerial of 502 Stevens Avenue

The Planning Board will review the application for compliance with the site plan and subdivision standards.

A total of 168 notices were sent to property owners within 500 feet of the site and a legal ad ran on February 6th and 7th, 2017 prior to the workshop which was held on February 14th 2017. The legal ad was again run on March 20th and 21st, prior to the public hearing. There were nine public comments that have been received by the Planning Office, see [Attachment 7](#).

Applicant: Denis Lachman

Consultants: Pat Carroll, Carroll Associates, Tom Greer, Pinkham and Greer Civil Engineers, Don Dostie, Four Points Associates, Nelson Toner, Bernstein Shur.

II. REQUIRED REVIEWS

Waiver Requests	Applicable Standards
Drive Aisle width – To allow a 21’ foot aisle in the parking area. <u>Staff Comments:</u> The review staff recommends waiving this standard.	Technical Manual, <i>Section 1.14</i> , requiring that aisle width for right-angle parking be 24 feet per Figure I-27
Driveway width – To allow a 18’ foot driveway <u>Staff Comments:</u> The review staff recommends waiving this standard.	Technical Manual, <i>Section 1.7.2.3 (multi-family residential with 10 or more parking spaces)</i> , requiring that two-way driveway widths be a minimum of 20 feet, with a preferred with of 24 feet. aisle width for right-angle parking be 20 feet per Figure I-27

Infiltration system – To allow infiltration system separation from property line less than 25 feet. Staff Comments: The review staff recommends waiving this standard given the constraints of the lot.	Maine Stormwater Best Management Practices Manual, as referenced by Maine DEP Chapter 500, as referenced by Section 5 of the Technical Manual, requires that a 25-foot separation be provided between a subsurface stormwater infiltration system and an adjacent property boundary. The project is located on a small lot, and the proposed infiltration system is not anticipated to have a negative impact on the adjacent property. A waiver of this requirement is granted to the Applicant.
Review	Applicable Standards
Site Plan	Section 14-526
Subdivision	Section 14-497

III. PROJECT DATA

Existing Zoning	Neighborhood Business B-1b
Existing Use	Residential
Proposed Use	Mixed-Use Residential and Commercial
Proposed Development Program	6 Residential Units and 1,906 SF of Commercial Space
- Bedroom Mix	4 three-bedroom units
Parcel Size	9,562 SF

	<i>Existing</i>	<i>Proposed</i>	<i>Net Change</i>
Building Footprint	1,295 SF	2,557 SF	1,262 SF
Building Floor Area	2,107 SF	7,767 SF	5,660 SF
Impervious Surface Area	2,828 SF	7,970 SF	5,142 SF
Parking Spaces (on site)	2	10	8
Parking Spaces (off-site)	0	2	2
Bicycle Parking Spaces	0	10	10
Estimated Cost of Project	\$1,046,000.00		

IV. BACKGROUND & EXISTING CONDITIONS

The proposed project site is located on Stevens Avenue in proximity to Lincoln Middle School at the intersection of Stevens Avenue and Hartley Street. At present, the site is occupied by a single-family structure under review for demolition. This property is located within a transitional neighborhood, with a mixture of retail and service uses located to the south of the subject site along Stevens Avenue, Lincoln Middle School is located immediately to the west of this site, and the surrounding area away from Stevens Avenue is predominantly single family residential. The project site is located at the northern edge of the Deering Center commercial district.



Figure 2: 502 Stevens Avenue Site

V. PROPOSED DEVELOPMENT

The development is proposed as a mixed-use commercial and residential project with frontage on Stevens Avenue. The project will consist of a three-story building with a commercial suite on the first floor, and two three-bedroom and four one-bedroom units located on the second and third floors. This development will be oriented towards

Stevens Avenue with a new shared driveway and associated curb cut being proposed to provide access to this property and the property immediately to the north along Stevens Avenue. A new access easement has been provided as the proposed point of access will straddle both property lines. The existing curb cut, currently serving as the driveway for the existing single family structure, will be removed.

