

146-B-14

2006-0034

1080 Forest Avenue
Starbucks Drive Thru
Steve Mardigan

on Spreadsheet

CITY OF PORTLAND, MAINE

PLANNING BOARD

Kevin Beal, Chair
Michael Patterson, Vice Chair
John Anton
Lee Lowry III
Shalom Odokara
David Silk
Janice E. Tevanian

July 25, 2006

Robert T. Greenlaw, PLS
Back Bay Boundary Inc.
643 Forest Avenue
Portland, ME. 04101

Stephen E. Mardigan
460 Baxter Boulevard
Portland, ME. 04103

RE: **Starbucks Drive Thru, vicinity of 1080 Forest Avenue**
Application #2006-0036
CBL #146 B014001

Dear Sirs:

On July 11, 2006, the Portland Planning Board considered the proposal for a new single story building of approximately 1760 square feet for use as a Starbucks Drive Thru. Approval was granted for the project by the following motions:

On the basis of plans and materials submitted by the applicant and on the basis of information contained in Planning Report #41-06 relevant to conditional use requirements and standards for site plan regulations set forth in or authorized by the City of Portland Code of Ordinances, and other findings:

1. The Portland Planning Board voted 5-1 (Anton opposed; Lowry absent) that the plan was in conformance with the B-2 Conditional Use requirements as set out in Section 14-183, with the following conditions of approval:
 - i. That this approval relates only to the use of the site for a Starbucks Coffee Drive Thru. If any other drive-thru business proposes to use the site, the proposal must return to the Portland Planning Board for consideration and approval because of the potentially substantial impact of a change in traffic generation; and
 - ii. The hours of use by the public will be limited to between 6AM and 10PM; and
 - iii. The hours for operational activities eg deliveries and trash collection will be limited as follows: 6AM to 10PM weekdays and 9AM to 6PM weekends; and

2. The Portland Planning Board voted 6-0 (Lowry absent) that the plan is in conformance with the site plan standards of the land use code with the following conditions of approval:
 - i. That this approval relates only to the use of the site for a Starbucks Coffee Drive Thru. If any other drive-thru business proposes to use the site, the proposal must return to the Portland Planning Board for consideration and approval because of the potentially substantial impact of a change in traffic generation; and
 - ii. The applicant should amend the survey, for review and approval by the City Engineer, so that it is tied to the vertical datum of NGVD 1929 and into the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD1983(HARN) Datum and the U.S. Survey Foot as the unit of measure; and
 - iii. That the use of any speaker is limited to order-taking only and there shall not be any prerecorded messages, music or other ongoing sounds from any speaker or intercom system; and
 - iv. The hours of use by the public will be limited to between 6AM and 10PM: and
 - v. The hours for operational activities eg deliveries and trash collection will be limited as follows: 6AM to 10PM weekdays and 9AM to 6PM weekends; and
 - iv. That the applicant will submit for review and approval by the Planning Authority further information regarding the illumination characteristics of the uplighters and further photometric plans which show adjustments to the locations of other luminaires that achieve the City standards for light trespass at the property line; and
 - v. That the applicant shall provide a wheelchair/handicap accessible tip down within the sidewalk at the Poland Street crossing; and
 - vi. That the applicant shall install crosswalk markings across Poland Street, as there is not a crosswalk there currently.

The approval is based on the submitted site plan and the findings related to conditional use and site plan review standards as contained in Planning Report #41-06, which is attached.

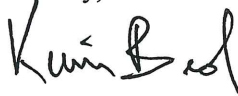
Please note the following provisions and requirements for all site plan approvals:

1. Where submission drawings are available in electronic form, the applicant shall submit any available electronic Autocad files (*.dwg), release 14 or greater, with seven (7) sets of the final plans.
2. A performance guarantee covering the site improvements as well as an inspection fee payment of 2.0% of the guarantee amount and 7 final sets of plans must be submitted to and approved by the Planning Division and Public Works prior to the release of the building permit. If you need to make any modifications to the approved site plan, you must submit a revised site plan for staff review and approval.

3. The site plan approval will be deemed to have expired unless work in the development has commenced within one (1) year of the approval or within a time period agreed upon in writing by the City and the applicant. Requests to extend approvals must be received before the expiration date.
4. A defect guarantee, consisting of 10% of the performance guarantee, must be posted before the performance guarantee will be released.
5. Prior to construction, a pre-construction meeting shall be held at the project site 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 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.
6. 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.)
7. The Development Review Coordinator must be notified five (5) working days prior to date required for final site inspection. The Development Review Coordinator can be reached at the Planning Division at 874-8632. Please make allowances for completion of site plan requirements determined to be incomplete or defective during the inspection. This is essential as 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 Jean Fraser at 874-8728.

