



PLANNING BOARD REPORT PORTLAND, MAINE

Hotel Redevelopment
1210 Brighton Avenue
Level III Site Plan Review
2014-220
Portland Hotels, Inc., Applicant

Submitted to: Portland Planning Board Public Hearing Date: April 14, 2015 (<i>tabled from March 24, 2015</i>)	Prepared by: Nell Donaldson, Planner Date: April 8, 2015 CBL: 265-A-001
--	---

I. INTRODUCTION

Portland Hotels, Inc. is requesting a Level III site plan review for the redevelopment of a parcel at 1210 Brighton Avenue. The site is located on the Portland/Westbrook line, and is currently occupied by a Travelodge motel. The applicant proposes to demolish the existing building and construct a four-story, 86-room hotel in its place.

A total of 47 notices were sent to property owners within 500 feet of the site and a legal ad ran on March 17 and 18, 2015.

Applicant: Portland Hotels, Inc.

Consultants: Bill Walsh, Walsh Engineering Associates; Robert Foster, Robert J. Foster, Architect; Owen Haskell, Surveyor

II. REQUIRED REVIEWS

<i>Review</i>	<i>Applicable Standards</i>
Site Plan	<i>Section 14-526</i>

III. PROJECT DATA

Existing Zoning	B-4
Existing Use	Motel
Proposed Use	Hotel
Parcel Size	155,014 (3.55 ac.) including 28,909 SF area leased to Denny's

	<i>Existing*</i>	<i>Proposed*</i>	<i>Net Change*</i>
Building Footprint	22,160 SF	16,202 SF	-5,958 SF
Building Floor Area	44,320 SF	56,232 SF	11,912 SF
Impervious Surface Area	93,655 SF	79,092 SF	-14,563 SF
Parking Spaces	114	107	-7
Bicycle Parking Spaces	0	6	6 (meets zoning)
Estimated Cost of Project	\$5,300,000		

* *Figures reflect the hotel portion of the site alone, exclusive of Denny's*

IV. CONTEXT & EXISTING CONDITIONS

The 1210 Brighton Avenue site lies directly west of the Maine Turnpike at the intersection of Riverside Street and Brighton Avenue. The western property line of the site is contiguous with the city's Westbrook border. A Pike Industries pit abuts the site's rear, city property lies to the east along the Turnpike right-of-way, and a vacant lot (formerly a Mobil station) and a Napa Auto Care Center neighbor the site to the north. A Motel 6 sits across Brighton Avenue. The Westbrook Crossing shopping center, anchored by Shaw's and Kohl's, can be found to the immediate northwest.

Altogether, the site is over three acres in size and includes land held by Denny's restaurant under a long-term lease agreement. At present, a 135-room Travelodge motel sits on the eastern three quarters of the site, with Denny's occupying the parcel's remainder. Surface parking surrounds both of these uses, and the vast majority of the site is currently impervious. Pedestrian and vehicular access is via a light at the Brighton Avenue/Riverside Street intersection.



Figure 1: 1210 Brighton Avenue site, existing conditions



Figures 2 and 3: 1210 Brighton Avenue site from Brighton Avenue, with Denny's (at right), former Mobil station lot (center), and Napa Auto Care Center (left); Elevation showing proposed hotel from Brighton Avenue (bottom)

V. PROPOSED DEVELOPMENT

The applicant proposes to demolish the existing motel on site and develop a new four-story, 86-room hotel, designed to cater to pass-by interstate traffic. The hotel's main entrance, signified with a porte cochere, would lie directly behind the existing Napa Auto Care Center. Vehicular and pedestrian access would be via the intersection of Brighton Avenue and Riverside Street, where new pedestrian signal heads and a sidewalk are planned. 107 parking spaces are proposed, with most of these to be located to the north and east of the proposed building. The final plans show landscaping along the entry drive as well as around the building and the parking lot, and the preservation of some large existing trees.

VI. PUBLIC COMMENT

The Planning Division received notes from the applicant's neighborhood meeting, held on February 4, 2015. One neighbor attended. It appears from the notes that no concerns were raised (*Attachment R*).