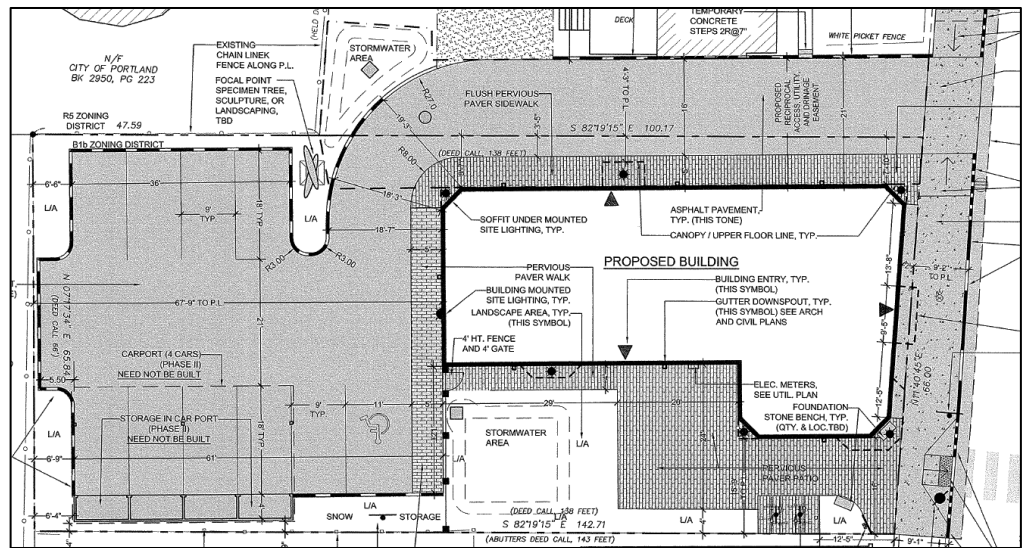
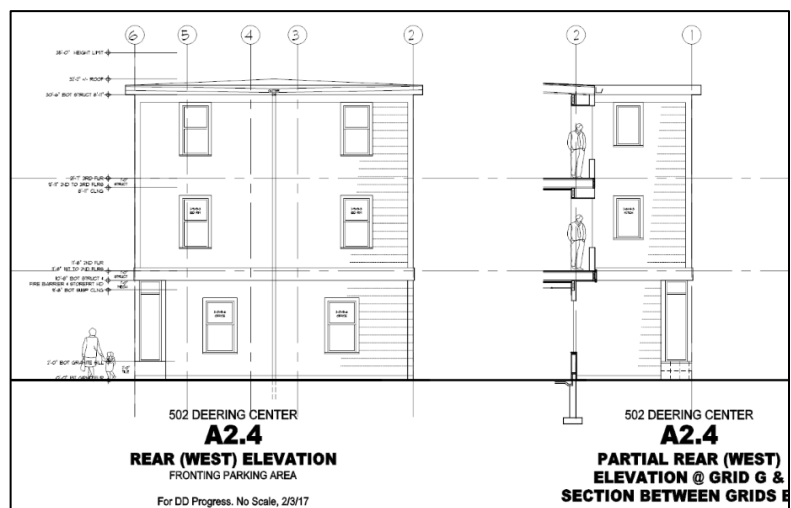
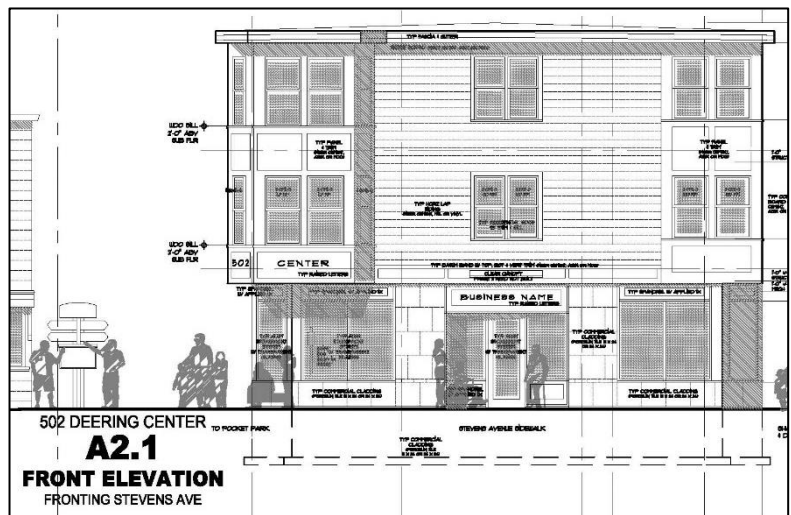


Figure 3: 502 Stevens Avenue Street Site Plan

Parking for ten (10) vehicles is proposed on-site, including a space intended for a car-share vehicle, with a single two-way driveway measuring a minimum of 18' feet in width is being proposed along Stevens Avenue. Two (2) additional off-site parking spaces located at 229 Pleasant Street are presently leased. The applicant is seeking a waiver for driveway width, having asked that 18' feet be allowed whereas under the Technical Manual, 1.7.2.3., 20' feet is the minimum allowable for a multi-family residential development and 24' feet is preferred.