Sincerely,


Kevin Beal, Chair
Portland Planning Board

Attachment: Planning Board Report #41-06

cc: Lee D. Urban, Planning and Development Department Director
Alexander Jaegerman, Planning Division Director
Sarah Hopkins, Development Review Services Manager
Jean Fraser, Planner
Jay Reynolds, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Inspections Division
Michael Bobinsky, Public Works Director
Traffic Division
Eric Labelle, City Engineer
Jeff Tarling, City Arborist
Penny Littell, Associate Corporation Counsel
Greg Cass, Fire Prevention
Assessor's Office
Approval Letter File



PORTLAND MAINE

Strengthening a Remarkable City. Building a Community for Life www.portlandmaine.gov

Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

November 27, 2006

Robert T. Greenlaw, PLS
Back Bay Boundary Inc.
643 Forest Avenue
Portland, ME. 04101

Stephen E. Mardigan
460 Baxter Boulevard
Portland, ME. 04103

**Re: Site Plan Review: Starbucks Drive Thru, vicinity of 1080 Forest Avenue
Amendment to Approved Plan
CBL #146 B014001
Application # 2006-0219;**

Dear Mr. Greenlaw and Mr. Mardigan:

This letter is to confirm that the revisions to the approved site plan for the proposed new single story building for use as a Starbucks Drive Thru, at the above address, have been reviewed and approved. The amendments include an increase in the footprint of the proposed building (to approximately 1950 sq ft) with minor adjustments to landscape as shown on the revised Site Plan (Revision 11 dated 11.20.2006).

The approval is based on the submitted revised site plan, which maintained or increased the approved setbacks from the residential properties abutting the site. If you need to make any further modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The conditions of the original approved site plan (Application 2006-0036) still apply.

Please submit seven (7) sets of the final drawings and documents, along with a set in electronic form (electronic Autocad files (*.dwg), release 14 or greater).

If there are any questions, please contact Jean Fraser at 874-8728 or jf@portlandmaine.gov.

Sincerely,

Alexander Jaegerman
Planning Division Director

cc.
Lee D. Urban, Planning & Development Department Director
Alexander Jaegerman, Planning Division Director
(continued)

FROM :

FAX NO. :

Aug. 18 2006 08:29AM P3

SITE LIGHTING

1	2750.00	2750.00
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7. EROSION CONTROL

Silt Fence

Check Dams

Pipe Inlet/Outlet Protection

Level Lip Spreader

Slope Stabilization

Geotextile

Hay Bale Barriers

Catch Basin Inlet Protection

4	50.00	200.00
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4	50.00	200.00
2	150.00	300.00

8. RECREATION AND
OPEN SPACE AMENITIES

9. LANDSCAPING

(Attach breakdown of plant
materials, quantities, and unit
costs)

PLANTS	LABOR	TOTAL
9590	6100	15690

10. MISCELLANEOUS

1	2500.00	2500.00
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TOTAL:

33650.00

81170.00

GRAND TOTAL:

33650.00

96860.00

INSPECTION FEE (to be filled out by the City)

P. 2

8-28-06

TOTAL 130510.00

	PUBLIC	PRIVATE	TOTAL
A: 2.0% of totals:	673.00	\$ 1,937.20	2,610.20
or			
B: Alternative Assessment:			
Assessed by:	(name)	(name)	Pay R.

001 :

FAX NO. :

Aug. 19 2006 08:28AM P2

Department of Planning and Urban Development
SUBDIVISION/SITE DEVELOPMENT

COST ESTIMATE OF IMPROVEMENTS TO BE COVERED BY PERFORMANCE GUARANTEE

Date: 08-22-2006

Name of Project:

Starbucks

Address/Location:

1080 Forest Ave

Developer:

STEPHEN MARDIGON

Form of Performance Guarantee:

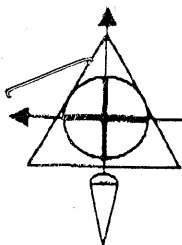
Type of Development: Subdivision

Site Plan (Major/Minor)

Major

TO BE FILLED OUT BY THE APPLICANT:

