

May 28, 2008

William C. Haskell, PE  
Gorrill- Palmer Consulting Engineers, Inc  
P.O Box 1237  
15 Shaker Road  
Gray, Maine 04039

RE: Burger King. 132 Riverside Street  
Application ID #: 2008-0053  
CBL: 267 A007001

Dear Will:

Thank you for submitting responses to the preliminary comments I sent you on May 19, 2008 concerning the proposed Burger King at 132 Riverside Street. As I mentioned in my May 19<sup>th</sup> letter, this proposal is also undergoing engineering review by the Department of Public Works. I emailed you preliminary review comments submitted by the City's consulting traffic and consulting civil engineers on May 27, 2008 and have also copied the content of those memorandums into this letter. Please also note the following additional review comments:

**Landscaping:**

1. In my May 19<sup>th</sup> letter, I conveyed Jeff Tarling's recommendation that bituminous Cape Cod curbing be installed along the northern and western boundary between the proposed parking spaces and landscaped beds to protect landscaping from vehicle damage. Upon further review with the Department of Public Works it has been determined that Cape Cod bituminous curbing is not appropriate and, instead, permanent precast concrete or granite curbing should be used in these locations.

**Zoning:**

1. This property is located within a B-4 Business Zone. All the setbacks, impervious surface ratio, parking, building height and F.A.R. are being met.
2. I followed up with Marge Schmuckal concerning the existing nonconforming highway

3. sign at the site. Section 14-366.5 of the Sign Ordinance states that all commercial signage shall be removed within thirty days of vacancy and thus, any nonconforming signage would lose its grandfathered status within that same time frame. Section 14-372 – *Nonconforming Signs*, list actions that would require that a lawfully nonconforming sign be brought up to City standards. It appears, in my review of that section that this sign would have to be removed or brought up to City standards as part of this development proposal. Three are exception criteria listed in the Site Plan Ordinance (Section 14-526(23)) that pertain to signage, however this particular sign does not appear to meet these criteria. Please note that a freestanding sign in the B-4 zone may not exceed 35 feet in total height (base to top of sign). As you know, separate permits are required for all proposed signage.

**Site Plan:**

1. Please show the existing driveway at the rear of the site, which connects to the abutting parcel, on the revised site plan.
2. Several signs are shown on the plan view, but no signage elevations are provided. Please provide proposed elevations for all freestanding commercial signage.

**Urban Design:**

We are generally supportive of the overall form, orientation and architectural treatment being proposed. The restaurant, as proposed, represents a significant improvement to the site.

1. Please provide detail on the proposed colors (#1 and #2 as identified on the plans) and proposed facade materials.
2. We are supportive of the proposed landscaping and façade details for the main entrance (western façade) and front entrance (southern façade) but think that the rear (northerly facade) should include additional treatment through either additional architectural detail, enhanced landscaping for visual screening or a combination of both types of treatment. Though this is considered the “rear” elevation of the facility and the character of the walk-in boxes presents limited opportunity for additional fenestration, this side of the building faces Riverside Street, is the first view for drivers and pedestrians travelling south on Riverside Street and, therefore, is an important visual aspect of the development.

**Traffic and Circulation:** (*comments emailed to W. Haskell on May 27, 2008*)

1. The entrance on Riverside Street should be restricted to right-turn entry and exit movements only. A median island should be provided in Riverside Street to physically prevent left-turn movements. This island will also be compatible with the restricted driveway on the opposite side of Riverside Street. These improvements will need to be compatible with future PACTS improvements.
2. Tom Errico, Consulting Traffic Engineer will confirm with Jim Carmody, City Transportation Engineer on the need for crosswalks at the driveway entrances. A determination on this will be provided to you as soon as possible.
3. The northerly radius on Riverside Street should be ADA compliant.
4. The drive-through lane does not provide a “bail-out” option. This condition seems atypical for a drive-through restaurant.

5. The parking stalls are 20 feet long. The parking layout should be revised to 9' x 19' parking stall to meet City Technical and Design Standards.
6. The parking aisle is proposed to be 25 feet. The aisle width should be 24 feet, per City standards.
7. The radii on Larabee Road should be granite and be ADA compliant.
8. The applicant should provide a turning template for vehicle maneuvers onto Larabee Road and an assessment concerning whether the existing island on Larabee Road needs modifications.
9. The applicant should provide information on how truck deliveries will occur and access/egress movements for trucks.
10. The applicant should provide pedestrian accommodations from Larabee Road to the restaurant.
11. A cross parcel connection between the proposed site and the rear/northerly site should be maintained. This driveway should be included on the revised plans (see review comments under 'site plan').
12. The applicant should provide a summary of traffic generating increases/decreases for the Saturday peak hour.

**Engineering:** *(comments emailed to W. Haskell on May 27, 2008)*

1. The application should include a fuel station demolition plan and environmental site assessment.
2. Please confirm that the survey for the project coincides with approved City standards. The survey needs to be tied to the vertical datum of NGVD 1929. Also, the project needs to be tied to the Maine State Plane Coordinate System (2-zone projection), West Zone using the NAD 1983 (HARN) Datum and the U.S. Survey Foot as the unit of measure. This information should be indicated on the survey.
3. The bituminous pavement details should show the correct types of pavement in conformance with City of Portland Standards. For roads and parking, surface paving is grading C (or superpave 12.5 mm HMA), and binder paving is grading B (or superpave 19.0 mm HMA). For sidewalks, all pavement is grading C.
4. Do Not Enter "signage should be included at the drive thru exit.
5. Stop signs should be included at the drive-thru/parking aisle intersection.
6. The curb stop for the water service line must be located within the right of way.
7. The plans should include references to the removal or capping of abandoned utilities.
8. Please indicate if the existing catch basins and drainage pipes will be removed.
9. The plans are missing significant amount of information regarding the existing sewer main. Without this information, the proposed sewer system cannot be evaluated.
10. Please include sizing calculations for the proposed grease trap.
11. The apparatus schedule item WQU1 should reference the Downstream Defender detail.
12. The proposed grading of the drive-thru directs water along the outer curb line, but the catch basin is located on the inner curb. Stormwater must cross the drive-thru lane in order to drain into the system. This grading scenario may result in ponding and freezing.
13. Please provide pre-development and post-development drainage area plans that correlate with the Hydrocad calculations.

14. The trash enclosure detail on Sheet C402 references Section A-A, but this section is missing from the plan set. Please include a section and/or an elevation of the trash enclosure.
15. The application should include a description of existing drainage problems or a statement that no drainage problems exist.
16. Provide additional grading around the main entrance. Interpolating between proposed contours results in a sidewalk elevation of 73.6 +/- at the entrance. The proposed finish floor elevation is 73.85. Please show how the entrance sidewalk will conform with ADA requirements.
17. Provide granite curb details.
18. The parking space next to the trash enclosure will block access to the dumpster, and should be eliminated.
19. The location of the nearest hydrant should be included on the plans.
20. Provide a bituminous walkway detail.
21. Please include waste receptacle locations on plans.
22. Show crosswalk hatching at entrance from Riverside Street.

I look forward to receiving your plan revisions and requested materials. Please note that the Planning Authority may request additional information during our continued review of the proposal according to applicable laws, ordinances and regulations. If you have any questions, feel free to contact me at 874-8901 or by email at [mpc@portlandmaine.gov](mailto:mpc@portlandmaine.gov).

Sincerely,

Molly Casto, Planner

cc: Barbara Barhydt, Development Review Services Manager