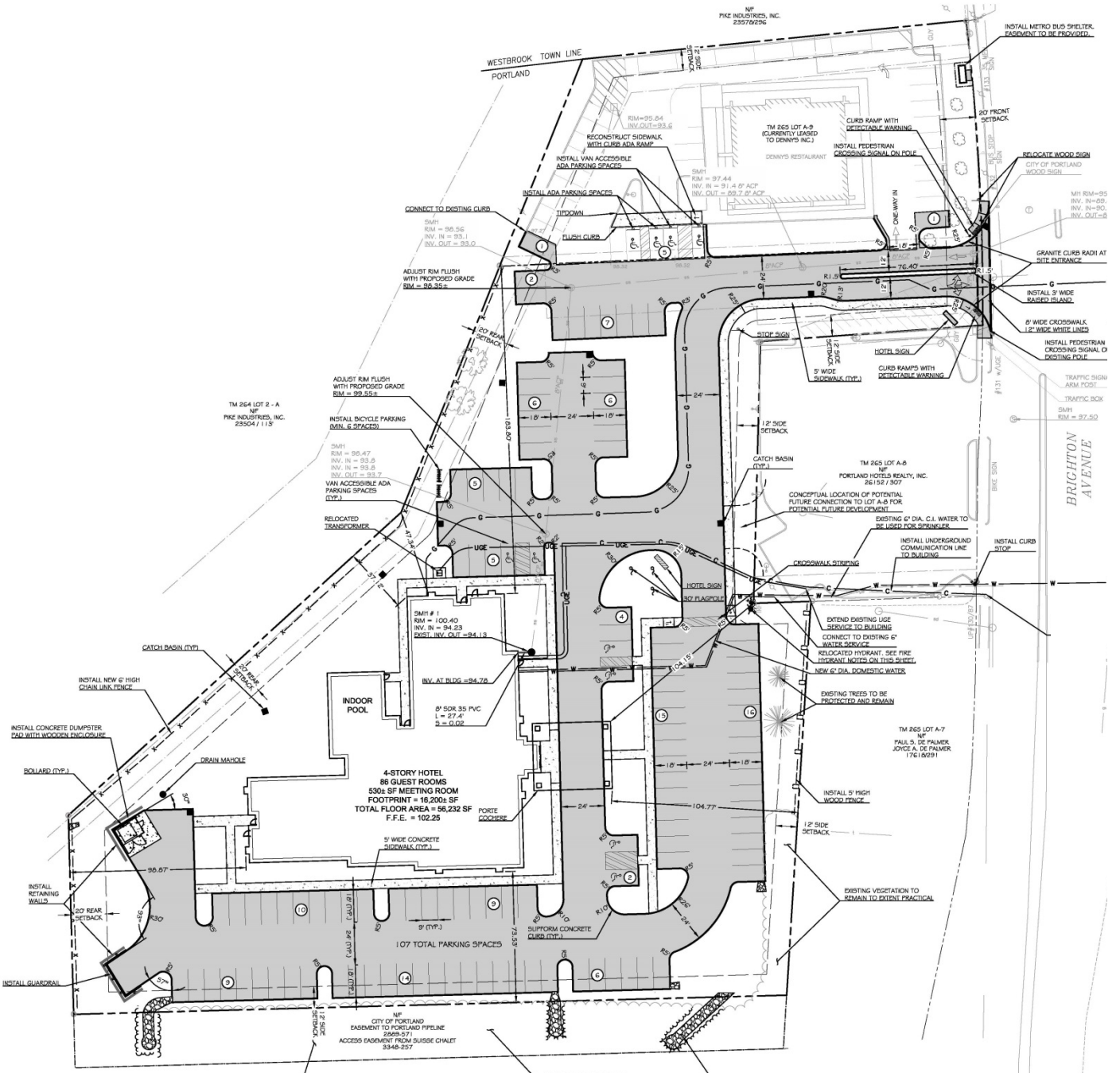


Figure 4: 1210 Brighton Avenue site plan

VII. RIGHT, TITLE, & INTEREST

The applicant's submittal includes a deed as evidence of right, title, and interest (*Attachment F*). As noted above, this deed includes reference to a 1972 lease conveyed to Harold Butler Enterprises (then parent company of Denny's) for the western portion of the site. The site is also subject to multiple easements, which are included in the submittal and depicted on the boundary survey prepared by Owen Haskell (*Attachment M and Plan 2*). These include:

- An access easement over the site entrance for the benefit of the vacant lot which sits to the east of the site entrance, formerly a Mobil gas station;
- An access and lighting easement over the site entrance for the benefit of Denny's;
- An access easement across the entire site for the benefit of the Portland Pipe Line Corporation in order to allow them to reach city property to which they have rights east of the site; and
- An easement for the benefit of Central Maine Power, which falls partially on the subject property along the southwest lot line and includes use restrictions limiting the owner to "no structure of any kind, except paving."

