



Memorandum

To: Chair Boepple and Members of the Planning Board

From: Bill Needelman, Waterfront Coordinator

Date: May 31, 2016

Re: Waterfront Marketplace at Ocean Gateway, Conditional Use Application

Introduction

On behalf of the Department of Parks, Recreation, and Facilities, the Economic Development Department is submitting an application for Conditional Use approval to initiate a Waterfront Marketplace at Ocean Gateway.

The marketplace will have a limited number of leased retail market stall opportunities set within an area accessible to the growing street artist community.

The proposed Marketplace will provide cruise ship and ferry passengers, as well as tourists and residents of Portland, access to a range of goods and services in an outside market environment located between the Ocean Gateway and the Maine State Pier. The Waterfront Marketplace will additionally provide congestion relief on larger cruise ship days for the sidewalks on Commercial Street where informal vending of art currently concentrates.

The Board is requested to review the proposal as a Conditional Use in the Eastern Waterfront Port Zone (Passenger Support Services, Retail.)

Background

The success of the City's Cruise Ship program has generated the need to address the demands of passengers and the congestion on waterfront sidewalks. The Waterfront Marketplace at Ocean Gateway attempts to address both of these issues by assigning a location for two forms of retail: fixed market stalls, and street artist tables. The market stalls will be established on designated leaseholds with seasonal leases. Artist table vendors will have full access to the marketplace on vacant land and on unleased market stall areas.

Market Stalls and Artists Working Together

With increased numbers of cruise ship passengers landing at the Portland Ocean Terminal and Ocean Gateway, the City has received significant interest from small scale retailers and tour operators looking to locate on land associated with the terminals. While not looking draw business away from the Old Port, the Facilities Division sees the strip of land located on the south side of the Eastern Prom Trail as a natural market area and gateway to the City for visiting passengers.

In addition to meeting an unmet retail demand, the city is simultaneously looking to address a significant safety issue on the Old Port – sidewalk congestion. Currently, artists use the Old Port sidewalks for selling products from tables as allowed by City code (Sec. 19-23.) However, on Commercial Street during larger cruise ship days the number of street artist tables has far exceeded the capacity of the sidewalks to serve both pedestrian needs and street artist tables. The congestion has resulted in gridlock on the sidewalks, interrupted vehicle and truck access to working piers, and many pedestrians having no choice but to walk in Commercial Street.

In response to safety concerns for pedestrians, the City Manager has issued restrictions on street artist vending between Ocean Gateway and Dana Street on the south (water) side of Thames and Commercial Streets. On larger cruise ship days (over 1000 passengers,) the artists have been directed to use the Marketplace site and stay off the most congested sidewalks.

The vision of the Waterfront Market at Ocean Gateway is to use the fixed stall vendors as anchor tenants to attract both the table artists and their patrons to an area that can accommodate crowds without congestion. While the artist tables have wide latitude in the City Code and do not require Conditional Use review, the market stalls are fixed facilities and warrant approval by the Planning Board.

The City is requesting that the Board approve the Waterfront Market Place as shown in Attachment A as a Conditional Use within the EWPZ as a means to serve the growing marine passenger market, and help to relieve congestion on waterfront sidewalks.

Supporting Material.

In support of this application, please see the following:

- Conditional Use Application
- Ocean Gateway Subdivision Map - right, title and interest
- Conditional Use Standards Narrative
- Exhibit A: Waterfront Marketplace at Ocean Gateway – Map and Notes

NOTE: Exhibit A is intended to include all relevant information needed to administer the conditional use. Individual market stall leases will be executed to implement the restrictions described in the Exhibit. The applicant is amenable to having each lease reviewed by the Planning Authority for consistency with the Exhibit A as a condition of approval.