

1. Legal Ad

Documents: [PB LGL AD 10-28-14.PDF](#)

2. Agenda

Documents: [PB AGENDA 10-28-14.PDF](#)

3. R-6 And R-7 Text Amendments

3.I. Memo

Documents: [R-6 TEXT AMENDMENTS \(MEMO\).PDF](#)

3.I.i. Attachment 1

Documents: [R-6 TEXT AMENDMENTS \(ATTACHMENT 1\).PDF](#)

3.I.ii. Attachment 2

Documents: [R-6 TEXT AMENDMENTS \(ATTACHMENT 2\).PDF](#)

3.I.iii. Attachment 3

Documents: [R-6 TEXT AMENDMENTS \(ATTACHMENT 3\).PDF](#)

3.I.iv. Attachment 4

Documents: [R-6 TEXT AMENDMENTS \(ATTACHMENT 4\).PDF](#)

3.II. Public Comment

Documents: [R-6 TEXT AMENDMENTS \(PUBLIC COMMENT\).PDF](#)

4. 145 Washington Avenue

4.I. Washington Ave. - 145 (Report)

Documents: [WASHINGTON AVE. - 145 \(REPORT\) 2.PDF](#)

4.II. Washington Ave. - 145 (Applicants Submittal)

Documents: [WASHINGTON AVE. - 145 \(APPLICANTS SUBMITTAL\).PDF](#)

4.III. Washington Ave. - 145 (Public Comment)

Documents: [WASHINGTON AVE. - 145 \(PUBLIC COMMENT\).PDF](#)

5. 76 St. Lawrence Street

5.I. Report

Documents: [CONGRESS ST. - 66 \(REPORT\).PDF](#)

5.II. Report Attachments

Documents: [CONGRESS ST. - 66 \(REPORT ATTACHMENTS\).PDF](#)

5.III. Applicants Submittal

Documents: [CONGRESS ST. - 66 \(APPLICANTS SUBMITTAL\).PDF](#)

5.IV. Public Comment

Documents: [CONGRESS ST. - 66 \(PUBLIC COMMENT\).PDF](#)

5.V. Plans

Documents: [CONGRESS ST. - 66 \(PLANS\).PDF](#)

**LEGAL ADVERTISEMENT
PORTLAND PLANNING BOARD MEETING**

The Portland Planning Board will hold a meeting on October 28, 2014, Room 209, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at the public hearing.**

The agenda includes the following items:

Workshop – 4:30 p.m.

- i. Residential R-6 Text Amendments, City of Portland, Applicant. The Board will consider proposed text amendments for a comprehensive update of the R-6 zone with an emphasis on revising required dimensional standards and permitting townhouse development on individual lots in the R-6 zone.

Public Hearing – 7:30 p.m.

- i. East Cove Townhomes, 145 Washington Avenue; Map Amendment; Ron Gan (Representing Munjoy Hill Homes), Applicant. The Board will hold a public hearing to consider a map amendment from Residential R-6 to Business B-1 which includes properties from Walnut Street westerly to the ROS zone and along the easterly side of Washington Avenue. The applicant is Munjoy Hill Homes – Sheridan LLC, represented by Ron Gan. The Applicant seeks the map amendment in order to develop a mixed use project with residential and commercial uses at 145 Washington Avenue.
- ii. Amended Conditional Rezoning Agreement; 76 St. Lawrence Street; St. Lawrence Arts Center, Applicant. The Board will hold a public hearing to consider proposed amendments to a conditional zoning agreement for the St. Lawrence Arts Center, including a proposed Transportation Demand Management Plan. The amendments have been proposed by the Friends of the St. Lawrence Church to allow an addition to their existing performance arts venue, including a 401 seat theater, lobby area, support spaces, and function rooms, on the site of the former St. Lawrence Church sanctuary at 76 St. Lawrence Street.

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD

CITY OF PORTLAND, MAINE
PLANNING BOARD

Stuart G. O'Brien, Chair
Timothy Dean, Vice Chair
Elizabeth Boepple
Sean Dundon
Bill Hall
Carol Morrisette
Jack Soley

AGENDA
PORTLAND PLANNING BOARD

The Portland Planning Board will hold a meeting on October 28, 2014, Room 209, 2nd Floor, City Hall, 389 Congress Street. **Public comments will be taken at this meeting.**

WORKSHOP – 4:30 p.m.

- i. Residential R-6 Text Amendments, City of Portland, Applicant. The Board will consider proposed text amendments for a comprehensive update of the R-6 zone with an emphasis on revising required dimensional standards and permitting townhouse development on individual lots in the R-6 zone.

PUBLIC HEARING - 7:30 p.m.

1. **ROLL CALL AND DECLARATION OF QUORUM**
2. **COMMUNICATIONS AND REPORTS**
3. **REPORT OF ATTENDANCE AT THE FOLLOWING MEETINGS:**
OCTOBER 14, 2014:

Workshop: There was no workshop portion of this meeting.

Public Hearing: O'Brien, Dean, Boepple, Hall and Morrisette present. Dundon and Soley absent.

4. REPORT OF DECISIONS AT THE MEETING HELD ON OCTOBER 14, 2014;

1. 72 Bishop Street, B-2 Map Amendment; Avesta Housing, Applicant. Dean moved and Morrisette seconded the motion that the proposed map amendment to Community Business B-2c and Residential R-5 as shown in Option A in the report is consistent with the Comprehensive Plan and does recommend adoption of the proposed amendment to the City Council. The Board voted 3-1, Dean opposed; Dundon and Soley absent.
2. B-1 and B-2 Text Amendments; City of Portland, Applicant. Dean moved and Morrisette seconded the motion that the proposed text amendments to Division 9. B-1 and B-1b Neighborhood Business Zones and Division 10. B-2 and B-2b Community Business Zones are consistent with the Comprehensive Plan and recommends adoption of the proposed amendment to the City Council. The Board voted 5-0 with Dundon and Soley absent.

5. NEW BUSINESS

- i. East Cove Townhomes, 145 Washington Avenue; Map Amendment; Ron Gan (Representing Munjoy Hill Homes – Sheridan LLC), Applicant. The Board will hold a public hearing to consider a map amendment from Residential R-6 to Business B-1 which includes properties from Walnut Street westerly to the ROS zone and along the easterly side of Washington Avenue. The Applicant seeks the map amendment in order to develop a mixed use project with residential and commercial uses at 145 Washington Avenue.
- ii. Amended Conditional Rezoning Agreement; 76 St. Lawrence Street; St. Lawrence Arts Center, Applicant. The Board will hold a public hearing to consider proposed amendments to a conditional zoning agreement for the St. Lawrence Arts Center, including a proposed Transportation Demand Management Plan. The amendments have been proposed by the Friends of the St. Lawrence Church to allow an addition to their existing performance arts venue, including a 401 seat theater, lobby area, support spaces, and function rooms, on the site of the former St. Lawrence Church sanctuary at 76 St. Lawrence Street.

STUART O'BRIEN, CHAIR - PORTLAND PLANNING BOARD



Memorandum
Planning and Urban Development Department
Planning Division

To: Chair O'Brien and Members of the Portland Planning Board
From: Christine Grimando, Senior Planner
Date: October 24, 2014
Re: R-6 Text Amendments
Meeting Date: October 28, 2014

I. Introduction

The Planning and Urban Development Department is proposing text amendments to the R-6 Residential Zone. These changes are primarily concerned with the dimensional requirements of the zone and parking standards. The provision for *small residential lot development*, enacted in 2005, is also proposed for elimination. An important aspect of the changes is to convert the dimensional requirements from a descriptive listing to a table format, shortening and simplifying the overall text of the ordinance. A summary of all proposed changes is included in **V.**, below.

The objective of these changes is to allow for a pattern of development that provides for greater housing opportunities, enables infill development on small parcels, and to have standards in place that make it possible for new construction to be consistent with the historic pattern of development prevalent in the neighborhoods where R-6 is prevalent.

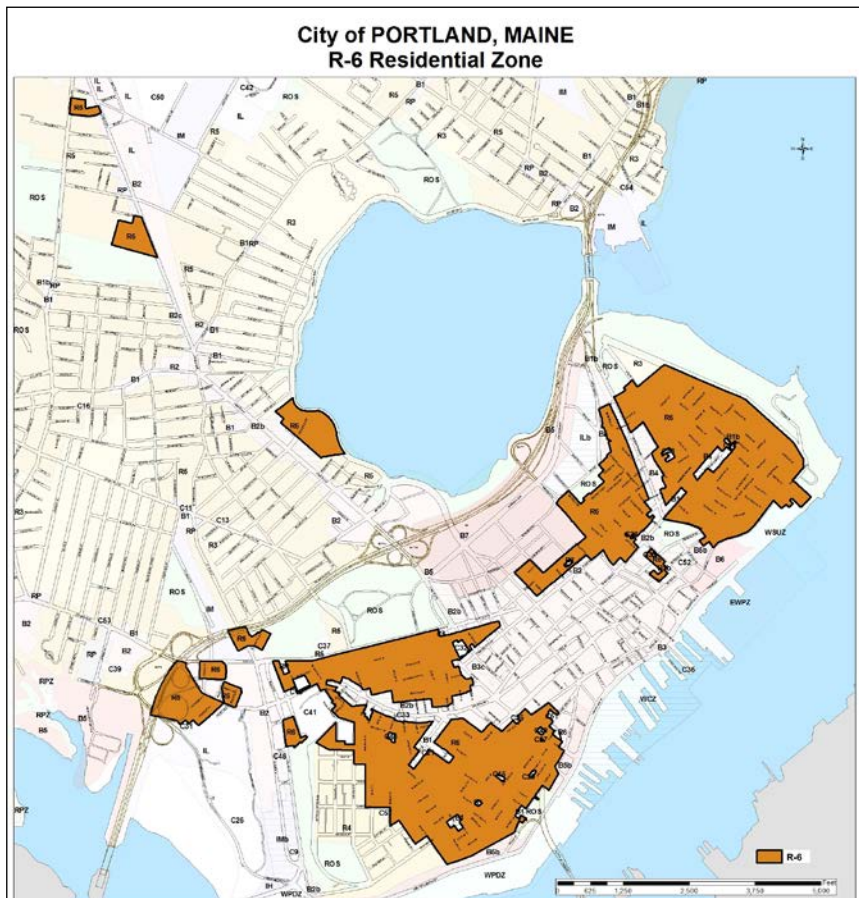


Figure 1

As the dominant on-peninsula residential zone, R-6 encompasses the majority of Munjoy Hill, Parkside, the West End, and portions of other neighborhoods. These neighborhoods, varied though they are, embody successful pre-war development patterns – patterns that are not mirrored in the current dimensional requirements of the R-6 zone. Though the pattern of the peninsula’s built environment is largely established, incremental changes to that pattern are ongoing, and the parameters of current zoning affect urban character today and into the future. It is hoped that these changes bring Portland’s zoning closer into alignment with desirable patterns of development than is currently the case, as well as offering greater flexibility to existing and future property owners. As an example of the disparity between development patterns and zoning requirements, the current minimum lot size of 4,500 square feet renders 71% of existing parcels non-conforming. Similarly, the current minimum front setback of ten feet does not reflect the predominant pattern of Portland’s residential neighborhoods, and if met or exceeded would produce a place of a significantly different urban character from the historic and much loved pattern there today.

II. Purpose Statement for the R-6 and Land Use Policies

The purpose of the R-6 residential zone is: (a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses, and (b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

This amendment will produce R-6 standards of greater consistency with the R-6 purpose statement than the current regulations.

III. Comprehensive Plan Policies

Numerous recommendations in Housing: Sustaining Portland’s Future, support these text changes. Policy 1 indicates zoning should encourage all types of high quality and compatible housing to enhance neighborhoods, encourages high density, small lot infill, and allowing for a range of housing types. Policy 3 (Maintain and enhance the livability of Portland’s neighborhoods as the city grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity) recommends updating codes to encourage new residential development that: Offer diverse and quality living options; Encourages traditional neighborhood elements, Promotes a walkable city; Are Compatible with Portland’s existing neighborhoods. It also recommends ensuring the integrity and economic value of Portland’s neighborhoods, working to find productive uses for vacant and underutilized lots, and increasing density where appropriate to achieve neighborhood diversity.

IV. City Council Goals.

These amendments are consistent with the City Council Common Goals and Objectives for 2014, which calls for zoning ordinance to allow for greater housing opportunities. A specific housing objective states: *Complete draft rewrites of the R-6, R-7 and B-2 portions of the zoning ordinance to allow for greater housing opportunities and present to Planning Board and Housing and Community Development Committee for review and recommendations to City Council.*

V. Proposed Text Amendments

Table 1 includes all proposed dimensional changes, with brief discussion of other proposed text amendments to follow.

Table 1

R-6 Existing and Proposed		
Dimensional Requirements	Existing	Proposed
Minimum Lot Size	Residential Uses: 4,500 sf	Residential Uses: 2,000 sf
	Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.	Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
	Intermediate care facility: One (1) acre.	Intermediate care facility: One (1) acre.
	School: Thirty thousand (30,000) square feet.	School: Thirty thousand (30,000) square feet.
	Places of assembly: Large, 30,000 sf; Medium, 15,000 sf; Small, 7,500 sf.	Places of assembly: Large, 15,000 sf; Medium, 10,000 sf; Small, 5,000 sf.
	Municipal Use: 4,500 sf	Municipal Use: 2,000 sf
	Hospital: Two (2) acres	Hospital: Two (2) acres
	Lodging house: Four thousand five hundred (4,500) square feet.	Lodging house: Two thousand five hundred (2,500) s.f.
	All other uses: Forty-five hundred (4,500) square feet.	All other uses: Two thousand five hundred (2,000) s.f.
Min. Lot Area/Dwelling Unit	<i>Minimum land area per dwelling unit:</i> One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.	725 s.f.
Minimum Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f (Combine Lodging House Rooming Unit and Intermediate Care Facility Resident requirement)
Minimum land area per intermediate care facility resident	Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.	see above
Street Frontage	40 feet	20 feet

Minimum Front Yard Setback for Principal and Accessory Structures	Principal or accessory structures: Ten (10) feet. A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.	5 feet, or no more than average depths of adjacent front yards.
Minimum Rear Yard Setback for Principal and Accessory Structures	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.	10 feet, except that accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
	ii. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.	Setbacks for swimming pools shall be as provided for in section 14 432 (swimming pools) of this article
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
Minimum Side Yard Setback for Principal and Accessory Structures	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.	5 feet, except that lots under common ownership may have a minimum of 0 feet on one side yard structures, provided a cumulative of 10 feet of side yard setbacks is provided.
	ii. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.	ii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:	
	<i>Height of Structure Required Side Yard</i>	
	1 story 10 feet	
	2 stories 10 feet	
	3 stories 10 feet	
	4 stories 12 feet	
	5 stories 15 feet	
	The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be	

	less than ten (10) feet.	
	ii. Detached accessory structures with ground coverage of one hundred and forty-four(144) square feet or less: Five (5) feet.	
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
Side Yard on Side Street	10 feet	0 feet
Structure Stepbacks		Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone. <i>Does not apply to side yards on side streets.</i>
Maximum Lot Coverage	Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.	60%
Minimum Lot Width	50 feet	20 feet
Maximum Height	Principal and attached accessory structure: Forty-five (45) feet.	Principal and attached accessory structure: Forty-five (45) feet.
	Accessory detached structure: Eighteen (18) feet.	Detached accessory structure: Eighteen (18) feet.
Landscaped Open Space	<i>Uses other than bed and breakfast.</i> Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.	20%
	<i>Bed and breakfasts.</i> A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for site plan review. Open space areas shall not include parking areas or other impervious surface areas as defined in section 14-47.	

Minimum gross floor area for bed and breakfasts	Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.	Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
Maximum floor area for places of Assembly	<i>On a collector or arterial road:</i>	<i>On a collector or arterial road:</i>
	Large: Not limited	Large: Not limited
	Medium: 4,500 sf	Medium: 4,500 sf
	Small: 2,250 sf	Small: 2,250 sf
	<i>Not on a collector or arterial road:</i>	<i>Not on a collector or arterial road:</i>
	Large: 4,500 sf	Large: 4,500 sf
	Medium: 2,250 sf	Medium: 2,250 sf
	Small: 1,125 sf	Small: 1,125 sf
Maximum Garage Opening		Garage openings on front façade shall not exceed the greater of nine (9) feet or forty (40) percent of the front façade.

The changes are meant to simplify the ordinance, provide opportunities for additional housing construction, and allow for greater flexibility on lots. To that end the density standard, currently a variable 1,000 sf per dwelling unit for the first three units, and 1,200 sf per dwelling unit thereafter (36 units per acre) is being proposed to be changed to 725 sf per dwelling unit (60 units per acre). Minimum lot size is proposed to change from 4,500 sf to 2,000 sf, better matching the dense, small lot fabric of residential neighborhoods on the peninsula. Setbacks are reduced to also better match traditional building patterns, reducing the front setback from 10 feet to 5 feet. Side and rear setbacks are similarly reduced. The changes to lot coverage and setback standards have implications for existing as well as future homeowners and property developers, allowing small additions, decks, or accessory structures to be built where they currently are not allowed, allowing greater flexibility for existing properties, and also allowing for the possibility of existing neighborhood patterns to be replicated.

Other significant changes include:

- A provision to allow townhouse style, horizontally attached dwelling units to occur through the elimination of the side setback (Sec. 14-139.b).
- The Small Residential Lot Development (current Sec. 14-139.2) is proposed to be eliminated. This standard is in place to allow for small, non-conforming lots to be developed, as the current minimum lot size renders so many small lots unbuildable. It is the goal of these changes to have a lot size sufficiently small as to eliminate the need for this provision.
- A maximum portion of the front façade has been set to 9 feet or 40 percent, so as not to have residential facades be disproportionately dominated by vehicle storage.
- Staff is proposing that the on-peninsula residential parking requirement be eliminated for the first three dwelling units. A duplex would have no parking requirement and a six unit building would be required to provide three spaces, for example. This change will better enable small lot development, allowing 1-4 unit

structures such as the traditional triple decker on small lots (a well-distributed housing type in the R-6 neighborhoods), and greater viability for small scale, non-professional homebuilders.

VI. Public Process

Over the course of several months, staff met with each impacted neighborhood organization to discuss the proposed changes, on the following dates:

- June 11. West End Neighborhood Association
- June 16. Western Promenade Neighborhood Association
- July 7. St. John Valley Neighborhood Association
- July 14. Libbytown Neighborhood Association
- July 16. Parkside Neighborhood Association
- August 5. Bayside Neighborhood Association
- August 11. Munjoy Hill Neighborhood Association
- August 19. East Bayside Neighborhood Association

Though some of these standards have changed since their initial conception, the below summary of changes that were being considered was presented at each meeting (Table 2). The same table was distributed at each meeting so that every neighborhood organization had an opportunity to respond to a common proposal, with the caveat that some of the dimensions and details of the proposal were likely to alter. Planning staff also met with the Southern Maine Landlord Association, and numerous individuals who requested meetings on the topic.

Table 2

Potential R-6 Amendments to Dimensional Requirements		
<i>Residential Dimensional Requirements</i>	<i>Existing</i>	<i>Proposed</i>
Lot Size	4,500 sf	2,500 sf
Min. Lot Area/Dwelling Unit	1,000-1,200 sf	725 sf
Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f
Street Frontage	40 feet	30 feet
Front Yard Setback	10 feet, or no more than average depths of adjacent front yards	5 feet, or no more than average depths of adjacent front yards
Rear Yard Setback	20 feet	10 feet
Side Yard Setback	10-15 feet, variable by height	5 feet
Side Yard on Side Street	10 feet	0 feet
Maximum Lot Coverage	40-50%, variable by # of dwelling units/lot	60%
Minimum Lot Width	40 feet	30 feet
Maximum Height	45 feet	45 feet
Landscaped Open Space	20-30%, variable by # of dwelling units/lot	20%
Parking	1 space/unit	1 space/unit, except none required for first 3 units

At these meetings, staff made a brief presentation on the reasons for rezoning, how the changes related to existing neighborhood contexts, and implications for future development. A sample of one of the packets distributed for

the East Bayside Neighborhood Association meeting is included as Attachment 4. The packet included examples of nonconforming parcels, with sketches demonstrating the results of existing and proposed setbacks (see example in Figure 2) to illustrate the limitations in incongruity of existing dimensional requirements.



Figure 2

The feedback we received was lively and varied, and much of it was supportive. The overall goals of zoning standards that better align with historic and desired patterns of development, the need to allow for greater housing production, and greater flexibility for property owners on small lots were received well. Feedback on the details of the proposal was far from uniform or entirely positive, though, and there were several recurrent themes that emerged:

- *That five foot minimum side setbacks combined with a 45 foot height limit will create light and air impacts for adjacent properties.* In response, the text amendments were changed to include stepbacks of an additional five feet beyond rear and side yard requirements for portions of building above 35 feet.
- *That allowing higher densities in residential zones will hasten a loss of larger housing units and families that occupy them, including the conversion of single family homes and multi-bedroom apartments to 1-bedrooms and efficiencies.* There is an existing zoning provision that speaks to this concern, placing size limits on the conversion of existing buildings into additional dwelling units. Sec. 14-136.2 requires that the creation of new multifamily dwellings originating from the alteration of an existing residential structure not result in the creation of any new dwelling unit of less than 600 square feet of floor area, and shall not result in any existing dwelling unit being reduced in size to less than one thousand (1,000) square feet of floor area. This does not prohibit division of existing units, but it does aid in the retention of a varied housing stock.

- *That the proposed parking exemption for the first three units will have negative impacts on the livability of the impacted neighborhoods.* This has been by far the most contentious aspect of the proposed changes. It should be noted there has been some genuine support for this proposal, as well as some qualified support, but also, and in greater numbers, opposition. A number of the people we've met with were skeptical but constructively engaged with the topic, offering possible alternatives such as allowing this exemption for small developments/small parcels only, or requiring that one parking space be mandatory and the next three exempted to insure that a driveway, and other informal uses of that space for off-street parking, were made possible. Staff does not believe this to be a drastic proposal, and it offers flexibility and the potential for reduced costs for small lot housing production. Any property developer feeling the need for more parking spaces would still have the option of providing them – this is not a prohibition on providing parking for the first three spaces. Nevertheless it is a topic of great import for the community member we've met with, and deserves careful consideration.

VII. Next Steps

- Staff to revise R-6 amendments according to Planning Board comments.
- Schedule a date for a follow-up workshop.

VIII. Attachments

1. Proposed Text Amendments to Portland Land Use Code, Div. 7, R-6 Residential Zone
 2. Proposed Text Amendments to Portland Land Use Code, Sections 14-332, 14-333, and 14-433.
 3. Table of Existing and Proposed Dimensional requirements
 4. EBNO Meeting Packet
-
5. Public Comment
 PC1: Todd Alexander 7/10/2014
 PC2: Ann Pringle 8/19/2014
 PC3: Carolyn Young 8/21/2014
 PC4: Jean Russo 10/10/2014
 PC5: Ron Gan 10/20/2014
 PC6: Donald Peterson 10/21/2014

Date of Draft: October 24, 2014

DIVISION 7. R-6 RESIDENTIAL ZONE

Sec. 14-135. Purpose.

The purpose of the R-6 residential zone is:

(a) To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses.

(b) In cases of qualifying small, vacant, underutilized lots located in the urban residential and business zone, to encourage new housing development consistent with the compact lot development pattern typically found on the peninsula.

...

Date of Draft: October 24, 2014

Sec. 14-139. Dimensional requirements.

In addition to the provisions of division 25 (space and bulk regulations and exceptions) of this article, lots in the R-6 zone shall meet or exceed the following minimum requirements:

R-6 Dimensional Requirements	
Minimum Lot Size	Residential Uses: 2,000 sf
	Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
	Intermediate care facility: One (1) acre.
	School: Thirty thousand (30,000) square feet.
	Places of assembly: Large, 15,000 sf; Medium, 10,000 sf; Small, 5,000 sf.
	Municipal Use: 2,000 sf
	Hospital: Two (2) acres
	Lodging house: 2,000 sf
	All other uses: 2,000 sf
Min. Lot Area/Dwelling Unit	725 s.f.
Minimum Lot Area/Lodging House Rooming Unit & Minimum Land Area per Intermediate Care Facility Resident	250 s.f.
Street Frontage	20 feet
Minimum Front Yard Setback for Principal and Accessory Structures	5 feet, or no more than average depths of adjacent front yards.
Minimum Rear Yard Setback for Principal and Accessory Structures	10 feet, except that accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
	Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article
Minimum Side Yard Setback for Principal and Accessory Structures	5 feet, except that lots under common ownership may have a minimum of 0 feet on one side yard structures, provided a cumulative of 10 feet of side yard setbacks is provided.
	ii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.
Side Yard on Side Street	None
Structure Stepbacks	Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone. <i>Does not apply to side yards on side streets.</i>
Maximum Lot Coverage	60%
Minimum Lot Width	20 feet
Maximum Height	Principal and attached accessory structure: Forty-five (45) feet
	Detached accessory structure: Eighteen (18) feet.
Landscaped Open Space	20%
Minimum gross floor area for bed and breakfasts	Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
Maximum floor area for places of Assembly	On a collector or arterial road:
	Large: Not limited
	Medium: 4,500 s.f.
	Small: 2,250 s.f.
	Not on a collector or arterial road:
	Large: 4,500 s.f.
	Medium: 2,250 s.f.
	Small: 1,125 s.f.
	Garage openings on front façade shall not exceed the greater of nine (9) feet or forty (40) percent of the front façade.

a.

b. Horizontally Attached Dwellings on Individual Lots

Horizontally attached dwellings are not required to have side yards between buildings where a party wall condition will exist. Horizontally attached dwellings located within a single lot shall be required to meet the applicable side yard requirements at the external lot boundaries and internal lot boundaries between buildings that are not attached to each other. No minimum lot size, width or street frontage shall be required for individual lots underlying townhouse (horizontally attached) dwelling types. The applicable minimum lot area per dwelling shall apply to each lot.

~~(a) Minimum lot size:~~

- ~~1. Residential: Forty-five hundred (4,500) square feet, except as provided for lots of record in section 14-433 (lots of record and accessory structure setbacks for existing buildings) of this article.~~
- ~~2. Reserved.~~
- ~~3. Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.~~
- ~~4. Intermediate care facility: One (1) acre.~~
- ~~5. School: Thirty thousand (30,000) square feet.~~
- ~~6. Places of assembly;~~

Large	30,000 sq. ft.
Medium	15,000 sq. ft.
Small	7,500 sq. ft.

- ~~7. Municipal use: Forty-five hundred (4,500) square feet.~~
- ~~8. Hospital: Two (2) acres.~~
- ~~9. All other uses: Forty-five hundred (4,500) square feet.~~

- ~~10. Lodging house: Four thousand five hundred (4,500) square feet.~~
- ~~(b) 1. Minimum area per dwelling unit: One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.~~
- ~~2. Minimum rooming unit areas for lodging houses: Two hundred (200) square feet of combined rooming unit and common area for each rooming unit. Each individual rooming unit shall be a minimum of eighty (80) square feet.~~
- ~~3. Minimum land area per lodging house rooming unit: Two hundred fifty (250) square feet.~~
- ~~4. Minimum land area per intermediate care facility resident: Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.~~
- ~~(c) Minimum street frontage: Forty (40) feet.~~
- ~~(d) Minimum yard dimensions: (Yard dimensions include setbacks of structures from property lines and setbacks of structures from one another. No structure shall occupy the minimum yard of another structure.)~~
- ~~1. Front yard:~~
- ~~Principal or accessory structures: Ten (10) feet.~~
- ~~A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.~~
- ~~2. Rear yard:~~

- ~~a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.~~
- ~~b. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.~~
- ~~c. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.~~

~~3. Side yard:~~

- ~~a. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:~~

~~Height of Structure Required Side Yard~~

~~1 story 10 feet~~

~~2 stories 10 feet~~

~~3 stories 10 feet~~

~~4 stories 12 feet~~

~~5 stories 15 feet~~

~~The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.~~

- ~~b. Detached accessory structures with ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.~~
- ~~c. Setbacks for swimming pools shall be as~~

~~provided for in section 14-432 (swimming pools) of this article.~~

~~4. Side yard on side streets:~~

~~a. Principal or accessory structures: Ten (10) feet.~~

~~(e) Maximum lot coverage: Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.~~

~~(f) Minimum lot width: Fifty (50) feet.~~

~~(g) Maximum structure height:~~

~~Principal and attached accessory structure: Forty-five (45) feet.~~

~~Accessory detached structure: Eighteen (18) feet.~~

~~(h) Open space ratio:~~

~~1. Uses other than bed and breakfast. Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.~~

~~2. Bed and breakfasts. A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for Site Plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for Site Plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for Site Plan review. Open space areas shall not include parking areas or other impervious surface areas~~

~~as defined in section 14-47.~~

~~(i) A below-grade dwelling unit shall be permitted only if the primary access for the dwelling unit is provided directly to the outside of the building.~~

~~(j) Minimum gross floor area for bed and breakfasts: Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.~~

~~(k) Maximum floor area for places of assembly on a collector or arterial road:~~

Large	Not limited
Medium	4,500 sq. ft.
Small	2,250 sq. ft.

~~(l) Maximum floor area for places of assembly not on a collector or arterial road:~~

Large	4,500 sq. ft.
Medium	2,250 sq. ft.
Small	1,125 sq. ft.

~~(2) Small residential lot development: Residential uses on small, vacant lots located in the R-6 are subject to Site Plan review and may use the dimensional requirements below if all of the following conditions are met:~~

~~_____ The lot is:~~

~~Vacant or is used exclusively for parking or contains structure not used for residential purposes as of January 1, 2005; and the lot existed as of January 1, 2005.~~

~~_____ (a) Minimum lot size: None~~

~~_____ (b) Maximum lot size: Ten thousand (10,000) square feet.~~

~~_____ (c) Yard dimensions:~~

~~_____ 1. Front yard:~~

~~No more than ten (10) feet.~~

~~2. Rear yard:~~

~~None, except that rear yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the abutting buildings and proposed buildings divided by five (5), whichever is greater; and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line.~~

~~3. Side yard:~~

~~None, except that side yards between two (2) buildings on the same or different lots shall maintain a minimum ten (10) foot setback between buildings or the sum of the heights of the existing buildings and proposed buildings divided by five (5), whichever is greater and that either the rear yard or one of the side yards shall be at least fifteen (15) feet; Provided, however, detached accessory structures with a ground floor area of one hundred (100) square feet or less need not have a setback more than five (5) feet from the property line. Notwithstanding the foregoing, no structure shall be closer than four (4) feet to side property line. On a corner lot no side yard is required on that side of the lot which abuts any street. A principal structure on a corner lot shall not be more than ten (10) feet from the street.~~

~~(d) Minimum principal structure height: Two (2) stories of living space above the grade of the adjacent street frontage, except for porches, entryways, attached garages and accessory detached structures.~~

~~(e) Maximum principal structure height: Forty five (45) feet.~~

~~(f) Open space requirement: All lots used for residential purposes shall provide an attached exterior deck, porch, patio or balcony for each dwelling unit, except where a designated open space equal to ten (10) percent or more of the lot area is located on site and maintained as open space, then the number of exterior decks, porches, patios or balconies may be reduced by up to fifty (50) percent. The designated open space, if provided, shall have a minimum width and length of at least fifteen (15) feet, a slope of no greater than ten (10) percent and shall be used exclusively as recreational open space i.e. it shall not be used for vehicular circulation, parking, etc.. All required decks, porches, patios or balconies shall meet the requirements of the Planning and Development Design Manual.~~

~~(g) Minimum lot width: None.~~

~~(h) Minimum land area per dwelling: Seven hundred and twenty five (725) square feet.~~

Sec. 14-140. Other requirements.

(a) *Off-street parking:* Off-street parking is required as provided in division 20 (off-street parking) of this article, except that required parking for residential building additions shall be located on the same lot.

~~For small, vacant lots which meet, and are developed under, the dimensional standards of 14-139(2) above, the following off-street parking requirements shall apply:~~

- ~~1. One (1) parking space per dwelling unit is required and shall be located on the same lot; and~~
- ~~2. The technical and Design Standards for driveway design for one and two-family buildings (Section II, Traffic Design Standards and Guidelines) shall apply to projects with up to four units and with no more than four parking spaces;~~

(b) *Storage of vehicles:* Only one (1) unregistered motor vehicle may be stored outside on the premises for a period not exceeding thirty (30) days.

Date of Draft: October 24, 2014

(c) *Shoreland and flood plain management regulations:* Any lot or portion of a lot located in a shoreland zone as identified on the city shoreland zoning map or in a flood hazard zone shall be subject to the requirements of division 26 and/or division 26.5.

~~(d) Small residential lot development shall conform to the Site Plan standards of §14-526.~~

Amendments to Section 14-433. Lots of record and accessory structure setbacks for existing buildings

Sec. 14-433. Lots of record and accessory structure setbacks for existing buildings.

Notwithstanding any other language in this ordinance, ~~A~~any lot of record as of June 5, 1957, and held under separate and distinct ownership from adjacent lots and having a street frontage of forty (40) feet, or to which a means of access has been previously approved by the city council as provided elsewhere in this article, may be considered a buildable lot in any residential zone except as provided below for island residential zones, with a minimum lot size of five thousand (5,000) square feet, ~~except that a lot in the R-6 zone may have a minimum lot size of three thousand (3,000) square feet, or the applicable minimum lot size in that zone, whichever is less,~~ provided that the applicable yard dimensions can be met.

A lot in the R-1, R-2, R-3, R-4, R-5, R-5A or R-6 zones that was described in a subdivision plat approved by the Planning Board after June 5, 1981, or a lot of record that conformed to the applicable lot size requirement, lot width and street frontage as of June 5, 1984, shall be considered a buildable lot, provided that the applicable yard dimensions can be met.

Where such a lot has a principal structure which existed as of July 19, 1988, an accessory structure or building addition may be located within the following side and rear yards, provided that the normal applicable yard requirements cannot be met ~~provided, however, that less restrictive zoning requirements which meet the requirements contained within 14-139(b) for residential small lot development shall apply:~~

a. R-1, R-2:

Rear yard: Ten (10) feet.

Side yard: Five (5) feet.

b. R-3, R-4, R-5, R-5A, R-6:

Rear yard: Five (5) feet.

Side yard: Five (5) feet.

Any detached or accessory structure in the R-4 or R-6 zones, with a ground coverage exceeding two hundred fifty (250)

Date of Draft: October 24, 2014

square feet and which was in existence on January 1, 1940, may be converted to dwelling uses without meeting front, side or rear yard setbacks, provided there is no enlargement of any nonconforming portion of the existing building footprint and provided the conversion will conform to the minimum land area per dwelling unit.

Amendments to Section 14-332 and 14-333, Parking

Sec. 14-332. Uses requiring off-street parking.

Except as provided in Section 14-332.1, 14-332.2 (exceptions) and 14-345 (fee in-lieu of parking) of this division, for the uses listed below the following minimum off-street parking requirements shall be provided and maintained in the case of new construction, alterations which increase the number of units, and changes of use:

(a) Residential structures:

1. For new construction, two, (2) parking spaces for each dwelling unit, ~~plus one (1) additional parking space for every six (6) units or fraction thereof.~~
2. For alterations or changes of use in existing structures, which create new or additional dwelling units in such structures, and for accessory units pursuant to §§14-68,78,88, one (1) additional parking spaces for each such unit. Existing parking spaces shall not be used to meet the parking requirements of this paragraph, unless the existing parking spaces exceed one (1) space for each dwelling unit.
3. For residential development on the peninsula (area defined as southerly of I-295 and Tukey's Bridge).
 - a. One (1) space per unit unit except that no parking shall be required for the first three (3) units in the R-6 Residential Zone;
 - b. The required parking for multi-unit residential buildings may be partially met through provision of shared-use vehicles, which are vehicles owned and maintained by the owner/manager of the building and available for use on a fee basis to the residents of the building. One shared use vehicle shall be deemed to satisfy eight (8) required car spaces, but in no case shall more than 50% of the parking requirement be satisfied by shared vehicle use.
 - c. The planning board may establish a parking requirement that is less than the normally

Date of Draft: October 24, 2014

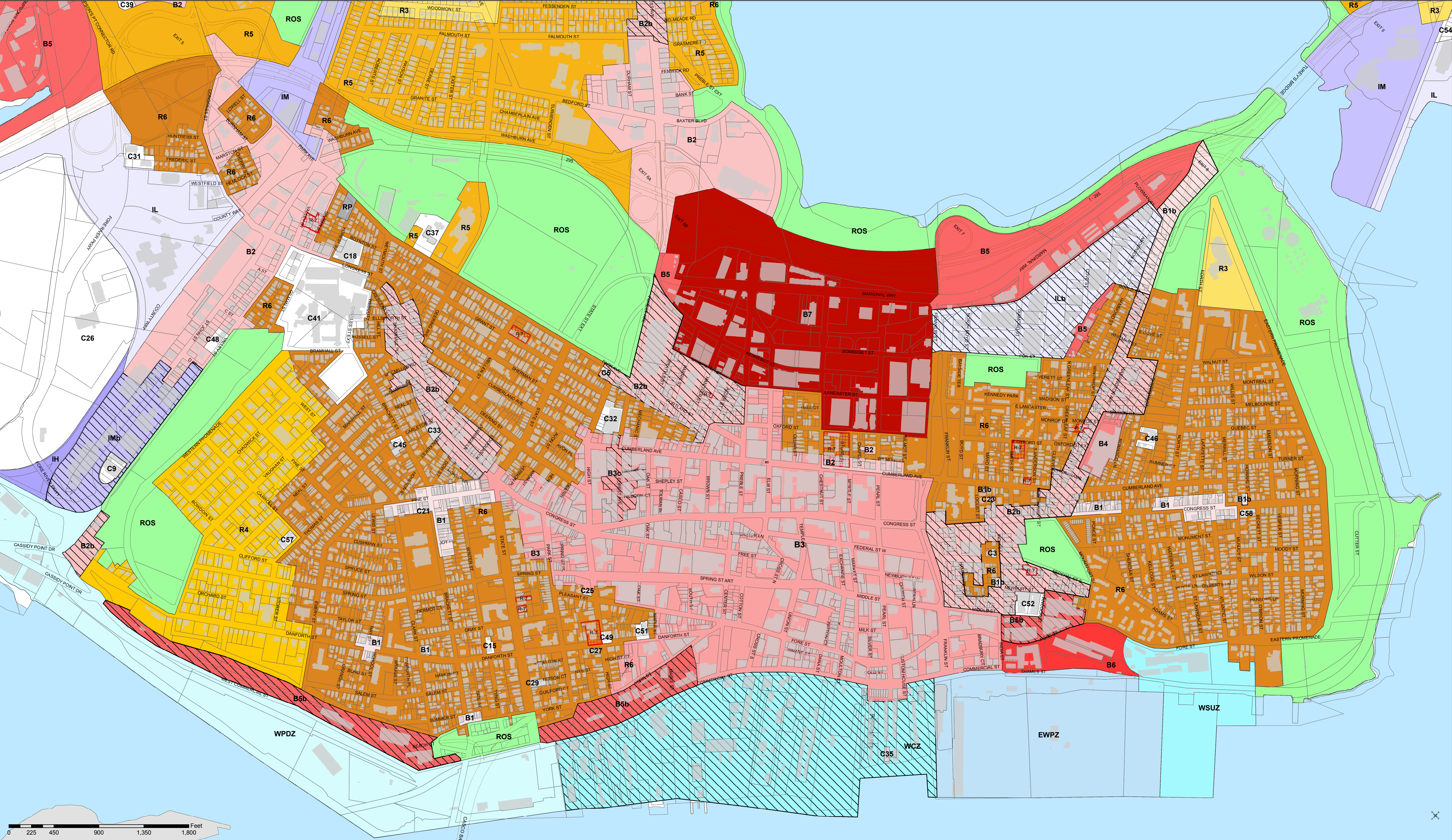
required number of spaces upon a finding of unique conditions that result in a lesser parking demand, such as housing for persons who cannot drive, housing that participates in a travel demand management program, availability of transit, or housing which includes permanent restrictions on automobile usage, and which is permanently restricted from utilizing resident on-street parking stickers.