In addition, the property benefits from several easements held on the vacant lot to the east of the site entrance, the former Mobil lot (*Attachment M*). These include a 15' utility easement at the eastern boundary of this lot, a 5' lighting, shrubbery, and snow easement on the western boundary, and a sign easement at the northwest corner. All of these easements are shown on the applicant's boundary survey. It should be noted that the applicant has interests in the company which holds the former Mobil site.

VIII. FINANCIAL & TECHNICAL CAPACITY

The estimated cost of the development is \$5.3 million. The applicant has submitted a letter from Country Bank, a financial institution based in central and western Massachusetts, indicating their intent to consider future financing for the applicant. In addition, the applicant has assembled a consultant team with evidence of technical capacity (*Attachment O*).

IX. ZONING ANALYSIS

The applicant has prepared a zoning analysis, which was reviewed by both Ann Machado, Acting Zoning Administrator, and planning staff (*Plan 4*). All dimensional requirements are being met.

VII. SITE PLAN REVIEW (14-526)

The proposed development has been reviewed by staff for conformance with the relevant review standards of the City of Portland's site plan ordinance. Note that, per *Section 14-522*, a "site" is defined as "all contiguous land under the same ownership or control, whether proposed for development or not, except where development is limited to a lot or lots within a subdivision." Under this definition, the area leased to Denny's is technically to be considered as part of the "site." The final plans include several improvements that impact the area under the Denny's lease. However, this review has generally focused on the non-leased area.

Also note that, since the proposed area of disturbance is greater than one acre, the applicant is required to obtain a Maine General Construction Permit from the Maine DEP. The applicant has indicated that a copy of the notice of intent to comply will be provided to the city when filed with the DEP. This has been included as a condition of approval.

1. Transportation Standards

a. Impact on Surrounding Street Systems

Bill Bray of Traffic Solutions has provided a traffic impact study for the proposed development (*Attachment I*). This study compares estimated peak hour trip generation from the existing and proposed uses, and predicts that

the proposed hotel use, with 85 rooms, will generate less vehicle trips than the existing 135 room motel. The study further finds that, based on the most recent three year crash data, the Brighton Avenue/Riverside Street intersection does not meet the Maine DOT's criteria for a high crash location. Given this, no traffic mitigation is proposed. Thomas Errico, the city's consulting civil engineer, has reviewed this traffic study and generally found it acceptable (*Attachment 1*).

b. Access and Circulation

Vehicular access is proposed via a private driveway which forms the fourth leg of the Brighton Avenue/Riverside Street intersection. This drive also serves as the sole vehicular access for Denny's. The applicant proposes a 75' island at this entrance in order to reduce potential vehicular conflicts with cars exiting from Denny's. The applicant complied with staff requests to relocate existing Denny's parking spaces currently positioned on the entrance drive in order to further improve the safety at the site entrance. The applicant also provided a detailed pavement marking plan for the entrance drive at staff's request (*Plan 20*).

Internally, vehicular access and circulation has generally been designed in accordance with the city's Technical Manual, with the drive directing guests to the main entrance under the porte cochere. At staff's request, the applicant has configured the circulation system with the intent of providing future access to the adjacent Brighton Avenue sites in keeping with best access management practices; the applicant has noted a conceptual location for access into the former Mobil site.

Over the course of the review, staff requested minor circulation modifications with respect to the 12 space parking area to the west of proposed hotel, suggesting that these spaces might be relocated to the access drive in order to achieve a more efficient parking arrangement. The applicant has elected not to make this change in favor of "keeping parking spaces separated from the adjacent current and potential future businesses" (*Attachment U*). It should be noted that in their final submittal, the applicant reduced the size of this parking area by eight spaces. Mr. Errico has stated that he finds the final plans to be acceptable (*Attachment 1*).

Pedestrian access to and from the site is proposed via a sidewalk, located on the eastern side of the driveway, which connects to all proposed building entrances. This sidewalk would link to both the Brighton Avenue sidewalk system and the Brighton Avenue crosswalk, which traverses the eastern leg of the Brighton Avenue/Riverside Street intersection and from there provides access to nearby food and shopping in Westbrook. Mr. Errico requested that the applicant provide a crosswalk across the site driveway at Brighton Avenue. The applicant shows this crosswalk in their final plans. In his final comments, Mr. Errico notes,

The applicant has provided the requested crosswalk and noted signal modification upgrades. The applicant will be responsible for submitting a traffic signal design plan that details specifications for review and approval by City staff.