Pedestrian access to the site will be provided off Stevens Avenue with an internal walkway being provided around the exterior of the building. Residents will have access to the building via two entrances, one being located along the north elevation and the second being located along the south elevation. The commercial component will have a traditional storefront with primary access being located along Stevens Avenue on the east elevation with secondary access to the other two entrances. This building has no front setback and provides a typical storefront appearance in line with other buildings with a commercial component, notably Roy's Shoe Shop located immediately to the south. New concrete sidewalks are proposed along the development's frontage on Stevens Avenue and as well on the east side of Stevens Avenue on both corners of the intersection between Stevens Avenue and Hartley Street. The existing crosswalk across Stevens Avenue at this location is being removed and relocated from the north side of Hartley Street to the south side so as not to interfere with the newly proposed driveway.



VI. WORKSHOP (2/14/2017)

On February 14, 2017, this proposed development was heard before the Planning Board as a workshop item. At this meeting, two members of the public spoke, both of whom were supportive of the project, stating that the proposed development was appropriately sized, thoughtfully designed and a desirable addition for the Deering Center neighborhood. Members of the Board voiced concerns regarding the balance of the building, particularly of the front façade. The Planning Board directed staff to work with the applicant to clarify outstanding design review comments. Since the Planning Board workshop, the applicant has worked with city staff to address review comments and has since resubmitted revised plans and documents on March 13, 2017.

VII. PUBLIC COMMENT

As of the writing of this report, nine abutters have submitted written comments. These comments have been largely in favor of the proposed project with consensus being that the scope and scale of the project is fitting for this neighborhood, that mixed-use developments are desirable for Deering Center and that this development could invigorate future development within the neighborhood. One public comment was received opposed to this proposal. This comment cited potential traffic impacts within a school zone.

A Neighborhood Meeting is required for this project and the applicant has confirmed that the neighborhood meeting was held on Wednesday, February 1, 2017, attended by 30 people, see Attachment T.

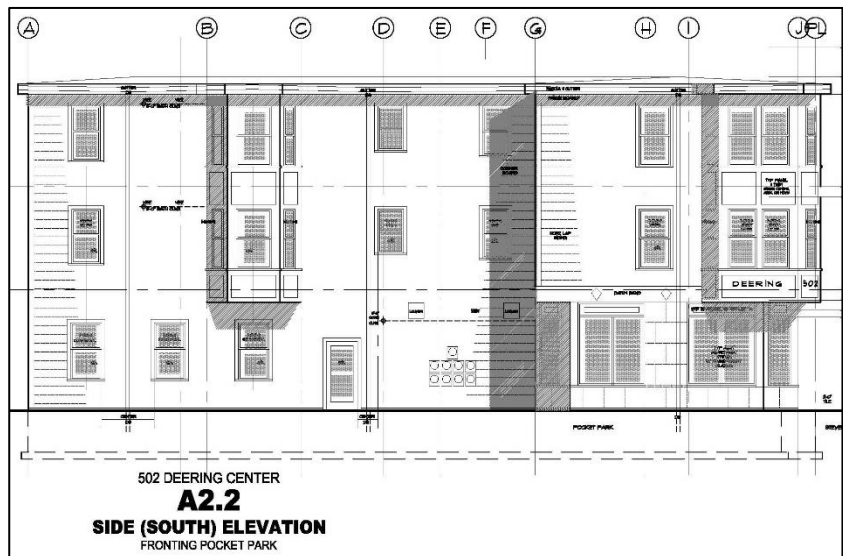
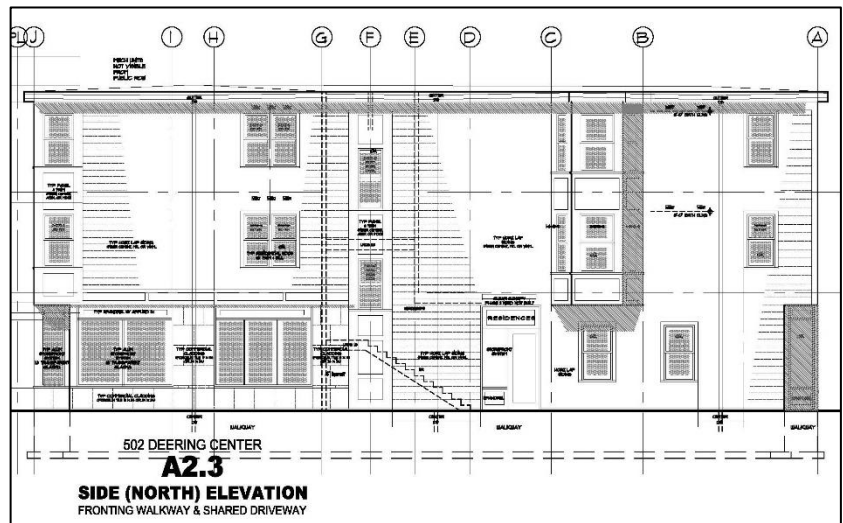
VII. RIGHT, TITLE, & INTEREST AND FINANCIAL & TECHNICAL CAPACITY