R-6 Existing and Proposed		
Dimensional Requirements	Existing	Proposed
Minimum Lot Size	Residential Uses: 4,500 sf	Residential Uses: 2,000 sf
	Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.	Long-term and extended care facilities: Ten thousand (10,000) square feet for the first nine (9) residents plus seven hundred fifty (750) square feet for each additional resident, up to a total of two (2) acres.
	Intermediate care facility: One (1) acre.	Intermediate care facility: One (1) acre.
	School: Thirty thousand (30,000) square feet.	School: Thirty thousand (30,000) square feet.
	Places of assembly: Large, 30,000 sf; Medium, 15,000 sf; Small, 7,500 sf.	Places of assembly: Large, 15,000 sf; Medium, 10,000 sf; Small, 5,000 sf.
	Municipal Use: 4,500 sf	Municipal Use: 2,000 sf
	Hospital: Two (2) acres	Hospital: Two (2) acres
	Lodging house: Four thousand five hundred (4,500) square feet.	Lodging house: 2,000 sf
	All other uses: Forty-five hundred (4,500) square feet.	All other uses: 2,000 sf
Min. Lot Area/Dwelling Unit	Minimum land area per dwelling unit: One thousand (1,000) square feet per dwelling unit; and in the case of building additions and new construction, one thousand two hundred (1,200) square feet for each dwelling unit after the first three (3) units. This requirement may be reduced by up to twenty (20) percent for a special needs independent living unit.	725 s.f.
Minimum Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f (Combine Lodging House Rooming Unit and Intermediate Care Facility Resident requirement)
Minimum land area per intermediate care facility resident	Eight thousand (8,000) square feet for the first thirty-five (35) residents, plus three hundred fifty (350) square feet for each additional resident.	see above
Street Frontage	40 feet	20 feet
Minimum Front Yard Setback for Principal and Accessory Structures	Principal or accessory structures: Ten (10) feet. A front yard need not exceed the average depth of front yards on either side of the lot. A lot of record existing as of June 5, 1957, and less than one hundred (100) feet deep need not be deeper than twenty (20) percent of the depth of the lot.	5 feet, or no more than average depths of adjacent front yards.
Minimum Rear Yard Setback for Principal and Accessory Structures	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.	10 feet, except that accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.
	ii. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.	Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
Minimum Side Yard Setback for Principal and Accessory Structures	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet: Twenty (20) feet.	5 feet, except that lots under common ownership may have a minimum of 0 feet on one side yard structures, provided a cumulative of 10 feet of side yard setbacks is provided.
	ii. Detached accessory structures with a ground coverage of one hundred and forty-four (144) square feet or less: Five (5) feet.	ii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
	i. Principal and attached accessory structures with ground coverage greater than one hundred (100) square feet:	
	Height of Structure Required Side Yard	
	1 story 10 feet	
	2 stories 10 feet	
	3 stories 10 feet	
	4 stories 12 feet	
	5 stories 15 feet	
	The width of one (1) side yard may be reduced one (1) foot for every foot that the other side yard is correspondingly increased, but no side yard shall be less than ten (10) feet. In the case of a lot of record existing as of June 5, 1957, and held under separate and distinct ownership from adjacent lots, the required side yard may be reduced in order to provide a buildable width of up to twenty-four (24) feet, but in no case shall the resulting side yards be less than ten (10) feet.	
	ii. Detached accessory structures with ground coverage of one hundred and forty-four(144) square feet or less: Five (5) feet.	
	iii. Setbacks for swimming pools shall be as provided for in section 14-432 (swimming pools) of this article.	
Side Yard on Side Street	10 feet	0 feet
Structure Stepbacks		Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone. Does not apply to side yards on side streets.
Maximum Lot Coverage	Forty (40) percent of lot area for lots which contain twenty (20) or more dwelling units; fifty (50) percent for lots which contain fewer than twenty (20) dwelling units.	60%
Minimum Lot Width	50 feet	20 feet
Maximum Height	Principal and attached accessory structure: Forty-five (45) feet.	Principal and attached accessory structure: Forty-five (45) feet.
	Accessory detached structure: Eighteen (18) feet.	Detached accessory structure: Eighteen (18) feet.

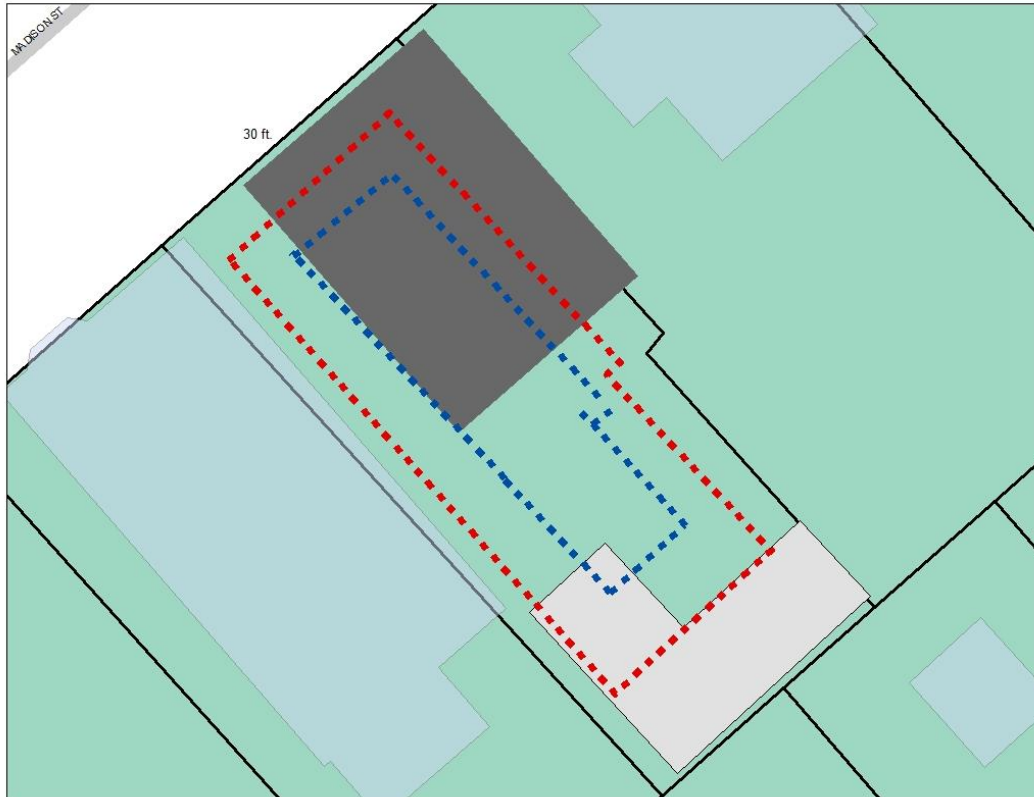
R-6 Existing and Proposed		
Dimensional Requirements	Existing	Proposed
Landscaped Open Space	Uses other than bed and breakfast. Twenty (20) percent for those lots which contain fewer than twenty (20) dwelling units; thirty (30) percent for those lots which contain twenty (20) or more dwelling units. This area shall not include parking areas or other impervious surfaces as defined in section 14-47.	20%
	Bed and breakfasts. A bed and breakfast that is located on a lot that has at least twenty (20) percent open space on the date of filing of the application for site plan shall not reduce the open space on the lot below twenty (20) percent of the lot area. A bed and breakfast located on a lot that does not have at least twenty (20) percent open space on the date of filing of the application for site plan review, and that is legally nonconforming as to the open space requirement of this section, shall not reduce the open space on the lot below the level in existence on the date of the application for site plan review. Open space areas shall not include parking areas or other impervious surface areas as defined in section 14-47.	
Minimum gross floor area for bed and breakfasts	Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.	Two thousand (2,000) square feet of gross floor area for the first three (3) guest rooms and five hundred (500) square feet of floor area for each additional guest room.
Maximum floor area for places of Assembly	On a collector or arterial road:	On a collector or arterial road:
	Large: Not limited	Large: Not limited
	Medium: 4,500 sf	Medium: 4,500 sf
	Small: 2,250 sf	Small: 2,250 sf
	Not on a collector or arterial road:	Not on a collector or arterial road:
	Large: 4,500 sf	Large: 4,500 sf
	Medium: 2,250 sf	Medium: 2,250 sf
	Small: 1,125 sf	Small: 1,125 sf
Maximum Garage Opening		Garage openings on front façade shall not exceed the greater of nine (9) feet or forty (40) percent of the front façade.

Proposed R-6 Amendments to Dimensional Requirements		
<i>Residential Dimensional Requirements</i>	<i>Existing</i>	<i>Proposed</i>
Lot Size	4,500 sf	2,500 sf
Min. Lot Area/Dwelling Unit	1,000-1,200 sf	725 sf
Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f
Street Frontage	40 feet	30 feet
Front Yard Setback	10 feet, or no more than average depths of adjacent front yards	5 feet, or no more than average depths of adjacent front yards
Rear Yard Setback	20 feet	10 feet
Side Yard Setback	10-15 feet, variable by height	5 feet
Side Yard on Side Street	10 feet	0 feet
Maximum Lot Coverage	40-50%, variable by # of dwelling units/lot	60%
Minimum Lot Width	40 feet	30 feet
Maximum Height	45 feet	45 feet
Landscaped Open Space	20-30%, variable by # of dwelling units/lot	20%
Parking	1 space/unit	1 space/unit, except none required for first 3 units

City of PORTLAND, MAINE
ZONING



Madison Street between Greenleaf & Washington

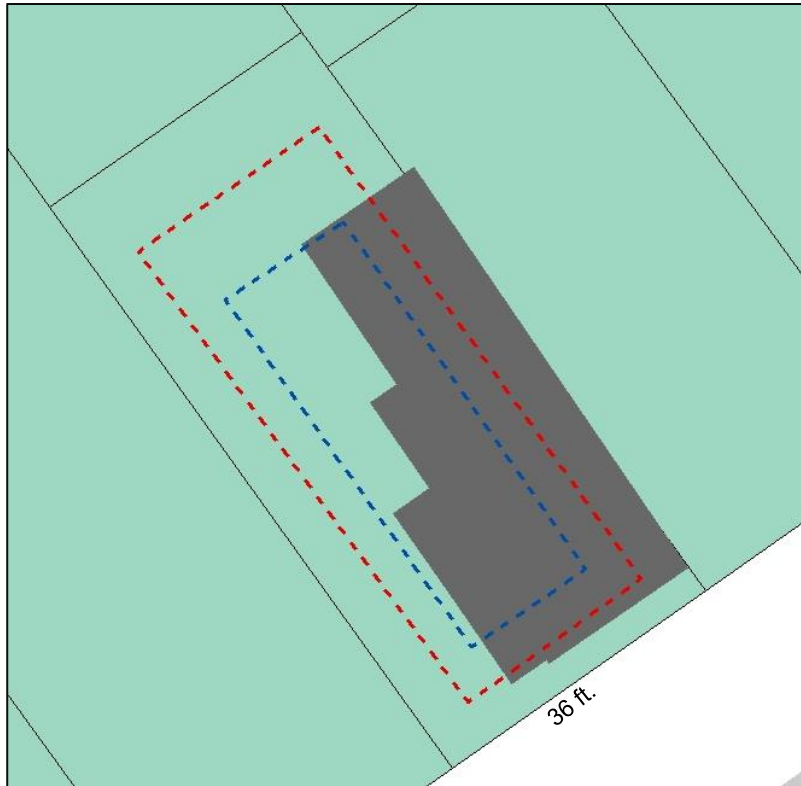


Existing R-6 Setback Requirements
Proposed R-6 Setback Requirements

- Lot size approximately 2,479 sf
- Duplex
- Does not meet frontage, setback, or lot size requirements.



Spring Street near Emery



- Lot size approximately 2,800 sf
- Single Family
- Does not meet frontage, setback, or lot size requirements.

--- Existing R-6 Setback Requirements
--- Proposed R-6 Setback Requirements



Gray Street near Brackett

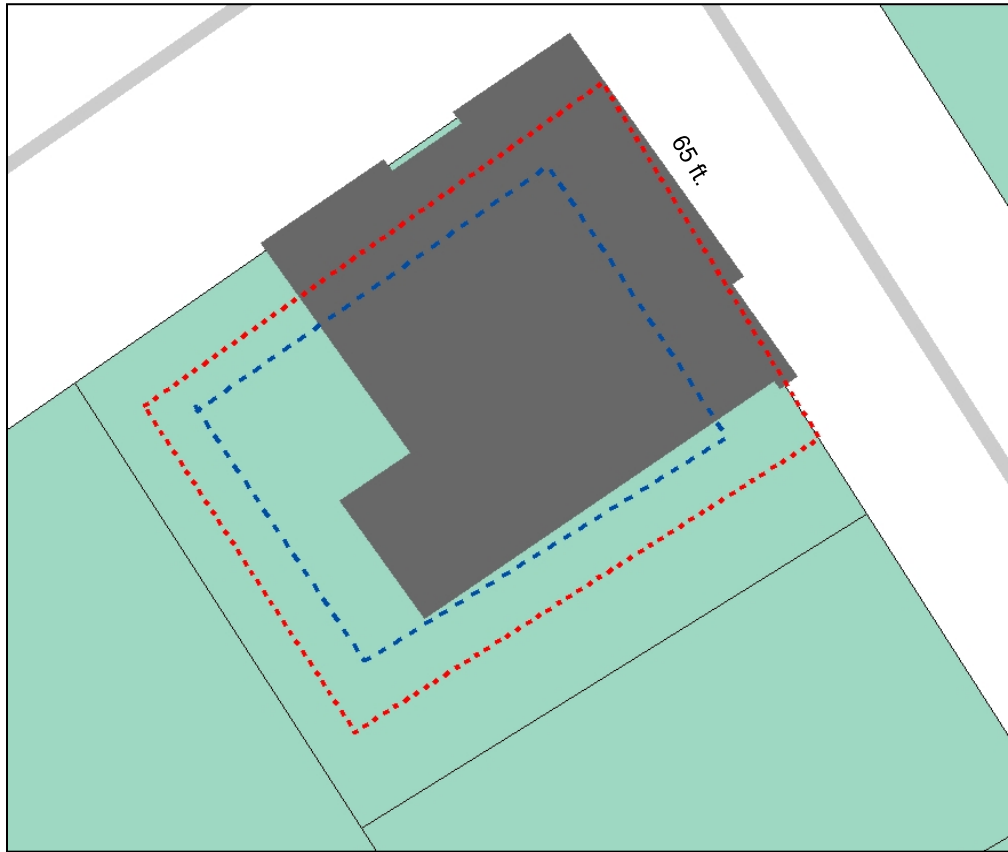


- Lot size approximately 2,240 sf
- Single Family
- Does not meet frontage, setback or lot size requirements

— — — — — Existing R-6 Setback Requirements
- - - - - Proposed R-6 Setback Requirements



Corner of Spring & May Streets



- Lot Size approximately 4,200 sf.
- Contains 7 dwelling units.
- Does not meet setback, minimum lot size or density requirements.



- Existing R-6 Setback Requirements
- Proposed R-6 Setback Requirements

Existing Non-Conforming Buildings in the R-6 Zone

State Street

Mayo St, Portland, Maine, United States
Address is approximate



Existing Non-Conforming Buildings in the R-6 Zone

State Street



Madison Street



Existing Non-Conforming Buildings in the R-6 Zone

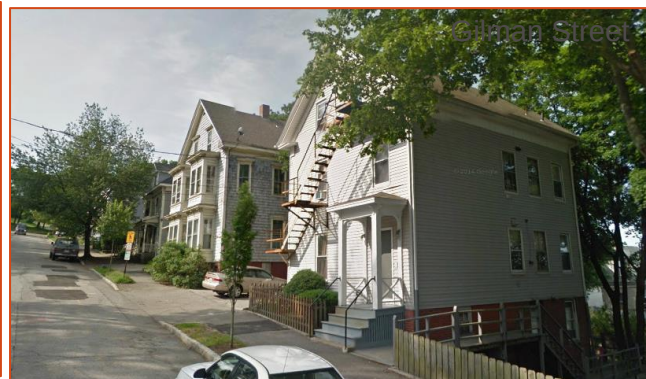
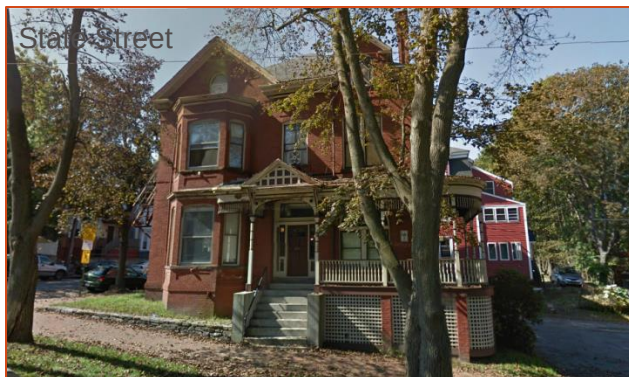
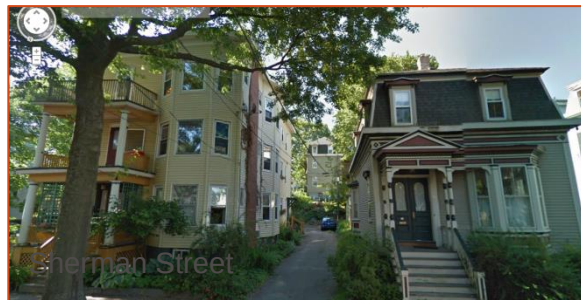
Smith Street



Hammond Street



Existing Non-Conforming Buildings in the R-6 Zone



From: Todd Alexander <toddmalexander@gmail.com>
To: <aqj@portlandmaine.gov>, <cdg@portlandmaine.gov>, Catherine Alexander <calexander@unum.com>, <marshalldistrict2@gmail.com>, <damarshall@portlandmaine.gov>, <mfpb@portlandmaine.gov>, <jhinck@portlandmaine.gov>, <kjdonoghue@portlandmaine.gov>
Date: 7/10/2014 8:22 AM
Subject: Proposed Changes to R6 Zone

Hi Alex:

I am writing this email to provide public input on the proposed changes to the R6 zone. By way of background, my wife, Catherine, and I live at 3 Carroll Street -- which is located within the R6 Zone. We have lived in this neighborhood for the past 15+ years -- previously owning a home on Pine Street, also within the R6 Zone. My wife is a real estate attorney. My background is in urban planning, real estate development (affordable housing) and real estate finance. We have three young children who attend Reiche.

We are strong supporters of the proposed changes to the R6 zone. In particular, we are extremely pleased to see the proposed amendments to the dimensional requirements. The current dimensional requirements for the R6 zone are not consistent with the city's comprehensive plan and current housing policies. Most importantly, existing requirements severely restrict the ability of property owners to develop or redevelop their properties in a manner that would otherwise be completely inline with the historical development patterns in the East and West End neighborhoods.

This results in numerous vacant and underutilized lots that negatively impact the entire neighborhood by reducing property values, limiting housing choices and suppressing municipal property tax revenue. If anything, we support even less restrictive dimensional requirements--for example, reducing the density allowance to 1 unit for every 435 square feet, similar to the neighborhood business zones and R7 overlay zone.

I would add that, in conversation with our neighbors and friends who would be directly impacted, there is generally consistent support for the proposed changes. Collectively, we can connect the dots between more flexible zoning and the positive results it will bring -- cleaning up run-down properties, more families moving into the neighborhood, and greater property tax revenue to support our students and teachers at Reiche, to name just a few.

The West End neighborhood, in my opinion, has benefited greatly from the City and Planning Board's progressive policies towards responsible development on the peninsula and I think the proposed R6 zone changes are another step in the right direction.

Best,
 Todd

--
 Todd M. Alexander
 207 749-7257

From: Anne Pringle <oldmayor@maine.rr.com>
To: "Levine, Jeff" <JLEVINE@portlandmaine.gov>, "Jaegerman, Alex" <aqj@portlandmaine.gov>
Date: 8/19/2014 1:17 PM
Subject: Proposed R-6 Zoning Changes

Jeff and Alex,

Thank for meeting with WPNA Board and Visioning Committee members on June 16 to discuss the impetus for and proposed text changes to the R-6. I understand that you have also reached out to other peninsula neighborhood associations and we all appreciate the early introduction to this important initiative.

As we understand it, the effort comes at the direction of the HCDC to encourage more housing creation by removing zoning impediments, while being sympathetic to the context in which new housing would be created. Objectives are:

- ~Assure a range of housing options
- ~Add housing units
- ~Promote "affordable housing"
- ~Reflect the existing development pattern in neighborhoods

On its face, each of these are worthy objectives, but zoning changes must be approached carefully to assure that the objectives are, indeed, met and that unintended consequences are avoided.

Some of our comments were:

- ~The proposed street line changes appear to make sense to conform to the existing development pattern and do not affect other neighbors.
- ~Side and rear setback changes and lot coverage may make sense in certain situations, but not others, as they may negatively affect immediate abutters.
- ~Reduction in the required lot size/unit, with some controls over individual unit size, will create more units but could potentially spur conversion of more affordable single family homes to multi-unit structures.
- ~In the quest for "affordable housing", how does the City define this term? What mechanisms are contemplated to assure sustainable affordable housing, as zoning changes do not control the marketplace? In particular, an unintended consequence might be the conversion of modest single family homes to multi-units, a windfall for the seller and developer, but probably providing affordable housing to perhaps only the first unit occupant and removing relatively affordable single family homes from the housing stock.
- ~The proposed reduced parking requirement was of great concern in an already tight parking situation on many blocks.
- ~In the case of vacant lots under the new rules, a large new building with significant lot coverage might not be consistent with the prevailing development pattern.
- ~Once the zoning is changed, it affects existing owners who can't get relief from the unintended impacts of the changes.

Upon reflection, here are some incremental actions that may make sense, in response to the issues raised above:

- ~Focus first on the vacant "stranded lots", development of which is constrained by existing zoning. How many such lots are there? How many housing units might be created under the proposed density changes? Do and evaluate some visual impact examples for individual lots, shown in the existing development context.
- ~Explore ways to reduce development cost on the peninsula. As you have heard me comment at numerous meetings, the development cost of "affordable housing" is outrageous. How does it compare to the cost of private development by Crandall Toothaker, for example?
- ~Study the market for very small units. How deep, sustainable is that market? What housing stock might be lost to the conversion to smaller units? How does that affect the mix and integrity of existing neighborhoods?
- ~Study the peninsula housing pattern in, say, the '40s or '50s, when

Portland's population was much larger. How many people lived on the peninsula? Household sizes? In what housing configurations? Single family homes, multi-bedroom apartments, etc? What has changed? For example, the large-scale conversion in Parkside in the 1970s of large single family units (homes and apartments) to one bedroom units made the neighbored more transitory and severely affected the parking problem.

Thank you for considering our input.

Please let me know the current timeline for this issue to move forward, so that we will be ready to participate in meetings.

Thanks - and let me know if you have any questions or comments

Anne Pringle, President
Western Promenade Neighborhood Association

From: Carolyn B Young <cbytry@maine.rr.com>
To: <aqj@portlandmaine.gov>, <cdg@portlandmaine.gov>
Date: 8/21/2014 2:45 PM
Subject: Amendments to the R-6 Residential Zone

Dear Director Jaegerman and Senior Planner Grimando,

We just learned about the proposed changes to the R-6 Residential Zone on the peninsula. We have several comments we would like to be put on the record.

The lot size decreasing from 4500 to 2500 sq.ft. is too aggressive and will only cause crowding on the peninsula, taking away the character of the neighborhood.

Allowing the minimum dwelling to decrease to 725 sq.ft. seems OK, making living here a bit more affordable

Allowing the street frontage to go from 40 ft. to 30 ft. is OK

The front yard setback currently at 10 feet should remain as is, or what is currently on the street. Decreasing the setback to 5 feet takes away from the livability, walkability, appearance, and safety of the sidewalks which almost disappear in winter because of the amount of snow and ice on them. Please, please, please reconsider this more than any other proposed change you have suggested.

The rear yard setback and side yard setback are OK, but the side yard setback on the street side is going to zero feet is absurd, leaving no room for a sidewalk. Where are your safety concerns?

Increasing the maximum lot coverage seems acceptable

Lot width and maximum height are fine, except for the constant granting of variances to anyone who makes a request

Landscaped open space at 20% seems OK

Your proposed parking requirements for small multiple dwellings will only add to the congested streets already in existence. They should have a minimum of 50% parking for residents/owners. The exception for the first three units of a structure should be reconsidered. There are several three or four unit buildings that should have a minimum of two off-street parking spaces.

It appears that the city listens more to lobbying builders, developers and architects than to owners and residents. We moved to Portland because of the quality of life and charming community. While we realize that cities grow and advance, your proposed changes will do nothing to improve the livability, beauty or quality of life in Portland.

Thank you for allowing us to comment.

Carolyn and T. Randolph Young
135 Sheridan Street, Unit 201
Portland, ME 04101

899-2276

From: Barbara Barhydt
To: Russo, Jean
CC: Grimando, Christine; Jaegerman, Alex
Date: 10/10/2014 3:20 PM
Subject: RE: R-6 text amendments - comments

Jean:

Thank you for your comments, which we will give to the Planning Board. I am adding Alex Jaegerman and Christine Grimando on this e-mail as they are working on the proposed revisions.

Thank you.

Barbara

Barbara Barhydt
 Development Review Services Manager
 Planning Division
 389 Congress Street 4th Floor
 Portland, ME 04101
 (207) 874-8699
 Fax: (207) 756-8256
 bab@portlandmaine.gov

>>> "Jean Russo" <russo@maine.rr.com> Friday, October 10, 2014 3:17 PM >>>

Barbara,
 As a life-long Portland resident (born on India Street), a proponent of affordable housing, and a real estate broker for 30 years, I have to say that I do not agree with the proposed changes to the R-6 zone. A lot size of just 2500 sf is way too small and setbacks of 10 feet in the rear, just 30' of frontage on the street and no side setbacks are just not enough. A lot of 45x100 is small enough and anything smaller than that is just too close. Developers of high end housing are trying to cram overpriced dwellings in small spaces for huge profits without regard to how it will impact these neighborhoods. I do not see this benefitting affordable housing at all and I think the lot sizes should be left as is! Please pass my comments on to the Planning Board.

Thanks.

Jean Russo
www.harborcityrealty.com

From: Barbara Barhydt [mailto:BAB@portlandmaine.gov]
Sent: Friday, October 10, 2014 1:27 PM
To: russo@maine.rr.com
Subject: Fwd: R-6 text amendments

>>> "Barbara Barhydt" <BAB@portlandmaine.gov> Friday, October 10, 2014 12:55 PM >>>

Hello Jean:

I received your voice message asking about text amendments to the R-3, R-5 and R-6 zones. There are no pending amendments to the R-3 and R-5 zones. The Planning Division has been working on proposed amendments to the R-6 zone and a workshop with the Planning Board is tentatively scheduled for October 28, 2014. Here is the link to the City's web site, which presents the preliminary draft that has been presented at neighborhood meetings.

<http://www.portlandmaine.gov/1260/Amendments-to-the-R-6-Zone>

Thank you.

Barbara

Barbara Barhydt
 Development Review Services Manager

Planning Division

389 Congress Street 4th Floor
Portland, ME 04101
(207) 874-8699
Fax: (207) 756-8256
bab@portlandmaine.gov

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested. 22

October 20, 2014

Barbara Barhydt
Planning and Urban Development
Planning Division
389 Congress Street 4th Floor
Portland, Maine 04101

Dear Barbara,

I would like to weigh in regarding the proposed changes to the dimensional requirements in the R-6 zone.

These new changes will affect primarily vacant lots in the R-6 zone and while these changes are necessary, some of the current proposal may not have the desired result of creating more housing opportunities but will instead decrease the amount of available infill land for what could be wide range of housing.

It has been pointed out that without a clear and concise definition of a **lot**, a **lot of record** and **lot merger**, very few homeowners will be able to use these new dimensional standards.

One of the items is to change the lot size requirement from 4500 square feet to 2500 square feet, which either competes with or forces the elimination of the small lot section of the R-6.

So if this ordinance as written becomes law, the available land that we will have for building on will be further reduced.

In our previous presentation regarding the small lot infill ordinance, we showed you that there are over 150 infill lots on the peninsula, (this information was part of the package that was created by the planning staff when the small lot infill was first vetted in 2002) and that around half of them are unbuildable simply because they are owned by the adjacent property owner.

As an example; east of Franklin there are (77) lots that could be used for infill housing. At this time only 14 of them are conforming lots under the current R-6 guidelines. Of those (77), 35 are owned by the abutters and have limited or no use simply because of their ownership, the other 42 are owned separately.

Of the (42), 19 are less than 2500 square feet, so if this ordinance goes through as written, of the 77 lots that currently exist, 54 will become unbuildable or 70%.

A small house can easily be built on a 1500 sf. lot and one only needs to go over to Myrtle Street and see what has recently been built on a 1700 sf. lot

Having a zoning ordinance that is clear and concise seems to be everyone's goal and yet as hard as we all are trying we are still clinging to certain ideas that are simply not logical.

I support the work that the planning staff has done on this. Re-working the R-6 is the most important zoning moment we have had in quite a long time and there is a lot of pressure to get it right.

I believe though that the small lot ordinance is already the perfect model for infill development. I would suggest that working from there as your base and merging the two ideas, you could create an ordinance that will really allow for infill development and yet respect the existing housing stock.

Respectfully,

Ronald L. Gan

From: Barbara Barhydt
To: Grimando, Christine
Date: 10/21/2014 11:59 AM
Subject: Fwd: Gan letter of 10/20/14

public comment

>>> Donald M Peterson <dmpetersoninc@gmail.com> Tuesday, October 21, 2014 11:00 AM >>>
Barbara,

I'm writing to offer my agreement and support for the points made by Ron Gan in his letter to you dated 10/20/14.

While I realize the R-6 Zone is the only zone being reviewed, I strongly suggest that all the issues raised: existing small lot, lot size, clear definitions (ie: of lot of record, lot merger, etc) are applicable to and need to be addressed city wide.

I hope the R-6 zone revisions adopted will be technically sound, consistent with Ron's points and comprehensive.
Further, I urge implementation of the R-6 revisions in timely manner and for these revisions to be crafted in such a manner as to foster expanded application city-wide.

Sincerely,

Don Peterson
74 Watson Street
Portland ME 04103



PLANNING BOARD REPORT PORTLAND, MAINE

East Cove Townhouse Zoning Map Amendment
143/145/155 Washington Avenue.
PEZ.2014-128

Munjoy Hill Homes – Sheridan LLC, represented by Ron Gan

Submitted to: Portland Planning Board
Date: October 23, 2014
Public Hearing Date: October 28, 2014

Prepared by: Christine Grimando, Senior Planner
CBL: 012 G001, 012 G002, 012 G003, 012 G008,
012 G009, 020 G020
Project ID: PEZ.2014-128

I. INTRODUCTION

This is a request for a zoning map amendment for property at 143, 145 & 155 Washington Avenue, on the easterly side of Washington Avenue, between E. Cove Street and Walnut Street. The property is zoned R-6 Residential Zone. The site currently is used for a legally non-conforming auto repair and used car lot business. The applicant originally applied for a change to the B-2b zone so that they could then apply for a mixed use development consisting of commercial uses along Washington Avenue, and residences in the form of apartments and townhomes.

This application was previously before for the Board for workshops on August 26th and September 23rd. The October 28th meeting is a public hearing on the application.

To date there has been overall support and a positive response to the proposed use and design brought forward by the applicants. At the first workshop a request was made to further explore zone options for the site. At the second workshop the applicants and the Planning Board agreed to move forward with a revised request for a change from R-6 to the B-1 zone, with the understanding that B-1 would concurrently undergo needed zone-wide text amendments. The Planning Board also requested that a wider area than

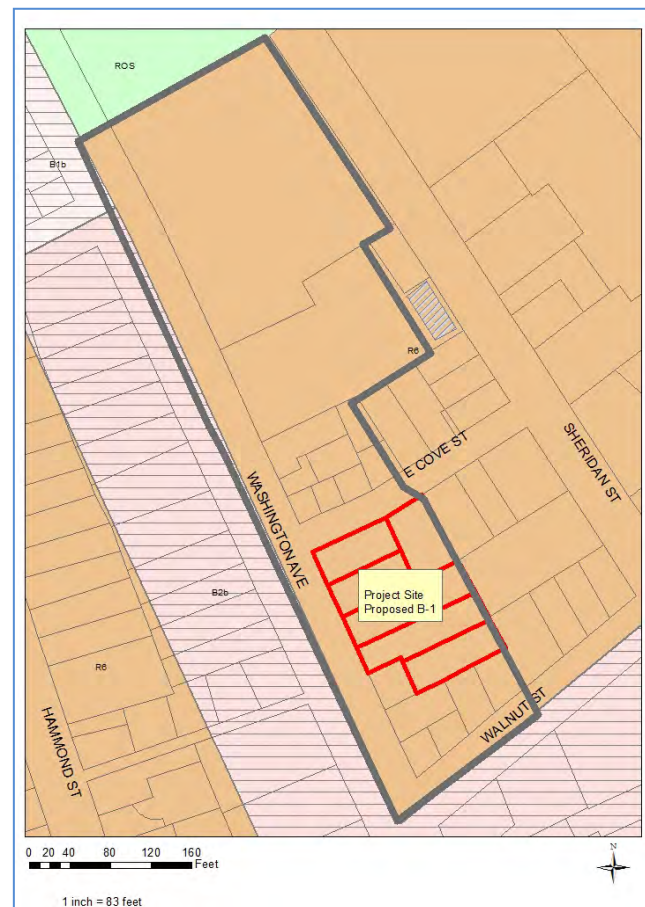


Figure 1, Advertised Area

the applicant's parcels be advertised for the public hearing, and considered for possible inclusion in the zoning map amendment from R-6 to B-1. A map of the advertised area is included as Figure 1. The applicant's parcels are in red, and the total advertised area is outlined in dark gray, extending from Walnut Street to the edge of the ROS zone on the easterly side of Washington Avenue.

A legal ad for the Planning Board workshop was posted on the city's web page and appeared in the *Portland Press Herald* on October 16 and October 20, 2014. Notices were also sent to 170 property owners within 500 feet of the site and to the interested citizen list.

A neighborhood meeting was held on August 14th in anticipation of the first workshop. Notes from that meeting are included as Attachment 3.

II. BACKGROUND

143, 145 & 155 Washington consists of six parcels which are collectively occupied by Casale's Auto Sales. The site contains a 1,344 sf building, several sheds, and surface parking where vehicles are stored. The concrete block building dates to 1975. The nearest intersection, approximately 125 feet to the south, is the convergence of Washington Ave./Walnut St./Fox St.

This length of Washington Ave. is zoned R-6, a residential zone, and is faced on the western side of Washington Ave., directly across the street, with the B-2b, Community Business zone. From Walnut St. to the edge of the park to the north is approximately 740 feet and is currently the only length of residential zoning on Washington Avenue.

Washington Ave. contains a truly eclectic mix of uses, building types and scales, including single family and multi-family residential, and a wide span of non-residential uses such as restaurants, retail, offices, galleries, a meadery, auto repair, a redemption center, and light industrial uses – a diverse gamut on a half mile (+/-) stretch. The block the 143/145/155 Washington Ave. parcels are on contains a fairly concentrated pocket of residences relative to the blocks closer to Congress Street, but also contains a mixture of residential and commercial on both sides of the street. Commercial uses in this section include the Northern Burner Supply building (185 Washington Ave.) and the East End Redemption recycling center (174 Washington Ave.). The newly approved, not yet constructed Avesta Housing efficiencies (134 Washington Ave.) will be on the facing side of the street.



Figure 2, Aerial view of Washington Ave.