Item	PUBLIC			PRIVATE		
	Quantity	Unit Cost	Subtotal	Quantity	Unit Cost	Subtotal
1. STREET/SIDEWALK						
Road						
Granite Curbing	<u>172</u>	<u>50.00</u>	<u>8500.00</u>	<u>1</u>	<u>35800.00</u>	<u>35800.00</u>
Sidewalks	<u>900</u>	<u>16.00</u>	<u>15000.00</u>	<u>1300</u>	<u>13.00</u>	<u>16900.00</u>
Esplanades						
Monuments						
Street Lighting						
Street Opening Repairs	<u>37</u>	<u>85.00</u>	<u>3150.00</u>			
Other						
2. EARTH WORK						
Cut						
Fill						
3. SANTARY SEWER						
Manholes						
Piping						
Connections						
Main Line Piping						
House Sewer Service Piping						
Pump Stations				<u>1</u>	<u>2000.00</u>	<u>2000.00</u>
Other				<u>1</u>	<u>3500.00</u>	<u>3500.00</u>
4. WATER MAINS				<u>1</u>	<u>1000.00</u>	<u>1000.00</u>
5. STORM DRAINAGE						
Manholes						
Catchbasins				<u>2</u>	<u>2500.00</u>	<u>5000.00</u>
Piping	<u>16</u>	<u>437.50</u>	<u>7000.00</u>	<u>100</u>	<u>40.00</u>	<u>4000.00</u>
Detention Basin						
Stormwater Quality Units						
Other						

**BACK BAY BOUNDARY, INC.**
LAND SURVEYING

Company: CITY OF PORTLAND PLANNING	From: BOB GREENLAW
Attention: JAY REYNOLDS	Date: 08-22-2006
Fax # 756-8258	

Pages including Fax Cover Page: 3

Comments:

Jay,

PLEASE GIVE ME A CALL WHEN
YOU COME UP WITH THE
FIGURES.THESE ESTIMATES WERE PROVIDED BY:
CHASE EXCAVATING
COASTAL LANDSCAPING.

THANKS! BOB GREENLAW

AS SIGNED

June 14, 2007

Robert T. Greenlaw, PLS
Back Bay Boundary Inc.
643 Forest Avenue
Portland, ME. 04101

Stephen E. Mardigan
460 Baxter Boulevard
Portland, ME. 04103

**Re: Site Plan Review: Starbucks Drive Thru, vicinity of 1080 Forest Avenue
Amendment to Approved Plan re ramp/lighting
CBL #146 B014001
Application # 2006-0219b;**

Dear Mr. Greenlaw and Mr. Mardigan:

This letter is to confirm that the further revisions to the approved site plan for the proposed new single story building for use as a Starbucks Drive Thru, at the above address, have been reviewed and approved. The amendments include the creation of a stepped access and a ramped access (both with handrails) from Forest Avenue and additional and revised lighting fixtures.

The approval is based on the submitted revised Site Plan and Ramp Profile (Drawing No. 2004121rev12-PP Revision dated May 10, 2007), Photometric Lighting Grid Revision 9 (as updated 05-29-07), submitted catalog cuts, and letter from the lighting manufacturer dated June 5, 2007 confirming that the light fixtures comply with full cut off requirements.

This approval is subject to the installation of lights in accordance with the submitted documentation and that the light levels remain within the levels shown on the submitted plan by Swaney Lighting as updated 05-29-07 (entitled "Photometric Lighting Grid") and do not exceed 5.0 foot candles at the property line along Forest Avenue, 0.0 foot candles along the southern property line and 0.1 foot candles along the western property line.

If you need to make any further modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The conditions of the original approved site plan (Application 2006-0036) still apply.

If there are any questions, please contact Jean Fraser at 874-8728 or jf@portlandmaine.gov.

Sincerely,

Alexander Jaegerman
Planning Division Director

cc.

Lee D. Urban, Planning & Development Department Director
Alexander Jaegerman, Planning Division Director
Barbara Barhydt, Acting Development Review Services Manager
Jean Fraser, Planner
Philip DiPierro, Development Review Coordinator
Marge Schmuckal, Zoning Administrator
Jeanie Bourke, Director of Inspections
Michael Bobinsky, Public Works Director
Mike Farmer, Project Engineer
Jim Carmody, City Transportation Engineer
Jeff Tarling, City Arborist
Captain Greg Cass, Fire Prevention, Fire Department
Assessor's Office
Approval Letter File

Starbucks (Amendment to footprint)