a. The owner of the property is Denis Lachman and Karen J Smith. The applicant has provided a City of Portland Assessor Record, Evidence of Right, Title and Interest, for CBL 135 E009001, showing proof of ownership as of April 2016.

b. The estimated cost of the development is \$1.046 Million. The applicant has submitted a letter from Androscoggin Bank, dated December 12, 2016, as demonstration of their financial and technical capacity to complete the proposed development.

VIII. ZONING ANALYSIS

The proposed mixed-use commercial and residential building is a permitted use in the Neighborhood Business B-1b which allows multifamily dwellings. Under the B-1b zone all of the dimensional requirements are being met.



IX. DEVELOPMENT REVIEW

A. SUBDIVISION (Section 14-497)

The proposed development has been reviewed by staff for conformance with the relevant review standards of Portland’s Subdivision Ordinance and applicable regulations. Staff comments are listed below.

1. Will Not Result in Undue Water and Air Pollution (Section 14-497 (a) 1), and Will Not Result in Undue Soil Erosion (Section 14-497 (a) 4)

Lauren Swett, P.E. with Woodard and Curran Engineering, has reviewed the erosion and sediment control plans and details, and inspection and maintenance requirements. She finds them to be in accordance with the Basic Standard.

2. Sufficient Water Available (Section 14-497 (a) 2 and 3)

The project will be served by a new 2-inch domestic service and 4-inch fire service drawn from the existing water main in Stevens Avenue. The Portland Water District has approved the applicant’s application and will provide service to this site.

3. Will Not Cause Unreasonable Traffic Congestion (Section 14-497 (a) 5)

The applicant is proposing access to the site from a new curb cut on Stevens Avenue for a total of one vehicular access point. Tom Errico, P.E. Ty Lin reviewed this detail and also reviewed the proposal’s details including the access, parking, and vehicle circulation (Attachment 1) and states:

- *I reviewed the trip generation and safety analysis prepared by Maine Traffic Resources and I find the methods used to be acceptable. The project is not expected to generate a significant amount of traffic and there are no documented safety deficiencies in the vicinity of the project. The project does not require a Traffic Movement Permit. In my professional opinion, the project will not have a significant impact on transportation conditions in the project.*

1. Circulation on Site

As mentioned before, ten surface parking spaces will be provided to the rear of the proposed building. The circulation for the proposed surface lot will consist of vehicles pulling in out onto Stevens Avenue via a two-way driveway. The city’s consulting transportation engineer has no objections to site circulation as proposed. Tom Errico, P.E. Ty Lin reviewed this detail and also reviewed the proposal’s details including the access, parking, and vehicle circulation (Attachment 1) and states:

- *The applicant is requesting a waiver from the City’s Technical Standards for parking aisle width. The project is proposing 21 feet (the City standard is 24 feet). Given low trip generating characteristics and the general layout of the site (backing maneuvers onto Stevens Avenue are very unlikely), I support a waiver.*
- *The applicant is requesting a waiver from the City’s Technical Standards for driveway width. The project is proposing 18.24 feet (the City standard for minimum width is 20 feet). Given low trip generating characteristics, I support a waiver.*

4. Will Provide for Adequate Sanitary Sewer and Stormwater Disposal (Section 14-497 (a) 6), and Will Not Cause an Unreasonable Burden on Municipal Solid Waste and Sewage (Section 14-497 (a) 7)

The applicant proposed to tie into the existing gravity sewer line located in Stevens Avenue and has submitted a wastewater capacity application to the Department of Public Works. Approval of this request has been suggested as condition of approval.

The residential units will make use of municipal waste services and the commercial tenant will be responsible for relocating solid waste and recyclable material off site. There will be minimal burden on the municipal solid waste.

5. Comprehensive Plan (Section 14-497 (a) 9)

The staff has identified the following goals and policies which are relevant to the proposed housing development and finds the proposal in conformance with the Comprehensive Plan:

Portland Housing Goal: Ensure that an adequate supply of housing is available to meet the needs, preferences, and financial capabilities of all Portland households, now and in the future.