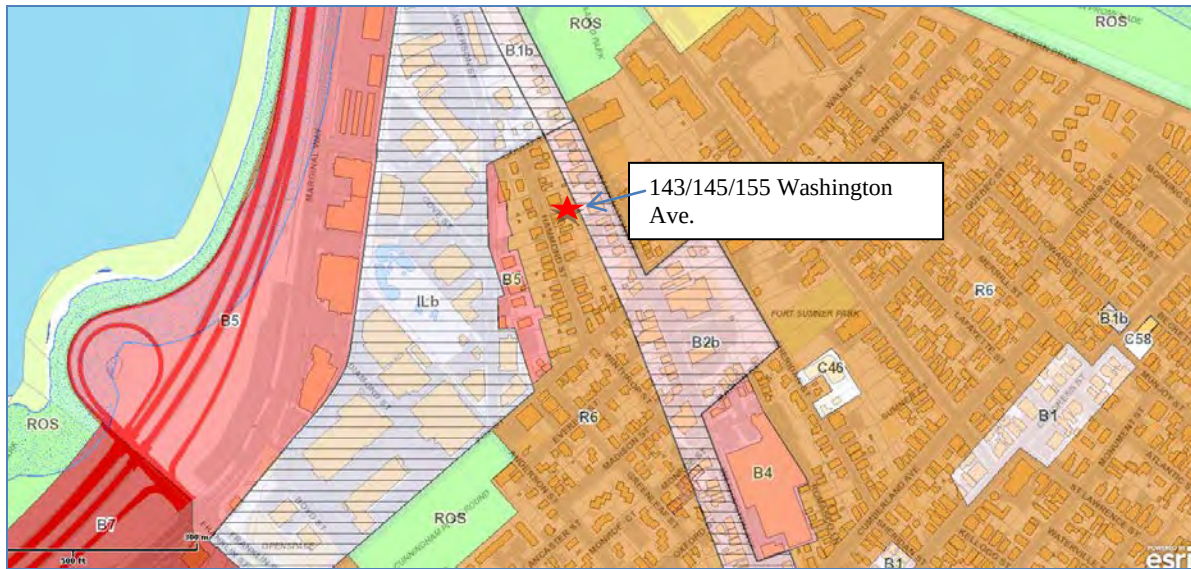


Figure 3, Zoning Context



Figure 4, Street Level Views

II. PROPOSED MAP AMENDMENT

Current Zoning:	R-6 (Residential)
Proposed Zoning:	B-1 (Neighborhood Business)
Current Uses:	Auto repair & sales
Proposed Uses:	Residential and commercial: townhouses and a mixed use building with commercial on the ground floor and residential above.
Total Parcel Area:	20,339 SF (approximate)
Area to be Rezoned:	20,339 SF (approximate)



143/145/155 Washington Parcels - Currently Zoned R-6

Figure 5, Parcels in Map Amendment Application

III. ZONING ANALYSIS

The applicant proposes to develop housing on the site as well as first floor commercial space along Washington Avenue. The conceptual site plan for East Cove Townhomes, included with the map amendment application, depicts fourteen townhomes, and a building with a ground floor commercial use with two dwelling units above.



Figure 6, Rendering of Proposed Development



Figure 7, Site Layout for Proposed Development

The current zoning district, R-6, allows for the construction of 17 units on the total land area of 20,339 SF, with a minimum lot area per dwelling unit of 1,000 sf for the first three units, and 1,200 square feet for every unit above three. The maximum R-6 density for this site allows for the applicant's proposed number of dwelling units (text amendments to the R-6 zone are underway, and would allow for a maximum of 28 units on the site – the status of the R-6 revisions is outlined in greater detail below). The mixed-use element of the applicant's proposal, with a proposed commercial ground floor use, is prohibited in the R-6 zone. R-6 allows for certain very limited non-residential uses, such as institutional and small professional offices, but does not allow for retail, restaurant, or most other commercial uses. For this reason, the applicant originally requested a rezoning to B-2b, which allows both higher residential density (1 unit/435 SF), and crucially a broad range of commercial uses, including retail and restaurant uses by right. The B-2 zone also includes more intensive uses, such as auto-related and auto-oriented business uses. The current application, for a map rezoning to B-1, grants the same dimensional flexibility, and the potential for mixed-use developments. It differs from B-2b in that the total list of non-residential uses permitted is more limited, more compatible with residential neighborhoods, and there are maximums on total size of commercial uses in any one building.

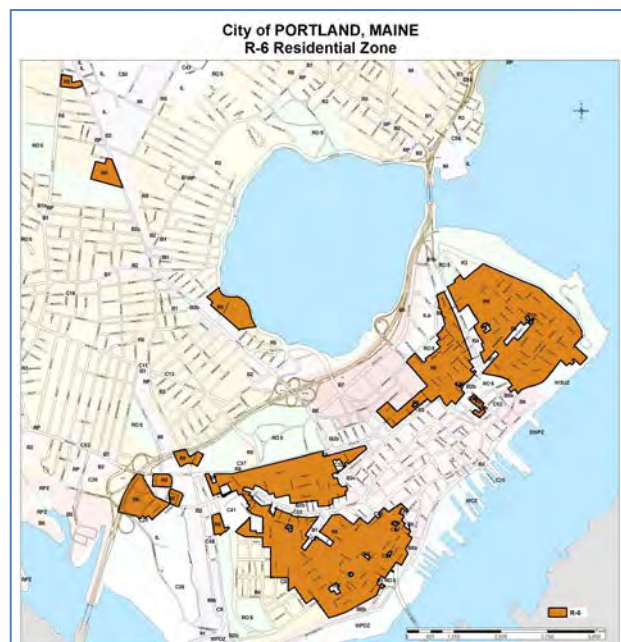


Figure 8

Purpose

As the primary residential zone on-peninsula, the R-6 zone is intended to promote dense, neighborhood-scale housing.

The purpose of the R-6 zone, which can currently be found predominantly in the East and West Ends of the city (Figure 8), is to “set aside areas...for housing characterized primarily by multi-family dwellings at a high density” and to “conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses” (Section 14-135).

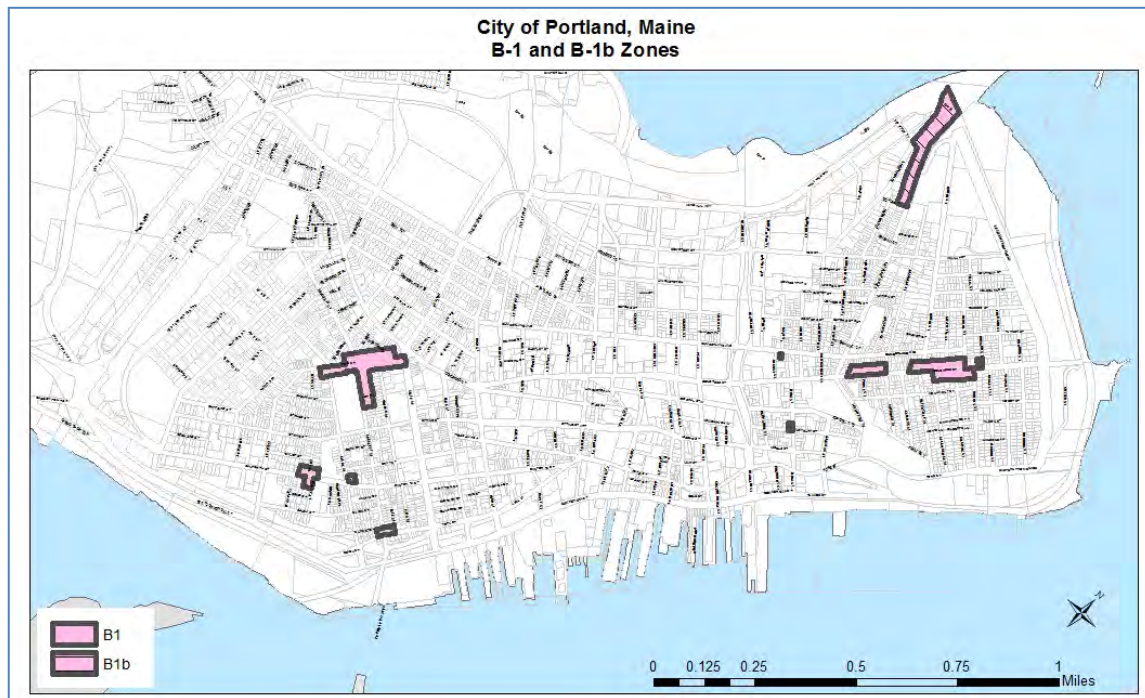


Figure 9

The B-1 zone, in contrast, is written to encourage small-scale commercial development, particularly neighborhood and community retail, in a compact, urban form, *and to provide limited areas for the location of small-scale commercial establishments intended to serve a local market*. It also encourages *mixed use buildings such as commercial first floor with residential uses above or combined retail/office uses in a multistory structure*. The zone also *provides the opportunity for mixed use and high residential density in on-peninsula locations* (Sec. 14-161). Current areas of B-1 zoning include areas with commercial uses on the eastern end of Congress Street, east of Washington Avenue. A map of all of the on-peninsula B-1 zones is included as Figure 9.

Permitted Uses

The R-6 zone explicitly encourages high-density housing, and permits most housing types by right. However, the R-6 zone does not permit most non-residential uses, and commercial uses are excluded entirely. Some institutional uses are conditionally permitted. The existing use at 145 Washington, auto sales and repairs, is legally non-conforming, and would not be permitted on the site as a new use today.

B-1, a Neighborhood Business Zone, explicitly permits both the residential uses permitted in the R-6 zone as well as commercial, institutional, and other establishments. A comparison of permitted and conditional uses is shown in Table 1.

Table 1, Comparative Summary of Permitted Uses in R-6 and the B-1 Zones

			R-6	B-1/B-1b ¹
Permitted	Residential	Single-family and two-family dwellings	•	Any use permitted in abutting (or nearest) residential zone; if commercial first floor multi-family permitted by right
		Multi-family dwellings	•	
		Handicapped family units	•	
		Single-family single- or multiple-component manufactured housing	•	
		Combined living/working spaces		
		Lodging houses	•	
		PRUDs		
		Multiplex development		
	Institutional	Schools		•
		Clinics		•
		Places of assembly		•
		Governmental buildings and uses/municipal uses	•	•
		Nursery schools, kindergartens		•
		Day care facilities		•
	Business	General, business & professional offices		•
		Personal services		•
		Business services		•
		Offices of building tradespeople		•
		Retail establishments		•
		Accessory uses	•	•
		Cemeteries	•	
		Parks	•	
	Other	Home occupation	•	
		Studios for artists and craftspeople		•
		Special needs independent living units	•	
		Bed and breakfasts		•
		Conversion into bed and breakfast	•	
		Hostels	•	•
		Wind energy systems	•	•

Conditional		Utility substations		•
		Beverage dealers		•
	Residential	Sheltered care group homes	•	
	Institutional	Schools	•	
		Long-term and extended care facilities	•	
		Intermediate care facility	•	
		Places of assembly	•	
		Hospitals	•	
		Nursery schools and kindergartens	•	
		Day care facilities	•	
		College, university, trade schools	•	
		Restaurants		•2
		Conversion into bed and breakfast (over 5 rooms)	•	
	Other	Utility substations	•	
		Professional offices	•	
		Chancellery	•	
		Off-street parking	•3	
		Temporary wind anemometer towers	•	•
		Hostels	•	
Wind energy systems		•	•	
1 Permitted on ground floor of B-1b; above ground floor, residential uses of 14-162(a), bed and breakfasts, hostels permitted				
2 Restaurants conditionally permitted, provided they have a max. floor area for use by public of 1,000 SF; hours limited to 6 am to 11 pm; food service and consumption is primary function; no drive-throughs				
3 for passenger cars for uses permitted in the R-6 zone.				

Dimensional Requirements and Form

Though the R-6 explicitly encourages high density housing, the specific dimensional requirements of the current R-6 zone determine the minimum area per dwelling unit, maximum lot coverages, minimum street frontage, and minimum open space ratios that limit the build-out of any given parcel. The R-6's basic control for density, the minimum requirement of 1,000 SF of lot area per dwelling unit for the first three units with 1,200 SF of lot area required per dwelling unit thereafter, would limit the residential build-out of the parcel to 17 dwelling units. The R-6 setback requirements range from 10-20 feet (front setback: 10, rear: 20, side: 10-15, variable by height of buildings).

The B-1 zones encourage a relatively more compact urban form. The B-1 zone has an impervious surface maximum of 90% and no open space requirement, higher density (the maximum allowable residential density for this property under the B-1 zone would be 38 units) and no minimum lot size for commercial and residential uses. B-1 also allows a greater maximum height, 50 feet along Congress Street, so long as the first floor of the structure is occupied by a commercial use.

Both the R-6 and B-1 zones are in the process of being amended, with implications for the dimensional standards of each zone. Comparative tables of existing and proposed dimensions for each zone follow in Table 2 and Table 3. The B-1 amendments were reviewed by the Planning Board on September 23rd and October 14th. The B-1 changes included minor amendments to the allowable uses, as well, including an increase in the total allowable square footage permitted for restaurants, from 1,000 to 2,000 square feet (not including kitchen and storage), and making them a permitted use where they currently are allowed as a conditional use only.

Table 2 is a summary of key changes, thoughnot the complete list of all changes. A full draft of the R-6 amendments is included as an independent agenda item for the October 28th meeting. Changes include an increase in density from 1,000 -1,200 sf to 725 sf of lot area per dwelling unit, reduced setbacks, the introduction of stepbacks for portions of building above 35 feet, reduced minimum lot size and frontage.

Table 2, Existing and Proposed R-6 Dimensional Requirements

Potential R-6 Amendments to Dimensional Requirements		
<i>Residential Dimensional Requirements</i>	<i>Existing</i>	<i>Proposed</i>
Lot Size	4,500 sf	2,000 sf
Min. Lot Area/Dwelling Unit	1,000-1,200 sf	725 sf
Lot Area/Lodging House Rooming Unit	250 s.f	250 s.f
Street Frontage	40 feet	20 feet
Front Yard Setback	10 feet, or no more than average depths of adjacent front yards	5 feet, or no more than average depths of adjacent front yards
Rear Yard Setback	20 feet	10 feet
Side Yard Setback	10-15 feet, variable by height	5 feet, except that lots under common ownership can have a minimum of 0 feet on one side yard, provided a cumulative of 10 feet of side yard setbacks is provided.
Side Yard on Side Street	10 feet	0 feet
Structure Stepbacks	None	Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone. <i>Does not apply to side yards on side streets.</i>
Maximum Lot Coverage	40-50%, variable by # of dwelling units/lot	60%
Minimum Lot Width	40 feet	20 feet
Maximum Height	45 feet	45 feet
Landscaped Open Space	20-30%, variable by # of dwelling units/lot	20%

Table 3, Existing and Proposed B-1 Dimensional Requirements

	Existing B-1/B-1b	Proposed B-1/B-1b
Min. Lot Size	School: 20,000 SF	School: 20,000 SF
	Place of Assembly: 10,000 SF	Place of Assembly: 10,000 SF
	Other Non-Res Uses: None	Other Non-Res Uses: None
	Residential: None	Residential: None
Min. Lot Area per D.U.	On-peninsula: 435 SF	On-peninsula: 435 SF
	Off-peninsula: min. lot area of nearest residential zone, except 1,000 SF for multi-family dwellings above first floor	Off-peninsula: min. lot area of nearest residential zone, except 1,000 SF for multi-family dwellings above first floor
Min. Street Frontage	50 ft., or the average of lots w/in 200 ft. in same zone	20 ft.
Min. Lot Width	None	None
Min. Front Yard	None	None
Max. Front yard	10 ft., or the maximum front yard setback shall not exceed the average depth of nearest developed lots if that average depth is less than 10 ft.	10 ft., or the maximum front yard setback shall not exceed the average depth of nearest developed lots if that average depth is less than 10 ft.
Min. Rear Yard	Principal: None, except 20 ft. if abutting residential zone or first floor residential use	Principal: None, except 10 ft. if abutting a residential zone.
	Accessory: None, except 5 ft. if abutting a residential zone or first floor residential use	Accessory: None, except 5 ft. if abutting a residential zone
Min. Side Yard	Principal: None, except 10 ft. if abutting residential zone or first floor residential use	Principal: None, except 5 ft. if abutting residential zone.
	Accessory: None, except 5 ft. if abutting a residential zone or first floor residential use	Accessory: None, except 5 ft. if abutting a residential zone
Side Yard on Side Street	10 ft maximum setback (if on three streets, only applies to two 'most major' streets)	None
Structure Stepbacks		Portions of a structure above 35 ft shall be no closer than 10 ft from the side property line and no closer than 15 feet from the rear property line when such property line abuts a residential zone.
Max. Structure Height ¹	Off- peninsula: 35 ft., except where abutting R-6, where max. height shall be the max. height of R-6	Off- peninsula: 35 ft., except where abutting R-6, where max. height shall be the max. height of R-6.
	On-peninsula: 45 ft., except 50 ft. along Congress Street if commercial first floor & residential upper floors	On-peninsula: 45 ft. except 50 ft. along Congress Street if commercial first floor & residential upper floors.
Max. Floor Area	Single-tenant: 5,000 SF (first floor only)	Total maximum first floor area for non-residential uses per structure: 10,000 SF ²
	Multi-tenant: 10,000 SF (first floor only)	Total maximum floor area per retail establishment: 5,000 SF
Max. Lot Coverage		
Open Space Ratio		
Max. Impervious Surface	90%	90%

1. The commercial first floor uses shall utilize at least 75 percent of the first floor frontage along Congress Street and shall have an average depth of at least 20 feet.

2. Structures which existed prior to date of enactment of the B-1/B-1b zones are exempt.

IV. POLICY ANALYSIS

Portland's housing policy is supportive of what the applicant proposes to do at 143/145/155 Washington Avenue. The applicant cites City's Comprehensive Plan element, Housing: Sustaining Portland's Future (2002), Policy #5, Sustainable Development, specifically the subsection *Infill Development: encourage development on vacant lots along accepted city streets*. The application also includes a less specific reference to Sustainable Portland (2009), which encourages increasing housing density. That same Policy #5 includes recommendations for redevelopment of underutilized parcels, building housing near transit and services, and encouraging mixed-use development. On-peninsula, mixed use infill development near services, that will access existing infrastructure, is widely supported by this document. Policy #3 emphasizes appropriately scaled non-residential development that is compatible with residential areas, as well allowing for a mix of commercial and residential development along arterials.

V. PUBLIC COMMENT/NEIGHBORHOOD MEETING

The meeting notes reflect an overall quite positive reception of this proposal, but several issues/areas of concern were mentioned, including landscaping/buffers at property lines, impacts on views, trash pickup, commercial deliveries and related traffic concerns, and loss of auto repair services. Public comment at the August and September Workshops was largely supportive of the proposed development, though there were general concerns about cumulative development impacts to neighborhood traffic and overall change.

VI. DISCUSSION ITEMS

This application was originally for a change from R-6 to B-2b, and as part of the initial staff review, the suitability of that zone, the current and proposed R-6 and the current and proposed B-1 zones were evaluated. In regard to R-6, it was not determined to be the ideal zone for the site, since Washington Ave. is a mixed commercial and residential corridor. Staff and the Board, as well as numerous members of the public, agreed that the mixed-use potential along Washington Avenue was desirable and appropriate, and something that could be achieved through either the B-2b or B-1. The majority of on-peninsula Washington Avenue is B-2b, in addition to some relatively small stretches of other zones, including B-1b, making it a rational fit for this application. After proposed text amendments to both B-1 and B-2, the substantive areas of difference between them will be the list of allowed uses, and the cap on commercial square footage in B-1. Both have the same allowable density and will have consistent setbacks and stepbacks. Building heights are comparable – B-2b has an allowable height of 50 feet in this area when occupied wholly or in part by a commercial use, compared to B-1's 45 ft maximum everywhere but along Congress Street. Both prohibit parking in the front yard, and neither allows drive-throughs.

However, the applicant's properties are surrounded by small residential enclaves to the north and south, both as an extension of the Walnut Street neighborhood and East Cove Street, and the desire for limits on the range and scale of commercial uses on this block were expressed to us repeatedly. B-1 is currently being amended to make it a more practical, flexible zone while still maintaining the smaller-scale commercial provisions it was created to foster, and is a good fit for this property, as well as some of the remaining R-6 zone along Washington Avenue, particularly the Northern Burner site (Figure 10) and associated parking areas.



Figure 10, Eastern Side of Washington Avenue

Under the revised B-1, exemptions for existing buildings on maximum square footage for commercial uses would give the Northern Burner site flexibility going forward, and many more options than it has today as a large non-residential property in a residential zone.

In addition to neighborhood concerns about scale, there was residential abutter feedback at the prior workshop about the desire to not be rezoned a commercial/mixed use zone. Keeping the integrity of the remaining residential areas on this eastern portion of Washington Avenue (Figure 11) on and adjacent to both East Cove and Walnut Streets in mind, staff has identified the applicant's parcels and the remaining non-residential land on this stretch of Washington Ave. between Walnut and the Eastern Promenade land as suitable to be rezoned (Figure 12). The applicant's parcels are shown in red, and the Northern Burner and associated parcels are outlined in blue.

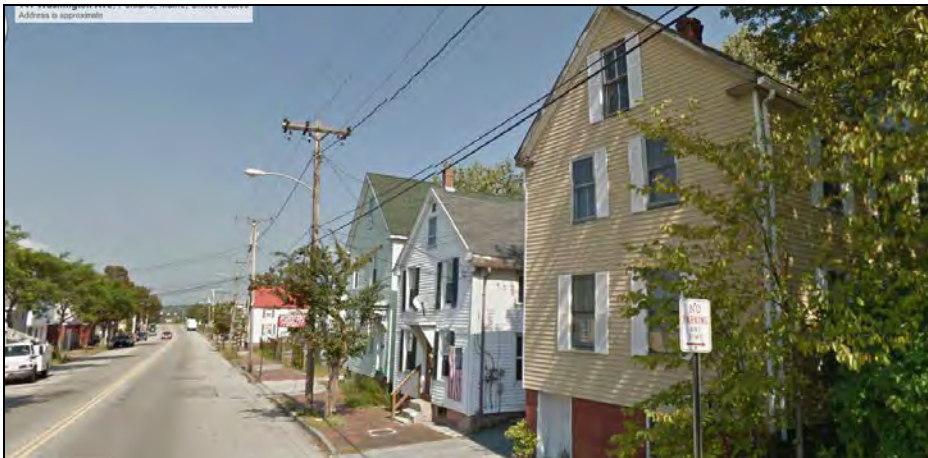


Figure 11, Corner of Washington and Walnut

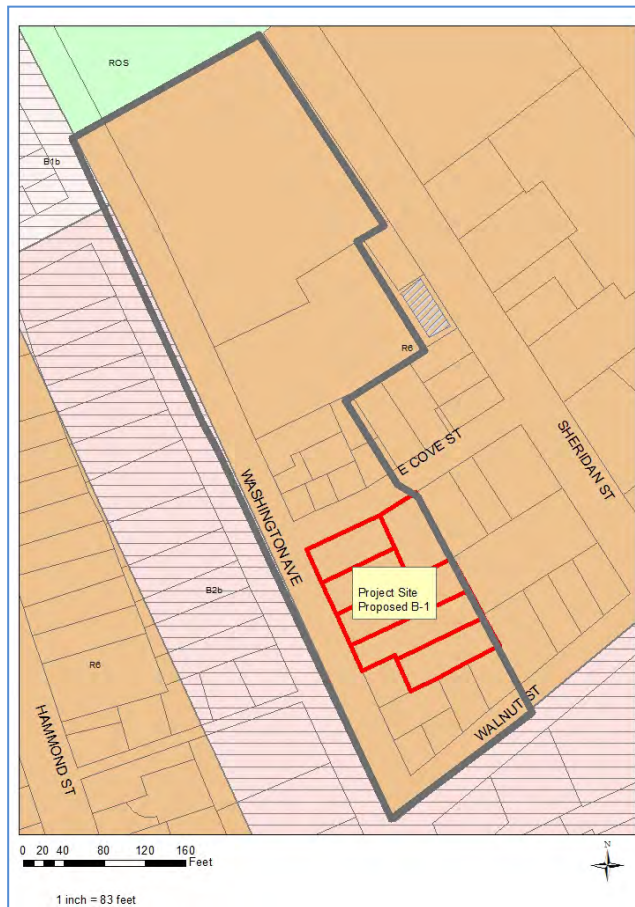


Figure 12: Option A: Parcels Advertised for B-1 Rezoning

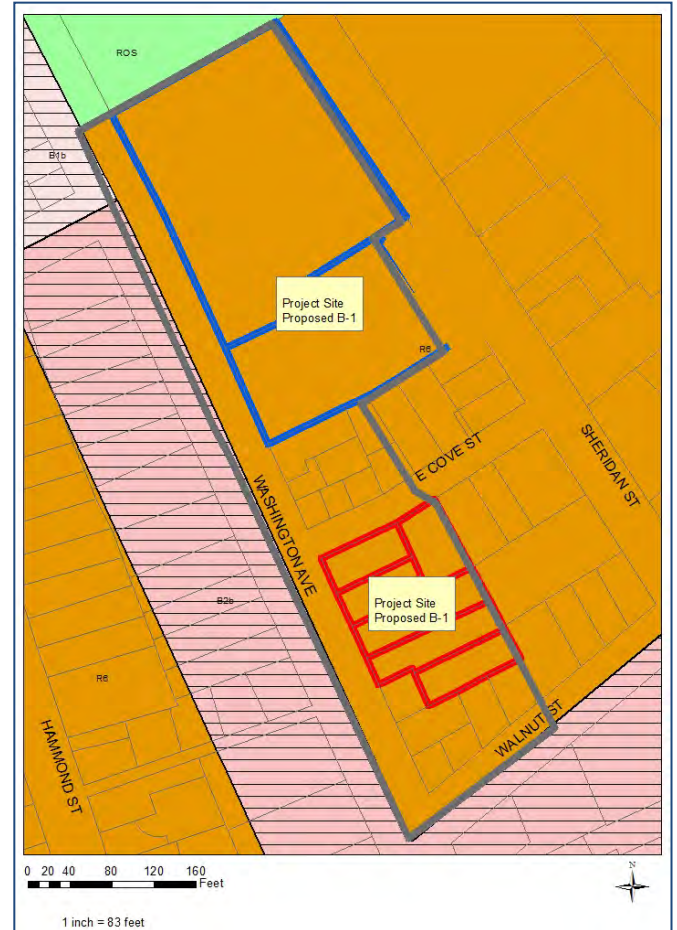


Figure 13, Option B: Parcels Recommended for Amendment to B-1 shown in red and blue. Residential areas excluded.

VII. STAFF RECOMMENDATION

The staff recommends that the Planning Board find the proposed map amendment from R-6 to B-1, as recommended in Option B, to be consistent with the Comprehensive Plan and recommend to the City Council adoption of the proposed amendment.

VIII. PROPOSED MOTION

On the basis of the material provided in this report, public testimony, a review of applicable policies, and other information, the Planning Board finds that the proposed map amendment from R-6 to B-1 as presented in **[Option A or Option B] [is or isnot] consistent with the Comprehensive Plan and [recommends or does not recommend] adoption of the proposed amendment to the City Council.**

IX. ATTACHMENTS

Applicant's Submittal

1. Amendment Application
2. Amendment Drawings
3. Developer's Neighborhood Meeting notes

Public Comment

PC 1: Cochran, 8/24/2014

PC 2: Ellen Bailey, 8/25/2014

PC 3: Bloom, 9/22/2014

munjoyhill • homes

July 21st, 2014

Ms. Barbara Barhydt
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Dear Barbara:

Please find attached a Zoning Map Amendment Application related to 145-155 Washington Ave.

We are proposing to re-zone the property from R-6 to B-2b and our current plans call for a mixed-use development of residential and commercial on a property that is currently being used as a legally non-conforming auto repair and used car lot.

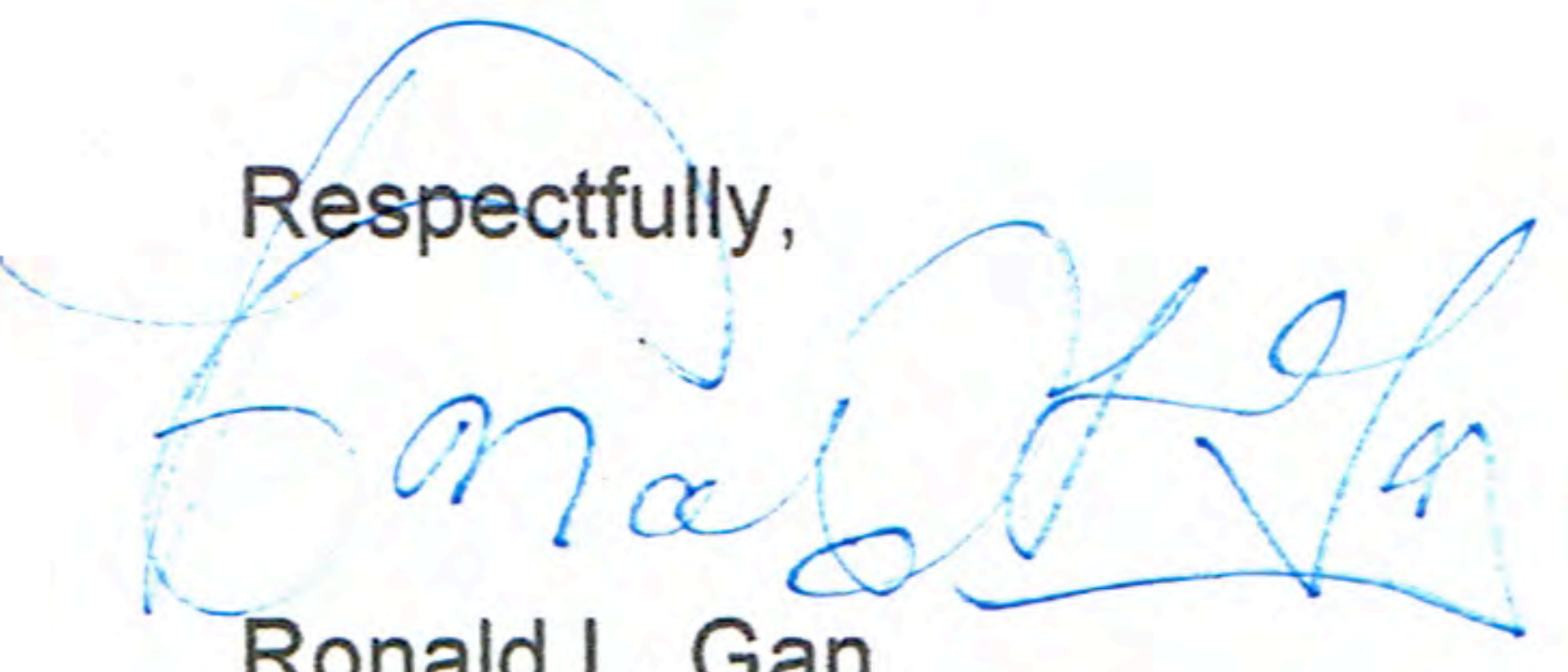
The Application and related development plans would support the goals as outlined in the City's Comprehensive Plan.

"In 2002, the housing component of the comprehensive plan embraced as a goal the creation of more housing in the City to achieve and maintain a 25% share of Cumberland County's population. Among the strategies adopted to achieve this goal were to increase the amount of higher density housing in strategic locations and to "encourage development on vacant lots along accepted city streets." (Housing: Sustaining Portland's Future, Policy #5, Infill Development, p. 20, 2002) The goal of increasing housing density in the urban core, particularly as a way to provide viable transit alternatives to single occupancy vehicles, was again endorsed as a goal in 2009. (Sustainable Portland, p. 25, September 24, 2009). "

Enclosed is the following:

1. Zoning Map Amendment Application Form
2. Copy of option agreements
3. Vicinity Map Showing Current Zoning
4. Rendering of Proposed Building
5. Proposed Site Plan

Respectfully,



Ronald L. Gan

PROJECT ADDRESS: 145-155 WASHINGTON

CHART/BLOCK/LOT: 12-6-9 { 12-6-1-2-3-8

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

changing the zoning from R-6 to B2B - we are proposing to build a mixed use project.

CONTACT INFORMATION:

Applicant's Contact for electronic plans

Name: RONALD L. GAN
e-mail Address MUNJOYHILLHOMES@GMAIL.CO
work # 207-233-3753

Applicant - must be owner, Lessee or Buyer

Name: RONALD GAN & TED BATHBAND
Business Name, if applicable:
Address: 202 WASHINGTON
City/State: PORTLAND Zip Code: 04101

Applicant Contact Information

Work #
Home#
Cell # 207-233-3753 Fax#
e-mail: MUNJOYHILLHOMES@GMAIL.COM

Owner - (if different from Applicant)

Name: WENDY BALDWIN
MAUREEN TENTON
Address: 115 MADELINE PORTLAND
145 WASHINGTON
City/State: PORTLAND Zip Code: 04103
04101

Owner Contact Information

Work #
Home#
Cell # Fax#
e-mail:

Agent/ Representative

Name:
Address:
City/State: Zip Code:

Agent/Representative Contact information

Work #
Cell #
e-mail:

Billing Information

Name: RON GAN
Address: 202 WASHINGTON
City/State: PORTLAND Zip Code: 04101

Billing Information

Work #
Cell # 207-233-3753 Fax#
e-mail: MUNJOYHILLHOMES@GMAIL.COM

Engineer

Name:
Address:
City/State: Zip Code:

Engineer Contact Information

Work #
Cell # Fax#
e-mail:

Surveyor Name: R.W. EATON & ASS Address: 58 PLEASANT ST. City/State: WESTBROOK Zip Code: 04092	Surveyor Contact Information Work # 207-854-2402 Cell # Fax# 2-856-7167 e-mail: RW.EATON@MAINE.PR.COM
Architect Name: PDT Address: 49 DARTMOUTH ST City/State: PORTLAND Zip Code: 04101	Architect Contact Information Work # 207-775-1059 Cell # Fax# e-mail: WEBSTER@PDTARCHS.COM
Attorney Name: BARBARA VESTAL Address: 107 CONGRESS City/State: PORTLAND Zip Code: 04101	Attorney Contact Information Work # 207-772-7426 Cell # Fax# e-mail: VESTAL@CHESTERANDVESTAL.

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

WE CURRENTLY HOLD OPTIONS ON ALL PARCELS

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

THE CURRENT USE IS AN AUTO REPAIR & USED CAR LOT.

Current Zoning Designation(s):

R-6

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

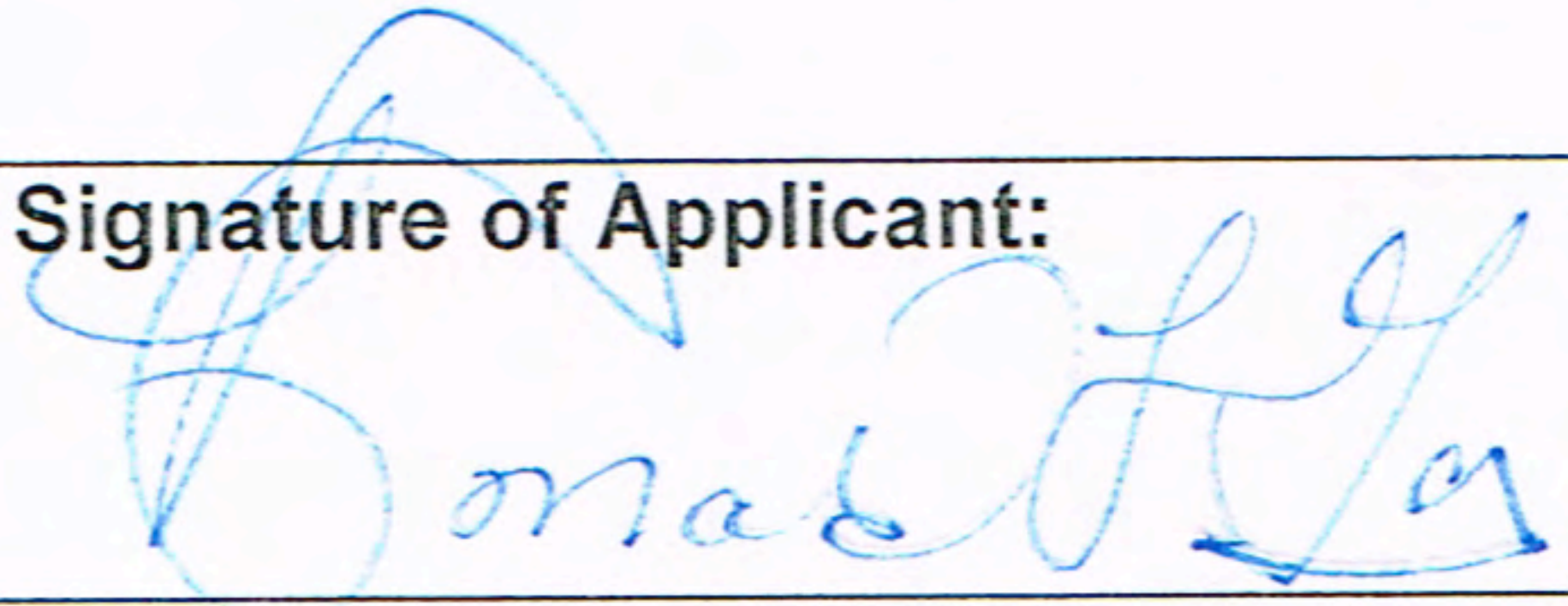
The property will be changed from a single use GARAGE BUILDING WITH PARKING LOT TO A MIXED USE development OF RESIDENCES & COMMERCIAL

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1" = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment ✓ \$2,000.00 (from <u>RL</u> zone to <u>B2B</u> zone)	Fees Paid (office use) —	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment ___ \$2,000.00 (to Section 14-___) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (<u>example</u>) and language to be added is depicted as underline (<u>example</u>))	—	
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00	—	
Conditional or Contract Zone ___ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	—	

Signature of Applicant: 	Date: 7-14-14
---	-------------------------

Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

OPTION AGREEMENT

THIS AGREEMENT is dated this 12th day of November, 2013 between Wendy Morse-Baldwin whose address is 115 Madeline Street, Portland, Maine ("Owner") and Ronald L. Gan, whose address is 15 Cumberland Ave, Portland, Maine ("Purchaser").