Because the driveway is designed offset from the hotel's main door, lying approximately 500 feet, via the sidewalk, to the west, Mr. Errico has noted the probability that guests will seek ways to shortcut through adjacent properties when accessing the site by foot, especially when heading to or coming from the east. A future pedestrian connection through the Mobil site was discussed with the applicant.

c. Public Transit Access

Greater Portland METRO's #4 line runs down Brighton Avenue. The nearest inbound bus shelter, located across the street from the Barron Center, is in difficult condition and lies just over ¼ of a mile away. Thus, per

the city's land use ordinance, as a commercial development of over 20,000 SF, the plans are required to include a transit facility. The applicant originally requested a waiver from this requirement under *Section 14-526(a)3.d*, citing site constraints. However, staff reiterated the requirement and in final plans, the applicant has included a shelter, at least conceptually. They note in the final submittal that they "attempted to contact METRO to discuss the location of the bus shelter, but METRO has not been responsive" (*Attachment U*). Given this, it should be noted that the location of the bus shelter may change pending future discussion with METRO. A condition of approval regarding the final location of this shelter has been included. It is likely that a public access easement will be required.

d. Parking

Since the proposed building is over 50,000 SF in size, the Planning Board ultimately establishes the number of required parking spaces based on the findings of a parking study. Per Division 20 of the city's zoning ordinance, only 22 spaces are technically required for the hotel (at a ratio of one space/four rooms). However, the applicant proposes 107 parking spaces, far exceeding the requirement. The applicant has provided a narrative arguing that a ratio of one space/room is more appropriate, given that "[i]t is anticipated that the patrons of the hotel will come from the nearby Maine Turnpike exit" (*Attachment U*). Further, the applicant has argued that sixteen additional spaces are required to accommodate the hotel's 530 SF meeting space and five spaces are needed for hotel employees, bringing the total necessary spaces to 107. The applicant has also responded to staff requests regarding plans to handle parking for large vehicles, such as tour buses (*Attachment Y and Plan 20*). Mr. Errico has reviewed the parking analysis and stated that he finds the parking supply reasonable (*Attachment 1*).

Bike racks providing spaces for six bicycles are proposed to the west of the building. This number of spaces meets the requirement of two bicycle spaces/10 vehicle spaces required.

2. Environmental Quality Standards

a. Preservation of Significant Natural Features

The site is currently fully developed. As such, there are no significant natural features on the site.

b. Landscaping and Landscape Preservation

Per the applicant's submittal, there are six existing mature silver maple trees on site, as well as two mature evergreens (*Attachment A*). The maples line the southwestern boundary along the Pike Industries site, and the evergreens sit between the hotel property and the former Mobil lot. The applicant has proposed to maintain two of the existing maple trees as well as the evergreens, meeting the tree preservation requirement. At the request of Jeff Tarling, the city arborist, the applicant has also added notes to the landscaping plan indicating the intent to save existing vegetation where possible along the southwestern and eastern boundaries of the site. This includes the area along the Maine Turnpike.

The applicant's landscaping plan shows deciduous and evergreen shrubs dispersed around the building and in the parking lot. The applicant has provided calculations demonstrating that they have met the parking lot and understory landscaping requirements. Jeff Tarling, the city's arborist, has reviewed and approved the plans (*Attachment 5*).

c. Water Quality, Stormwater Management, and Erosion Control

Under the proposed plans, the impervious surface on the hotel portion of the site would be reduced by almost 15,000 SF. The existing drainage patterns would generally be maintained. Drainage from the eastern portion of the site would sheet flow to the eastern side of the parking lot and then onto city property adjacent to the

Maine Turnpike. Water from the central portion of the site would enter into catch basins and a storm drain system which outlets near the Pike Industries site. The entrance road would drain toward the existing system in Brighton Avenue. In each stormwater catchment area modeled, the applicant's stormwater analysis shows that peak flow rates would be the same or slightly reduced post-development. David Senus, the city's consulting civil engineer, has requested that the applicant provide some additional information once ground conditions can be observed in the spring, noting,

A stormwater outfall proposed on the southern portion of the site (AP#2 on sheet D2.0) discharges to an existing swale within a CMP easement. The Applicant proposes a riprap apron at the pipe outlet. We recommend that the Site Plan approval include a condition requiring that the Applicant's engineer inspect the stormwater outfall AP#2 on Sheet D2.0 and provide a written description and photographs of this outlet, along with any additional proposed stabilization measures as determined necessary for review and approval by the City. Walsh Engineering Associates has stated that they will assess and document the condition of the outfall location once the snow has melted and will provide design details to the city for any additional required stabilization measures.