Policies

- Ensure the construction of a diverse mix of housing types that offers a continuum of options across all income levels, which are both renter and owner-occupied, including but not limited to the following:
 - ii. Housing units for decreasing household size, such as young professionals, empty nesters, single-parent households, and senior citizens.
- Encourage higher density housing for both rental and home ownership opportunities, particularly located near services, such as schools, businesses, institutions, employers, and public transportation.
- Increase Portland’s rental housing stock to maintain a reasonable balance between supply and demand yielding consumer choice, affordable rents, and reasonable return to landlords.
- Identify vacant land and redevelopment opportunities throughout the City to facilitate the construction of new housing.

This project provides higher density than what was previously found at this location in a form compatible with the existing Deering Center Neighborhood.

Portland Housing Goal: Maintain and enhance the livability of Portland’s neighborhoods as the City grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity.

Policies

- While accommodating needed services and facilities, protect the stability of Portland residential neighborhoods from excessive encroachment by inappropriately scaled and obtrusive commercial, institutional, governmental, and other non-residential uses.
- Support Portland’s livable neighborhoods by encouraging a mix of uses that provide goods and services needed and are within distance of most residents.
- Encourage innovative new housing development, which is designed to be compatible with the scale, character, and traditional development patterns of each individual residential neighborhood. Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.
- Ensure the integrity and economic value of Portland’s neighborhoods.
- Encourage Portland’s neighborhoods to address the City’s housing issues through the Neighborhood Based Planning Process.
- Encourage neighborhood populations that are economically, socially, culturally and ethnically diverse.

This project provides a mixture of uses at a scale determined to be in line with surrounding developments. Design of this building has been carefully considered and based upon surrounding structures and a now destroyed nearby landmark, with a mixture of housing units to serve diverse needs. This development is easily accessed via public transit and is proximate to other neighborhood services, including Lincoln Middle School.

6. Financial Capability (Section 14-497 (a) 10)

The estimated cost of the development is \$1.046 Million. The applicant has submitted a letter from Androscoggin, dated December 12, 2016, as demonstration of their financial and technical capacity to complete the proposed development.

C. **SITE PLAN STANDARDS** (Section 14-526)

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

1. *Transportation Standards*

a. Impact on Surrounding Street Systems and Access and Circulation- see Subdivision, Paragraph IX (B) (3), above.

b. Construction Management Plan

A construction management plan has been submitted by the applicant for review. All the construction is proposed within the limits of the property lines. Tom Errico has reviewed the plan and requests the following:

- *The applicant has submitted a Construction Management document. Given the presence of school children, I do not support the temporary closure of the sidewalk with a detour to the opposite side of the street. The applicant shall maintain a fully ADA compliant sidewalk facility along the project frontage. Additionally, the applicant shall maintain or provide a reasonable alternative to the existing Stevens Avenue Crossing.*
- **Updated Status (3/24/17):** *The construction management plan is not acceptable. A sidewalk detour to the opposite side of the street is not acceptable and the plan shall be revised to include a temporary sidewalk in Stevens Avenue (Attachment 5).*

The applicant has since responded to this comment and submitted a revised document currently under review. See Attachment 1.

c. Sidewalks

The applicant is proposing to install new concrete sidewalks along their frontage as well as at the northeast and southeast corners of the Stevens Avenue and Hartley Street intersection, with an additional internal pervious paver walkway around the perimeter of the proposed building. Mr. Errico has reviewed the plans and recommends the following:

- *The proposed project is relocating the existing crosswalk across Stevens Avenue from the north side of Hartley Street to the south side. Please note the following:*
 - *The applicant will be responsible for the removal of existing pavement markings that meet City requirements.*
 - *Changes to signage (parking, warning, etc.) will be the responsibility of the applicant. It is suggested new pedestrian crossing warning signs be installed. Recommendations for no-street parking regulations should be provided.*
 - *A design detail for the proposed sidewalk ramp at the southeast corner of Hartley Street shall be provided. Specific details on slopes, width dimensions, and curb details shall be provided.*
 - *A detectable warning panel shall be installed at the northeast corner of Hartley Street. Details shall be provided for review.*
 - **Updated Status (3/24/17):** *The plans have been revised and I generally find conditions to be acceptable. The sidewalk ramp design detail at the southeast corner of Hartley Street is not acceptable given some slopes that appear to be non-compliant (exceed 2 percent maximum). I would suggest a condition of approval that requires the applicant to submit a revised detail for review and approval by the Planning Authority (Attachment 5).*

d. Public Transit Access

The public transit requirements do not apply to this project.

e. Parking

Section 14-332.1 (a) – For new residential developments, the parking requirement is two (2) spaces per dwelling unit. The applicant is proposing four one-bedroom and two three-bedroom units.