Process following Approval of Application

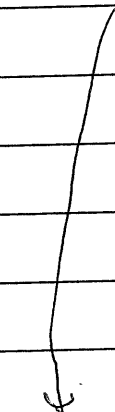
2006 - 0219

Action	Comment re particular application	Date completed
Approved by Planning Board		N/R
Approval letter prepared and sent		11-27-2006
Sign off in UI for Planner		11/28/06
Sign off in UI for DRC		N/R
Update UI re dates and conditions		11/28/06 all done
Send copies to others as appropriate		awaiting extra plans
Send Performance Guarantee Estimate form & sample letters		not needed
Conditions met	1	NONE ↑
	2	
	3	
	4	
	5	
	6	
	7	
	8	
Update Urban Insight re approvals/permit		updated 11-28-06
Extra plans requested as needed		req. of Bob Greenlaw today + he promised for today
Revised plans received		
Plans stamped and distributed- list of who these went to	Jay R. Assessors Jeanie Bourke (inspector) Bill Clark, PW }	11-29-06.
Outstanding action re condition that can be done later	Marge S Greg Cass Eric/Jim PW }	11-30-06
Other		

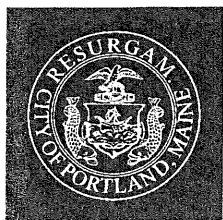
sent by hand/fax 11-28-06

awaiting extra plans not needed

NONE ↑



updated 11-28-06
req. of Bob Greenlaw today + he promised for today



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Planning and Development Department
Lee D. Urban, Director

Planning Division
Alexander Jaegerman, Director

November 27, 2006

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**Re: Site Plan Review: Starbucks Drive Thru, vicinity of 1080 Forest Avenue
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CBL #146 B014001
Application # 2006-0219;**

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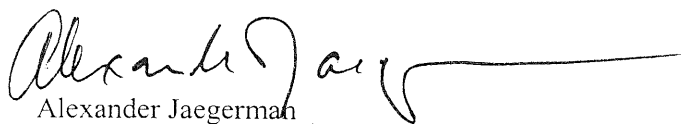
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The approval is based on the submitted revised site plan, which maintained or increased the approved setbacks from the residential properties abutting the site. If you need to make any further modifications to the approved site plan, you must submit a revised site plan for staff review and approval. The conditions of the original approved site plan (Application 2006-0036) still apply.

Please submit seven (7) sets of the final drawings and documents, along with a set in electronic form (electronic Autocad files (*.dwg), release 14 or greater).

If there are any questions, please contact Jean Fraser at 874-8728 or jf@portlandmaine.gov.

Sincerely,


Alexander Jaegerman
Planning Division Director

cc.

Lee D. Urban, Planning & Development Department Director
Alexander Jaegerman, Planning Division Director
(continued)

ORIGINAL APPLICATION

2006-0036

Process following Approval of Application

Starbucks Drivethru 1080 Forest

Action	Comment re particular application	Date completed
Approved by Planning Board	—	July 11, 2006
Approval letter prepared and sent		✓
Sign off in UI for Planner		
Sign off in UI for DRC		
Update UI re dates and conditions		
Send copies to others as appropriate		
Send Performance Guarantee Estimate form & sample letters	8.9: RG confirmed they are completing this now + will get to Jay Reynolds.	
Conditions met	1 - 2ii Tabled at 8.2.06 as for JF to clear	need email from Eric get back Dan's plan
	2 iv re lighting info.	OK 0.0 at boundary but see*
	3 2v. tip down at Island	shown ✓
	4 2vi. markings in Island	shown ✓
	5	
	6	
	7	
	8	
Update Urban Insight re approvals/permit		
Extra plans requested as needed		
Revised plans received		
Plans stamped and distributed- list of who these went to	Jay R 8.9.06 Eric L 8.9.06 Mike N/Inspection 8.9.06 Assessors 8.9.06	Brit Clark } 8.15.06 Marg Ann } Greg (Landon only) 8.15.06
Outstanding action re condition that can be done later	* Elev. (south) shows another light added which not reflected in photometric plan; RG will update photometric plan to be substituted in plan set.	
Other	CD rec'd + passed to Jay Reynolds on Aug 7 2006.	

JF/4.13.06

2/13/07- met Lauren (sub DRC) on site to investigate scope for PG reduction. Only manholes + fencing completed.

9.22
Insp. Fee
paid by
check; JF
accepted +
passed on
to J.R.

NOTE -
This is 1066 Forest Ave
in the Building
Permit
System

for
Brit Clark,
Marg Ann + Greg
(attached to
application)

done