Mr. Senus has also noted that the applicant will be required to obtain a drainage easement for stormwater infrastructure to be located on city property to the east,

The plan has been revised to indicate that a construction and drainage easement shall be obtained from the City of Portland for the areas associated with the riprap swales along the eastern boundary of the site. Easements should be drafted for these riprap swales; this can be stated as a condition of approval for the project.

Mr. Senus's comments have been reflected in the proposed conditions of approval.

3. Public Infrastructure and Community Safety Standards

a. Consistency with City Master Plans

The redevelopment proposal is generally consistent with city master plans, which call for improving access management, transit connections, and the pedestrian experience on Outer Brighton Avenue.

b. Public Safety and Fire Prevention

From a Crime Prevention Through Environmental Design (CPTED) perspective, the redevelopment is expected to generally improve the site. As noted above, the rear property line abuts a Pike Industries pit. A vegetated buffer, roughly contiguous with the CMP easement, which contains several mature maple trees, runs along the property line. The applicant proposes to augment this buffer with a variety of evergreen species. The applicant also proposes to replace an aging chain link fence in this location. Together, these treatments should impede access to the pit. Further, the placement of the building near the rear property line (and this pit) should force activity to the street-side of the site, which should increase the potential for natural surveillance.

The applicant has noted that the building will have a sprinkler system. An existing hydrant on site is proposed to be relocated to the northern edge of the proposed parking lot. Craig Messenger of the City's Fire Prevention Bureau has reviewed the plans and indicated his approval of the proposed location (*Attachment 5*). Notes regarding the maintenance of private fire hydrants on private property have been added to the site plan at Mr.

Messinger's request.

c. Availability and Adequacy of Public Utilities

Water, sewer, gas, and electrical service are proposed from Brighton Avenue. David Margolis-Pineo of the city's Department of Public Services has reviewed these connections and generally indicated his approval. With regard to sewer service, the applicant has noted that the sewer line in Brighton Avenue in this location actually discharges to the city of Westbrook's sanitary system, which is managed by the Portland Water District. The applicant has provided a letter from the city of Westbrook indicating the capacity to serve, but also noting that, unlike in other areas of the city where this situation arises, there is no formal intermunicipal wastewater agreement for this area of Brighton Avenue (*Attachment W*). Mr. Senus writes,

Walsh Engineering Associates has obtained a preliminary Ability to Serve letter from the City of Westbrook acknowledging capacity to serve sanitary wastewater from the project site. The City of Westbrook requests a formal interlocal agreement be approved with the City of Portland prior to issuance of a building permit for the project. Walsh Engineering Associates requests that the approved interlocal agreement be resolved as a condition of approval.

A condition of approval has been suggested in this regard.

4. Site Design Standards

a. Massing, Ventilation, and Wind Impact

The bulk, location, or height of the building are not expected to cause ventilation or wind impacts or substantially diminish the value or utility of neighboring structures.

b. Shadows

The applicant provided a preliminary shadow analysis which showed no impacts to significant public resources (*Attachment J*).

c. Snow and Ice Loading

The applicant shows suitable snow storage locations on site.

d. View Corridors

The site is not located on or near a protected view corridor.

e. Historic Resources

The development would not affect designated landmarks, historic districts, or archaeological resources.

f. Exterior Lighting

Exterior lighting is shown on the landscaping plan. The applicant has provided lighting specifications and a photometric plan which comply with the exterior lighting standards of the city's Technical Manual (*Attachment CC and Plan 21*). However, they have also indicated that additional site lighting may be requested. The review of any additional lighting has been included as a condition of approval.

g. Noise and Vibration

The applicant has noted that the HVAC system would be installed on the building's roof and vented away from public spaces (*Attachment A*).

h. Signage and Wayfinding

The applicant has indicated the location of several hotel signs. These will require a separate review.

i. Zoning-Related Design Standards

The development is not subject to design standards.

X. STAFF RECOMMENDATION

Subject to the proposed motions and conditions of approval listed below, Planning Division staff recommends that the Planning Board approve the proposed development at 1210 Brighton Avenue.

