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Director of Planning and Urban Development

Penny St. Louis Littell

Planning Division, Director

Alexander Jaegerman

August 12, 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 revised plans for the proposed Burger King at 132 Riverside Street (dated July 25, 2008). The plans are currently being reviewed by the City's development review team who, to date, has submitted the following comments:

Zoning:

1. The parcel 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. Marge Schmuckal has verified that, because the gas station is currently open for business, the applicant has retained rights to the upper box of the legally nonconforming highway sign on site. Please note that the lower sign for Tim Horton's Restaurants would not be able to be used by the new Burger King because its approval has lapsed due to the abandonment of the sign and the abandonment of Tim Horton's. That entire box should be removed. New panels will not be allowed to be inserted in that lower box. As you know, separate permits are required for all proposed signage. Marge has no further comment.

Fire Safety:

3. Captain Greg Cass has reviewed and approved the proposal and the submitted Fire Department Checklist. Captain Cass has no further comment.

Site Plan:

4. Seven (7) bicycle parking spaces have been included on the south side of the entrance per City requirements. Please include a detail drawing for the proposed bicycle rack.

5. The submitted photometric plan and details show that proposed exterior site lighting meets City of Portland standards. I have no further comment.
6. The submitted sound level information from HME indicates that the proposed drive-through speaker system meets City of Portland noise standards. I have no further comment.

Urban Design:

7. The revised elevations represent an improvement to the original proposal; however the applicant is encouraged to further consider the visual impact of the northeast corner (rear) of the building from the perspective of Riverside Street. There may be an opportunity to mitigate the blank walls through further architectural detailing and landscaping along this corner of the building. Though this is considered the “rear” elevation of the facility, 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.

Landscaping:

8. Final comments from Jeff Tarling, City Arborist are pending. I will forward any remaining comments and/or a final sign off to you via email.

Traffic and Circulation:

Tom Errico, Consulting Transportation Engineer to the City of Portland has submitted review comments (attached). Comments pertaining to outstanding issues have been copied below:

9. The radii on Larabee Road should be granite and a sidewalk should be extended to the opposite side of the driveway (with an ADA compliant ramp) towards the City of Westbrook boundary.
10. In addition to the pedestrian accommodations provided from Riverside Street, the applicant should provide pedestrian accommodations from Larabee Road to the restaurant.

Engineering:

11. Written comments from Dan Goyette, Consulting Engineer to the City of Portland are pending. As we discussed on the phone, the Department of Public Services have raised the following issues concerning the plan revisions:
 - There appears to be information concerning existing and proposed stormwater systems and utility infrastructure missing from the plans. This includes but is not limited to information on rim, invert and pipe sizes, and the pipe sizes for tapping into the existing water and gas utilities.
 - The proposal is located within an impaired watershed. DPS encourages additional use of Low Impact Development (LID) treatments to manage stormwater runoff.
12. The Department of Public Services supports a waiver for the use of HMA 9.5 mm pavement for paving within the project site, however any paving in the City right-of-way must conform with City of Portland Standards (surface paving is grading C or superpave 12.5mm HMA and binder paving is grading B or superpave 19.0 mm HMA. On sidewalks, all pavement must be grading C).

As we discussed, I encourage you to contact David Margolis-Pineo to discuss any issues or questions pertaining to the City’s engineering review of the proposal. David will be conferring with Dan Goyette to submit written comments concerning the plan revisions. I will forward these to you by email when I receive them.

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.

Sincerely,

Molly Casto, Senior Planner