Section 14-332.1 (h) – For retail stores, one (1) parking space is required for each two-hundred (200) square feet of first floor area in excess of two-thousand (2,000) square feet. The applicant is proposing two thousand (1,906) square feet of retail.

The applicant is proposing a total of ten (10) on-site parking spaces, including one (1) space allocated for a car-share vehicle, and two (2) leased off-site parking spaces at 229 Pleasant Street in conformity with Section 14-331.1.

As noted above in the subdivision analysis, the circulation for the proposed two surface parking spaces on York Street will consist of vehicles pulling in out onto Stevens Avenue. The parking within the surface lot will have a twenty-one foot (21') aisle width that does not meet standard of twenty-four feet (24'), therefore, the applicant has requested a waiver. Mr. Errico supports this waiver given the minimal trip generation.

f. Bicycle Parking

The proposals include twelve bicycle parking spaces outside of the building, which does meet the ordinance standard of two bicycle parking spaces for every five dwelling units.

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

A landscaping plan was submitted as part of the application. The plan shows no street trees and very minimal landscaping along the development's frontage, in line with existing conditions along Stevens Avenue. The applicant is proposing 15 periwinkles and a sargent cherry within the proposed pocket park, set back roughly 4 feet from the property line at the southern property boundary.

In the original submittal, the applicant proposed landscaping along the periphery of the proposed pocket park, with ornamental grasses being proposed along the rear property line adjacent to Lincoln Middle School and within the parking area. This was done to preserve these locations for snow storage. These elements have since been revised to address initial comments made by Jeff Tarling, the City Arborist, seeking additional landscaping and buffering to meet city standards.

Jeff Tarling, the City Arborist, has reviewed the revised landscaping plan and has requested no further revisions.

c. Water Quality, Storm Water Management and Erosion Control

Prior to the demolition of the existing single family structure, just under 30% of the property is covered by impervious surfaces including a bituminous driveway. Currently the site has very little slope, with all grades being 119' feet, plus or minus one foot. The rest of the site was mature tree growth, vegetation, and exposed soil. The project will result in a net increase of impervious area above 1,000 sf, with proposed impervious surface being 7,970 sf, as such, this project is required to include stormwater management features for stormwater quality & quantity control.

The site will have two subsurface stormwater systems. The first will utilize crushed stone bed for stormwater storage and infiltration into the underlying soils for treatment. The second system will

treat the plaza area with pervious pavers.

The parking lot run off will be pretreated in a small grass bowl located between the proposed pocket park and parking lot. Overflows from the bowl will go to a catch basin with a 3' sump and then to the infiltration area. Overflow from this system is conveyed to the street storm drain system.

The second system is under the previous paver plaza area. The system treats the roof water from the building next door and the plaza area. It stores the stormwater in the stone bedding and infiltrates it. Overflow for the system goes to the street system.

Under Section 5 of the City of Portland Technical Manual, a Level III development project is required to submit a stormwater management plan pursuant to the regulations of MaineDEP Chapter 500 Stormwater Management Rules, including conformance with the Basic, General, and Flooding Standards. Lauren Swett, P.E. with Woodard and Curran Engineering offers the following review comments ([Attachment 4](#)):

- *General Standard: The project will result in an increase in impervious surface, and stormwater treatment in conformance with the General Standard is required. The Applicant is proposing to utilize an underdrained infiltration system and pervious pavers to provide treatment. This method of treatment will be acceptable. We have reviewed the proposed design as well as the Maine DEP standards for infiltration systems and have the following comments:*
 - *Maine DEP typically requires 25 feet of separation of infiltration systems from property boundaries. Due to site constraints a waiver of this standard would be supported for the project.*
- *The stormwater system for the site is shown connecting to the combined sewer via an existing catch basin. This is not in conformance with the City of Portland standard, and approval from the City will be required. Public Works has indicated that this type of connection would now be allowed. The Applicant will need to address the connection requirements with the Water Resources Division of Public Works.*
- *It is noted that the stormwater system proposed on the site crosses property boundaries, and includes components on both properties utilizing the shared driveway. The responsibility for maintenance of this system should be clearly defined. The Applicant has acknowledged this, noting that there will be an easement for the access driveway and joint facilities of the two properties. Details of this easement, and information on maintenance agreements should be provided.*

3. *Public Infrastructure and Community Safety Standards*

a. Public Safety and Fire Prevention

Keith Gautreau, Assistant Fire Chief, has requested that the applicant provide an address for the property consistent with 911, tax assessor, Inspections Division and future mailing address. The applicant is working to comply ([Attachment 1](#)).

b. Availability and Adequate Capacity of Public Utilities

The project will be served by the Portland Water District, City Department of Public Works, and underground/power/cable/communications. The Applicant will need to contact the City Department of Public Works, and the other utilities and secure appropriate confirmation letters.