WHEREAS, Owner owns real estate located at 155 Washington Ave, Portland, Maine as more fully described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Purchaser desires to purchase an option to acquire the Property;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Grant of Option. Owner grants to Purchaser an exclusive option to purchase the Property on the terms set forth herein (the "Option").

2. Option Fee. Purchaser shall pay a total of [REDACTED] for the Option (the "Option Fee"). The Option Fee shall be paid upon the execution of this Agreement and it will not be applied to the purchase price and it is completely nonrefundable.

3. Exercise of Option. Purchaser may exercise the Option on or before [REDACTED] (the "Exercise Period"). The Option may be exercised by the delivery of a written notice of exercise to Owner ("Option Notice"). In the event Purchaser delivers the Option Notice to Owner, the transaction contemplated by this Agreement shall close in accordance with the provisions of Paragraph 5 below and the attached Purchase and Sale Agreement. In the event the Option is not exercised within the Exercise Period, this Agreement shall be canceled and have no further force or effect.

4. Property Purchase Price. The purchase price payable by Purchaser to Owner upon the exercise of this Option shall be [REDACTED] (the "Property Purchase Price").

5. Closing. After receipt of the Option Notice required by Section 3 of this Agreement, Owner shall convey all of its right, title and interest in and to the Property pursuant to a Warranty Deed to Purchaser at a closing (the "Closing"). Owner shall execute at the Closing any and all documents reasonably necessary to transfer the ownership of the Property to Purchaser. The Closing shall be conducted by Maine Coast Title, Portland, Maine. The Closing shall take place at a time mutually agreed to by Owner and Purchaser.

6. Closing Costs. At Closing, Owner shall be responsible only for those closing costs as stated in the in the attached Purchase and Sale Agreement.

7. Purchaser's Inspection. Commencing with the Effective Date, Purchaser shall have the right, at Purchaser's sole expense, to fully inspect the Property and make determinations relating to the environmental conditions, soils, water table and such other matters, as Purchaser deems appropriate in order to determine the feasibility of utilizing the Property. Purchaser agrees, at Purchaser's expense, to fix and repair any damages made to the Property that occur during or as the result of such inspections. Purchaser may only make such inspections after giving Owner at least 48 hours advance notice. Purchaser acknowledges that he must make every effort to protect the confidentiality of this Agreement and the attached Purchase and Sale Agreement. Purchaser understands that Owner has signed a 12 month Lease for the subject premises and Purchaser agrees to bound by all Owner's obligations under said Lease. If the result of any investigation or other condition is unsatisfactory to Purchaser during the Due Diligence Period, Purchaser may terminate this Option Agreement by notifying Owner in writing prior to the end of the 45 day Due Diligence Period. Under no circumstances will the Option Fee be refundable. In the event that Purchaser decides not to exercise this Option, then he shall give copies of all inspection results, and all other data he acquires about the subject premises to Owner prior to the termination of this Option Agreement.

8. Owner's Negative Covenants. During the term of this Agreement:

- a. Owner shall not mortgage or otherwise encumber the Property provided that owner may rent or lease the property. Owner shall not undertake any activities on the Property that, under applicable law or regulation, constitutes an environmental violation.
- b. The Owner warrants and represents that aside from the current Tenant, there are no parties that have any interest of any type in the property either for lease, sale or any other vested interest.

Nothing herein shall be construed to limit Owner's use of the Property through Closing, subject to the Owner's compliance with applicable statutes, rules, and regulations.

9. Notices. All notices required or permitted under this Agreement shall be in writing and shall be effective upon personal delivery to Owner or Purchaser or upon receipt after being sent by registered or certified mail, return receipt requested, postage fully prepaid and addressed to the respective parties as follows:

Owner:

Wendy Morse-Baldwin
115 Madeline Street
Portland, Maine 04103

With a copy to: Lewis A. Holman, Esq.
Holman & Howard
298 Main St.
Yarmouth, ME 04096
207-846-6111

Purchaser: Ronald L. Gan
15 Cumberland Ave
Portland, Maine 04101

With a copy to:

or to such other address as either party shall, from time to time, specify in writing.

10. Binding Effect. This Agreement shall be binding upon the parties, their heirs, legal representatives, successors, and assigns.

11. Entire Agreement. This Agreement supersedes all agreements previously made between the parties relating to its subject matter except the Purchase and Sale Agreement. There are no other understandings or agreements between them except the Purchase and Sale Agreement.

12. Non-waiver. No delay of failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

13. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maine.

14. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

15. Defaults.

(a) Owner Default. If Owner fails to perform in accordance with the terms of this Agreement, Purchaser shall have the right of specific enforcement since Purchaser would otherwise be without an adequate remedy

(b) Purchaser Default. If Purchaser fails to perform in accordance with the terms of this Agreement, Owner's remedy shall be the retention of the Option Fee

16. Status Updates: Purchaser agrees to provide Seller with status updates every 30 days.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

SELLER:

Wendy Morse Baldwin
Wendy Morse-Baldwin

Dated

11-11-13

PURCHASER:

Ronald L. Gan
Ronald L. Gan

Dated

11-11-13

State of Maine
County of Cumberland

December 2, 2013

Then personally appeared Ronald L. Gan and
acknowledged this instrument to be his
free act and deed.

Before me:

Thomas S. Coward

Thomas S. Coward
Notary Public.

MY COMMISSION EXPIRES
DECEMBER 30, 2016

OPTION AGREEMENT

THIS AGREEMENT is dated this 29th day of April, 2014 between Maureen Fenton whose address is 143R Washington Ave, Portland, Maine ("Owner") and Ronald L. Gan and Jed Rathband PURCHASERS OF OPTION AGREEMENT, whose address is 15 Cumberland Ave, Portland, Maine. ("Purchasers").

WHEREAS, Owner owns 143R and 145 Washington Ave, Portland, Maine as more fully described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Purchasers desire to purchase an option to acquire the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Grant of Option. Owner irrevocably grants to Purchasers an exclusive option to purchase the Property on the terms set forth herein (the "Option").
2. Option Purchase Price. Purchasers shall pay a total of [REDACTED] Dollars ([REDACTED]) for the Option (the "Option Purchase Price"). The Option Purchase Price shall be paid upon the execution of this Agreement.
3. Exercise of Option. Purchasers may exercise the Option at any time prior to [REDACTED]. The Option may be exercised by the delivery of a written notice of exercise to Owner ("Option Notice"). In the event Purchaser delivers the Option Notice to Owner, the transaction contemplated by this Agreement shall close in accordance with the provisions of Paragraph 5 below and the attached Purchase and Sale Agreement. In the event the Option is not exercised within the Exercise Period, this Agreement shall be canceled and have no further force or effect, and Owner shall be entitled to retain the Option Purchase Price.
4. Property Purchase Price. The purchase price payable by Purchaser to Owner upon the exercise of this Option shall be [REDACTED] ([REDACTED]) (the "Property Purchase Price").
5. Closing. After receipt of the Option Notice required by Section 3 of this Agreement, within 45 days, Owner shall convey all of its right, title and interest in and to the Property pursuant to a Warranty Deed to Purchaser at a closing (the "Closing"). Owner shall execute at the Closing any and all documents reasonably necessary to transfer the ownership of the Property to Purchaser. The Closing shall be conducted at the offices of Barbara Vestal, 107 Congress St, Portland, Maine. The Closing shall take place at 3pm in the afternoon.
6. Closing Costs. At Closing, Purchaser and Seller shall be responsible for their respective closing costs as stated in the attached Purchase and Sale Agreement

7. Purchaser's Inspection. Commencing with the Effective Date, Purchaser shall have the right, at Purchaser's sole expense, to fully inspect the Property and make determinations relating to the environmental conditions, soils, water table and such other matters, as Purchaser deems appropriate in order to determine the feasibility of utilizing the Property. If the result of any investigation or other condition is unsatisfactory to Purchaser during the Due Diligence Period, Purchaser will declare this Option Agreement to be null and void by notifying Seller in writing prior to the end of the 60 day Due Diligence Period.

8. Owner's Negative Covenants. During the term of this Agreement:

- a. Owner shall not mortgage or otherwise encumber the Property.
- b. Owner shall not undertake any activities on the Property that, under applicable law or regulation, constitutes an environmental violation.
- c. Owner agrees to maintain all proper insurances on the property.
- d. The Owner warrants and represents that there are no other parties that have any interest of any type in the property either for lease, sale or any other vested interest.

Nothing herein shall be construed to limit Owner's use of the Property through Closing, subject to the Owner's compliance with applicable statutes, rules, and regulations.

9. Notices. All notices required or permitted under this Agreement shall be in writing and shall be effective upon personal delivery to Owner or Purchaser or upon receipt after being sent by registered or certified mail, return receipt requested, postage fully prepaid and addressed to the respective parties as follows:

Owner: Maureen Fenton
 143R Washington Ave
 Portland, Maine 04101

With a copy to:

Purchasers: Ronald L. Gan
 Jed Rathband
 15 Cumberland Ave
 Portland, Maine 04101

With a copy to:

or to such other address as either party shall, from time to time, specify in writing.

10. Binding Effect. This Agreement shall be binding upon the parties, their heirs, legal representatives, successors, and assigns.

11. Entire Agreement. This Agreement supersedes all agreements previously made between the parties relating to its subject matter. There are no other understandings or agreements between them.

12. Non-waiver. No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

13. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maine.

14. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

15. Defaults.

(a) Owner Default. If Owner fails to perform in accordance with the terms of this Agreement, Purchaser shall have the right of specific enforcement since Purchaser would otherwise be without an adequate remedy.

(b) Purchaser Default. If Purchaser fails to perform in accordance with the terms of this Agreement, Owner's remedy shall be the retention of the Option Purchase Price.

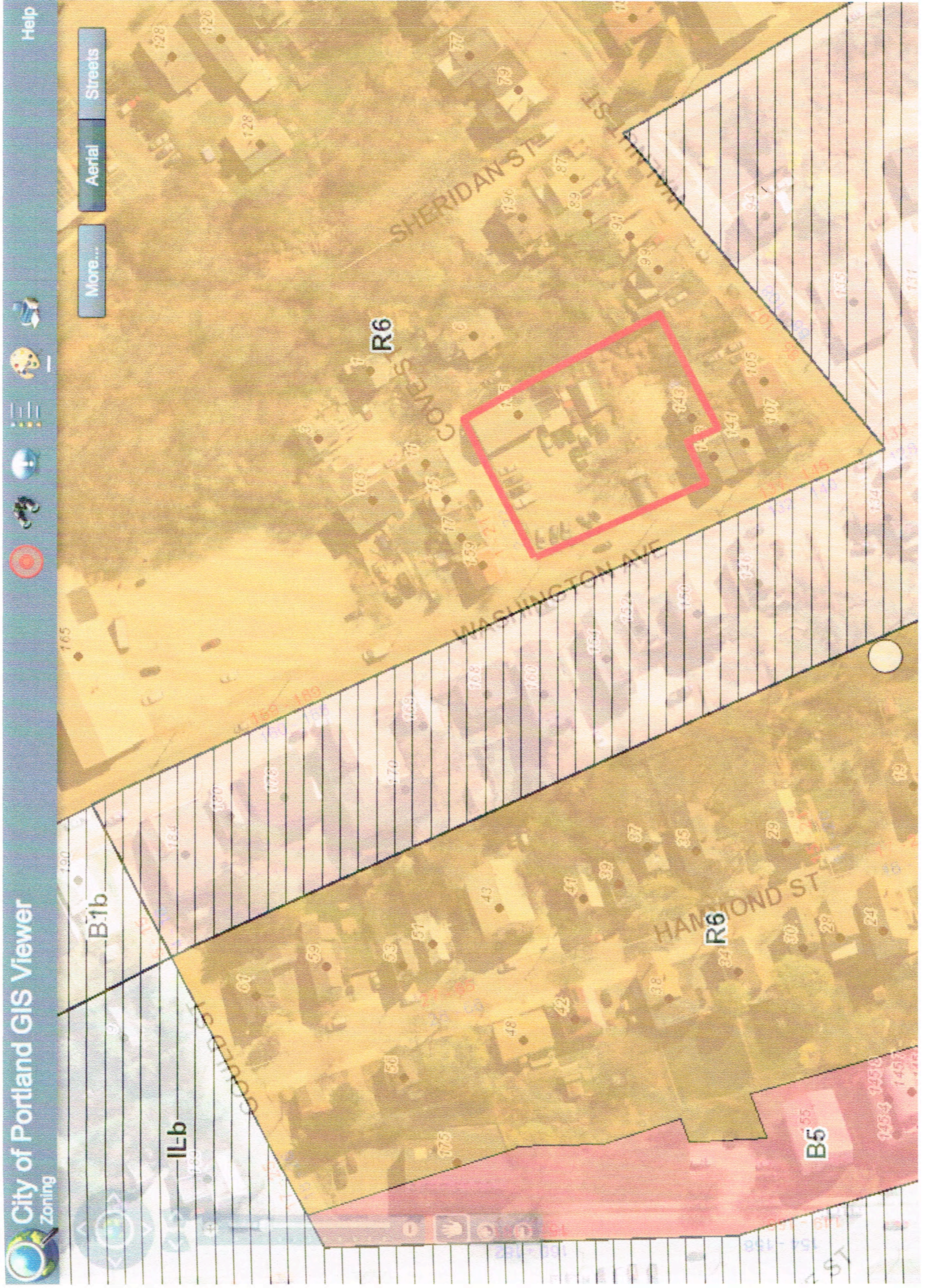
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Seller: Maureen Fenton date 16 May 2014
Maureen Fenton

Purchaser: Ronald L. Gan date 5-16-14
Ronald L. Gan

Purchaser: Jed Rathband date 5-16-14
Jed Rathband







AERIAL VIEW I
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014



WASHINGTON AVENUE ELEVATION
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014





EAST COVE STREET VIEW I
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014



SITE PLAN
(Not to scale)
EAST COVE TOWNHOMES

EAST COVE LLC

July 14, 2014



WASHINGTON AVENUE VIEW 3
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014



WASHINGTON AVENUE VIEW 4
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014

Neighborhood meeting / East Cove Townhomes:

East End Elementary School

August 14, 2014

There were a total of 9 people in attendance. Several abutting neighbors, some from the surrounding neighborhood and one representative from the Munjoy Hill Neighborhood Association. There was one member of the media in attendance.

Jed Rathband, partner in the development led the discussion. Wade Flemming, took notes for the developer.

Jed introduced the project and the need for the zone change, discussing some of the history and how Jed and his partner Ron Gan decided to focus on this lot as an important place for a mixed use development for the neighborhood. Jed explained that the zone change was necessary to incorporate the commercial as well as adhere to the zoning surrounding the parcel. The mixed use is encouraged to create more commercial uses in this part of the city.

The issues focused on the size of the development, height, number of units, parking and affordability. Michelle Perejda, from Washington Ave. has concerns about what sort of landscaping the developer would be putting up between her property and the townhomes. She also offered her support for non-subsidized housing. She referenced the 18 units being built across from her house on Washington Ave. by Avesta Housing as ample affordable housing.

Brendon O'Neil, a neighbor on Walnut St. was concerned about his views out to the north and west looking down Washington Street. He asked if the developer could deed restrict the height to 35 feet. The developer said he would not be willing to do that.

Mr. O'Neil also had concerns about where the trash for the development would be managed and if deliveries for the commercial space would tie up traffic at rush hour. Many of his concerns focused on the height of the buildings. The developer said he was only proposing to go 34 feet and that the current zoning allows for 45 feet.

Laura Balludur, also from Walnut Street said she was optimistic but wanting to learn as much as possible about the project as it might have an impact on her property. She generally supported the project.

Cynthia Cochran and Ellen Bailey from nearby Hammond Street said that of all the projects proposed in the neighborhood, they thought East Cove Townhomes was the nicest and the most sensitive to the concerns of the neighborhood.

Bobbi and Adam Cope, who are building a 15 unit project across the street from East Cove Townhomes were also in attendance. They offered their support for the zone change and said they welcomed more development and unit mix on the street.

Carroll McCracken lamented that she would not be able to get her car fixed at Casales Garage any longer. The developer recommended either going to the Cumberland Ave. Garage at the corner of Cumberland and Washington Ave. or AAA on Marginal Way. 3G's is also currently operating at a garage just one block down from the proposed site.

Generally everyone was in favor of the project, recognizing that the developers are not going as high or as densely as they could under the current R-6 zone. Everyone was in favor of more commercial uses and amenities.

From: Ellen Bailey <efbailey66@gmail.com>
To: Christine Grimando <cdg@portlandmaine.gov>
Date: 8/25/2014 8:38 PM
Subject: 145 - 155 Washington Avenue

To Christine Grimando,

I wanted to express my support for Jed Rathband and Ron Gan's proposal for changing the zone at 145-155 Washington Avenue from an R-6 to a B-2b zone. I think this particular location is a good one for this type of mixed use.

Sincerely,

--

Ellen Bailey

From: Tom Bloom <tombloom1@mac.com>
To: <cdg@portlandmaine.gov>
Date: 9/22/2014 1:23 PM
Subject: 145 Wash. hearing 9/23

Ms. Grimando:

My name is Tom Bloom, I own the house at 95 Walnut st, abutting the proposed 145 Washington/East Cove development by Ron Gann and Jed Rathband.

I am aware that there is a second zoning meeting tomorrow night, Tuesday 9/23. Unfortunately I cannot attend, but I would very much like to go on record as being a very interested party to the zoning review.

My concerns are similar to my neighbor's, Brendan O'Neil. While I appreciate the concern Mr's Gann and Rathband have expressed about moderate height and space disturbance on their project, the proposal to change the zoning from R-6 to B2B has some issues. Their proposal, as I said, is moderate, but if for any reason they weren't able to complete their project, I feel the new zoning would permit any new developer to construct buildings which would be much less considerate of us who abut the project. Second, I feel that the B2B would allow (if the Rathben project didn't go thru) much more traffic and noise density.

While I am in favor of the Gann Rathband project going thru, I feel we have no assurances if it failed, and would have no protection for far more disruptive development.

From what I've studied, and heard from the Planning Board and documents, it seems that an adjusted B1 zoning is the best solution, since it has more restrictions on commercial use, and any other developer would be bound to protect the distinct single-family nature and scale of the neighborhood.

Please include my thoughts in your minutes. This matter is very important to me, as I will be looking directly out over whatever is built on that property. I regret not being able to attend.

Thank you for your consideration.

Sincerely,
Tom Bloom
95 Walnut St
Portland ME 04101
212-924-8276 (yes...212 is my exchange)

To: Christine Grimando, Senior Planner
From: Cynthia L. Cochran, East Bayside Resident and Property Owner
Date: August 24, 2014
Re: 145 – 155 Washington Ave/East Cove Townhouse Rezone

Thank you for the opportunity to submit comments to the Planning Board regarding Ron Gan's request for rezoning the five parcels, located at 145 & 155 Washington Avenue and currently occupied by Casale's Auto Sales, from Residential R-6 to Community Business B-2b.

I am very supportive of B-2b zoning for this location on Washington Avenue. Also, I am very supportive of the proposed development project for this site, based upon the architect's initial renderings. I appreciate the scale of the townhouses (i.e. 3 stories, not 4); the possibilities for 3 bedroom units to welcome small families; the relatively lower price point of the units (starting at \$459,000); and the retention of spaces (some of them green), within the inner courtyard and between the four buildings. Altogether, this project illustrates a very thoughtful consideration of its neighbors and its neighborhood, both visually, and socially. Perhaps, this is because both developers are fairly long-term residents of the very same neighborhood.

munjoyhill • homes

July 21st, 2014

Ms. Barbara Barhydt
City of Portland, Planning Division
389 Congress Street, 4th Floor
Portland, ME 04101

Dear Barbara:

Please find attached a Zoning Map Amendment Application related to 145-155 Washington Ave.

We are proposing to re-zone the property from R-6 to B-2b and our current plans call for a mixed-use development of residential and commercial on a property that is currently being used as a legally non-conforming auto repair and used car lot.

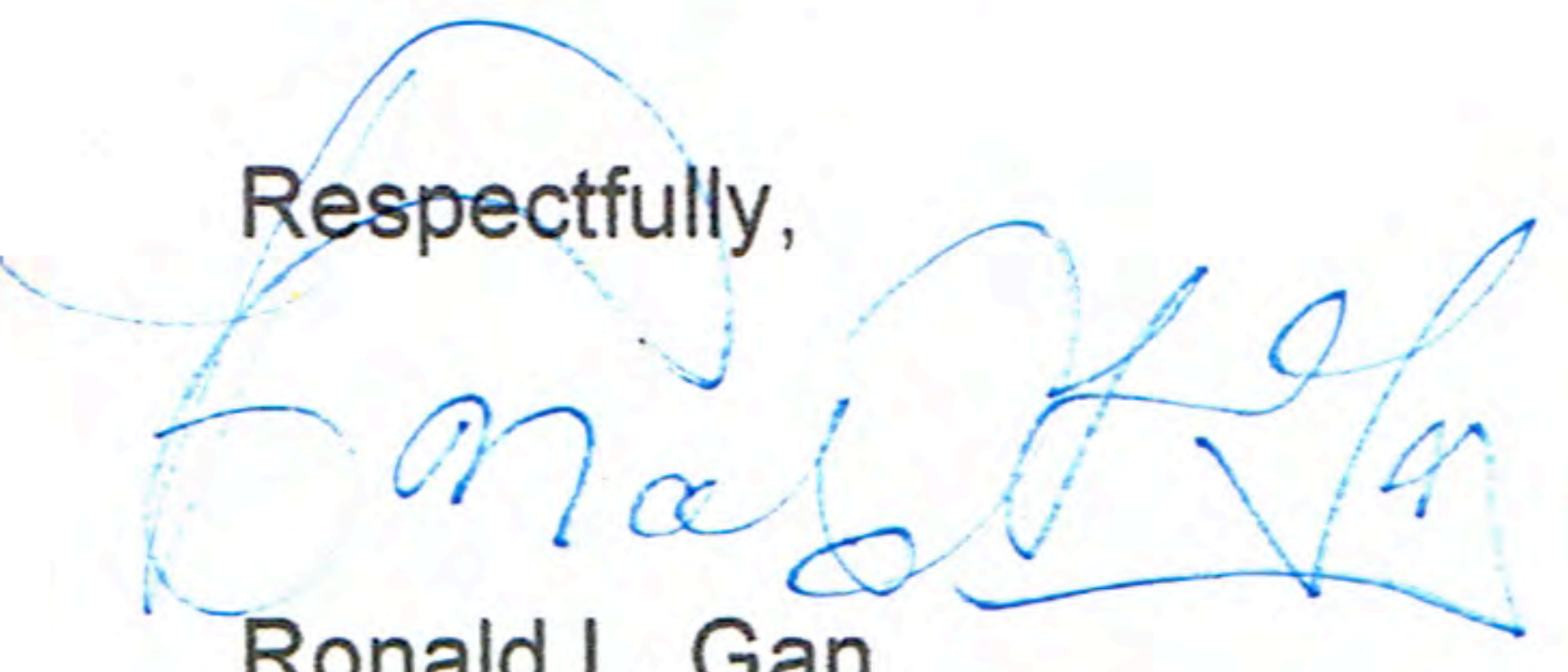
The Application and related development plans would support the goals as outlined in the City's Comprehensive Plan.

"In 2002, the housing component of the comprehensive plan embraced as a goal the creation of more housing in the City to achieve and maintain a 25% share of Cumberland County's population. Among the strategies adopted to achieve this goal were to increase the amount of higher density housing in strategic locations and to "encourage development on vacant lots along accepted city streets." (Housing: Sustaining Portland's Future, Policy #5, Infill Development, p. 20, 2002) The goal of increasing housing density in the urban core, particularly as a way to provide viable transit alternatives to single occupancy vehicles, was again endorsed as a goal in 2009. (Sustainable Portland, p. 25, September 24, 2009). "

Enclosed is the following:

1. Zoning Map Amendment Application Form
2. Copy of option agreements
3. Vicinity Map Showing Current Zoning
4. Rendering of Proposed Building
5. Proposed Site Plan

Respectfully,



Ronald L. Gan

PROJECT ADDRESS: 145-155 WASHINGTON

CHART/BLOCK/LOT: 12-6-9 { 12-6-1-2-3-8

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

changing the zoning from R-6 to B2B - we are proposing to build a mixed use project.

CONTACT INFORMATION:

Applicant's Contact for electronic plans

Name: RONALD L. GAN
e-mail Address MUNJOYHILLHOMES@GMAIL.CO
work # 207-233-3753

Applicant - must be owner, Lessee or Buyer

Name: RONALD GAN & TED BATHBAND
Business Name, if applicable:
Address: 202 WASHINGTON
City/State: PORTLAND Zip Code: 04101

Applicant Contact Information

Work #
Home#
Cell # 207-233-3753 Fax#
e-mail: MUNJOYHILLHOMES@GMAIL.COM

Owner - (if different from Applicant)

Name: WENDY BALDWIN
MAUREEN FENTON
Address: 115 MADELINE PORTLAND
145 WASHINGTON
City/State: PORTLAND Zip Code: 04103
04101

Owner Contact Information

Work #
Home#
Cell # Fax#
e-mail:

Agent/ Representative

Name:
Address:
City/State: Zip Code:

Agent/Representative Contact information

Work #
Cell #
e-mail:

Billing Information

Name: RON GAN
Address: 202 WASHINGTON
City/State: PORTLAND Zip Code: 04101

Billing Information

Work #
Cell # 207-233-3753 Fax#
e-mail: MUNJOYHILLHOMES@GMAIL.COM

Engineer

Name:
Address:
City/State: Zip Code:

Engineer Contact Information

Work #
Cell # Fax#
e-mail:

Surveyor Name: R.W. EATON & ASS Address: 58 PLEASANT ST. City/State: WESTBROOK Zip Code: 04092	Surveyor Contact Information Work # 207-854-2402 Cell # Fax# 2-856-7167 e-mail: RW.EATON@MAINE.PR.COM
Architect Name: PDT Address: 49 DARTMOUTH ST City/State: PORTLAND Zip Code: 04101	Architect Contact Information Work # 207-775-1059 Cell # Fax# e-mail: WEBSTER@PDTARCHS.COM
Attorney Name: BARBARA VESTAL Address: 107 CONGRESS City/State: PORTLAND Zip Code: 04101	Attorney Contact Information Work # 207-772-7426 Cell # Fax# e-mail: VESTAL@CHESTERANDVESTAL.

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

WE CURRENTLY HOLD OPTIONS ON ALL PARCELS

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

THE CURRENT USE IS AN AUTO REPAIR & USED CAR LOT.

Current Zoning Designation(s):

R-6

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

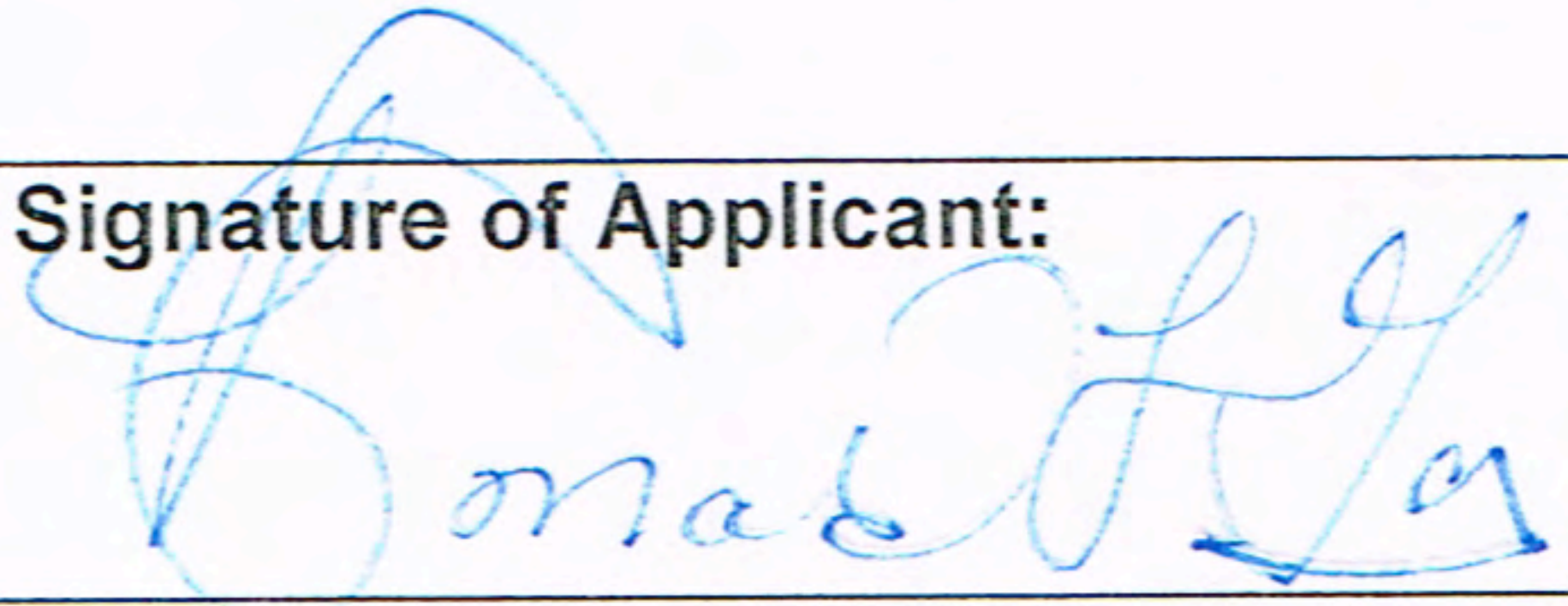
The property will be changed from a single use GARAGE BUILDING WITH PARKING LOT TO A MIXED USE development OF RESIDENCES & COMMERCIAL

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1" = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment ✓ \$2,000.00 (from <u>RL</u> zone to <u>B2B</u> zone)	Fees Paid (office use) —	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment ___ \$2,000.00 (to Section 14-___) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (<u>example</u>) and language to be added is depicted as underline (<u>example</u>))	—	
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00	—	
Conditional or Contract Zone ___ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	—	

Signature of Applicant: 	Date: 7-14-14
---	-------------------------

Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

OPTION AGREEMENT

THIS AGREEMENT is dated this 12th day of November, 2013 between Wendy Morse-Baldwin whose address is 115 Madeline Street, Portland, Maine ("Owner") and Ronald L. Gan, whose address is 15 Cumberland Ave, Portland, Maine. ("Purchaser").

WHEREAS, Owner owns real estate located at 155 Washington Ave, Portland, Maine as more fully described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Purchaser desires to purchase an option to acquire the Property;

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Grant of Option. Owner grants to Purchaser an exclusive option to purchase the Property on the terms set forth herein (the "Option").

2. Option Fee. Purchaser shall pay a total of [REDACTED] for the Option (the "Option Fee"). The Option Fee shall be paid upon the execution of this Agreement and it will not be applied to the purchase price and it is completely nonrefundable.

3. Exercise of Option. Purchaser may exercise the Option on or before [REDACTED] (the "Exercise Period"). The Option may be exercised by the delivery of a written notice of exercise to Owner ("Option Notice"). In the event Purchaser delivers the Option Notice to Owner, the transaction contemplated by this Agreement shall close in accordance with the provisions of Paragraph 5 below and the attached Purchase and Sale Agreement. In the event the Option is not exercised within the Exercise Period, this Agreement shall be canceled and have no further force or effect.

4. Property Purchase Price. The purchase price payable by Purchaser to Owner upon the exercise of this Option shall be [REDACTED] (the "Property Purchase Price").

5. Closing. After receipt of the Option Notice required by Section 3 of this Agreement, Owner shall convey all of its right, title and interest in and to the Property pursuant to a Warranty Deed to Purchaser at a closing (the "Closing"). Owner shall execute at the Closing any and all documents reasonably necessary to transfer the ownership of the Property to Purchaser. The Closing shall be conducted by Maine Coast Title, Portland, Maine. The Closing shall take place at a time mutually agreed to by Owner and Purchaser.

6. Closing Costs. At Closing, Owner shall be responsible only for those closing costs as stated in the in the attached Purchase and Sale Agreement.

7. Purchaser's Inspection. Commencing with the Effective Date, Purchaser shall have the right, at Purchaser's sole expense, to fully inspect the Property and make determinations relating to the environmental conditions, soils, water table and such other matters, as Purchaser deems appropriate in order to determine the feasibility of utilizing the Property. Purchaser agrees, at Purchaser's expense, to fix and repair any damages made to the Property that occur during or as the result of such inspections. Purchaser may only make such inspections after giving Owner at least 48 hours advance notice. Purchaser acknowledges that he must make every effort to protect the confidentiality of this Agreement and the attached Purchase and Sale Agreement. Purchaser understands that Owner has signed a 12 month Lease for the subject premises and Purchaser agrees to bound by all Owner's obligations under said Lease. If the result of any investigation or other condition is unsatisfactory to Purchaser during the Due Diligence Period, Purchaser may terminate this Option Agreement by notifying Owner in writing prior to the end of the 45 day Due Diligence Period. Under no circumstances will the Option Fee be refundable. In the event that Purchaser decides not to exercise this Option, then he shall give copies of all inspection results, and all other data he acquires about the subject premises to Owner prior to the termination of this Option Agreement.

8. Owner's Negative Covenants. During the term of this Agreement:

- a. Owner shall not mortgage or otherwise encumber the Property provided that owner may rent or lease the property. Owner shall not undertake any activities on the Property that, under applicable law or regulation, constitutes an environmental violation.
- b. The Owner warrants and represents that aside from the current Tenant, there are no parties that have any interest of any type in the property either for lease, sale or any other vested interest.

Nothing herein shall be construed to limit Owner's use of the Property through Closing, subject to the Owner's compliance with applicable statutes, rules, and regulations.

9. Notices. All notices required or permitted under this Agreement shall be in writing and shall be effective upon personal delivery to Owner or Purchaser or upon receipt after being sent by registered or certified mail, return receipt requested, postage fully prepaid and addressed to the respective parties as follows:

Owner:

Wendy Morse-Baldwin
115 Madeline Street
Portland, Maine 04103

With a copy to: Lewis A. Holman, Esq.
Holman & Howard
298 Main St.
Yarmouth, ME 04096
207-846-6111

Purchaser: Ronald L. Gan
15 Cumberland Ave
Portland, Maine 04101

With a copy to:

or to such other address as either party shall, from time to time, specify in writing.

10. Binding Effect. This Agreement shall be binding upon the parties, their heirs, legal representatives, successors, and assigns.

11. Entire Agreement. This Agreement supersedes all agreements previously made between the parties relating to its subject matter except the Purchase and Sale Agreement. There are no other understandings or agreements between them except the Purchase and Sale Agreement.

12. Non-waiver. No delay of failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

13. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maine.

14. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

15. Defaults.

(a) Owner Default. If Owner fails to perform in accordance with the terms of this Agreement, Purchaser shall have the right of specific enforcement since Purchaser would otherwise be without an adequate remedy

(b) Purchaser Default. If Purchaser fails to perform in accordance with the terms of this Agreement, Owner's remedy shall be the retention of the Option Fee

16. Status Updates: Purchaser agrees to provide Seller with status updates every 30 days.

IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

SELLER:

Wendy Morse Baldwin
Wendy Morse-Baldwin

Dated

11-11-13

PURCHASER:

Ronald L. Gan
Ronald L. Gan

Dated

11-11-13

State of Maine
County of Cumberland

December 2, 2013

Then personally appeared Ronald L. Gan and
acknowledged this instrument to be his
free act and deed.

Before me:

Thomas S. Coward
Notary Public.

MY COMMISSION EXPIRES
DECEMBER 30, 2016

OPTION AGREEMENT

THIS AGREEMENT is dated this 29th day of April, 2014 between Maureen Fenton whose address is 143R Washington Ave, Portland, Maine ("Owner") and Ronald L. Gan and Jed Rathband PURCHASERS OF OPTION AGREEMENT, whose address is 15 Cumberland Ave, Portland, Maine. ("Purchasers").

WHEREAS, Owner owns 143R and 145 Washington Ave, Portland, Maine as more fully described on Exhibit "A" attached hereto and made a part hereof (the "Property"); and

WHEREAS, Purchasers desire to purchase an option to acquire the Property.

NOW, THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is acknowledged, the parties agree as follows:

1. Grant of Option. Owner irrevocably grants to Purchasers an exclusive option to purchase the Property on the terms set forth herein (the "Option").
2. Option Purchase Price. Purchasers shall pay a total of [REDACTED] Dollars ([REDACTED]) for the Option (the "Option Purchase Price"). The Option Purchase Price shall be paid upon the execution of this Agreement.
3. Exercise of Option. Purchasers may exercise the Option at any time prior to [REDACTED]. The Option may be exercised by the delivery of a written notice of exercise to Owner ("Option Notice"). In the event Purchaser delivers the Option Notice to Owner, the transaction contemplated by this Agreement shall close in accordance with the provisions of Paragraph 5 below and the attached Purchase and Sale Agreement. In the event the Option is not exercised within the Exercise Period, this Agreement shall be canceled and have no further force or effect, and Owner shall be entitled to retain the Option Purchase Price.
4. Property Purchase Price. The purchase price payable by Purchaser to Owner upon the exercise of this Option shall be [REDACTED] (the "Property Purchase Price").
5. Closing. After receipt of the Option Notice required by Section 3 of this Agreement, within 45 days, Owner shall convey all of its right, title and interest in and to the Property pursuant to a Warranty Deed to Purchaser at a closing (the "Closing"). Owner shall execute at the Closing any and all documents reasonably necessary to transfer the ownership of the Property to Purchaser. The Closing shall be conducted at the offices of Barbara Vestal, 107 Congress St, Portland, Maine. The Closing shall take place at 3pm in the afternoon.
6. Closing Costs. At Closing, Purchaser and Seller shall be responsible for their respective closing costs as stated in the attached Purchase and Sale Agreement

7. Purchaser's Inspection. Commencing with the Effective Date, Purchaser shall have the right, at Purchaser's sole expense, to fully inspect the Property and make determinations relating to the environmental conditions, soils, water table and such other matters, as Purchaser deems appropriate in order to determine the feasibility of utilizing the Property. If the result of any investigation or other condition is unsatisfactory to Purchaser during the Due Diligence Period, Purchaser will declare this Option Agreement to be null and void by notifying Seller in writing prior to the end of the 60 day Due Diligence Period.