XI. PROPOSED MOTION

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 April 14, 2015 for application 2014-220 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 copy of the notice of intent to comply with the Maine Construction General Permit for review and approval by the Planning Authority;
2. The applicant shall submit a traffic signal design plan for the Brighton Avenue/Riverside Street intersection for review and approval by the Department of Public Services;
3. The applicant shall provide:
 - a. revised plans, as necessary, to depict the final location of a transit facility along the site's Brighton Avenue frontage in accordance with *Section 14-526(a)3.a* and in consultation with Greater Portland METRO, to be reviewed and approved by the Department of Public Services and the Planning Authority, and
 - b. a public access easement for the purposes of this transit facility, to be reviewed and approved by Corporation Counsel and the Planning Authority;
4. The applicant shall provide documentation, in both written and photographic form, of the condition of the stormwater outfall labeled AP#2 on Sheet D2.0 and provide design details for any additional stabilization measures required, to be reviewed and approved by the Department of Public Services;
5. The applicant shall draft and obtain a construction and drainage easement from the City of Portland for the areas associated with the riprap swales along the eastern boundary of the site, to be reviewed and approved by Corporation Counsel and the Planning Authority;
6. The applicant shall provide confirmation from the City of Westbrook that sanitary wastewater service can be provided via an interlocal agreement to be formalized between the City of Portland and the City of Westbrook, to be reviewed and approved by the Planning Authority;
7. Should additional lighting be proposed, the applicant shall provide a revised lighting plan and cut sheets meeting the standards of the city's Technical Manual for review and approval by the Planning Authority; and

8. Prior to the issuance of a certificate of occupancy, the applicant shall provide specifications for proposed signs and HVAC equipment, meeting the standards of the B-4 zone, for review and approval by the Zoning Administrator.

XIV. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

1. Traffic Engineer review (memo from Thomas Errico, 3/18/15)
2. Department of Public Services review (memo from David Margolis-Pineo, 3/2/15)
3. Civil Engineer review (memos from David Senus, 3/12/15)
4. Fire Prevention Bureau review (memo from Craig Messinger, 2/23/15)
5. City Arborist review (memo from Jeff Tarling, 3/23/15)
6. Traffic Engineer addendum (memo from Thomas Errico, 4/2/15)

APPLICANT'S SUBMITTALS

- A. Cover Letter (from Bill Walsh, Walsh Engineering Associates, Inc., 11/14/14)
- B. Letter Authorizing Walsh Engineering Associates to Act as Agent
- C. Site Plan Application
- D. Fire Department Checklist and Summary
- E. Development Description
- F. Evidence of Right, Title, and Interest
- G. Evidence of State and/or Federal Approvals
- H. Assessment of Compliance with Site Plan Standards
- I. Traffic Impact Analysis
- J. Preliminary Shadow Analysis
- K. Requests for Ability to Serve Letters
- L. HydroCAD Stormwater Calculations
- M. Summary of Existing and/or Proposed Easements
- N. Written Request for Waivers
- O. Evidence of Financial and Technical Capacity
- P. Response to Comments (from Bill Walsh, 2/17/15)
- Q. Easement, Susse Chalet to Humble Oil (1/7/72)
- R. Neighborhood Meeting Minutes
- S. PWD Capacity to Serve Letter
- T. CMP Capacity to Serve Letter
- U. Response to Comments (from Bill Walsh, 3/6/15)
- V. Hotel Brand Parking Specifications
- W. City of Westbrook Wastewater Capacity Letter
- X. Revised Stormwater Calculations
- Y. Response to Comments (from Bill Walsh, 3/17/15)
- Z. Revised Project Data Sheet
- AA. Response to Comments (from Silas Canavan, 4/1/15)
- BB. Response to Comments (from Silas Canavan, 4/6/15)
- CC. Bollard Cut Sheet

C. PLANS

- Plan 1. Cover Sheet
- Plan 2. Boundary and Topographic Survey

- Plan 3. Existing Conditions and Removals Plan
- Plan 4. Site Layout and Utility Plan
- Plan 5. Grading and Drainage Plan
- Plan 6. Landscape and Lighting Plan
- Plan 7. Elevations
- Plan 8. Elevations
- Plan 9. Rendering
- Plan 10. Site Details
- Plan 11. Site Details
- Plan 12. Site Details
- Plan 13. Site Details
- Plan 14. Site Details
- Plan 15. Site Details
- Plan 16. Erosion and Sedimentation Control Notes
- Plan 17. Pre-Development Conditions
- Plan 18. Post-Development Conditions
- Plan 19. Bus Maneuvering Plan
- Plan 20. Pavement Marking and Signage Plan
- Plan 21. Photometric Plan