4. *Site Design Standards*

a. Snow and Ice Loading

The applicant has provided a detailed response for how snow and ice loading will be managed and have similarly indicated on-site snow storage areas on submitted plans.

b. View Corridors

This site is not within a Protected View Corridor as per the “View Corridor Protection Plan” approved by the Portland City Council in 2001.

c. Historic Resources

The site is not in any historic district.

d. Exterior Lighting

The applicant has submitted a lighting and photometric plan. All exterior site lighting including lighting of building entrances will be full cutoff with no light emitted above the horizontal plane. There shall be minimal light trespass of 0.1 foot-candles across the northerly property line along the shared driveway and the easterly property line where the development fronts Stevens Avenue. Staff has no objections. Illumination levels will be adequate but not excessive for the safety, comfort and convenience of occupants and user of the site and will conform to all applicable standards of Section 12 of the Technical Manual.

e. Noise and Vibration

All heating, ventilation and air conditioning equipment (HVAC), air handling units (AHU), emergency generators, and similar equipment will have to be shown on the plans and meet state and federal emissions requirements. These should be located to the interior of the site, away from abutting residential properties and be screened from view from any public street and from adjacent sites by structure walls, evergreen landscaping, fencing, masonry wall or a combination thereof.

f. Signage and Wayfinding

This standard does not apply to the proposal.

g. Zoning Related Design Standards

A design review according to the *City of Portland Design Manual* Standards was performed for the proposed new construction of a mixed-use commercial and residential development at 502 Stevens Avenue. The review was performed by Caitlin Cameron, Urban Designer, Deb Andrews, Historic Preservation Program Manager, and myself. The project was reviewed against the *B-1b Commercial Business Zones Standards (Section (d) of the Design Manual)*.

Findings of the Design Review:

The Planning Authority under an Alternative Design Review may approve a design not meeting one or more of the individual standards provided that all of the conditions listed below are met:

- A. The proposed design is consistent with all of the Principle Statements.
- B. The majority of the Standards within each Principle are met.
- C. The guiding principle for new construction under the alternative design review is to be compatible with the surrounding buildings in a two-block radius in terms of size, scale, materials, and siting, as well as the general character of the established neighborhood, thus Standards A-1 through A-3 shall be met.
- D. The design plan is prepared by an architect registered in the State of Maine.

The proposed design now passes all of the criteria. On February 23, 2017, city staff including Ms. Cameron met with the applicant and discussed outstanding comments, particularly the material being used for the ground floor façade and the balance of the east (front) façade. Ms. Cameron’s recommendations have since been incorporated into the applicant resubmittal, dated March 13, 2017, with no further revisions being requested by the Urban Designer (Attachment 7).

XII. 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 March 28, 2017 for application 2016-290 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**], based upon the consulting transportation engineer's review (*Attachment 1*), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (*Section 1.14*) which requires that aisle width for right-angle parking be 24 feet per Figure I-27. The Planning Board [**waives/does not waive**] the Technical Manual standard (*Section 1.14*) to allow a 21 foot-wide aisle within the proposed surface parking lot;
2. The Planning Board [**finds/does not find**], based upon the consulting transportation engineer's review (*Attachment 1*), that extraordinary conditions exist or undue hardship may result from strict compliance with the Technical Manual standard (*Section 1.7.2.3*) which requires that a two-way driveway width be a minimum of 20 feet per Figure I-27. The Planning Board [**waives/does not waive**] the Technical Manual standard (*Section 1.7.2.3*) to allow an 18 foot-wide two-way driveway.
3. The Planning Board [**finds/does not find**], based upon the consulting stormwater engineer's review (*Attachment 1*), that extraordinary conditions exist or undue hardship may result from strict compliance with the Maine Stormwater Best Management Practices Manual, as referenced by Maine DEP Chapter 500, as referenced by Section 5 of the Technical, which requires that a 25-foot separation be provided between a subsurface stormwater infiltration system and an adjacent property boundary. The Planning Board [**waives/does not waive**] the Technical Manual standard (*Section 5*) to allow a reduction of the minimum separation requirement for a stormwater infiltration system.