8. Owner's Negative Covenants. During the term of this Agreement:

- a. Owner shall not mortgage or otherwise encumber the Property.
- b. Owner shall not undertake any activities on the Property that, under applicable law or regulation, constitutes an environmental violation.
- c. Owner agrees to maintain all proper insurances on the property.
- d. The Owner warrants and represents that there are no other parties that have any interest of any type in the property either for lease, sale or any other vested interest.

Nothing herein shall be construed to limit Owner's use of the Property through Closing, subject to the Owner's compliance with applicable statutes, rules, and regulations.

9. Notices. All notices required or permitted under this Agreement shall be in writing and shall be effective upon personal delivery to Owner or Purchaser or upon receipt after being sent by registered or certified mail, return receipt requested, postage fully prepaid and addressed to the respective parties as follows:

Owner: Maureen Fenton
 143R Washington Ave
 Portland, Maine 04101

With a copy to:

Purchasers: Ronald L. Gan
 Jed Rathband
 15 Cumberland Ave
 Portland, Maine 04101

With a copy to:

or to such other address as either party shall, from time to time, specify in writing.

10. Binding Effect. This Agreement shall be binding upon the parties, their heirs, legal representatives, successors, and assigns.

11. Entire Agreement. This Agreement supersedes all agreements previously made between the parties relating to its subject matter. There are no other understandings or agreements between them.

12. Non-waiver. No delay or failure by either party to exercise any right under this Agreement, and no partial or single exercise of that right, shall constitute a waiver of that or any other right, unless otherwise expressly provided herein.

13. Governing Law. This Agreement shall be construed in accordance with and governed by the laws of the State of Maine.

14. Counterparts. This Agreement may be executed in two or more counterparts, each of which shall be deemed an original but all of which together shall constitute one and the same instrument.

15. Defaults.

(a) Owner Default. If Owner fails to perform in accordance with the terms of this Agreement, Purchaser shall have the right of specific enforcement since Purchaser would otherwise be without an adequate remedy.

(b) Purchaser Default. If Purchaser fails to perform in accordance with the terms of this Agreement, Owner's remedy shall be the retention of the Option Purchase Price.

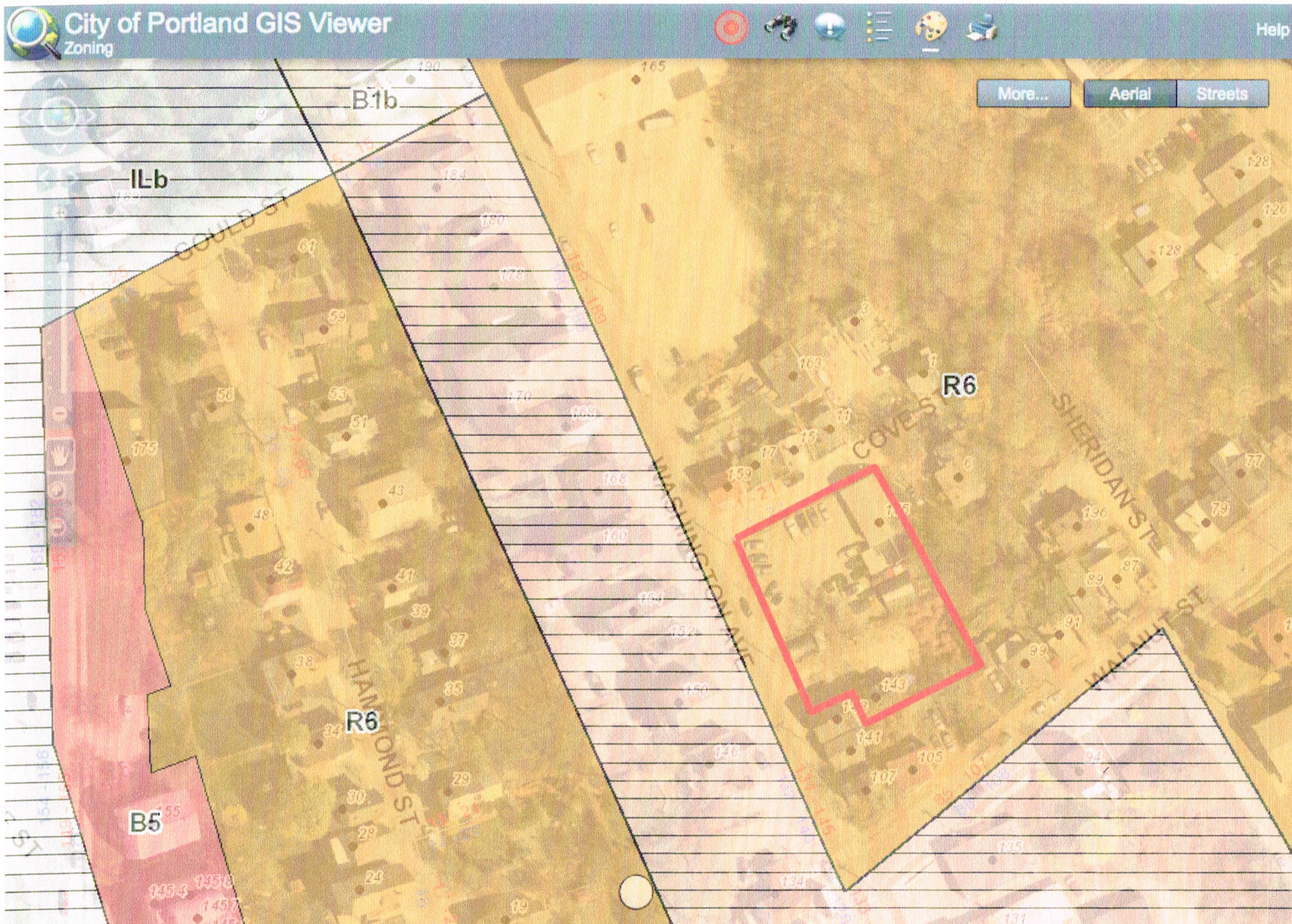
IN WITNESS WHEREOF, the parties hereto have executed this Agreement as of the date first above written.

Seller: Maureen Fenton date 16 May 2014
Maureen Fenton

Purchaser: Ronald L. Gan date 5-16-14
Ronald L. Gan

Purchaser: Jed Rathband date 5-16-14
Jed Rathband







AERIAL VIEW I
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014



WASHINGTON AVENUE ELEVATION
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014





EAST COVE STREET VIEW I
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014



SITE PLAN
(Not to scale)
EAST COVE TOWNHOMES

EAST COVE LLC

July 14, 2014



WASHINGTON AVENUE VIEW 3
EAST COVE TOWNHOMES



WASHINGTON AVENUE VIEW 4
EAST COVE TOWNHOMES

EAST COVE LLC
July 14, 2014

Neighborhood meeting / East Cove Townhomes:

East End Elementary School

August 14, 2014

There were a total of 9 people in attendance. Several abutting neighbors, some from the surrounding neighborhood and one representative from the Munjoy Hill Neighborhood Association. There was one member of the media in attendance.

Jed Rathband, partner in the development led the discussion. Wade Flemming, took notes for the developer.

Jed introduced the project and the need for the zone change, discussing some of the history and how Jed and his partner Ron Gan decided to focus on this lot as an important place for a mixed use development for the neighborhood. Jed explained that the zone change was necessary to incorporate the commercial as well as adhere to the zoning surrounding the parcel. The mixed use is encouraged to create more commercial uses in this part of the city.

The issues focused on the size of the development, height, number of units, parking and affordability. Michelle Perejda, from Washington Ave. has concerns about what sort of landscaping the developer would be putting up between her property and the townhomes. She also offered her support for non-subsidized housing. She referenced the 18 units being built across from her house on Washington Ave. by Avesta Housing as ample affordable housing.

Brendon O'Neil, a neighbor on Walnut St. was concerned about his views out to the north and west looking down Washington Street. He asked if the developer could deed restrict the height to 35 feet. The developer said he would not be willing to do that.

Mr. O'Neil also had concerns about where the trash for the development would be managed and if deliveries for the commercial space would tie up traffic at rush hour. Many of his concerns focused on the height of the buildings. The developer said he was only proposing to go 34 feet and that the current zoning allows for 45 feet.

Laura Balludur, also from Walnut Street said she was optimistic but wanting to learn as much as possible about the project as it might have an impact on her property. She generally supported the project.

Cynthia Cochran and Ellen Bailey from nearby Hammond Street said that of all the projects proposed in the neighborhood, they thought East Cove Townhomes was the nicest and the most sensitive to the concerns of the neighborhood.

Bobbi and Adam Cope, who are building a 15 unit project across the street from East Cove Townhomes were also in attendance. They offered their support for the zone change and said they welcomed more development and unit mix on the street.

Carroll McCracken lamented that she would not be able to get her car fixed at Casales Garage any longer. The developer recommended either going to the Cumberland Ave. Garage at the corner of Cumberland and Washington Ave. or AAA on Marginal Way. 3G's is also currently operating at a garage just one block down from the proposed site.

Generally everyone was in favor of the project, recognizing that the developers are not going as high or as densely as they could under the current R-6 zone. Everyone was in favor of more commercial uses and amenities.

To: Christine Grimando, Senior Planner
From: Cynthia L. Cochran, East Bayside Resident and Property Owner
Date: August 24, 2014
Re: 145 – 155 Washington Ave/East Cove Townhouse Rezone

Thank you for the opportunity to submit comments to the Planning Board regarding Ron Gan's request for rezoning the five parcels, located at 145 & 155 Washington Avenue and currently occupied by Casale's Auto Sales, from Residential R-6 to Community Business B-2b.

I am very supportive of B-2b zoning for this location on Washington Avenue. Also, I am very supportive of the proposed development project for this site, based upon the architect's initial renderings. I appreciate the scale of the townhouses (i.e. 3 stories, not 4); the possibilities for 3 bedroom units to welcome small families; the relatively lower price point of the units (starting at \$459,000); and the retention of spaces (some of them green), within the inner courtyard and between the four buildings. Altogether, this project illustrates a very thoughtful consideration of its neighbors and its neighborhood, both visually, and socially. Perhaps, this is because both developers are fairly long-term residents of the very same neighborhood.

From: Ellen Bailey <efbailey66@gmail.com>
To: Christine Grimando <cdg@portlandmaine.gov>
Date: 8/25/2014 8:38 PM
Subject: 145 - 155 Washington Avenue

To Christine Grimando,

I wanted to express my support for Jed Rathband and Ron Gan's proposal for changing the zone at 145-155 Washington Avenue from an R-6 to a B-2b zone. I think this particular location is a good one for this type of mixed use.

Sincerely,

--

Ellen Bailey

From: Tom Bloom <tombloom1@mac.com>
To: <cdg@portlandmaine.gov>
Date: 9/22/2014 1:23 PM
Subject: 145 Wash. hearing 9/23

Ms. Grimando:

My name is Tom Bloom, I own the house at 95 Walnut st, abutting the proposed 145 Washington/East Cove development by Ron Gann and Jed Rathband.

I am aware that there is a second zoning meeting tomorrow night, Tuesday 9/23. Unfortunately I cannot attend, but I would very much like to go on record as being a very interested party to the zoning review.

My concerns are similar to my neighbor's, Brendan O'Neil. While I appreciate the concern Mr's Gann and Rathband have expressed about moderate height and space disturbance on their project, the proposal to change the zoning from R-6 to B2B has some issues. Their proposal, as I said, is moderate, but if for any reason they weren't able to complete their project, I feel the new zoning would permit any new developer to construct buildings which would be much less considerate of us who abut the project. Second, I feel that the B2B would allow (if the Rathben project didn't go thru) much more traffic and noise density.

While I am in favor of the Gann Rathband project going thru, I feel we have no assurances if it failed, and would have no protection for far more disruptive development.

From what I've studied, and heard from the Planning Board and documents, it seems that an adjusted B1 zoning is the best solution, since it has more restrictions on commercial use, and any other developer would be bound to protect the distinct single-family nature and scale of the neighborhood.

Please include my thoughts in your minutes. This matter is very important to me, as I will be looking directly out over whatever is built on that property. I regret not being able to attend.

Thank you for your consideration.

Sincerely,
Tom Bloom
95 Walnut St
Portland ME 04101
212-924-8276 (yes...212 is my exchange)



PLANNING BOARD REPORT PORTLAND, MAINE

Amendments to Conditional Zoning Agreement
St. Lawrence Arts Center, Applicant

Submitted to: Portland Planning Board
Public Hearing Date: October 28, 2014
CBL: 003-L-001

Prepared by: Nell Donaldson, Planner
Date: October 25, 2014
Project #: 2014-009

I. INTRODUCTION

The Friends of the St. Lawrence Arts Center appears before the Planning Board for a public hearing on draft amendments to an existing conditional zoning agreement for their property at 76 Congress Street, formerly the St. Lawrence Congregational Church. The board reviewed these amendments, as well as materials incorporated by reference, including a draft Transportation Demand Management (TDM) plan, a draft site plan, and draft architectural drawings, at workshops in March and September of 2014. The purpose of this hearing is to consider the findings of the review in their entirety and, ultimately, to issue a recommendation on the amendments to the city council.

Notice of this hearing appeared in the *Portland Press Herald* on October 20 and 21, 2014. Notices were sent to 258 property owners within 500 feet and to the interested citizens list. 36 immediate abutters also received a copy of the amended agreement, and a notice was posted with the City Clerk. It should be noted that minor revisions have been made to the conditional zoning agreement since the time of this noticing.

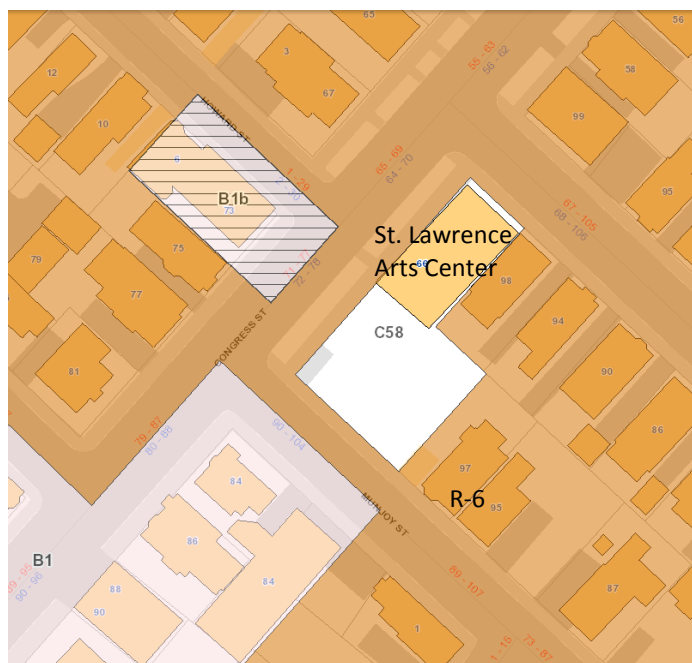


Figure 1: St. Lawrence Arts Center, zoning context

Applicant: Friends of the St. Lawrence Church

Consultants: David Lloyd, Archetype; Tom Gorrill, Gorrill-Palmer, Inc.

II. REQUIRED REVIEWS

Review	Applicable Statute
Conditional Zoning Agreement	MSRA Section 4352(8) City of Portland Code of Ordinances, Chapter 14, Division 1.5

III. PROJECT DATA

Existing Zoning	R-6 Residential with Conditional Zoning Agreement
Existing Use	Place of Assembly – Community Hall
Proposed Use	Place of Assembly – Community Hall
Parcel Size	10,565 SF (.24 acres)

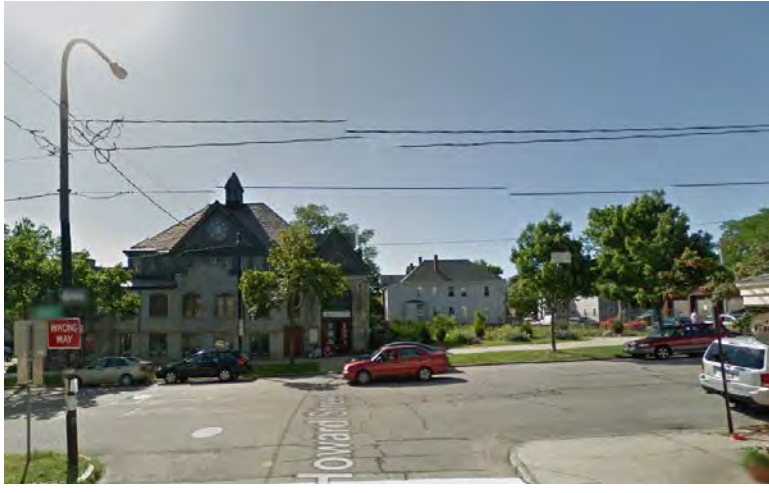


Figure 2: St. Lawrence Arts Center (existing Parish Hall theater) at present

IV. CONTEXT

The St. Lawrence Arts Center sits at 76 Congress Street in the heart of Munjoy Hill. The property is currently the subject of an existing conditional zoning agreement. While the underlying zoning is R-6 Residential, the St. Lawrence neighbors a B-1 Neighborhood Business zone and lies directly across from an active restaurant use in a B-1b zone (*Figure 1*). The Rosemont Market and a restaurant sit on the Congress Street block immediately west. Residential uses surround the site to the north, east, and south. The property lies three blocks from the Eastern Promenade.

V. BACKGROUND

The building now occupied by the St. Lawrence Arts Center was originally constructed in 1897 as a church, and was initially comprised of two sections - the Parish Hall and the sanctuary. The building subsequently served as a congregational church for almost a hundred years until its closure in 1986. In 2001, the Friends of the St. Lawrence took ownership of the building and renovated the Parish Hall into a live theater/auditorium space under the zoning provisions for a community hall; the sanctuary portion of the building, however, was left vacant as the Friends of St. Lawrence sought the means for renovation. Ultimately, the sanctuary fell into disrepair. In 2006, the primary roof trusses partially collapsed; shortly thereafter, the sanctuary was deemed unsalvageable. It was dismantled in 2009, leaving the remainder of the Congress Street frontage of this Munjoy Hill block vacant. The Friends of the St. Lawrence recovered significant architectural features during the demolition with the intent of someday reconstructing the sanctuary building.

In 2010, the Friends of the St. Lawrence approached the city's Planning Division with a proposal to do just that – rebuild the former church sanctuary in much its original form for use as a 402-seat performance venue. The applicant proposed a plan for the sanctuary that included many of the historic details of the old church building, down to the curbing, rose windows, and stone work. In order to rebuild such a structure, the applicant required relief from several provisions of the underlying R-6 zone, including the dimensional requirements. The concept was endorsed by the Historic Preservation Board and a conditional zoning agreement was drafted and formally adopted in November of 2010 (*Attachment E*).

In the years since the original conditional zoning agreement, however, the reconstruction plans were never realized. Following adoption of the agreement, the applicant embarked on a feasibility study with the intent of determining the extent of possible funding for the reconstruction project. It shortly became clear that the proposed reconstruction of the historic structure was cost prohibitive. Instead, the Friends of the St. Lawrence shifted their vision for the proposed addition, focusing on what has now evolved into a contemporary expansion. In this vein, the applicant applied for amendments to their original conditional zoning agreement in late January of 2014. The fundamental elements of the agreement remain unchanged – the applicant continues to desire to build an addition on the site of the former church sanctuary for the purposes of live theater. However, the original agreement requires modifications in order to allow the proposed addition in its new form.

It should be noted that, as a historic property on the National Register of Historic Places, development on the site is subject to Historic Preservation review. The building was placed on the National Register in 1979, and was designated locally as a historic landmark in 1990. The Historic Preservation Board has previously reviewed not only the demolition plans of the late 2000s, but also the reconstruction plans of 2010.

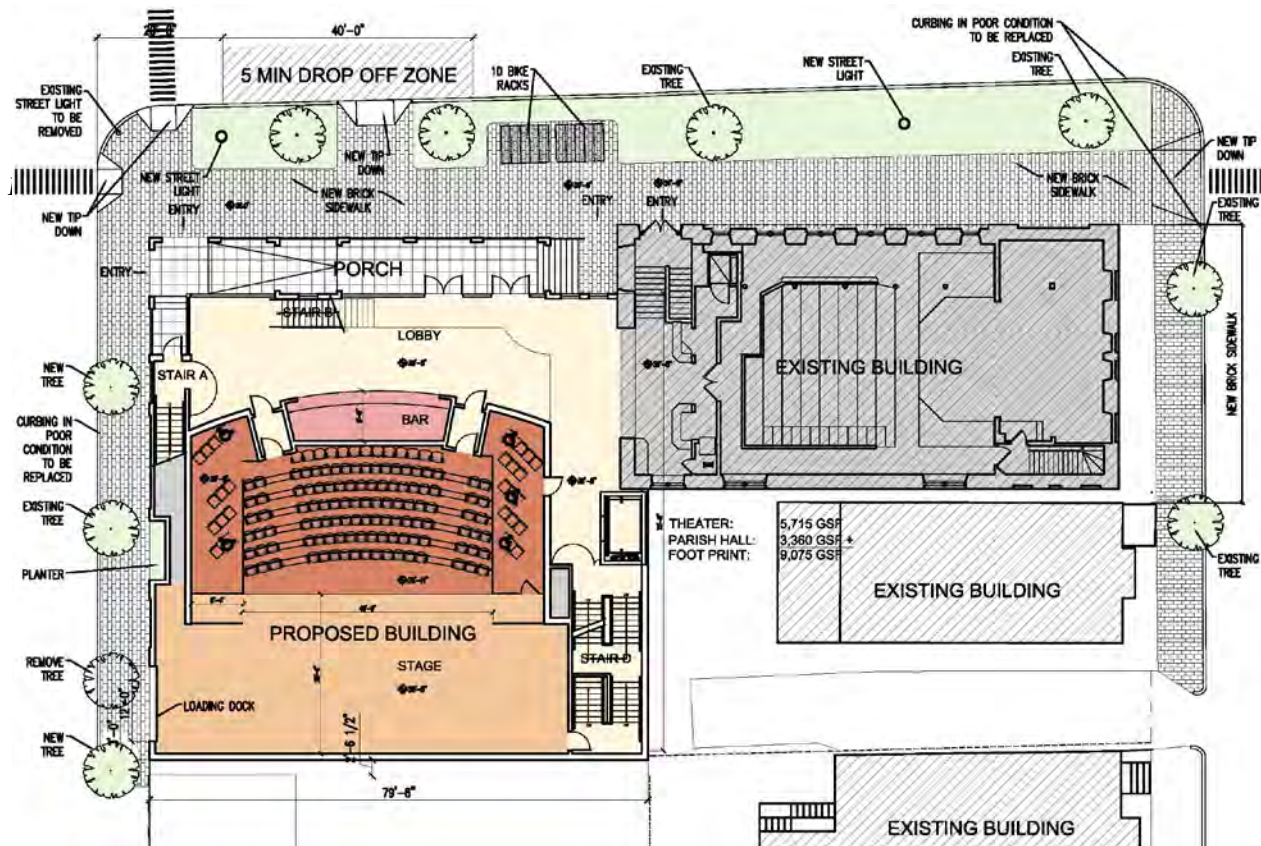


Figure 3: St. Lawrence Arts Center addition, revised conceptual site plan

VI. PROPOSED DEVELOPMENT

1. Development Program

The new development program remains much the same as in the previous reconstruction plan (Table 1). The plans include the renovation of the existing Parish Hall auditorium to increase the seating capacity to 120 and add office space and a meeting room. The plans also include the development of an addition in the old sanctuary space, including:

1. A 401-seat auditorium;
2. A new lobby to serve both the sanctuary and Parish Hall venues;
3. New support spaces including a catering kitchen, concession area, green room, dressing room, and bathrooms; and
4. A new function room, the Promenade Room, on the upper level.

Overall, the footprint of the new plans slightly exceeds the 2010 proposal, although the total square footage is somewhat less.

It should be noted that, over the course of the review, there has been some question regarding the proposed use of the Promenade Room. The applicant has provided documentation that the “primary use of the Promenade Room will be as a lobby for the 401 seat performance hall. Secondary uses will be as space for SLA and other non-profits to hold events in line with our mission of arts and culture, community and neighborhood and historic preservation. These uses include fundraising, rentals and in-house programming of music, theater, film, meetings, corporate and business rentals, and civic activities” (Attachment I).

Table 1: Development Program, St. Lawrence Arts Center, Past, Existing, and Proposed

	<i>St. Lawrence Church</i>	<i>Parish Hall Theater</i>	<i>2010 Reconstruction Plan, as proposed</i>	<i>Current Plan, as proposed</i>
<i>Footprint</i>		3,360 SF	Existing parish hall + 5,460 addition = 8,820 SF total	Existing parish hall + 5,715 addition + 710 SF porch addition = 9,785 SF total
<i>Floor Area</i>	24,794 SF	8,714 SF	28,188 SF	14,745 SF (addition only)/23,459 total
<i>Height</i>			53 ft. 1 in. + 89 ft. steeple	54 ft.
<i>Development Program</i>		110 seats	120 seats in Parish Hall 402 seats in sanctuary New lobby New support space (concession, kitchen, green room, workshop) New conference and office space New Promenade Room	120 seats in Parish Hall 401 seats in sanctuary New lobby New support space (green rooms, dressing rooms, bathroom, storage) New conference and office space New Promenade Room (to serve as lobby break area during performances, meeting space at other times)(200 person capacity)
<i>Bike Parking</i>		0	12	20
<i>Off-Street Car Parking</i>	0	0	0	0

2. Site Plan

The conditional zoning agreement incorporates a site plan by reference (*Figure 3 and Plan 1*). The agreement language requires that, ultimately, the property be developed “substantially in accordance” with this plan. The submitted site plan includes a number of site improvements, including street trees, street lights, brick sidewalks, crosswalks, and bike racks, associated with the language of the conditional zoning agreement. Some modifications to the on-street parking schedule are implied. As with the original reconstruction plans, no off-street parking is proposed.

In response to comments from the September workshop, the applicant has provided an additional iteration of the conceptual site plan, which incorporates some minor modifications, including references to “new brick sidewalk” on Beckett Street (*Figure 3*). Some elements of the site plan, including details surrounding the loading door on the side of the building at Munjoy Street and crosswalks across Congress Street, are not entirely resolved. It is understood that these details would be engineered and evaluated in greater detail at the time of site plan review.

3. Design

The conditional zoning agreement also incorporates a set of elevations and floor plans by reference. As noted previously, the major change in design from the original conditional zoning agreement is related to the style of the addition’s exterior, which the Friends of St. Lawrence has modified to reflect a more contemporary vision. While contemporary, the architect has attempted to design the building to reference the lines and materials of the existing Parish Hall. Thus the geometry of the proposed addition generally aligns with elements of the existing Parish Hall façade, and the architect has chosen a material palette which alludes to elements of the Parish Hall as well.



*Figures 4 and 5:
Elevation showing
the current plan
transposed against
the 2010
reconstruction
plans (top) and
rendering from
Beckett Street
(bottom)*

Regarding the height and scale of the proposed building, the underlying R-6 zone permits a height of 45' by right, as noted previously. Under the current plan, the bell tower element of the 2010 design has been eliminated, and the height of the addition is proposed at 54'. The applicant's original submittal narrative noted that the "major roof element" of the proposed addition is at approximately 41 feet 4 inches, which is below the maximum allowed by zoning. The Promenade Room, which is set back, stands 54 feet in height. The proposed elevation, set against the 2010 elevation, is shown in *Figure 4*.

Given the historic landmark status of the existing structure, the applicant is required to obtain a certificate of appropriateness from the Historic Preservation Board for the proposed addition. On the advice of staff, the Friends of the St. Lawrence has submitted the most recent drawings to the Historic Preservation Board in order to continue this review process; the next Historic Preservation Board meeting on the design, which will be the board's fourth, will occur in early November. Generally, Deb Andrews, the city's Historic Preservation Manager, has indicated the Board's comfort with the design's evolving direction.

The site plan ordinance exempts projects from design review when the development affects a designated historic landmark or is within a historic district and thus requires a certificate of appropriateness. However, as noted previously, given the design concerns expressed at the previous workshops, the fact that the conditional zoning agreement speaks to matters of form, and the fact that the agreement will ultimately include drawings by reference, a design review has been conducted. The board previously reviewed comments on the proposed building design, as depicted in drawings dated September 11, at the September workshop. At the time, Caitlin Cameron, the city's urban designer, recommended that the building's tower element could be emphasized using one or several strategies:

"First...we recommend that it [the tower] increase slightly in height - possibly only the corner piece of the metal would be taller...Secondly, emphasis on the tower could be created with folding mesh which will create a play of light and shadow similar to the roof lines of the existing St. Lawrence building and will also reflect the material qualities of the mesh facade. Third, the use of lights behind the mesh on the tower could emphasize the corner at night. .. Finally, the stone base of the tower should be differentiated more from the mesh portion of the tower - some options discussed included a rusticated belt course or by the stepping back of the mesh portion from the stone base."

In response to these comments, the applicant submitted revised design drawings on October 17 (*Plans 20-24*). In this latest iteration, the architect has chosen to create additional folds in the perforated copper "metal skin" which clads the exterior of the upper floors of the building addition. These folds occur on the north and west facades of the proposed addition. The applicant has also added a horizontal break in the metal cladding at the top of these facades. As requested by the board, the applicant has provided a night rendering (*Plan 25*).

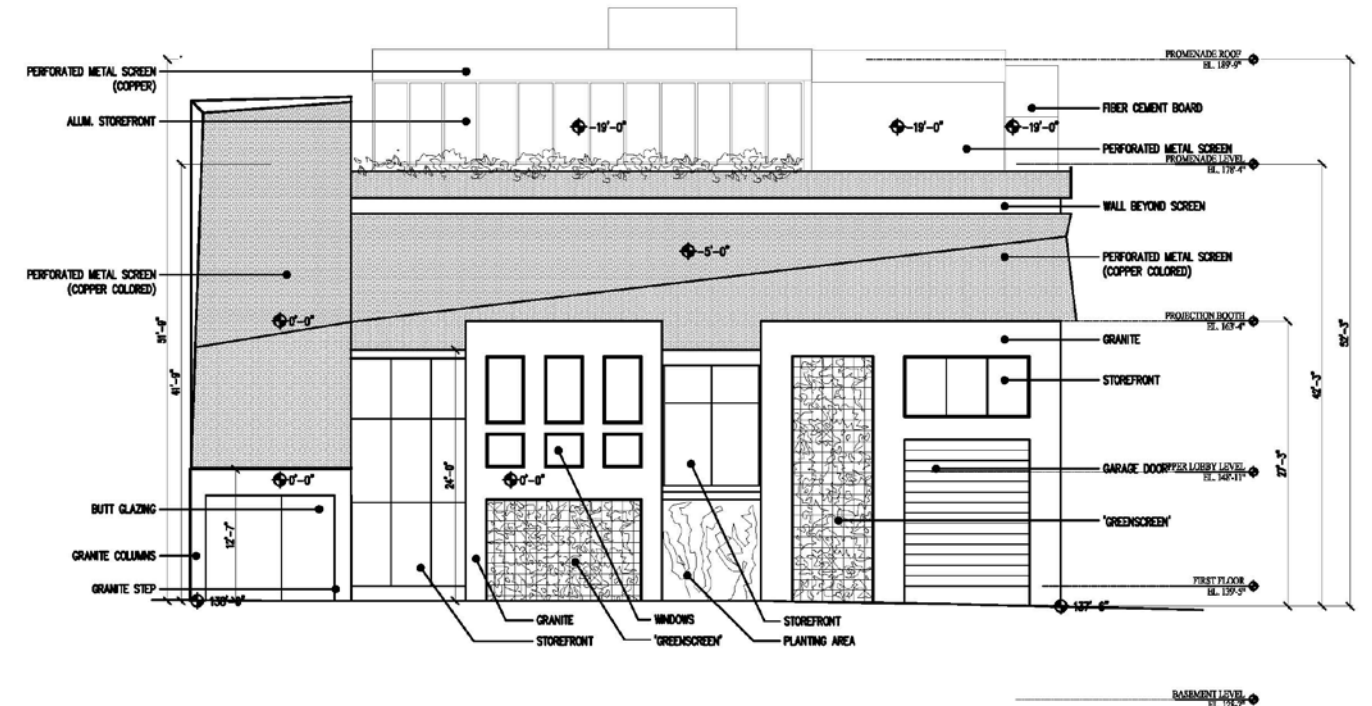
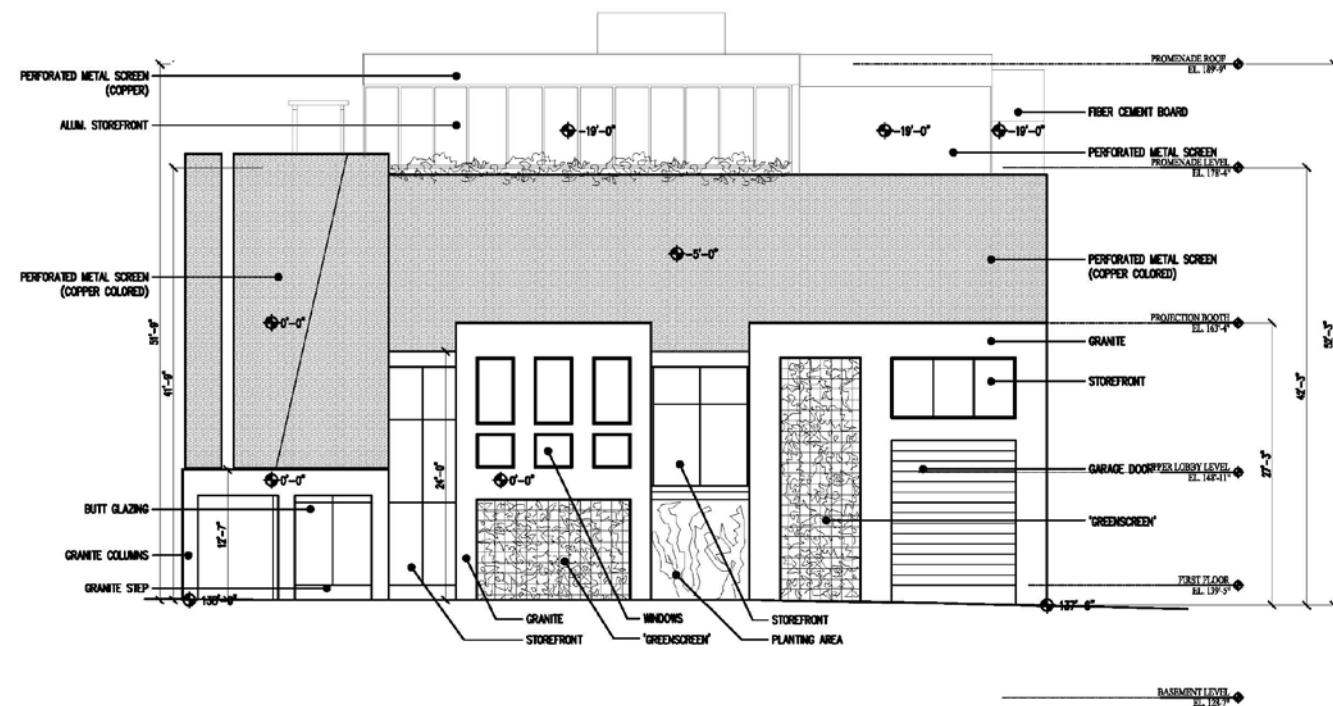
A subsequent design review on the part of staff found these latest modifications largely unsuccessful. Ms. Cameron offered the following comments,

The previous design comments...still hold true and are relevant except for in the case of the recent proposed changes to the metal screen facades and tower element of the building.

The suggestion to express the material qualities of the mesh cladding with folding was intended to be a possible tool for accentuating the tower element at the corner and to increase the visual interest and significance of the building on the corner approaches. While we appreciate the design team's efforts in responding to the previous design review comments by experimenting with bending and folding of the metal facades, we felt that it was not successful in achieving the desired effects. The folds tend to make the building appear more bulky, accentuates the mass, and moves away from the sleek sophistication achieved with the previous version of the design. The addition of a horizontal band also accentuates the width of the building and does not add any significant benefit to the facade composition.

We suggest that the design return to the proposal previously submitted with one suggested change - that the corner-most piece of metal screen on the tower be increased in height to accentuate the corner of the building. We feel that the building and especially the corner tower should act, in effect, like a sign for the center, especially on the Congress Street approach from the west.

The latest iteration of the elevations and renderings is provided here, juxtaposed against the previous elevations and renderings from September (*Figures 6-13*). It should be noted that the amended conditional zoning agreement, as attached here, refers to the September drawings. The board may wish to provide guidance on the preferred design, with the understanding that the drawings will be considered again under site plan review and that, ultimately, they will be subject to the Historic Preservation Board's final review and approval.



Figures 6, 7, 8, and 9: September 2014 elevations (left) and October 2014 elevations (right)



Figures 10, 11, 12, and 13: September 2014 renderings from Congress and Munjoy Streets (left) and October renderings from the same (right)

3. Transportation Demand Management Plan

The proposed amended conditional zoning agreement also incorporates a transportation demand management plan by reference. The draft plan, first developed in January and subsequently repeatedly revised, has been reviewed on three occasions by a peer reviewer specializing in TDM plans, Nelson-Nygaard Consulting Associates. Following the September board workshop, Gorrill-Palmer revised the TDM plan once again to address board, staff, and public comments and submitted the revised plan along with a cover letter (*Attachment G*). Nelson-Nygaard subsequently reviewed this iteration, providing comments on October 17 (*Attachment 3*).

