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## 6. ASSESSMENT OF ZONING

### 6.1 ZONING HISTORY

The City purchased the 46-acre Snyder Tree Farm property in 1999. The property had been zoned for residential use until 1994, when the majority of it was rezoned to Moderate Impact Industrial (I-M), as recommended by the Portland Industry and Commerce Plan. The US Postal Service proposed a regional distribution facility for the site, which met with significant neighborhood opposition. The City Council then appointed a task force to prepare a neighborhood plan, which became the Outer Brighton Avenue Task Force Report. The Council enacted the report's recommendation to rezone a portion of the City's Rand Road property to Office Park zone (OP) in 2001 as a means of promoting high-quality office uses that are compatible with surrounding residences and environmentally-sensitive land.

Twenty-five (25) acres were rezoned to OP and the remaining 20 acres of City-owned land as well as the adjoining parcels held by Union Water Power and CMP (28.81 acres) were rezoned to Resource Protection zone (RPZ). The developable areas in OP were then reduced again as the Maine Turnpike Authority needed an additional 5.45 acres for the new interchange. This left about 20 acres of the City-owned property in OP. The City's Economic Development Division was focused on developing a business park on OP-zoned property. It determined that the 20 acres, of which a substantial proportion was wetlands, were not sufficient in size for a viable business park. Therefore, it sought to have 6.5 acres of RPZ rezoned to OP, and 1 acre in OP that was wetland rezoned to RPZ. The Council approved this rezoning request in 2006, with a net gain to OP of 5.5 acres. This brought the City-owned OP property to the current size of approximately 26 acres. A total of 208 acres is zoned RPZ in the vicinity of the Fore River Marsh and Rand Road.

As part of the prior approval process for the Technology Park, a set of design guidelines was developed as a basis for the development of the Limited Common Elements (LCEs) within the Park. LCE 4, the lot proposed for development at this time, is located entirely within the OP Zone. The proposed development aligns with the zone's central purpose of providing a "campus-like" office complex that is compatible with the natural surroundings, and has been designed to follow the established design guidelines. The buildings, parking, stormwater management, and access drives are designed to conform to the natural features of the land, thereby minimizing the impact on wetlands and preserving the natural landscape to the maximum extent possible.

### 6.2 OFFICE PARK PLANNED UNIT DEVELOPMENT (OP-PUD)

The purpose of the OP Zone is to provide substantial areas for integrated development of professional offices in a park- or campus-like setting which are of the highest quality, are well designed and maintained and are compatible with their natural surroundings. A Planned Unit Development (PUD) is a development located on one lot consisting of one or more buildings and with driveways or open areas to be owned and maintained in common. This project will be developed as part of an OP-PUD (the previously approved Portland Technology Park).

A condominium association will govern all areas of the Portland Technology Park, including the main access roadway and associated roadway infrastructure, as well as maintain all parking areas, driveways and stormwater management outside of the individual buildings, which will be maintained by their individual owners. Additional information regarding the condominium development was provided in support of the original application, including the condominium documents that will govern the development.

### 6.3 DIMENSIONAL REQUIREMENTS

Per Sections 14-230.14 and 14-230.15, the dimensional requirements for the Technology Park as a whole are outlined in Table 6-1, below:

**Table 6-1: O-P Zone Dimensional Requirements**

	REQUIRED	PROVIDED
Front Yard Setback	50 FT	123 FT
Side Yard Setback	25 FT	87 FT
Rear Yard Setback	50 FT	299 FT
Pavement Setback	15 FT	15 FT
Impervious Surface Ratio	60% MAX	27%
Lot Size	1.5 ACRES MIN	26 ACRES
Street Frontage	100 FT MIN	> 1,000 FT
Lot Width	150 FT MIN	270 FT
Parking Spaces	2.5/1000 SF or 303	445* (includes trailhead parking)

\*The parking ratio and total space count in excess of the current zoning was accepted with the original approval, pending individual lots provide a parking analysis to prove need. Please refer to Section 10 of this application for additional parking information specific to LCE 4 and Patrons Oxford Insurance.

The total building area, accounting for the 1,000 square foot reduction of area for Unit 4 on LCE 4 ,is now 121,000 square feet.

The individual Limited Common Elements are located within the overall Technology Park setbacks defined above. There are no dimensional requirements for the individual LCEs.