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 March 28, 2017 for application 2016-290 relevant to the subdivision regulations; and the testimony presented at the planning board hearing, the Planning Board finds that the plan [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. Requiring that the revised recording plat be submitted for review and approval by the Planning Authority, Department of Public Works and Associate Corporation Counsel.
2. The applicant shall provide finalized easements for shared site access for review and approval by Planning Authority, Department of Public Works and Associate Corporation Counsel.

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 March 28, 2017 for application 2016-290 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. The applicant shall provide a revised construction management plan, including the details regarding safe pedestrian access along the west side of Stevens Avenue adjacent to the proposed development as requested by the city's consulting traffic engineer;
2. The applicant shall provide either a monetary contribution to the City's Tree fund in an amount determined by the City Arborist or shall be responsible for the planting of required trees at a nearby location in order to meet the City's Street Tree standards.
3. The applicant shall provide a maintenance agreement for the stormwater drainage system, shall be submitted, signed and recorded prior to the issuance of a building permit with a copy to the Department of Public Works.
4. The sidewalk ramp design detail at the southeast corner of Hartley Street shall be revised to be in compliance with City Standards (less than 2 percent slope). The revised detail shall be submitted for review and approval by the Planning Authority.
5. The applicant shall provide a revised stormwater plan to address the stormwater engineer's Comment 2 from the review memo dated March 23, 2017 (Attachment 3). This plan shall be reviewed and approved by the Planning Authority and the Department of Public Works prior to the issuance of a building permit.
6. The applicant shall provide an approval letter from the Department of Public Works in regards to their wastewater capacity application prior to the issuance of a building permit.

XIII. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Development Review Comments (1.31.2017)
2. Design Review Memo (2.10.2017)
3. Development Review Comments (3.6.2017)
4. Woodard and Curran Review Memo (3.23.2017)
5. Ty Lin Email (3.24.2017)
6. Design Review Memo (3.24.2017)
7. Public Comments
 - PC1 Nancy Polito
 - PC 2 Margot Fine
 - PC 3 Eve Sawyer
 - PC 4 Barbara Hager
 - PC 5 Bobbi Cope and John Thibodeau
 - PC 6 Jennifer Frick
 - PC 7 Ethan Croce
 - PC 8 Brian Daly
 - PC 9 Jennifer Frick

APPLICANT'S SUBMITTALS

- A. Preliminary Site Plan Application
- B. Application Fees
- C. Written Description
- D. Evidence of Right, Title, and Interest
- E. Zoning Analysis
- F. Easements
- G. Requested Waivers
- H. Financial and Technical Capacity
- I. Construction Management Plan
- J. Comprehensive Plan Compatibility
- K. Utility Capacity Letter
- L. Solid Waste Description

- M. City of Portland Wastewater Application
- N. Water District Capacity Letter
- O. Fire Department Technical Standards
- P. Design Review Analysis
- Q. HVAC Information Sheet
- R. Erosion Control Analysis
- S. Traffic Analysis
- T. Neighborhood Meeting Certification and Minutes
- U. Geotechnical Report
- V. Applicant Response to Staff Comments (2.7.2017)
- W. Applicant Response to Staff Comments (2.7.2017)
- X. Applicant Response to Staff Comments (2.7.2017)
- Y. Applicant Response to Staff Comments (3.14.2017)

PLANS

- Plan 1. Cover Sheet
- Plan 2. Lower Level Plan with Site Plan
- Plan 3. 1st Floor Plan with Site Plan
- Plan 4. 2nd and 3rd Floor Plan with Site Plan
- Plan 5. Building Elevation Front (east) with Building Sections
- Plan 6. Building Elevation Front (east)
- Plan 7. Building Elevation Side (south)
- Plan 8. Building Elevation Side (north)
- Plan 9. Building Elevation Rear (west)
- Plan 10. Carport and Bicycle Shelter Details
- Plan 11. Keyed Notes, Features and Descriptions
- Plan 12. Site Survey
- Plan 13. Site Demolition and Site Preparation Plan
- Plan 14. Site Plan
- Plan 15. Subdivision Plan
- Plan 16. Grading and Stormwater Plan
- Plan 17. Utilities Plan
- Plan 18. Civil Details 1
- Plan 19. Civil Details 2
- Plan 20. Site Details 1
- Plan 21. Site Details 2
- Plan 22. Erosion Control Plan
- Plan 23. Drainage Analysis Plan 1
- Plan 24. Drainage Analysis Plan 2
- Plan 25. Landscape and Lighting Plan
- Plan 26. Landscape Details
- Plan 27. Photometric Plan