Parking Demand & Supply Estimates

The TDM plan includes a parking analysis which calculates parking demand based on a ratio developed from survey data gathered during a sample of two St. Lawrence shows and validated with observed parking counts and national best practice. The rate used, .45 vehicles/attendee, is more than forecasted by the Institute for Traffic Engineers (ITE) for a “live theater” and falls between the ratios derived from the two shows’ survey data. Using this rate, the analysis calculates a demand under the proposed peak condition (i.e. a 485 attendee occupancy) of 218 spaces for visitors. When added to a presumed 10 parking spaces for employees, a total peak parking demand of 228 spaces results. At the September workshop, members of the public questioned whether the St. Lawrence had adequately planned for demand from crew members associated with performances at the Arts Center. In the revised TDM plan, the St. Lawrence has stated that “the SLA will distribute a policy to staff and performers that staff park at a set distance from the Performance Hall. This policy will apply to any performers, cast, and crew traveling by bus to the Performance Hall in their own vehicle. Performers, cast, and crew who arrive in a bus will be able to unload on Munjoy Street, and all buses will be contractually required to park in an accommodating lot.” It follows that cast and crew members have not been included in the parking demand calculations.

It should be noted that Nelson-Nygaard has stated that the parking demand ratio used may in fact be high; based on figures from ITE, they suggest an alternative estimated demand of 122 parking spaces. The St. Lawrence has noted in their revised TDM plan that, post-construction, actual parking demand numbers will be verified through parking counts. This number will provide a baseline from which to assess the efficacy of the transportation demand management plan.

The plan continues to include data regarding parking supply in the area surrounding the St. Lawrence Arts Center. The plan relies on a parking count from a typical weekday night (i.e. a night without a show) at midnight, when the cars on the street are likely to represent those of neighborhood residents, rather than visitors. This count showed 179 available on-street spaces within a five minute walk (900 feet) of the St. Lawrence Arts Center. The parking count also found a capacity of 95 off-street spaces at the Cutter Street parking lots on the Eastern Promenade. Assuming the use of the Cutter Street lots and all available on-street parking spaces, the parking study calculates a total parking supply in the immediate vicinity, then, of 274 spaces, exceeding the peak demand. It should be noted once again that neighbors have repeatedly raised concerns regarding the TDM plan’s parking calculations, particularly with respect to parking supply. Residents of the surrounding area have noted that parking capacity is diminished during winter conditions and that the Cutter Street lots are often occupied at night during good weather months.

At the September workshop, members of the public suggested city property at the former Adams School on Munjoy Street as a potential location for off-site parking for the St. Lawrence. Staff pursued this question with Mary Davis, Housing and Community Development Division Director, who indicated that that this lot has been identified by the city council’s Housing and Community Development Committee (HCDC) as a housing development site, with an RFP currently under development. She noted that the idea of use for St. Lawrence had been expressed through the HCDC process, but that the concept received little support from the committee.

Transportation Demand Management Strategies

Regardless of the adequacy of the on- and off-street parking supply surrounding the St. Lawrence Arts Center, the Saint Lawrence has stated in their TDM plan that they understand the necessity of robust transportation demand management program in order to reduce impacts to neighbors, mitigate negative impacts to the city’s

existing transportation infrastructure, and encourage healthier living more broadly (*Attachment G*). The current TDM plan includes a number of mechanisms designed to foster use of alternative modes and thus reduce parking demand. Many of these strategies are a direct response to recommendations made by Nelson-Nygaard in their previous reviews, which encouraged subsidized remote parking, subsidized transit, valet parking, bicycle and pedestrian enhancements, and a strong marketing and education campaign as core elements of a successful transportation demand program. In response to these recommendations, the St. Lawrence proposes the following:

- *METRO subsidies/route improvements and transit incentives:* The central strategy of the revised TDM plan is a \$70,000 annual subsidy to METRO to improve its Route #1 service, both in terms of arrival frequencies and extended hours. METRO has stated that this \$70,000 would be sufficient to increase evening headways from 45 minutes to 30 minutes and extend service to 11 p.m. Monday through Saturday (*Attachment METRO LETTER*). The St. Lawrence has argued that this expansion of service will not only effectively serve their patrons but the greater neighborhood as well, and in this reduce baseline parking demand. As an incentive and as part of the arrangement with METRO, St. Lawrence patrons will be able to use their theater tickets as “valid fare to board the bus.”

It should be noted that METRO’s #1 does not currently provide front door service to the St. Lawrence. In their most recent iteration of the TDM plan, the St. Lawrence has noted possible route modifications to include a #1 stop at Congress Street/North Street and the relocation of the inbound Atlantic Street leg to Munjoy Street, where it originally existed “until poor street conditions forced it to be relocated.” These changes would place an outbound stop two blocks from the St. Lawrence and an inbound stop directly at the arts center. The St. Lawrence has also updated the TDM plan to note that the lobby of the facility will serve as a waiting area for the Route #1 bus in inclement weather. This becomes a viable option with real-time bus arrival information, which Metro plans for 2015.

- *Remote parking incentives:* In conjunction with the transit incentives, the St. Lawrence proposes to offer its patrons free remote parking for up to three hours in several downtown garages proximate to METRO’s Route #1. The plan notes that both the Temple Street and Free Street garages are open late on weekdays and weekends and appear to have capacity for this type of arrangement.
- *Valet parking:* The TDM plan also includes front-door valet service for patrons “who wish to pay for exceptionally convenient parking over and above the price of event tickets.” Additional details on the operation of this service have been provided in the revised submittal. The applicant states that the valet would operate at a staffing level sufficient to meet a 4-minute wait time target, with the facility lobby functioning as a waiting area during inclement weather. Cars would be stored in remote lots.
- *Bicycle parking:* The St. Lawrence proposes to encourage bicycling by providing 10 racks (or 20 spaces) in front of the building on Congress Street and becoming a Bicycle Benefits partner. As part of their revised submittal, they note that covered bicycle racks could be considered “if they can be successfully incorporated with the design by [the architect] both spatially and aesthetically, or appropriately designed to be placed in front of the historic Parish Hall Theater.”
- *Free market options:* The TDM plan also notes the existence of other mode choices, such as cabs and pedicabs, which will be available to patrons.

It should be noted that the St. Lawrence has attempted to respond to board questions regarding other TDM strategies which might be incorporated into the plan in a separate cover letter (*Attachment G*). The letter speaks directly to U Car Share, stating that “we do not see it as a component for SLA’s TDM plan, but more as a solution for Munjoy Hill residents who find parking in the neighborhood difficult and owning a car too expensive. Whether or not people bring cars they own, ones they rent, or U-Share cars to the Performance Hall, they will be targeted through the TDM plan.” No other mode-related strategies are presented.

In addition to the above, the St. Lawrence proposes a number of programmatic elements around education and marketing in the TDM plan. The TDM plan states that the St. Lawrence will provide information regarding alternative mode choices on their website, at the point of ticket purchase, and at a kiosk on site. The plan also

includes a marketing campaign, to be developed in concert with METRO, to encourage use of the remote parking and METRO's Route #1.

Monitoring

Lastly, the plan also includes the designation of a TDM coordinator and provisions for long-term monitoring. Responding to board and neighborhood concerns, the applicant has modified the TDM plan to increase the rate of initial monitoring and reporting. The SLAC continues to propose monitoring to begin one month after opening, but now proposes twice annual monitoring thereafter for five years. Annual monitoring would occur subsequently. The Friends of St. Lawrence would monitor mode choice and parking demand through METRO ridership tracking, employee and attendee surveys, as well as parking counts before and during events. The findings of the monitoring would be provided to the city, with the initial goal of reducing parking demand by 6% and "reduc[ing] SOV traffic" (i.e. observing a mode shift away from the car) by 6% (or the equivalent of one busload of people). It should be noted once again that neighbors have raised questions with regard to this monitoring arrangement, arguing that TDM monitoring should be conducted by a third party entity and not St. Lawrence staff, as proposed.

At the September Planning Board workshop, there was substantial discussion on the city's existing TDM monitoring system. Currently, a number of institutions in the city have TDM plans, including Maine Medical Center, Mercy Hospital, Martin's Point, and Waynflete School, among others. Under the city's *Technical Manual*, all TDM plans must include provisions for "monitoring program effectiveness over time to establish whether trip reduction targets are being met" (*Section 1.13.7*). The *Technical Manual* further requires that "TDM plan monitoring shall be compiled into a report that compares the results to trip reduction targets and parking demand projections. The monitoring results shall be provided to the reviewing authority according to the monitoring schedule established in the TDM plan." Historically, the city's Department of Public Services has generally been responsible for reviewing TDM reports, with reports occasionally returning to the Planning Board (or even the council's Transportation Committee) in specific circumstances. However, given efforts on the part of the city to consolidate transportation planning functions under the Planning Division and the imminent addition of two transportation planning positions to the division, there is some consideration that this role might migrate to planning. This would allow for more seamless development, monitoring, and refinement of TDM plans.

Nelson-Nygaard has reviewed the St. Lawrence's most recent iteration of the TDM plan and provided comments (*Attachment 3*). Generally, this review is very positive. Nelson-Nygaard suggests several minor additions to the TDM plan, such as further enumerating the responsibilities of the TDM coordinator, involving the city and Metro in the development of web and kiosk content, making additional pedestrian improvements, and adding secure indoor bicycle parking. However, city staff is satisfied that the TDM plan is sufficiently developed to be incorporated by reference into the conditional zoning agreement. It is understood that further modification could and would occur at the time of site plan review, with additional revisions possible under the monitoring arrangement thereafter. It is important to note that the Planning Board would review the TDM plan again at the time of site plan review. As implied above, it is assumed that the city's designated TDM staff, under the auspices of the Planning Division, would review any changes to the plan as a result of annual monitoring.

Last on the question of the transportation demand management plan, it should be noted that the other theaters in the city, from One Longfellow Square (200 seats) and Portland Stage (286 seats) to Merrill Auditorium (1,900 seats), do not have dedicated off-street parking facilities. This is common of theaters, which are often located in districts with shared garage, surface, and on-street parking. At the request of the Planning Board, the applicant has provided a set of case studies documenting theaters or similar facilities nationwide that use remote parking and shuttle/transit service as part of their TDM plans (*Attachment X*).

VII. CONDITIONAL REZONING AGREEMENT AMENDMENTS

In most terms, the amended conditional zoning agreement as originally proposed by the Friends of St. Lawrence contained very few changes from the adopted form. However, the agreement has evolved over the course of this review in response to comments from both the board and the public. A revised amended conditional zoning agreement is presented here (*Attachment 1*).

The proposed amended agreement retains many elements of the original conditional zoning agreement:

- *Occupancy Restriction:* The agreement continues to include an occupancy restriction limiting the maximum number of attendees at any single event in the St. Lawrence Arts facility to 485 persons. The occupancy clause restricts the Parish Hall theater to 120 persons, the sanctuary auditorium to 401 persons (representing a slight decrease from 405 in the original agreement), and prevents separate audience events from being held in the Parish Hall and sanctuary auditorium at the same time. The provision, it should be noted, does allow simultaneous events to occur in the Promenade Room and either the Parish Hall or sanctuary. It also allows one event to occur in all three spaces, again provided that such an event is limited to 485 total attendees. Responding to the concerns of neighbors, Corporation Counsel has added language which explicitly states that “under no circumstances may more than 485 attendees of any single event or combination of events be present on the Property at the same time.”
- *Maintenance:* The agreement continues to incorporate language stating that the property owner shall be responsible for ongoing maintenance of the property, including snowplowing, salting, sanding, and sweeping.
- *Sidewalks:* The agreement also continues to include language requiring new brick sidewalks along Munjoy Street, Beckett Street, and Congress Street and the resetting of existing pink granite curbing on these frontages.
- *Street Trees:* As previously, the agreement requires two street trees along the Munjoy Street, Beckett Street, and Congress Street frontages or a contribution to the City of Portland Tree Fund in their stead.
- *Street Lights:* Likewise, the agreement continues to require two street lights meeting the specifications of the Downtown Lighting District along the Congress Street frontage.
- *Buses:* The agreement continues to require that the property owner ensure that tour buses, vans, and trucks serving the site unload and then relocate to a remote, off-street parking location.

There are, however, some basic changes proposed to the language of the agreement:

- *Whereas Clauses:* In keeping with the modification in the proposed building’s design, the agreement has been amended to include references to a “new structure which will respect the character-defining features of the historic property.” The amendments also more explicitly state the functions to be housed in the proposed addition, including “a performance arts hall on the site of the former sanctuary to provide a full basement for ‘back of house’ green rooms, ADA toilets and storage, a lobby that serves both the auditorium and theater space, a top floor ‘promenade room’/additional lobby, and a new four hundred and one (401) seat auditorium.”
- *Dimensional Standards:* The amended agreement also includes changes to the dimensional standards established by the original CZA, as, similarly to the 2010 reconstruction proposal, the new plans do not conform with most of the dimensional standards of the underlying R-6 zone (*Table 2*). The amendments increase the allowable lot coverage to 95% (up from 90%) to account for a larger footprint. The amendments also reduce the allowable height to 54 feet (from 65 ft.).
- *Pedestrian Connections:* On the advice of the city’s consulting traffic engineer, the city has suggested changes to the language relating to pedestrian connections and sidewalk ramps. Originally, the conditional zoning agreement referenced sidewalks and ramps at Congress Street, Moody Street, and Eastern Promenade, assuming that the applicant would use parking lots on the Eastern Promenade as

Table 2: Conditional Zoning Agreement Amendments, Comparison to Original CZA and R-6 Zone

	R-6	2010 CZA	CZA Amendments
Use	Places of assembly conditional use	Notwithstanding section 14-137(b)(6)(e)(i), the use shall be a place of assembly/community hall	No change
Min. Lot Size ¹	Large (unlim.) - 30 KSF Medium (<4,500 SF) – 15 KSF Small (<2,250 SF) - 7,500 SF	10,500 SF	No change
Min. Front yard	10 feet	0 ft.	No change
Min. Rear Yard	20 ft. (for structures >100SF)	0 ft.	No change
Min. Side Yard	10 – 15 ft. (based on height)		No change
Min. Side Yard on Side St.	10 ft.	0 ft.	No change
Max. Lot Coverage	40% (> 20 units) 50% (< 20 units)	90%	95%
Max. Tower Height	45 ft. (max structure height)	90 ft.	N/A
Max. Sanctuary Structure Height	45 ft. (max structure height)	65 ft.	54 ft.
Open Space Ratio	20%	0%	No change
Min. Lot Width	40 ft.	50 ft	No change
Off-Street Parking Requirement ²	1/125 SF of building area used for assembly purposes; no additional required for structures subject to HP ordinance	Requirement of TDM plan shall supersede any and all parking requirements of the land use code	No change

part of their TDM plan. These plans have changed, and as such, so has the proposed language of the agreement. Staff has added language requiring that the applicant “install any remaining crosswalks, ADA-compliant sidewalk ramps, and other pedestrian improvements meeting City technical standards at the intersections of Congress Street and Beckett Street or Howard Street and Congress Street and Munjoy Street” instead.

- *TDM Plan:* Staff has also added language to the portion of the agreement which speaks to the TDM plan, recognizing the importance of establishing a process for managing the St. Lawrence’s annual contribution to METRO. The language states that the TDM plan will include the annual \$70,000 contribution, that that contribution will be made to the city’s Sustainable Transportation Fund, and that the funding shall initially be designated for improvements to METRO’s #1 line. The language further states that, following monitoring, the Planning Board or Authority may recommend that SLAC’s annual contribution be redesignated toward other strategies which may be deemed more effective in meeting the goals of the TDM plan. Last, staff has incorporated language stating that the Planning Authority will review and approve future changes to the TDM plan.

In the time since the September workshop on this item, staff has added further language to this provision with the intent of more closely linking the annual contribution with the regulatory framework of the city’s Sustainable Transportation Fund, which presents a ready mechanism for this purpose. The fund is established by ordinance and overseen by the Council, and is designed explicitly for collecting and disseminating funds in the interest of “broadening transportation choice and facilitating development with lower traffic impacts and reduced parking requirements (14-346.1). Under the ordinance, deposits to the fund shall include fee in-lieu of parking payments, grants, and

¹ For places of assembly on a collector or arterial road. (Maximum Floor Area)

² The off-street parking requirement for places of assembly (including community halls) in Division 20 of the city’s land use ordinance is 1 space/125 SF used for assembly purposes. Division 20 includes an exception for historic structures subject to the Historic Preservation ordinance (Section 14-332.2).

“voluntary contributions of money or other liquid assets to the fund” (14-346.2(a)). The ordinance outlines the permitted uses of the fund, distinguishing between those funds collected through the fee in-lieu of parking program and funds collected otherwise:

14-346.2(b) Permitted expenditures of the fund.

The Sustainable Transportation Fund may only be expended on the activities as described below:

1. Funds collected as fees in-lieu of parking shall be expended toward capital transportation improvements on the Portland Peninsula. Such capital improvements shall include but are not limited to the following:
 - a. Parking Infrastructure
 - i. Shared-use, publicly accessible parking facilities;
 - ii. Publicly accessible bicycle racks and bicycle parking shelters;
 - b. Transit Capital Improvements and Expenses
 - i. Bus shelters, bus turnouts, transit signage and other transit amenities;
 - ii. Buses and transit vehicles;
 - iii. Transit and transportation information systems;
 - iv. Fixed guide way and/or rail transit systems;
 - c. Pedestrian and Bicycle Infrastructure
 - i. Multi-use trails, and non-vehicular transportation corridors;
 - ii. Pedestrian infrastructure and amenities located on publicly accessible rights of way including, but not limited to cross walks, signalization, landscaping, street furniture, wayfinding signage, traffic calming, and lighting;
 - iii. New public sidealks and new bicycle lanes along publicly accessible rights of way or corridors where such facilities are not previously provided;
 - d. Other such improvements intended to enhance transportation choice and promote transit and non-automotive transport on the Portland Peninsula.

2. Funds collected or appropriated by means other than from a fee in-lieu of parking may be used for any of the capital transportation improvements listed above in (b)(1), and for any of the following uses:

- a. Transportation Demand Management Program administration;
- b. On or off-peninsula transit and/or non-automotive transportation capital or operating expenses;
- c. Transit and/or non-automotive transportation promotion and education material; and
- d. Other such programs or improvements intended to enhance transportation choice and promote transit and non-automotive transport for the City of Portland.

Ultimately, under 14-346.2(c), Sustainable Transportation Fund monies are allocated by the council according to an annual sustainable transportation plan and appropriations schedule developed by the city manager and recommended by the Transportation, Sustainability, and Energy Committee.

While it is clear that the Sustainable Transportation Fund, under the provisions of the land use ordinance, provides a vehicle for collecting and allocating funding for the general purpose of enhancing mode choice, the conditional zoning agreement establishes the direct link between the funding to be collected from the St. Lawrence and the disbursement of those funds toward strategies

contained in the SLAC's TDM plan and thus designed to address parking demand generated from the St. Lawrence Arts facility. The agreement states that the SLAC funding shall "be designated...for improvements intended to enhance transportation choice, promote transit, and/or promote non-automotive transportation to and from Munjoy Hill, and shall initially be used for improvements to Greater Portland Transit District's #1 Line" (*Attachment 1*). As noted above, the agreement further notes that, following monitoring, those funds may recommend redesignated toward "other transportation demand management strategies [deemed] to be more effective in meeting the benchmarks of the TDM plan."

In terms of the roles of various city entities in funding allocation then, the city council, through the provisions of the Sustainable Transportation Fund, would ultimately be responsible for the allocation, though the use of the funds is fundamentally tied to the conditional zoning agreement. Further, the Planning Board or Authority is authorized through the agreement to recommend a change in the funding allocation. It is assumed that this would be achieved in concert with the city manager's annual planning for the fund.

At the September workshop, board members requested information on precedents for this type of arrangement. It is often the city's practice to condition an approval on mitigation directly related to the impacts of a proposed development. In the case of conditional zoning agreements, this has commonly taken the form of one time contributions for the improvement of infrastructure necessary to support the development proposed under the agreement, a practice which is permitted explicitly under 14-62(g). The city has also required transportation demand management plans under prior conditional zoning agreements, including that for Maine Medical Center. MMC's conditional zoning agreement obligated the hospital to develop an "Alternative Transportation Plan," including strategies "to reduce single-occupant automobile trips," under site plan review. The MMC conditional zoning agreement also included a substantial contribution to sidewalk rehabilitation projects within 500 feet of the hospital. Corporation Counsel has spoken directly to the question of the city's authority to include such arrangements in a conditional zoning agreement in a memo dated October 21, which is attached (*Attachment 4*).

It should be noted that the amendments to the St. Lawrence conditional zoning agreement also change the procedure for reporting parking and traffic complaints. In the adopted agreement, the language requires the property owner to institute a review process upon hearing five or more complaints regarding parking or traffic. The revised language modifies this arrangement slightly such that, if any complaints are received within a one-year timeframe, those will be reported to the Planning Division as part of the regular transportation demand management (TDM) review process. It should be noted that, regardless of complaints, a review process is institutionalized in the proposed TDM program, where monitoring is planned one month after opening and twice annually thereafter for five years, with annual monitoring to follow. The agreement requires that the results of the monitoring be "promptly provided to the City for evaluation upon completion of the review." As discussed previously, there is some consideration that the Planning Division might assume the TDM management role for the city more generally as it develops additional transportation planning functions.

- *Breach Provisions:* At the September workshop, Planning Board members raised concerns regarding the potential event that the St. Lawrence can no longer afford the \$70,000 annual contribution to the city's Sustainable Transportation Fund. In response, city staff reviewed the breach provisions of the conditional zoning agreement and made several modifications to ensure that the language is clear in this regard. As was discussed at the workshop, in the case of insolvency or inability to make the financial contribution, the St. Lawrence would be considered in breach of the conditional zoning agreement. In this case, under the terms of the agreement, the Planning Board could recommend that the conditional zoning agreement be either rescinded, in which case the use of the building could be halted and the property would revert to the underlying R-6 zone, or amended. The breach process

calls for the Planning Board to review the nature and source of the problem causing the breach and to recommend an appropriate response, such as revocation or amendments to the agreement.

VIII. REGULATORY CONSIDERATIONS

Consideration of the request for conditional rezoning is guided by both state statute and the city's land use ordinance. The state statute (Title 30-A Section 4352(8)) requires that all conditional or contract zoning must:

- *Be consistent with the growth management program [adopted by state statute];*
- *Establish rezoned areas that are consistent with the existing and permitted uses within the original zones; and*
- *Only include conditions and restrictions that relate to the physical development or operation of the property.*

The city's ordinance (Section 14-60) further states:

Pursuant to 30-A M.R.S.A. Section 4503(9), conditional or contract zoning is hereby authorized for rezoning of property where, for reasons such as the unusual nature or unique location of the development proposed, the city council finds it necessary or appropriate to impose, by agreement with the property owner or otherwise, certain conditions or restrictions in order to ensure that the rezoning is consistent with the city's comprehensive plan. Conditional or contract zoning shall be limited to where a rezoning is requested by the owner of the property to be rezoned. Nothing in this division shall authorize either an agreement to change or retain a zone or a rezoning which is inconsistent with the city's comprehensive plan.

The applicant has previously provided a narrative relating to this regulatory framework (*Attachment D*), making the argument that the conditional zoning agreement as amended is consistent with the state's growth management program, establishes rezoned areas consistent with the uses of the underlying zone, is necessary and appropriate in this instance, and is consistent with the city's comprehensive plan. A summary of the applicant's arguments follows:

A. Consistency with State Growth Management Program

The applicant's narrative cites state planning goals in its discussion of the city's comprehensive plan, which is written using the state statute as a basic framework. The Friends of St. Lawrence identify the following state land use goals:

- A. To encourage orderly growth and development in appropriate areas of each community and region while protecting the State's rural character, making efficient use of public services and preventing development sprawl.
- B. To encourage and promote affordable, decent housing opportunities for all Maine citizens. (Note that under this goal, the city has identified a number of policies related to livability, mixing uses, and neighborhood integrity.)

It should also be noted that the state includes "preserv[ing] the state's historic and archeological resources" among its land use goals as Goal I.

B. Consistency with Underlying Uses

In their narrative, the Friends of St. Lawrence Arts has argued that the conditional zoning agreement establishes a rezoned area which is consistent with the uses of the underlying zone, the Residential R-6. The applicant's narrative states that the proposed use qualifies as a "community hall," as a building or portion of a building built for institutional use and occupied for "social, recreational, artistic, civic, or educational community functions" (Section 14-47). The language of the conditional zoning agreement refers to the use of the property as such. While the R-6 zone is essentially residential in nature, the applicant notes that "the zoning ordinance recognizes that a broad range of complementary non-residential uses should be allowed [in the R-6 zone], such as cemeteries, parks, and municipal uses (permitted uses), and schools, intermediate and long-term care facilities, hospitals, colleges and

trade schools, professional offices, and places of religious assembly (conditional uses)” (*Attachment D*). Places of assembly, and specifically community halls as a defined type of place of assembly, are listed as conditional uses in the R-6 zone under *Section 14-137*. Further, the narrative states, “there are numerous other churches, places of assembly, and community halls on the peninsula in the R-6 zones.”

It should be noted that the applicant actually argues in their narrative that the addition meets the conditional use standards for a community hall under *Section 14-137(b)e*, contending that portions of the structure were in existence and operating as a community hall as of January 4, 2010, the original structure was built for institutional purposes, the structure is operated by a non-profit entity, and that the TDM plan supplied here could apply. It should be noted that the existing conditional zoning agreement language essentially renders the question of the conditional use standards moot, given its explicit reference to the use of the property as a community hall “notwithstanding” these conditions.

C. Necessity of Conditional Zoning Agreement

The applicant has essentially argued in their narrative that unique conditions exist which make the conditional zoning agreement as amended necessary. Most explicitly, they link the conditional zoning agreement directly to the long-term viability of the historic landmark structure on site, stating that the agreement is needed to allow modifications in the R-6 dimensional standards in order to permit an expansion of the scale required to provide long-term financial sustainability for the St. Lawrence Arts Center, including the funding to maintain the historic Parish Hall. The narrative states, “to be a responsible steward, SLA needs to find a way to obtain funds to properly maintain this distinctive 19th century stone structure [the Parish Hall]...The Parish Hall Theater does not have the capacity to generate significantly more revenue by itself; the potential of the currently vacant part of the site needs to be harnessed...The stream of revenue from the new performance hall will enable SLA to cover operating expenses and to generate the additional funds which are necessary to maintain the landmark Parish Hall” (*Attachment D*).

D. Consistency with the Comprehensive Plan

Finally, the applicant has made the case that the conditional zoning agreement is consistent with the city’s comprehensive plan. In their narrative, the applicant writes, “the link between the Comprehensive Plan goals and policies to be advanced by this proposal are squarely on target and beyond question in the areas of arts and culture, neighborhood and sustainable development, and historic preservation” (*Attachment D*). The narrative cites numerous goals from the city’s comprehensive plan related to these domains, relying heavily on the city’s *Celebrating Community: A Cultural Plan for Portland, Maine (1998)*, *Downtown Vision (1991)*, *Plan for Portland’s Arts District (1995)*, and *Housing: Sustaining Portland’s Future (2002)*, as well as the Historic Preservation ordinance.

These goals include explicit references to creating “a citywide approach where both neighborhoods and the Arts District are venues for heritage, performing, visual, and public art projects;” promoting and enhancing “the cultural community by retaining and encouraging arts and cultural organizations;” and supporting “the cultural community by retaining and expanding performance and exhibition space, housing, studio space, and office/support space for artists, institutions, and organizations” (40). The applicant also cites the 2006 Creative Economy Summit, through which an explicit priority was placed on developing “publicly supported and/or affordable public space for artists,” with an action item related to “[f]inishing St. Lawrence Arts.”

It should be noted that the city’s comprehensive plan also includes transportation policies to encourage alternative travel modes and “provide a convenient, integrated, intermodal transportation system” (30). Likewise, the plan includes goals relating to “maintain[ing] and enhanc[ing] the livability of Portland’s

neighborhoods as the city grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity” (45).

IX. PUBLIC COMMENT

The Planning Division has received a number of written comments over the course of the conditional zoning agreement review, including a petition from the Concerned Citizens of Munjoy Hill expressing opposition to the amendments (*Public Comment 1-42*). In general, the concerns regarding the proposed amendments and the development represented therein include:

- *Scale and Massing*: Members of the public have raised concerns regarding the dimensional standards represented in the contract zone language, questioning the height and massing of the building in particular. Residents have stated that they consider the building out of scale with its surroundings and have expressed concerns about shadow impacts. Some residents have also stated that they find the architecture of the addition inconsistent with both the existing Parish Hall and the neighborhood.
- *Capacity*: Members of the public have also raised concerns regarding the content of the conditional zoning agreement as it relates to capacity figures. Neighbors have questioned the clarity of the agreement language with respect to the occupancy limit, and have further questioned the ability of the city to enforce such a limit. Related to this concern, some residents have also expressed a desire to “scale down” the proposed development to simply reflect a venue of smaller size.
- *Parking Supply*: The Planning Division has also fielded numerous concerns regarding the adequacy of the on-street parking supply. At a fundamental level, some residents have raised questions about the parking study methodology, calling into question the validity of the parking counts. Neighbors have repeatedly stated that insufficient on-street parking supply currently exists and have questioned the capacity of the on-street network to absorb more vehicles, particularly during winter conditions. Related to these concerns, neighbors have expressed fears regarding traffic safety and congestion resulting from visitors searching for on-street parking. Residents have also questioned the frequency of performances required to sustain the SLAC’s program as a means of understanding the potential neighborhood traffic impacts. It should be noted that other residents have suggested possible solutions to the parking supply concern, such as building a garage on Munjoy Hill or instituting a residential parking permit program.
- *TDM Plan*: Lastly, there have been a variety of comments on the TDM plan itself, arguing that it is unlikely to be effective. At a fundamental level, neighbors have voiced doubts that the proposed strategies will ultimately promote significant changes in travel behavior. Residents have questioned the efficacy of the METRO in serving St. Lawrence patrons, even at improved headways. Neighbors have also noted the complexity of the plan and expressed concerns regarding its efficacy should any one component not come to fruition. Concerns about its monitoring arrangement have also been expressed.

It should also be noted that there has also been significant support expressed through public comment over the course of the review. Residents have stated that they do not perceive parking as a major concern, that the TDM plan will promote alternative modes that benefit the entire neighborhood and city, and that a facility of the proposed size and scale is a welcome presence on Munjoy Hill and needed by the city arts community more broadly.

X. RECOMMENDATION

The Planning staff supports a positive recommendation for the adoption of the First Amendment to the Conditional Rezoning for Property in the Vicinity of St. Lawrence Arts/Congress Street, as revised by staff, to the City Council. Staff further recommends that the language of the agreement with respect to the references to architectural drawings remain as written. This allows for consideration of proposed modifications to the design at the time of site plan review.

XI. MOTIONS FOR THE BOARD TO CONSIDER

On the basis of the application, plans, reports and other information submitted by the applicant; the policies and requirements of the R-6 zone and the Comprehensive Plan; public comment, staff comments and recommendations contained in this report; and the testimony presented at the Planning Board Hearing, the Planning Board finds:

- A. That the proposed amendments to the conditional zoning agreement to permit a community hall at 76 Congress Street [**are or are not**] consistent with the Comprehensive Plan of the City of Portland;
- B. That the proposed amendments to the conditional zoning agreement [**are or are not**] consistent with existing and permitted uses in the surrounding area;
- C. That the proposed amendments to the conditional zoning agreement for 76 Congress Street [**are or are not**] in compliance with the standards set out in 14-60 and 14-62; and
- D. That the Planning Board therefore [**recommends or does not recommend**] the amendments to the conditional zoning agreement for 76 Congress Street to the City Council for its approval.

XI. ATTACHMENTS

PLANNING BOARD REPORT ATTACHMENTS

- 1. Amended Conditional Zoning Agreement
- 2. Urban designer review (memo from Caitlin Cameron, 10/2/14)
- 3. TDM peer review (memo from Nelson-Nygaard, 10/17/14)
- 4. Corporation Counsel memo (10/21/14)

APPLICANT'S SUBMITTALS

- A. Conditional Zoning Agreement application
- B. Evidence of Right, Title, and Interest,
- C. Locator map
- D. Executive narrative
- E. Adopted Conditional Zoning Agreement
- F. Public Meeting minutes (2/12/14)
- G. Parking Management Plan and cover letter
- H. METRO letter (from Greg Jordan, 9/17/14)
- I. Promenade room uses (memo from Deirdre Nice, 9/2/14)
- J. Case studies (memo from Sarah Cushman, 10/22/14)

PUBLIC COMMENT

- PC-1. Email from Lynne Panico, 2/19/14
- PC-2. Email from Enoch Wenstrom, 2/26/14
- PC-3. Email from Ross Fields, 2/26/14
- PC-4. Handout from Concerned Citizens of Munjoy Hill
- PC-5. Email from Kevin Donoghue, 2/28/14
- PC-6. Planning Division public meeting notes, 2/27/14
- PC-7. Email from Caitlin Shetterly, 2/27/14
- PC-8. Email from Wendy Cody, 2/27/14
- PC-9. Email from Karyn Jenkins, 2/27/14
- PC-10. Email from Annette Elowitch, 2/27/14
- PC-11. Email from Charles Brown, 2/27/14
- PC-12. Email from Chris White, 2/27/14

PC-13. Email from Larry Hayden, 2/27/14
PC-14. Email from Katie Wallace, 2/27/14
PC-15. Email from David Iovino, 2/27/14
PC-16. Email from Allison Murray, 2/27/14
PC-17. Email from Lisa Morris, 2/28/14
PC-18. Email from Stephen Gaal, 3/17/14
PC-19. Petition to the Portland Planning Board and City Council (from Concerned Citizens of Munjoy Hill)
PC-20. Email from Enoch Wenstrom, 9/16/14
PC-21. Email from Tim Baehr, 9/17/14
PC-22. Email from Ross Fields, 9/18/14
PC-23. Email from Steven Gaal, 9/18/14
PC-24. Email from Ann Landsberg, 9/18/14
PC-25. Email from Ralph Carmona, 9/18/14
PC-26. Letter from Leslie Gibbons, Portland Ballet, June 16, 2014
PC-27. Letter from Aimee M. Petrin, Portland Ovations, July 23, 2014
PC-28. Letter from Lauren Wayne, State Theater, August 6, 2014
PC-29. Letter from Cathleen Murray, 9/22/14
PC-30. Letter from Tyler Kidder, 9/22/14
PC-31. Letter from Peter Munro, 9/22/14
PC-32. Letter from Jaime Parker, 9/22/14
PC-33. Letter from Christian Milneil, 9/22/14
PC-34. Letter from John Pelletier, 9/22/14
PC-35. Letter from Elaine Mullin, 9/22/14
PC-36. Letter from Markos Miller, 9/23/14
PC-37. Letter from Lisa Morris, 9/23/14
PC-38. Letter from Kathryn Masters, 9/23/14
PC-39. Letter from Ross Fields, 9/24/14
PC-40. Letter from Sam Snellings, 10/2/14
PC-41. Letter from Frances Buerkens, 10/20/14
PC-42. Letter from Joshua Broder, 10/18/14

PLANS

Plan 1 Site Plan
Plan 2 Basement Plan
Plan 3 First Floor Plan
Plan 4 Upper Theater Level
Plan 5 Upper Theater Level Continued
Plan 6 Promenade Floor Plan
Plan 7 North Elevation (September iteration)
Plan 8 West Elevation (September iteration)
Plan 9 South Elevation
Plan 10 East Elevation
Plan 11 Building Section
Plan 12 Northeast Rendering (September iteration)
Plan 13 Looking East up Congress Street (September iteration)
Plan 14 Looking West up Congress Street
Plan 15 Munjoy Street View (September iteration)
Plan 16 Beckett Street View
Plan 17 Massing Diagram – Former Approved Scheme
Plan 18 Overlay Diagram – Proposed v. Former Scheme
Plan 19 Street View

Plan 20 North Elevation (October iteration)
Plan 21 West Elevation (October iteration)
Plan 22 Northeast Rendering (October iteration)
Plan 23 Looking East up Congress Street (October iteration)
Plan 24 Munjoy Street View (October iteration)
Plan 25 Night Rendering

**AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: FIRST AMENDMENT TO THE CONDITIONAL REZONING FOR
PROPERTY
IN VICINITY OF ST. LAWRENCE ARTS ~~CENTER~~/CONGRESS STREET**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, which was amended by a Conditional Zone Agreement dated November 4, 2010 and recorded in the Cumberland County Registry of Deeds in Book 28250, Page 201, is hereby further amended to reflect an amended conditional rezoning as detailed below:

**AMENDED CONDITIONAL ZONE AGREEMENT
RE:
ST. LAWRENCE CHURCH**

AGREEMENT made this ____ day of _____, 201~~40~~ by Friends of the St. Lawrence Church, 76 Congress Street, Portland, Maine (“Developer”), and its successors and assigns.

W I T N E S S E T H

WHEREAS, the Developer owns land located at 76 Congress Street, and more particularly described in a deed from Deirdre E. Nice dated September 12, 1997 and recorded in the Cumberland County Registry of Deeds in Book 13333, Page 9 (the “Property”); and

WHEREAS, the existing building and a previously dismantled portion of the building -located on the Property whereas formerly used as the St. Lawrence Congregational Church until 1986; and

WHEREAS, in 1996, the St. Lawrence Arts Center was founded; and

WHEREAS, in 2001, the building located on the Property had~~s~~ two principal portions, the sanctuary and the parish hall; and

WHEREAS, in 2001, the parish hall portion of the building was renovated to house a one hundred and ten (110) seat theater, green room, art studio workshops and staff offices; and

WHEREAS, in 2008, the sanctuary portion of the building was dismantled due to structural failure; and

WHEREAS, a conditional rezoning was approved in 2010 which was based upon a reconstruction of the dismantled sanctuary, but that reconstruction proved to be economically infeasible, so the Developer is seeking an amendment to the 2010 conditional rezoning which retains the same programmatic functions as proposed and approved in 2010 but contains them in a new rather than a reconstructed structure; and

WHEREAS, the Developer, as in 2010, proposes and intends to renovate the parish hall theater in order to increase its seating capacity to one hundred and twenty (120) seats substantially in accordance with the plans submitted as Exhibit A attached hereto; and

WHEREAS, the Developer proposes and intends to ~~reconstruct~~ a performance arts hall on the site of the former sanctuary to provide a full basement for “back of house” green rooms, ADA toilets and storage; a lobby that serves both the auditorium and theater space, a top floor “promenade room”/additional lobby, and a new four hundred and one(4010) seat auditorium substantially in accordance with the plans submitted as Exhibit A attached hereto; and

WHEREAS, the Developer proposes and intends to develop the building on the Property as an energy efficient ~~and LEED-certified~~ facility; and

WHEREAS, the Developer intends to maintain the character of the original parish house, and construct a new structure which will respect the character-defining features of the historic ~~and~~ Property and complement the adjacent residential neighborhood; and

WHEREAS, the existing underlying zoning is R-6 which has dimensional requirements that the existing structure on the site does not meet; and

WHEREAS, the Developer has requested an amended rezoning of the Property in order to permit the proposed development of the Property; and

WHEREAS, the proposed community hall use of the Property is consistent with the Comprehensive Plan and existing and permitted uses in the underlying zone and neighborhood, which include a mix of residential, commercial and institutional uses including churches places of assembly, schools, the Portland Observatory Museum and the Portland Company Marine Complex; and

WHEREAS, the City's Comprehensive Plan calls for strengthening neighborhood identity through cultural programming and creating connections between neighborhoods and the Arts District; and

WHEREAS, the City's Comprehensive Plan calls for the preservation ~~of the Downtown's~~Portland's unique identity and historic fabric through the re-use of existing structures and the development of new construction that is respectful of the built and natural surroundings; and

WHEREAS, the City's Comprehensive Plan promotes the enhancement of Portland's cultural community and creative economy through retaining and encouraging arts and cultural organizations and retaining and expanding performance and exhibition space, studio space and office/support space for artists, institutions and organizations; and

WHEREAS, the Planning Board, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions contained in this Agreement; and

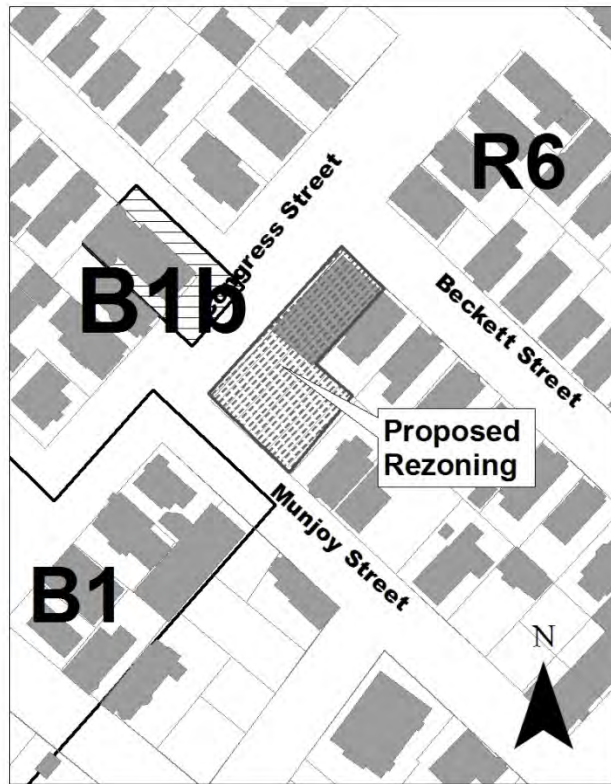
WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal impact on and compatibility with the surrounding community, it is necessary and appropriate to recommend the amended rezoning of the Property as aforesaid, with the following conditions and restrictions set forth in this Agreement; and

WHEREAS, the Portland City Council has on _____, 20140 approved this Agreement in its entirety, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1 (the "Order");

NOW, THEREFORE, in consideration of the rezoning, the Developer covenants and agrees as follows:

1. Pursuant to the Order, the City shall amend the Zoning Map of the City of Portland, dated September, 2000 (as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Code) by adopting the map change amendment shown below to zone the property conditional R-6, subject to the conditions contained below.

Image 1: Proposed Rezoning



Prepared by Department of Planning and Development based on GIS Workgroup Data

If this Agreement is not recorded within sixty (60) days after the effective date of the City Council's approval of the Order, then the first amendment to the conditional rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-6 zone or the equivalent zone in effect at the time of reversion.

2. Notwithstanding section 14-137(b)(6)(e)(i), the use of the Property shall be considered and be operated as a place of assembly/community hall.

3. The underlying dimensional requirements of the R-6 zone shall apply and are modified as follows:

- a. Minimum lot Size: 10,500 square feet.
- b. Minimum Yard Dimensions:
 1. Front yard: 0 feet.
 2. Rear Yard: 0 feet.
 3. Side Yard on Side Streets: 0 feet.
- c. Maximum Lot Coverage: ~~90~~5%.
- d. Maximum Tower Height: ~~90 feet~~ NA.

e. Maximum Sanctuary Structure Height: ~~5465~~ feet.

f. Open Space Ratio: 0%.

g. Minimum Lot Width: 50 feet

h. ~~The following plans and documents are attached hereto and incorporated into this agreement by reference. The Property will be developed substantially in accordance with these plans and documents, provided, however, that the development of the Property shall be subject to site plan review by the Planning Board and to review by the Historic Preservation Board. Any site plan or historic preservation review applications shall fully comply with the application requirements in the City's Land Use Code. The Planning Board and Historic Preservation Board may require modifications to these documents during their review:~~
subject to such subsequent modifications as may be required by the Planning Board during site plan review and by the Historic Preservation Board during its review and approval: Site Plan A0.01 dated October 15, 2014, Floor Plans A1.00 through A1.04 dated January 16, 2014, and Elevations A2.00 through A2.03, dated September 10, 2014, St. Lawrence Arts Addition for Friends of the St. Lawrence Church by Archetype Architects..

4. The proposed theater in the parish hall shall have no more than one hundred and twenty (120) seats, and the proposed auditorium ~~on~~ in the ~~former~~ site shall have no more than four hundred and ~~fiveone~~ (4015) seats. The Developer and its successors and assigns shall not be permitted to hold separate audience events in the parish hall and the sanctuary auditorium at the same time. The Developer shall be permitted to hold a separate event in the Promenade Room when another concurrent event is being held in the parish hall or the sanctuary auditorium. This does not preclude the Developer from using the parish hall, the Promenade Room and/or the sanctuary auditorium for one (1) single event with the total number of attendees of said event not to exceed four hundred and eighty five (485) people. Under no circumstances may more than 485 attendees of any single event or combination of events be present on the Pproperty at the same time.

5. The owner of the Property shall be responsible for ongoing maintenance of the Property, including snowplowing, salting, sanding, sweeping, lighting, trash removal (at least weekly), mowing, etc.

6. Prior to the issuance of a Certificate of Occupancy, the Developer shall install, according to City specifications, new brick sidewalk ~~a~~ along the Munjoy Street, Beckett Street and Congress Street property frontages and shall reset, as necessary, the existing pink granite curbing. If, at the time of site plan review, the Public Services Department determines that the curbing is in poor condition, the applicant shall replace it, as necessary.

7. Prior to the issuance of a Certificate of Occupancy, the Developer shall provide two (2) trees along each of the Munjoy Street, Beckett Street and Congress Street property frontages. If healthy street trees are already in place along any of these frontages, they may be counted towards this requirement. The size and type of trees to be planted shall be approved by the Portland City Arborist or their designee. If, due to site constraints, the Developer is unable to provide the two (2) required trees per street frontage, they shall contribute \$200.00 per tree or, if the required contribution is greater at the time of the application, that amount, to the City of Portland's Tree Fund. This contribution, if necessary, is independent of any conditions which the Planning Board may lawfully require under site plan review. The Planning Board shall not be authorized, however, to waive this requirement.

8. Prior to the issuance of a Certificate of Occupancy, the Developer shall, at its own expense, install a minimum of two (2) municipal street lights along the Congress Street frontage of the property that meet the specifications and color designated for the Downtown Lighting District, as detailed in the Municipal Street Lighting Standards of the City of Portland Technical Manual, or of a type as may be specified by the City Lighting Plan at the time of the application or by the Planning Division.

~~9. Prior to the issuance of a Certificate of Occupancy, the Developer shall construct any remaining sidewalk connections and sidewalk ramps meeting City technical standards at the intersection of Congress Street and Eastern Promenade on both sides of the street and at the intersection of Moody Street and Eastern Promenade on both sides of the street, unless these improvements are already in place at the time of the application. This may include walkway connections to the Cutter Street parking lots as described in the Eastern Promenade Master Plan (2004).~~

9. Prior to the issuance of a Certificate of Occupancy, the developer shall install any remaining crosswalks, ADA-compliant sidewalk ramps, and other pedestrian improvements meeting City technical standards at the intersections of Congress Street and Beckett Street or Howard Street and Congress Street and Munjoy Street, unless these improvements are already in place at the time of application.

10 The Developer shall submit a transportation demand management ("TDM") plan during site plan and conditional use review for review and approval by the Planning Board in a form substantially in accordance with Exhibit B attached hereto as a starting point subject to Planning Board and applicant modification during Site Plan Review (the terms of the attached TDM are incorporated by reference herein). The requirement of TDM plan shall supersede any and all parking requirements under the Land Use Code for the Property. During the site plan review process, the Planning Board shall provide a communication to the City Council that may include recommendations, if the Board deems it necessary, for additional on-street parking regulations in the vicinity of the project site. These may include but shall not be limited to two (2) hour parking limits and/or a residential parking program.

The TDM plan shall include provisions for the contribution of \$70,000 annually to the city's Sustainable Transportation Fund, with the initial contribution due at the time of

Certificate of Occupancy. This funding shall be designated at the city's sole discretion consistent with the provisions of Section 14-346.2 for improvements intended to enhance transportation choice, promote transit, and/or promote non-automotive transportation to and from Munjoy Hill, and shall initially be used for improvements to Greater Portland Transit District's #1 Line, which serves Congress Street and Munjoy Hill. If, following monitoring of the TDM plan, the Planning Board or Planning Authority deem other transportation demand management strategies to be more effective in meeting the benchmarks of the TDM plan, the Planning Board or Planning Authority may recommend redesignation of those funds toward such strategies.

The TDM plan shall include monitoring provisions to periodically review the efficacy of the plan over time. The efficacy of the TDM plan shall be reviewed by the TDM plan administrator within three (3) months from the issuance of the certificate of occupancy. The results shall be promptly provided to the City for evaluation upon completion of the review. From that time forward, the TDM plan administrator shall review the TDM plan and report results to the City for evaluation ~~on, at a minimum, an annual basis or~~ in accordance with the TDM monitoring schedule outlined in the TDM plan. Changes to the TDM plan as a product of monitoring shall be reviewed and approved by the Planning Authority.

If at the time of review (and/or at any time thereafter) the City and/or the Developer has received ~~any five (5) or more~~ complaints within a one (1) year period about traffic/parking generated by the use of the facility, the Developer shall report that information to will be required to institute a review process, working in concert with the Planning Authority as part of the annual review process, in accordance with ~~sub-paragraph F of~~ the attached TDM plan.

11. The Developer shall be responsible for ensuring that tour buses, vans and trucks affiliated with performances and events at the Property unload and then relocate to a remote, off street parking location away from the venue for the duration of the event.

12. The provisions of this Agreement are intended to replace and/or supersede the requirements of the underlying R-6 zone and the requirements of the 2010 conditional rezoning. As stated above, to the extent not otherwise altered herein, the zoning requirements for the R-6 zone shall otherwise apply to the Property.

13. In the event of a breach by the Developer or its successors or assigns of the zoning provisions and conditions contained herein (whether the Zoning Administrator, the Planning Authority, the Zoning Board of Appeals or a court determines such breach), the Planning Board, after notice and hearing, may recommend to the City Council that the conditional zone and this Agreement be amended, or be rescinded, such rescission to result in the termination of this Amended Agreement and a reversion of the Property to the underlying R-6 zone requirements ~~in place before the execution of this Agreement or~~ its equivalent in effect at the time of the reversion.

14. The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Developer, any

entity affiliated with the Developer that takes title to the Property, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the City of Portland, by and through its duly authorized representatives. The Developer shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

15. This amended conditional rezoning shall become null and void and the Property shall revert to the pre-existing R-6 zone or its equivalent in effect at the time of the reversion in the event that the Developer fails to commence construction within ten (10) years from the date of the Council approval of this amended rezoning agreement. This ten (10) year period shall be extended up to an additional one (1) year period if:

- a. The Developer has applied for all required approvals but has not received all required approvals within the aforementioned ten (10) year period; or
- b. Any other event beyond the control of the Developer has occurred which will delay the closing on some or all of the parcels and Developer has notified the City of such event.

If any required approval, including the Council's approval of this amended conditional rezoning, has been appealed, then this rezoning shall become null and void and shall revert to the underlying R-6 zoning or its equivalent in effect at the time of the reversion if the Developer fails to commence construction within one (1) year from the final disposition of such appeal or the above mentioned ten (10) year period, whichever occurs last.

16. This amended conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law including, but not limited to, 30-A MRSA § 4452 and the Portland City Code.

17. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

18. Except as expressly modified herein, the development shall be governed by and comply with the provisions of the Portland City Code and any applicable amendments thereto or replacement thereof.

WITNESS: _____

FRIENDS OF THE ST. LAWRENCE CHURCH

STATE OF MAINE
CUMBERLAND, ss.
20104

____ BY: _____

Personally appeared before me the above-named _____, in his/her capacity as _____ of FRIENDS OF THE ST. LAWRENCE CHURCH, and acknowledged the foregoing instrument to be his/her free act and deed in his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public/Attorney at Law

NOTE:
For Exhibit A, see Plans 1 – 10
For Exhibit B, see Attachment G

From: Caitlin Cameron
To: Donaldson, Helen
CC: Andrews, Deb; Barhydt, Barbara; Jaegerman, Alex
Date: 10/22/2014 6:22 PM
Subject: St. Lawrence - Design Review 10.20.14

Design Review comments 10.20.14

The previous design comments (below) still hold true and are relevant except for in the case of the recent proposed changes to the metal screen facades and tower element of the building.

The suggestion to express the material qualities of the mesh cladding with folding was intended to be a possible tool for accentuating the tower element at the corner and to increase the visual interest and significance of the building on the corner approaches. While we appreciate the design team's efforts in responding to the previous design review comments by experimenting with bending and folding of the metal facades, we felt that it was not successful in achieving the desired effects. The folds tend to make the building appear more bulky, accentuates the mass, and moves away from the sleek sophistication achieved with the previous version of the design. The addition of a horizontal band also accentuates the width of the building and does not add any significant benefit to the facade composition.

We suggest that the design return to the proposal previously submitted with one suggested change - that the corner-most piece of metal screen on the tower be increased in height to accentuate the corner of the building. We feel that the building and especially the corner tower should act, in effect, like a sign for the center, especially on the Congress Street approach from the west.

Previous Design Review comments:

Overall Design: The latest design is successful in breaking up the mass and height needed to accommodate the program in its use of materials and varying forms. The project mitigates its size and mass through the use of two-story stone forms that relate well to the scale of the residential architecture surrounding, especially on the Munjoy Street side of the building. The upper Promenade Room is made recessive through the use of storefront glazing and a setback. The facade is softened by the landscaping and trellis component which has a finer grain and provides shadow lines, articulation, and a human scale. There is a balance of solid and transparency, a mix of materials and textures that add visual interest and make reference to the building's context while at the same time, creating its own modern identity. The project is respectful of its relationship to the Observatory, which should remain the focal point of Munjoy Hill - this project is several blocks away, downhill, and shorter in height, all of which reduce its prominence compared with the Observatory along Congress Street and on the city's skyline.

Materiality: The use of stone is appropriate for grounding the project but also in its references to the historic St. Lawrence building adjacent. The stone provides a monumentality and is appropriate for a cultural building. The placement of the stone is thoughtful and reflects the scale of the neighborhood and neighboring building without becoming heavy or overpowering. The metal mesh material is unique to Portland and would make the project stand out as a modern and significant cultural destination on the peninsula. Ideally, the mesh material will have qualities of lightness and translucency that will alleviate the solid massing of the building. The mesh provides the potential use of lighting to create visual interest and a sense of liveliness and activity on the street at night. The mesh also affords some flexibility of expression when it comes to pattern and folding which, in the absence of fenestration, can provide visual interest and articulation to the building. The storefront glazing on the tallest form reduces its impact and makes for a pleasant, airy penthouse space. The green walls on the Munjoy Street facade have the potential add a balance rectilinear building and soften the hard edges of the stone and metal materials. These patches of green wall further break up the facade on the residential street and are a good solution for those parts of the facade that cannot accommodate fenestration.

Tower Element: As a corner building with a cultural program, the tower element should have dominance to signify the building on the approach and mark the entrance corner. Upon review, we felt the tower element could be emphasized more through the use of several strategies. First, the height of the tower in proportion to the rest of the building was little too low and we recommend that it increase slightly in height - possibly only the corner piece of the metal would be taller. The Promenade Room at 54' is and should remain the tallest mass of the building and the tower does not need to rise as tall as that - we are suggesting a small, incremental height increase. Secondly, emphasis on the tower could be created with folding mesh which will create a play of light and shadow similar to the roof lines of the existing St. Lawrence building and will also reflect the material qualities of the mesh facade. Third, the use of lights behind the mesh on the tower could emphasize the corner at night. The reviewers all liked the placement of the signage within the tower. Finally, the stone base of the tower should be differentiated more from the mesh portion of the tower - some options discussed included a rusticated belt course or by the stepping back of the mesh portion from the stone base.

Caitlin Cameron, LEED AP, Associate AIA
 Urban Designer | Planning & Urban Development Department
 City of Portland, Maine
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 (207) 874-8901 | ccameron@portlandmaine.gov

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MEMORANDUM

To: Nell Donaldson, City of Portland, ME
 From: Nelson\Nygaard
 Date: October 17, 2014
 Subject: Saint Lawrence TDM- Nelson\Nygaard Comments on Parking Management Plan (October 1, 2014) Response

A summary of Nelson\Nygaard's comments on GP's PTDM recommendations for Saint Lawrence follows.

GP's Recommended PTDM Plan

TDM Coordinator

- Executive Director as TDM Coordinator

Recommendation: SLA's commitment to the TDM program is excellent and carrying it forward at the executive director's level indicates a serious commitment to the program. Acknowledging that roles and responsibilities change over time in any position, Nelson\Nygaard recommends that the Executive Director's TDM responsibilities be enumerated in sufficient detail for the City and especially for any other staff or future Directors to continue the coordination role, including in the job description for the Director's position.

Transit

- Transit investment on the Metro 1 Bus-

Recommendation: Nelson\Nygaard considers SLA's investment in the Greater Portland Metro as a laudable and significant strategy to offset the demand of both Saint Lawrence employees and customers while providing enhanced service for those currently using transit. SLA's marketing and implementation plan is a first step toward accommodating potential driving and parking demand proposed for the new theater. SLA's plan should continue to stress creating and achieving a goal for shifting modes and task the proponent with closely monitoring existing trends to attain a reasonable mode shift goal over time.

Nelson\Nygaard would recommend that GP and the proponent further enhance and encourage transit usage by coupling improvements to the pedestrian environment through coordination with City officials to strategically improve walking routes between downtown and the theater – especially for nighttime walks. For example, arts-based programs of wayfinding signs, bus shelters, crosswalk highlighting, supplemental pedestrian-scale lighting, and pedicabs have been developed at virtually no cost in other cities in cooperation with local artists.

Valet

- Curbside regulations

Recommendation: As originally recommended in Nelson\Nygaard's original response, GP should recommend regulating existing curbside space in front of the Saint Lawrence site as a time limited pick up and drop off zone, as well as valet location.

Walking and Biking Improvements

- GP does not suggest any improvements directly surrounding the site other than additional bike parking

Recommendation: In the most recent plan, GP recommends 20 bicycle outdoor parking spaces for a 485-seat. The plan should also consider adding secure, indoor bicycle parking for both customers and visitors, but also employees. The cost to install dozens of attractive bicycle racks (ideally done as an arts project) is nominal compared to the likely site development costs. Such an investment would truly be in keeping with the FSLC's commitment to Portland Trails, the City's committee, and the Bicycle Coalition of Maine. For comparison, Cambridge MA's current bicycle ordinance requires one secure bicycle parking space for every 1,000 sq. ft. of theater space, plus an indoor bike parking space for every 12,000 sq. ft.

To promote walking, GP and SLA should identify potential walking routes from downtown that are the shortest distance, however are visible, safe, and well-lit for customer and employees. These routes should also be advertised on the website and travel information for patrons.

Marketing

- Marketing plan for SLA.

Recommendation: This is a great program outlined for SLA. Nelson\Nygaard only recommends that SLA and GP involve the City, Metro, and other transportation stakeholders in final design of website and kiosk content with the ability to revisit information and refresh materials as needed in future years.

Monitoring Plan

- Surveys and Parking Counts

Recommendations: The occupancy counts should be supplemented by patron surveys on the same peak event day, with both online and intercept components, to develop a mode share and corroborate the parking counts. Both employee and attendees surveys should include a question asking where they parked and if they took advantage of remote parking and Metro transit.

MEMORANDUM

TO: Helen Donaldson

FROM: Jennifer L. Thompson
Associate Corporation Counsel

DATE: October 21, 2014

RE: Monetary exactions in Land Use Permitting

Nell – I understand that some questions have arisen in relation to the St. Lawrence Art Center's ("SLAC") pending application for an amendment to an existing Conditional Rezoning Agreement and the extent to which monetary contributions contemplated in that proposed amendment are permissible under applicable law. Specifically, the proposed amendment contemplates an annual contribution of \$70,000 by SLAC to the City's Sustainable Transportation Fund. The proposed language reads, in pertinent part:

The TDM plan shall include provisions for the contribution of \$70,000 annually to the city's Sustainable Transportation Fund, with the initial contribution due at the time of Certificate of Occupancy. This funding shall be designated at the city's sole discretion consistent with the provisions of Section 14-346.2 for improvements intended to enhance transportation choice, promote transit, and/or promote non-automotive transportation to and from Munjoy Hill, and shall initially be used for improvements to Greater Portland Transit District's #1 Line, which serves Congress Street and Munjoy Hill. If, following annual monitoring of the TDM plan, the Planning Board or Planning Authority deem other transportation demand management strategies to be more effective in meeting the benchmarks of the TDM plan, the Planning Board or Planning Authority may recommend redesignation of those funds toward such strategies.

(Proposed Amended CZA at ¶ 10).

My understanding is that there is some question about the City's authority to condition the amended CZA on this annual contribution as well as the extent to which a monetary exaction such as this may or may not constitute an unconstitutional taking of property. This memo will briefly address those questions.

First, with respect to the City's authority: Conditional Zoning agreements are authorized by both State statute (30-A M.R.S. § 4352(8)) and the Portland City Code (Chapter 14, Sections 14-60 through 14-65). Under Section 14-62(g), the City is authorized to condition CZAs on, among other things, "[c]ontributions toward the provision of municipal services required by the

development[.]” Therefore, under both State law and the City’s Code, monetary exactions aimed at mitigating a development’s impact on municipal infrastructure are permitted. See also 30-A M.R.S. 4354.

Second, and with respect to whether such monetary exactions, though contemplated by State statute and our Code, nevertheless constitute an unconstitutional taking: As you and the Board are likely aware, the United States Supreme Court recently (2013) issued its opinion in *Koontz v. St. Johns River Water Management District*, 133 S. Ct. 2586 (2013). In that case, the Court determined that the constitutional standard set forth in the so-called “*Nollan and Dolan*” cases¹ extends not just to real property exactions but also to monetary contributions. I will not attempt to summarize at length the Court’s holding in this memo. I hope, however, that it will suffice to say that: Under *Nollan*, *Dolan*, and now *Koontz*, municipalities such as the City of Portland are not prohibited from seeking money or real property in compensation for development so long as those exactions meet the nexus and rough proportionality requirements outlined in those cases.

Those requirements, briefly, are that: (1) an “essential nexus” exist between the existing development restriction and the exaction demanded by the government; and (2) that there be “rough proportionality” between the condition exacted and the social harm or impact of the proposed development. So, for example, if as a condition for a site plan approval, a municipal regulatory authority wants a landowner to grant an easement over its property, *Nollan* and *Dolan* require the municipality to be able to demonstrate a legitimate reason for the easement, (e.g., to allow emergency services to access the property or to extend utility service) and the easement has to be limited, roughly, to what the municipality needs in order to accomplish that interest (e.g. an easement over an entire parcel is not needed to permit access by fire trucks or to extend a sewer line).

Now, under *Koontz*, that same nexus and proportionality must exist for monetary exactions.

¹ *Nollan v. California Coastal Commission*, 483 U.S. 825 (1987); and *Dolan v. City of Tigard*, 512 U.S. 374 (1994). These two cases generally stand for the proposition that land use permits may be conditioned on the relinquishment of real property only if the government can show a “nexus” and “rough proportionality” between the demand made and the “impact of the proposed development.” As explained by the Maine Municipal Association: “the government must always compensate a property owner for land the government takes. The government cannot avoid the constitutional requirement to compensate the landowner for taking property by imposing a condition on approval of a permit to develop real property if otherwise the government would have to pay for the land in order to acquire the land.” Michael L. Stultz, *Demanding Monetary Payments in the Land Use Permitting Process: Slow Down*, Maine Townsman, January 2014 at 23.

Upon review of the language in the proposed amendment of SLAC's CZA, I note that the annual contribution is expressly intended to "enhance transportation choice, promote transit, and/or promote non-automotive transportation to and from Munjoy Hill" where SLAC is located. My further understanding is that \$70,000 was the figure given by METRO representing the actual cost of increasing service to the Hill in order to accommodate attendees of SLAC functions. Therefore, it appears to me that the contribution likely satisfies the standards outlined in *Nollan*, *Dolan* and *Koontz*. Moreover, my understanding is that SLAC has voluntarily agreed to the annual contribution out of a desire to address the concerns of its neighbors. Given that the contribution is voluntary, was not demanded by the City, and the fact that the contribution is being made in connection with a contractual agreement to rezone the property, it appears to me that the likelihood of a constitutional problem here is quite low.

I hope this has been helpful. I will also plan to attend the Planning Board's public hearing and will be happy to address any additional questions the Board may have at that time.

Development Review Application
Planning Division Transmittal Form

Application Number: 2014-009**Application Date:** 01/23/2014**CBL:** 003 L001001**Application Type:** Zoning Contract/Conditional Rezon**Project Name:** Conditional Re-zoning Amendment**Address:** 66- CONGRESS ST**Project Description:** Proposed first amendment to the Conditional Rezoning dated November 4 2010, to accommodate the substitution of a different structure.**Distribution List:**

	Planner	Nell Donaldson		Parking	John Peverada
	Zoning	Marge Schmuckal		Design Review	Alex Jaegerman
	Traffic Engineer	Tom Errico		Corporation Counsel	Danielle West-Chuhta
	Civil Engineer	David Senus		Sanitary Sewer	John Emerson
	Fire Department	Chris Pirone		Inspections	Tammy Munson
	City Arborist	Jeff Tarling		Historic Preservation	Deb Andrews
	Engineering	David Margolis-Pineo		DRC Coordinator	Phil DiPierro
				Outside Agency	

PROJECT ADDRESS: 76 Congress Street, Portland, Maine

CHART/BLOCK/LOT: 3 - L - 1

DESCRIPTION OF PROPOSED ZONE CHANGE AND PROJECT:

Proposed first amendment to the Conditional Rezoning dated November 4, 2010,
to accommodate the substitution of a different structure.

CONTACT INFORMATION:

CONTACT INFORMATION:	Applicant's Contact for electronic plans Name: Deirdre Nice e-mail Address deirdre.nice@stlawrencearts.org work # 207-347-7177
Applicant – must be owner, Lessee or Buyer Name: Friends of the St. Lawrence Church Business Name, if applicable: Address: 76 Congress Street City/State : Portland, ME Zip Code: 04101	Applicant Contact Information Work # 207-347-7177 Home# Cell # Fax# e-mail: deirdre.nice@stlawrencearts.org
Owner – (if different from Applicant) Name: Address: City/State : Zip Code:	Owner Contact Information Work # Home# Cell # Fax# e-mail:
Agent/ Representative Name: Deirdre Nice, Executive Director Address: 76 Congress Street City/State : Portland, ME Zip Code: 04101	Agent/Representative Contact information Work # 207-347-7177 Cell # e-mail: deirdre.nice@stlawrencearts.org
Billing Information Name: Friends of the St. Lawrence Church Address: 76 Congress Street City/State : Portland, ME Zip Code: 04101	Billing Information Work # 207-347-7177 Cell # Fax# e-mail: deirdre.nice@stlawrencearts.org
Engineer Name: Address: City/State : Zip Code:	Engineer Contact Information Work # Cell # Fax# e-mail:

Surveyor Name: Address: City/State : Zip Code:	Surveyor Contact Information Work # Cell # Fax# e-mail:
Architect Name: David Lloyd, Archetype Address: 48 Union Wharf City/State : Portland, ME Zip Code: 04101	Architect Contact Information Work # 207 772-6022 Cell # Fax# 207 772-4056 e-mail: lloyd@archetypepa.com
Attorney Name: Barbara Vestal Address: 107 Congress St. City/State : Portland, ME Zip Code: 04101	Attorney Contact Information Work # 207 772-7426 Cell # Fax# 207 761-5822 e-mail: vestal@chesterandvestal.com

Right, Title, or Interest: Please identify the status of the applicant's right, title, or interest in the subject property:

Owner. Dee attached deed.

Provide documentary evidence, attached to this application, of applicant's right, title, or interest in the subject property. (For example, a deed, option or contract to purchase or lease the subject property.)

Vicinity Map: Attach a map showing the subject parcel and abutting parcels, labeled as to ownership and/or current use. (Applicant may utilize the City Zoning Map or Parcel Map as a source.)

Existing Use: Describe the existing use of the subject property:

The portion of the site currently occupied by the former parish hall is used for the Parish Hall Theater. The portion formerly occupied by the church sanctuary is currently vacant.

Current Zoning Designation(s):

The site is currently the subject of a conditional rezoning, approved by the City Council November 4, 2010 and recorded in Cumberland County Registry Book 28250, Page 201.

Proposed Use of Property: Please describe the proposed use of the subject property. If construction or development is proposed, please describe any changes to the physical condition of the property.

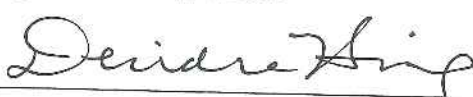
The proposed use of the property is an addition to the existing community hall located in the Parish Hall. The proposed new structure, to be built upon the vacant portion of the site, is to contain a 401 seat performance hall, a Promenade Room/additional lobby, and related facilities, as detailed in the executive narrative.

Site Plan: On a separate sheet, please provide a site plan of the property showing existing and proposed improvements, including such features as buildings, parking, driveways, walkways, landscape and property boundaries. This may be a professionally drawn plan, or a carefully drawn plan, to scale, by the applicant. (Scale to suit, range from 1" = 10' to 1" = 50'.) Contract and conditional rezoning applications may require additional site plans and written material that address physical development and operation of the property to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood.

APPLICATION FEE:

Check the type of zoning review that applies. Payment may be made in cash or check payable to the City of Portland.

Zoning Map Amendment ___ \$2,000.00 (from ___ zone to ___ zone)	Fees Paid (office use) ___	The City invoices separately for the following: • Notices (\$.75 each) (notices are sent to neighbors upon receipt of an application, workshop and public hearing meetings for Planning Board and public hearing meeting for City Council) • Legal Ad (% of total Ad) • Planning Review (\$40.00 hour) • Legal Review (\$75.00 hour) Third party review is assessed separately.
Zoning Text Amendment ___ \$2,000.00 (to Section 14-___) (For a zoning text amendment, attach on a separate sheet the exact language being proposed, including existing relevant text, in which language to be deleted is depicted as crossed out (example) and language to be added is depicted as underline (example))	___	
Combination Zoning Text Amendment and Zoning Map Amendment ___ \$3,000.00	___	
Conditional or Contract Zone ☒ \$3,000.00 (A conditional or contract rezoning map be requested by an applicant in cases where limitations, conditions, or special assurances related to the physical development and operation of the property are needed to ensure that the rezoning and subsequent development are consistent with the comprehensive plan, meet applicable land use regulations, and compatible with the surrounding neighborhood. Please refer to Division 1.5, Sections 14-60 to 62.)	___	

Signature of Applicant: 	Date: 1/22/2014
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Further Information

In the event of withdrawal of the zoning amendment application by the applicant, a refund of two-thirds of the amount of the zone change fee will be made to the applicant as long as the request is submitted to the Planning Division prior to the advertisement being submitted to the news paper.

BK13333PG009

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WARRANTY DEED

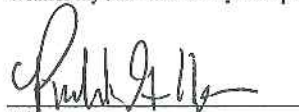
Know all Ye by these Presents,

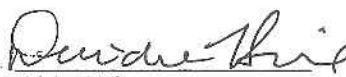
That I, DEIRDRE E. NICE (Grantor) of 4 Glen Road, Falmouth, Maine 04105,
for consideration paid, do hereby grant unto the said FRIENDS OF THE ST.
LAWRENCE CHURCH (Grantee), of 76 Congress Street, Portland, Maine 04101, with
Warranty Covenants, the following real property situated at 66-76 Congress Street, City
of Portland, County of Cumberland, described as follows:

A certain lot or parcel of land with the buildings thereon, situated in said
Portland, and being more particularly described on Exhibit A attached
hereto and made a part hereof.

Meaning and intending to convey the same premises described in a
warranty deed from Stephen P. Sunenblick and Roger Conover to Grantor
and Grantee dated December 9, 1993, and recorded in the Cumberland
County Registry of Deeds in Book 11160, Page 21.

Witness my hand this 12 day of September, 1997.


Witness


Deirdre E. Nice

STATE OF MAINE
CUMBERLAND, ss

September 12, 1997

Personally appeared the above Deirdre E. Nice, and acknowledged the foregoing
instrument to be her free act and deed.

Before me,


Attorney at Law/Notary Public

MAINE ESTATE TAX PAID

EXHIBIT A

Three certain lots or parcels of land and the church edifice and buildings on the same situated at the corners of Congress, Munjoy and Beckett Streets, in the said City of Portland and more particularly bounded and described as follows:

FIRST: Beginning at the corner formed by the intersection of the southerly side line of said Congress Street and the westerly side line of said Beckett Street; thence southeasterly by said Beckett Street forty-five (45) feet to a point; thence westerly on a line at right angles to said Beckett Street eighty (80) feet to Lot No. 1 in Block marked E. on a plan recorded in the Cumberland Registry of Deeds in Plan Book No. 4, Page 18; thence northerly by said Lot No. 1, forty-five (45) feet to said Congress Street; thence easterly by said Congress Street eighty (80) feet to the point begun at.

SECOND: Beginning at the northeasterly corner as formed by the intersection of the Southeasterly line of said Congress Street and the northeasterly line of said Munjoy Street; thence southeasterly by said Munjoy Street a distance of forty three and $27/100$ (43.27) feet to a point; thence northeasterly at right angles to said Munjoy Street a distance of eighty (80) feet to a point; thence northwesterly at right angles to the last described line a distance of forty five and $69/100$ (45.69) feet to Congress Street; thence southwesterly by said Congress Street to the corner begun at. Said lot is further shown on a plan of the premises recorded in said Cumberland Registry of Deeds in Plan Book 4, Page 18, and is the lot number one (1) in Block E on said Plan. The two parcels above described are the same conveyed to the St. Lawrence Street Parish by Jacob H. Groves by his deed dated September 28, 1895, and recorded in the Cumberland Registry of Deeds, Book 630, Page 261.

THIRD: Beginning at a point on the easterly side of Munjoy Street which point is forty three and $27/100$ (43.27) feet southerly from the corner made by the intersection of the southerly line of Congress Street with the easterly line of Munjoy Street; thence southerly on said Munjoy Street forty three (43) feet to a point, and from these two points and keeping the same width extending back at right angles to Munjoy Street eighty (80) feet. Being the same premises conveyed to the Saint Lawrence Street Parish by John Cousens by his deed dated August 24, 1896 and recorded in said Registry, Book 639, Page 438. To the several deeds aforesaid and the records thereof reference is hereby made for further description of the premises hereby conveyed.

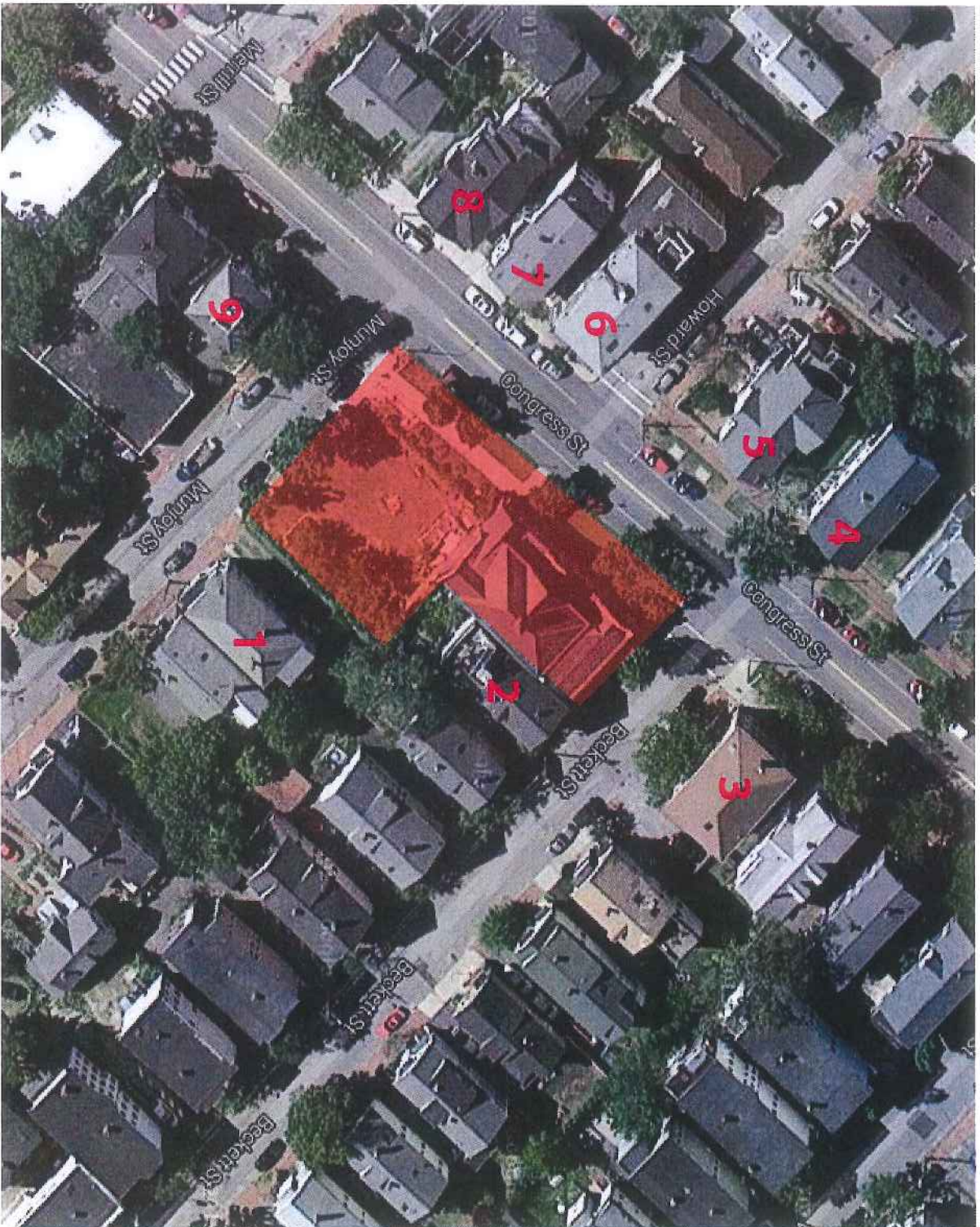
THIS CONVEYANCE IS MADE SUBJECT to an outstanding mortgage from the Grantor and Grantee herein to Fleet Bank of Maine, which mortgage the Grantee, as part of the consideration for this transaction, assumes and agrees to pay.

RECEIVED
RECORDED REGISTRY OF DEEDS

1991 SEP 19 PM 4: 16

CUMBERLAND COUNTY

John B O'Brien



- 1 - Property Location - 97 Munjoy St
Owner Information - McHugh Mary B & Theodore E Jrs
Land Use Type - Two Family
- 2 - Property Location - 98 Beckett St
Owner Information - Rodrigue Paul M
Land Use Type - Three Family
- 3 - Property Location - 99 Beckett St
Owner Information - Mullin Elaine V
Land Use Type - Residential Condo
- 4 - Property Location - 65 Congress St
Owner Information - Plini Llc
Land Use Type - Four Family
- 5 - Property Location - 67 Congress St
Owner Information - Hatt Yun Ok
Land Use Type - Four Family
- 6 - Property Location - 73 Congress St
Owner Information - Munjoy Hill Restorations Llc
Land Use Type - Mixed Res/comm
- 7 - Property Location - 75 Congress St
Owner Information - Corcoran Brendt
Land Use Type - Three Family
- 8 - Property Location - 77 Congress St
Owner Information - Baker, Susan
Land Use Type - Apartment/Garden
- 9 - Property Location - 84 Congress St
Owner Information - Breglia Augustine R Trustee
Land Use Type - Retail & Personal Service

Application for the First Amendment to the Conditional Rezoning for Property in Vicinity of St. Lawrence Arts/76 Congress Street, January 22, 2014.

EXECUTIVE NARRATIVE

Evolution of the Proposal

Friends of the St. Lawrence Church formed in February of 1996 to restore the church for renewed use as a performing arts center. Built in 1897, the St. Lawrence was listed on the National Register of Historic Places in 1979 and designated as a local landmark by the City of Portland in 1990. Despite such recognition, both halves of the building suffered decades of neglect.

An intense period of fundraising and volunteer labor coupled with a sound business plan resulted in the opening of the Parish Hall Theater in May of 2001. Since then, the 110-seat venue, St. Lawrence Arts (SLA), has provided a home to local theater companies, dance troupes, and artists, as well as national and international performers. Its state-of-the-art sight and sound capability make it the ideal setting for a multitude of performances.

In 2006, thanks to generous funding from Jane's Trust, the Friends of the St. Lawrence Church (FSLC) initiated an Adaptive Reuse study to develop conceptual plans and budgets for rehabilitation of the Sanctuary portion of the facility into a 400-seat performance hall. The original Sanctuary seated just over 500. Mills Whitaker Architects, LLC was retained to review existing conditions, prepare measured drawings, develop program requirements, review regulatory issues, prepare conceptual plans, and determine preliminary budgets for the project.

The Sanctuary, unoccupied since 1986, exhibited extensive deferred maintenance issues resulting in water infiltration through various roof and wall areas. In 2004, prior to commencement of this study, the deteriorated conditions of the Sanctuary were addressed through the provision of temporary shoring. In 2006 there was a partial collapse of the primary roof trusses which lead to additional stabilization measures. Upon further assessment, it was determined that the integrity of the structure was severely compromised and, as a result, the Sanctuary portion of the facility was dismantled in 2008. The rehabilitation project was, thus, transformed into a reconstruction project.

The program for the Sanctuary, developed in 2006 through discussion with the FSLC board of directors, included a 400-seat performance hall, a lobby serving both the Sanctuary Performance Hall and the Parish Hall Theater, an upper function room integrated with the roof and providing views to the ocean, and support spaces such as concessions, catering kitchen, green room, and workshop space. The plan called for the Parish Hall Theater to be modified to allow a slight increase in seating capacity to 120 (now at 110) with more flexibility to allow for a variety of uses. The plan called for the facility to have a well-integrated, accessible entrance, and an elevator to serve all public areas of the building.

The preliminary project budget to reconstruct the Sanctuary was approximately \$17 million. That would have provided a mid-size, community-based venue for the arts and returned a reconstruction of the original structure to the fabric of Munjoy Hill. This reconstruction plan received wide-spread support, culminating in a November 2010 unanimous City Council approval of a 10-year conditional rezoning. The subsequent feasibility study found funders to be enthusiastic about the mission-related programming. Unfortunately, however, funders were not as enthusiastic about the very expensive reconstruction of the original structure; they seemed to be more receptive to containing that same programming in a more economically-feasible new structure.

To provide space for its well-received program, FSLC decided to shift its plan toward reconstruction through new construction rather than reconstruction through the exceedingly expensive reassembly of the original Sanctuary. The resulting current proposal reflects a need and desire to design a contemporary building with an economically achievable budget. In August of 2012, FSLC selected Archetype Architects and Principal David Lloyd to design a new structure. Archetype Architects brings over 25 years' experience with industrial, historic, and residential design. Mr. Lloyd's projects have been lauded for demonstrating great sensitivity to the urban fabric and employing finely-honed skills to integrate contemporary additions within historical contexts.

Mission of Friends of the St. Lawrence Church

For the last 18 years, the mission of FSLC has incorporated three parts: **arts and culture**, **neighborhood and community**, and **historic preservation**. From its inception in 1996, FSLC understood that creating a performance arts center that fostered creativity and implemented a sound business plan was the key to the long-term success of the organization and fulfillment of its mission. FSLC first began work on the far less deteriorated Parish Hall to begin the transformation from a vacant and structurally compromised historic church to a dynamic arts center. Over the past 12 years, the Parish Hall Theater has brought commerce, vitality, and arts to Munjoy Hill. With only 110-seats and a commitment to affordability for patrons, long-term sustainability and the ability to make the capital investment necessary for the long-term preservation of the historic Parish Hall is contingent upon growth. This expansion will increase the highly positive economic impact that St. Lawrence Arts (SLA) has had on the Parish Hall, the Munjoy Hill neighborhood, the City of Portland, and Southern Maine.

Mission #1: Arts and Culture

SLA directly serves two distinct populations: theater and performing arts groups, many of whom regularly use the Parish Hall Theater, and the thousands of patrons who attend performances each year. Both populations will be well-served by the new facility. Many theater and performing arts groups will welcome the opportunity to perform in a larger, 401-seat venue. More patrons will be able to enjoy events in the facility, furthering SLA's mission to promote arts and culture.

FSLC research of venues and performance trends within the Greater Portland area indicates that the creation of a mid-sized auditorium with the versatility to accommodate *all forms* of

performance and visual art will fill a need in the City of Portland that at present is not being met. Portland has venues that have much larger capacity; for example, Merrill Auditorium seats 1900 and State Theater seats 2036. There are also several smaller venues; for example, Portland Stage Company seats 274, One Longfellow Square seats 200, and several recently developed venues accommodate fewer than 100. Hannaford Lecture Hall at the University of Southern Maine seats 520, but does not have the capability for a wide range of performances. There is no venue in the Greater Portland area that fulfills the need of a medium-sized venue larger than 300 seats but smaller than 1,900 seats. Further distinguishing it from other venues in Portland, the new Performance Hall will be a non-profit space available for use by hundreds of performing arts groups and other non-profits. Moreover, many of the more beautiful non-profit spaces in Portland, like the Portland Museum of Art, The Victoria Manson and others do not allow other non-profits to fundraise in their spaces. St. Lawrence Arts stands out as venue that has always allowed other non-profits to fundraise in its space.

Mission #2: Neighborhood and Community

Mindful of SLA's mission to promote neighborhood and community, SLA remains committed to working with neighborhood institutions, such as schools, to provide cultural experiences for children who might not otherwise be exposed to the arts. For example, before they moved, SLA was host to the Adam's School annual Spring theater presentations, offering the building and its professional equipment and stage for free. We continue to donate the building and host The East End Community Schools annual Portland Children's Film Festival. We have been and continue to encourage the East End Community School to use the St. Lawrence for productions and programs and believe the bigger Performance Hall will enhance their arts programming. The St. Lawrence also plays host to the SMCC's annual music recital as well as many neighborhood meetings, civic meetings, and non-profit fundraisers. For example, last summer, we helped Garbage to Garden raise \$1000 in their first big fundraiser. Each year Konbit Sante raises \$4000-\$5000 in their annual holiday sale in the Parish Hall Theater.

In addition to the performances, members of the community will be able to host small events in the Promenade Room, a breathtaking space with sweeping views of Casco Bay, the city, and Mt. Washington. The space will flexibly lend itself to a variety of events such as memorial services for neighborhood residents, non-profit fundraising events, children's art shows, and additional lobby space for events in the Performance Hall and Parish Hall Theater.

SLA will continue to bring vitality to the Munjoy Hill neighborhood, as it has for the last 12 years. This has been important for neighborhood businesses, and contributed to the renaissance of the East End as a magnet for residents in search of a diverse urban experience. At the same time as it contributes to economic activity, it will also be mending a visual tear in the urban fabric by filling a vacant lot on Congress Street with a well-designed building, in harmony with the Parish Hall and its surrounding neighbors.

SLA is very conscious of the need to manage its performing arts center so that it complements and does not detract from the neighborhood. It has been acting as a responsible neighbor for twelve years, managing performers and performances so that they do not negatively impact the neighborhood. It plans to continue to be a good neighbor as it enters this next phase. As

indicated in the proposed amended conditional rezoning, SLA is willing to limit itself to using only the Parish Hall Theater OR the Performance Hall for audience events at one time, thus precluding simultaneous performances in both spaces. Similarly, in the rare instance in which it will use multiple parts of the building for one single event, it is willing to limit the total number of attendees to 485 people. It has committed to continue to be a good neighbor, properly maintaining its property and ensuring that tour buses, vans and trucks affiliated with an event unload and then relocate to a remote, off-street location away from the venue. SLA has agreed to make specified sidewalk and sidewalk connection improvements in the immediate and broader neighborhood, plant or contribute to the planting of street trees, and improve adjacent street lighting. Similarly, SLA has developed a transportation demand management plan as part of its commitment to be proactive about managing traffic and parking, to minimize neighborhood impacts from those patrons who do not live within walking distance. As part of its core mission, SLA is committed to continuing to fulfill its responsibility to the neighborhood and creative community.

Mission #3: Historic Preservation

The third part of SLA's mission is historic preservation. Unfortunately, before the property came under the ownership of the Friends of the St. Lawrence Church, the Sanctuary had deteriorated too far for it to be reclaimed. Structural deficiencies, compounded by water intrusion and repeated freezing due to lack of heat, rendered it unsafe. However, through the efforts of many, the less spectacular but equally historic Parish Hall has, so far, been spared a similar fate. But the future is by no means assured. Maintenance of an historic structure is challenging and expensive. The income generated from the 110-seat Parish Hall Theater covers ongoing operations, but it does not generate any excess funds to pay for expensive maintenance or capital investment. FSLC has had to rely on grants and foundations to obtain the funds to perform historic preservation maintenance. Over the years, it has successfully applied for and received significant grants from the Davis Family Foundation, the City of Portland, the National Trust for Historic Preservation, and others. But these funds are increasingly scarce and highly competitive.

To be a responsible steward, SLA needs to find a way to obtain sufficient funds to properly maintain this distinctive 19th century stone structure. The site needs to generate more revenue. The Parish Hall Theater does not have the capacity to generate significantly more revenue by itself; the potential of the currently vacant part of the site needs to be harnessed. FSLC's historic preservation mission, based on a sound business plan, is to be furthered by constructing a green building on the site of the former Sanctuary using durable materials and a creative design intended to keep operating costs low. The construction of a medium-size performance hall that can accommodate a wider variety of arts events will allow SLA to increase the number of patrons who will attend events at SLA. The stream of revenue from the new Performance Hall will enable SLA to cover operating expenses and to generate the additional funds which are necessary to maintain the landmark Parish Hall.

Professional Capacity

FSLC is in a unique position to undertake this project, in furtherance of all three parts of its mission. SLA has successfully created and managed the Parish Hall Theater over the past 12 years. SLA has ended each year in the black and has forged excellent relationships as a place for collaboration and celebration of art in all forms as a dynamic, professional arts center.

Rental of Parish Hall is at capacity each year. SLA frequently must refer performance groups to other venues. Also, due to our small seating capacity, we are unable to host performers that sell-out larger venues. The Performance Hall would tremendously enhance SLA's offerings, and broaden and increase our audience while fulfilling our mission in the areas of Arts and Culture, Neighborhood and Community, and Historic Preservation.

FSLC is governed by an all-volunteer Board of Directors from this community, who bring considerable and diverse professional and personal experience to their role. That Board oversees a staff of four, including an Executive/Artistic Director, Development Director, and Theater Manager. The Board and staff have consistently demonstrated great enthusiasm and commitment as they have positioned the Parish Hall Theater to become a heavily-used venue. It has already had an enormous positive impact on Munjoy Hill and the City of Portland. The fact that we are poised to complete the vision of St. Lawrence Arts Center, adding a contemporary Performance Hall and related support spaces to an improved Parish Hall Theater, is hugely exciting for all involved.

Project Data

BUILDING AREA:

The new proposed addition will be 14,745 gross square feet.

Yard requirements:

Previously approved footprint was 5,460 SQ. FT. The current proposed footprint is 5,715 SQ. FT., not including a porch which is 710 SQ. FT. The existing Parish Hall has a footprint of 3,360 SQ. FT. The combined total lot coverage is 95%

Building Height:

The building height as determined by calculating average grade to top of steel roof beam is 54 feet. It should be noted that the major roof element of the performance hall is at approximately 41 feet 4 inches, which is below the maximum allowed by zoning. The Promenade Room, which is set back, gives the height increase to 54 feet but visually from the street the overall mass looks to be at the 41 foot height. The previously approved building had a height of 53 feet 1 inch not including a steeple which went to 89 feet above average grade.

Proposed uses of building:

1. The proposed new addition will seat 401 patrons. The previously approved addition was designed to seat 400 patrons. The proposed addition, while being modern in materials and design, is also being designed with the architecture of the existing Parish Hall in mind. New roof lines of the porch will line up with horizontal elements on the Parish Hall. Granite stone materials will be used in the new addition to reflect those in the Parish Hall. A porch element off Congress Street will give an inviting feeling to the patrons and to neighbors passing by. This porch element will also act as a vehicle to demonstrate the celebration of theater to the street as patrons wait or meet there during intermission. The Architect has already met with the Historic Preservation Board on three occasions. The Architect has incorporated many of the design elements suggested by the Board into the current design. The Board has indicated that the architect is heading in the right direction, and it is anticipated that with a few more meetings, there will be agreement on design which meets the historic preservation standards for new construction.

2: The new addition will be fully ADA accessible and make the existing Parish Hall fully ADA accessible.

3: The building is being designed to meet and exceed the latest energy codes. It will be a highly efficient building in regards to mechanical design and create a healthy interior environment

4: The addition will include space in the lower level for "back of house" green rooms, ADA toilets, and storage.

5: The Promenade Room on the upper level is set back from the street, to help reduce the massing of the building, and has a face primarily of glass. This room will function during performances as a lobby break area, and as a meeting space when there are no performances. Providing views across Casco Bay, it will offer groups a spectacular gathering space unlike anything which is presently available in the Munjoy Hill neighborhood.

APPLICABLE LAND USE ORDINANCES:**Regulatory Considerations:**

Chapter 14, Land Use, of Portland's Code of Ordinances regulates the construction of the Performance Hall. In particular, three Articles from Chapter 14 provide the regulatory framework for the design and review process: Article III Zoning, Article V Site Plan, and Article IX Historic Preservation.

The new structure will be a 14,745 gross square foot addition to the existing Parish Hall. A structure of that size requires Major Development Site Plan review and approval by the Planning Board.

Similarly, the structure will be an addition to an existing structure which has been designated as a local Landmark pursuant to the Historic Preservation ordinance. Thus Section 14-634(a) (1) in

Article IX Historic Preservation, requires the applicant to obtain a Certificate of Appropriateness for any exterior alteration to the Parish Hall and new construction adjacent to it.

Finally, as it is not precisely allowed as a permitted use or conditional use in the R-6, and as the site is already subject to a conditional rezoning, the applicant needs to receive approval of an amendment to the 2010 conditional rezoning.

Consistency with the R-6 Zone:

The property is located in an R-6 Residential zone. The building's use is as a place of assembly, specifically a "Community Hall" per zoning definition (Section 14-47, Definitions) since it is occupied for "social, recreational, artistic, civic, or educational community functions." A place of assembly, including a Community Hall, is a Conditional Use in the R-6 zone (Section 14-137(b) (e) provided that the structure was built for institutional or other non-residential uses, the structure is operated by a not-for-profit entity, and a parking management plan is submitted for review and approval by the Planning Board. When the sanctuary portion of the building was dismantled for safety reasons in 2008, the Parish Hall remained, and continued as a community hall in a structure built for religious use, operated by a not-for-profit entity. As a significant portion of the structure was still remaining as of January 4, 2010, it is asserted that the addition of a rebuilt performance hall and related facilities could be treated as a Conditional Use. However, as the prior project to reassemble the Sanctuary required and obtained a conditional rezoning for this site, the applicant is seeking to further amend that conditional rezoning to allow for the same uses in a contemporary building.

This use is harmonious with the applicable R-6 zoning. In Section 14-135, the purpose of the R-6 Residential Zone's is stated, "To set aside areas on the peninsula for housing characterized primarily by multifamily dwellings at a high density providing a wide range of housing for differing types of households; and to conserve the existing housing stock and residential character of neighborhoods by controlling the scale and external impacts of professional offices and other nonresidential uses." While R-6 is to be "primarily" for high density residential development, the zone recognizes that should not be the exclusive use. The zoning ordinance recognizes that a broad range of complementary non-residential uses should be allowed, such as cemeteries, parks and municipal uses (permitted uses), and schools, intermediate and long-term care facilities, hospitals, colleges and trade schools, professional offices, and places of assembly including community halls, neighborhood centers, private and fraternal organizations, and places of religious assembly (conditional uses). Since 1897, the former sanctuary and the adjacent Parish Hall have had a highly positive impact on the Munjoy Hill neighborhood and, the City of Portland, first as a religious institution and later as a non-religious cultural institution, providing places of assembly for neighbor residents and participants from the broader community. This non-residential structure, located on Congress Street, a major arterial, close to the neighborhood business district which is also centered on Congress Street, has made a significant contribution to the character and diverse activities of the neighborhood, while being respectful of the residential scale of Munjoy Hill.

Transportation Demand Management:

Were this application being reviewed as a Conditional Use in accordance with Section 14-137(b) (e), an approved parking management plan would be required. That same requirement was incorporated into the prior conditional rezoning. The current facility serves 10,000 patrons annually. It is reasonable to expect that the number of activities and patrons served will increase when the Performance Hall is constructed. FSLC has commissioned an updated study to review traffic and parking and its impacts on the neighborhood. That study and its recommendations are being submitted with this application.

Yard Requirements:

The former footprint of the building provided the template for establishing the proposed footprint. The former footprint, however, did not conform to current dimensional regulations in terms of minimum yard requirements. On the two principal facades at Congress Street to the north and Munjoy Street to the west, the proposed footprint will be identical to the original footprint.

On the south side yard and east rear yard, there are variations from the original footprint as delineated below:

Side Yard at South: The former footprint at the side yard to the south consisted of an approximate yard of 3'-3" for the majority of the façade's length while the rear apse at the altar area reduced the side yard to 0" where the building met the property line. Current zoning, absent a conditional rezoning, stipulates a side yard of 10' with a possible reduction to no less than 5' (per Section 14-437). The proposed design follows the former side yard setback with variations that increase its nonconformity in two locations: 1) A low areaway projection of approximately 39 SF is proposed to extend from the south facade to the lot line. This vents interior mechanical equipment that would normally be placed outside the building or on the roof. Projections such as this are allowed if they are no more than 2' in height (Section 14-425); 2) A westward extension of the rear apse of about 34 SF and 20' in height is proposed to be coincident with the lot line. This extension will provide space for an interior circular stair that will serve the green room, stage, and catwalk without encroaching upon the original interior volume of the auditorium.

Rear Yard at East: The former footprint at the rear yard to the east consisted of a wall containing the rear apse and chimney. The former wall jogged between the lot line and about 2'-9" from the lot line. The proposed design follows the rear lot line, adding approximately 64 SF to the footprint. This area will be used to provide two interior stairs, one to connect the stage down to the green room below, and the other to connect the lobby to the upper room above. These variations may be permitted as part of the conditional rezoning.

Existing Use:

St. Lawrence Arts, founded in 1996, has played a significant role in the revitalization of Portland's Munjoy Hill neighborhood. The Arts Center is located in the former St. Lawrence Congregational Church, constructed in 1897 and abandoned in 1986. The building consisted of

two major portions that were constructed simultaneously – the Parish Hall and the Sanctuary. In 2001, the Parish Hall was renovated to house a 110-seat multi-use auditorium, green room, art studio workshops and staff offices.

Proposed Use of the Property:

SLA proposes to create an enhanced center for the arts which can accommodate all forms of performance and visual arts in small and medium size venues. Specifically, SLA will augment the existing Parish Hall Theater by building a 401-seat Performance Hall, topped by the Promenade Room, upon the former sanctuary portion of the building. The new structure will enhance the ADA accessibility, reweave the architectural fabric of one-half of a prominent city block on Munjoy Hill's portion of Congress Street, facilitate the sustainability of the landmark Parish Hall structure, contribute to the economic and cultural vitality of the neighborhood, and promote sustainability by utilizing energy-efficient building components and locating the facility on a site easily accessible to many by foot, bicycle or bus.

The proposed addition carefully employs good 21st century design for the new Performance Hall, to complement the existing Parish Hall Theater in its 19th century building. Highlights of the design are as follows:

Planned Uses:

Performance Hall: The addition will house a 401-seat space that functions well primarily for musical performances with either acoustical or amplified groups. Secondary uses include theater, dance, weddings, lectures, seminars, video showings, and other diverse assembly type occupancies. Stage space will be expandable or retractable in size to suit differing needs.

Parish Hall Theater: The addition will increase the flexibility of this space for existing functions, while maintaining its primary use for theater. Seating will be expanded slightly from 110 to 120 while still maintaining its intimacy. The fixed risers will be replaced with telescopic seating and the stage apron will be removable.

Offices & Conference: The design retains two office spaces and provides a meeting room that can serve a variety of uses and user groups.

Lobby: A large lobby space will be provided that is visible from the street and capable of serving both the Performance Hall and Parish Theater.

Concession: Concession space will be included in the lobby area. A catering kitchen and pantry storage area will be readily accessible to the concession area.

Green Room Area: A Green Room will be provided for the performers that will use the Performance Hall. This room will be flexible for other uses, such as rehearsal space. Makeup area, dressing rooms, toilet room, shower, and washer/dryer will be included.

Upper Room: A function room, called the Promenade Room, will be provided above the Performance Hall for mixed-use activities, capitalizing on views of the Eastern Promenade and Casco Bay.

Function and Design:

It is intended that the Performance Hall will have an intimate feeling, retaining the ambiance and nature of the original building, while also being uniquely contemporary and of its own style. The addition will provide adequate workshop space and storage areas, with the areas allotted to each of these functions to be further defined in subsequent phases.

The building will be an energy-efficient facility that utilizes environmentally friendly materials and technologies. The acoustics will take advantage of current technology. Variable acoustics that allow some adjustment of reverberation time will be provided for changing needs (speech, amplified music, acoustical music). Sound isolation will be provided so that simultaneous functions, such as rehearsals, meetings and performances can occur in the Lobby, Performance Hall, and Parish Theater areas without sound interference from adjacent spaces. Similarly, sound transmission to the exterior (neighboring residences) will be minimized to the greatest extent possible.

All public areas will be accessible to the disabled. Accessible features will be well-integrated with the historic character of the building.

CONSISTENCY WITH PORTLAND'S COMPREHENSIVE PLAN

By law, any conditional rezoning or amendment to an already-granted conditional rezoning must be consistent with the City's comprehensive plan. The Law Court has interpreted consistency to mean "in basic harmony with" the plan. *LaBonta v. City of Waterville*, 528 A.2d 1262, 1265 (Me. 1987). Typically, comprehensive plans contain many goals and policies, some of which may be somewhat inconsistent with each other. It is the responsibility of the Planning Board, and ultimately the City Council to determine how best to balance those goals in evaluating a proposed contract zone. It may approve a proposed contract zone amendment if it believes, on balance, that what is proposed is in basic harmony with identified comprehensive plan goals. If the City Council finds that a contract or conditional zone amendment is consistent with one or more identified goals in the comprehensive plan, in any appeal, the Court must defer to the judgment of the City Council, even though there might be different goals in the comprehensive plan that conflict with them. *Alderman v. Town of Baldwin*, 750 A.2d 577, 585 (Me. 2000)

Similarly, there must be a factual link between proposed development and the goals it is said to further. In other words, the goals to be advanced must be part of the comprehensive plan, and it must be reasonable to expect that the proposed development will contribute to moving the City toward the specific Council-identified goal(s). *Rommel v. City of Portland*, Cumberland Superior Court, CV-12-312, Order on Motion for Summary Judgment, December 31, 2013. Unlike the findings in the *Rommel* case, as discussed below, the link between the Comprehensive Plan goals and policies to be advanced by this proposal are squarely on target and beyond question in the areas of arts and culture, neighborhood and sustainable development, and historic preservation.

Maine law also requires that any conditional rezoning must be consistent with the existing and permitted uses within the original zones. 30 M.R.S. Sec. 4352(8)(B). In this case, there is no question that the proposed use is consistent, e.g., in basic harmony with, with existing and permitted uses within the original zones. Places of assembly are essentially permitted as a use in the R-6 zone, provided that certain conditions can be met. The existing Parish Theater is an example of one place of assembly in the R-6 zone. There are numerous other churches, places of assembly, and community halls on the peninsula in R-6 zones.

PORTLAND'S COMPREHENSIVE PLAN: ARTS AND CULTURE

There are a plethora of Portland Comprehensive Plan goals and policies which are advanced by the SLA proposal. The primary goals are in the area of **arts and culture**. SLA will be creating an affordable and accessible venue for a diverse offering of arts including but not limited to theater, dance, music, film, and workshops.

Portland's Comprehensive Plan (PCP) addresses the goals for and importance of the arts and creative economy in three important components of the plan, its Cultural Plan, its Downtown Vision, and its Plan for Portland's Arts District. Relevant sections are summarized below:

CELEBRATING COMMUNITY: A CULTURAL PLAN FOR PORTLAND, MAINE, 1998

Goal

- Build, sustain and expand audiences.

Policies

- Encourage broad audience participation by leveraging connections within the community.
- Increase opportunities for low-income individuals, students, and families to attend museums, concerts, and arts events.
- Assess the need for a 150 to 400-seat performance facility designed for traditional and contemporary performances.

Goal

- Encourage and safeguard artists' continuing presence in the community.

Goal

- Improve the vitality and civic support of arts and culture throughout the city.

Goal

- Strengthen neighborhood identity through cultural programming and create connections between neighborhoods and the Arts District.

Policies

- Create a Citywide approach where both neighborhoods and the Arts District are venues for heritage, performing, visual, and public art projects.
- Improve transportation access to arts and cultural venues throughout the City.

Goal

- Apply arts and cultural solutions to the community's social issues.

Policies

- Develop more opportunities outside school for youth, particularly low-income students and children with special needs, to see, experience, and participate in visual, performance, and heritage arts.

The above listed goals and policies of the 1998 Cultural Plan are obviously directly relevant to the contribution to be made by an expanded SLA. It has been making a contribution toward these goals through the Parish Theater; it proposes to scale up that contribution with the addition of a more flexible, 401 seat venue.

Even though this plan was prepared in 1998, it continues to be extremely relevant to the City's goals and development strategy today. According to Americans for the Arts, the non-profit arts industry attracts audiences, spurs business development, supports jobs, and generates government revenue. On May 31, 2006, in collaboration with Americans for the Arts, Portland's Creative Economy Summit was held in Merrill Auditorium Rehearsal Hall. Over 200 participants discussed the importance of the creative economy for Portland and developed the foundation of a plan to maintain and grow Portland's Creative Economy. After a day of discussion and many breakout groups, the entire summit regrouped for a final vote on what participants thought was most important for Portland's Creative Economy. The goal receiving the 2nd highest vote total (49) was to:

- "Develop publicly supported and/ or affordable public space for artists" Public space was defined to include performance space, office space, studio space, housing, and exhibition space. *The action items included "Finishing St. Lawrence Arts!"*

It is important to recognize earlier components of the City's Cultural Plan, because they illustrate the depth of the commitment and the City-wide importance placed upon the arts and cultural resources. The first formal recognition of the arts as an engine for revitalization and economic growth was Portland's Downtown Vision: A Celebration of Diversity, prepared in 1991. It specifically recognized the potentially large contribution of the arts to job opportunities and overall economic well-being:

IV. DOWNTOWN VISION -March, 1991

Downtown Vision: Arts and Culture Goals

- Promote and enhance the cultural community by retaining and encouraging arts and cultural organizations.
- Support the cultural community by retaining and expanding performance and exhibition space, housing, studio space, and office/support space for artists, institutions, and organizations.
- Promote the Downtown as the local, statewide and northern New England center for arts and culture.
- Enhance and promote accessibility to diverse arts and cultural opportunities for all segments of the community.

A few years later, in 1995, the City ratified that development strategy by formulating a more detailed plan which called for the creation of the Arts District as a permanent feature of downtown Portland. It was, however, explicit in recognizing that encouragement of the arts should not be limited to downtown, but should be city-wide. Among the goals and objectives were:

IV. A PLAN FOR PORTLAND'S ART DISTRICT - Goals and Objectives -1995

- Improve the economic performance of arts institutions in the Arts District *and throughout the city* (italics added) by:
 - increasing attendance; supporting efforts to develop subscribers, stabilize audiences and develop audience base; improving marketing communications; supporting better integration of arts institutions with the other major downtown interests; and encouraging arts-related businesses to establish in, or relocate to the Arts District.
- Enhance the economic impact of arts institutions in the city by: providing opportunities for expanded spending for goods and entertainment associated with arts attendance at museums, galleries, and performing arts events; extending the length of stay for all visitors in the downtown; and increasing the overall attractiveness of the city for tourists.
- Create a more favorable business climate in the District and in downtown Portland by: increasing pedestrian activity and total visitorship to the downtown; and improving the appearance and the occupancy rate of commercial properties in the Congress Street corridor.
- Support the creative efforts of individual artists and safeguard their continuing presence in the community.
- Contribute to the overall quality of life in the community.
- Establish an Arts District that is a permanent feature of downtown Portland.
- Build community trust and collaboration of broadly diverse groups as a way of fostering cross-cultural communication and understanding

The 1998 Cultural Plan, discussed above, continued the recognition of the appropriateness of encouraging arts venues throughout the City, not just downtown. SLA, and specifically the addition of the Performance Hall, is an important component of advancing that goal.

PORTLAND'S COMPREHENSIVE PLAN: NEIGHBORHOOD AND COMMUNITY

The second mission of SLA, to foster neighborhood and community, is clearly directly consistent with major components of the comprehensive plan as well. SLA describes its contribution to **Neighborhood & Community** as adding activity, entertainment, cultural enrichment, social interaction, renovation and investment that serve the surrounding neighborhood of Munjoy Hill as well as the residents of Greater Portland.

Portland has many goals for orderly growth and development. They generally encourage the creation of additional housing within Portland to maintain its proportion of the County's population. This goal serves a variety of smart growth/sustainability goals, including taking

maximum advantage of the already existing urban infrastructure, reducing energy wasted by commuting to more remote locations, and increasing the possibility of more efficient modes of transportation such as bicycle and mass transit. However, the City recognizes that maintaining neighborhoods which are lively, provide a variety of accessible services and amenities, and offer a good quality of life are key to making this strategy successful. Among the important neighborhood amenities are parks, open space, and cultural opportunities. SLA's contribution to enrichment of the Munjoy Hill neighborhood directly furthers these goals.

It should be noted that SLA is on the edge of Munjoy Hill's neighborhood business district, on the main street, Congress Street. It is centrally located, within relative easy walking distance for almost all of the residents of Munjoy Hill. It is served by Metro Bus #1, which stops within one block of the entrance to the proposed Performance Hall.

Excerpts of relevant goals and policies appear below:

PORTLAND'S GOALS AND POLICIES FOR THE FUTURE

STATE GOAL A: To encourage orderly growth and development in appropriate areas of each community, while protecting the State's rural character, making efficient use of public services and preventing development sprawl;

I. HOUSING: SUSTAINING PORTLAND'S FUTURE – November 18, 2002

Goal

- Portland's Comprehensive Plan encourages a manageable level of growth that will sustain the city as a healthy urban center in which to live and work and to achieve a shared vision for Portland. Portland should encourage sustainable development patterns and opportunities within the city by promoting efficient land use, conservation of natural resources, and easy access to public transportation, services, and public amenities.

Policies

- Encourage neighborhood business centers throughout the city to reduce dependence on the car and to make neighborhood life without a car more practical.

III. A TIME OF CHANGE: PORTLAND TRANSPORTATION PLAN - July 1993

Transportation Plan Guiding Principle

Provide maximum mobility in a balanced transportation system, which encompasses all modes, to support the economic vitality and quality of life of the Portland community.

Land Use and Transportation Link

Link the transportation plan with land use planning policies in the City and region to guide decision-making for development and infrastructure investment.

- Ensure that future growth does not foster auto dependency.

Transportation Policies

- Vibrant neighborhoods include nearby, small-scale commercial areas that provide both convenient services and natural meeting places. Provide routine, daily services within walking distance of residents of all neighborhoods, as long as the businesses providing the services are small-scale, are designed compatibly with residences, and fit into the fabric of the neighborhood.
- Encourage businesses to locate in established employment centers, including Downtown, that are served by public transportation or that have the critical mass necessary to support alternative modes of transportation.
- Allow development along transit corridors and near community commercial centers to evolve at a density sufficient to make public transit, walking, and biking viable options.

VII. COMMUNITY COMMERCIAL POLICES AND LAND USE PLAN -September 1987-1988

- Encourage the development of new commercial enterprises within the existing neighborhood centers and CBD.
- Maintain and promote a community, which is attractive to both existing and prospective families and homeowners to help support the neighborhood commercial district.

STATE GOAL D. To encourage and promote affordable, decent housing opportunities for all Maine citizens:

Goal

Maintain and enhance the livability of Portland's neighborhoods as the City grows and evolves through careful land use regulation, design and public participation that respects neighborhood integrity.

Policies

- Support Portland's livable neighborhoods by encouraging a mix of uses that provide goods and services needed and are within walking distance of most residents.
- Encourage new housing development in proximity to neighborhood assets such as open space, schools, community services and public transportation.
- Ensure the integrity and economic value of Portland's neighborhoods.

V. REGULATION OF INSTITUTIONAL USES IN RESIDENTIAL ZONES - 1983 (Planning Board Rep. #46-83)

Goals

Institutional uses, where they are to be allowed in residential zones, should be designated conditional uses with review before the Planning Board. Reasonable expansion of existing institutions should be accommodated, but effective use of existing lot area should be required.

Thus the location of the proposed St. Lawrence Arts facility is consistent with the vision of vibrant, densely developed, cohesive neighborhoods on the peninsula with easy access to a variety of services and amenities, including cultural amenities. It makes effective use of the lot, and does not encroach into the residential neighborhood. It is ideally located to promote transportation to it by a large portion of the patrons using modes other than private car.

PORTLAND'S COMPREHENSIVE PLAN: HISTORIC PRESERVATION

The third mission of SLA is historic preservation. Again, it is squarely consistent with the components of Portland's comprehensive plan dealing with historic preservation. The Friends of St. Lawrence Church will contribute to **Historic Preservation** by supporting the long-term maintenance of the historic Parish House through the construction of a sensitively-designed, complementary Performance Hall to generate additional revenue to help maintain the historic structure. The Parish House is a designated landmark structure. Any addition to the Parish House requires full review by the Historic Preservation Board under its new construction standards to receive a Certificate of Appropriateness. This assures the City and community that any new addition will meet the standards of the historic preservation ordinance.

Portland's historic preservation goals are articulated as part of the comprehensive plan through the Historic Preservation Ordinance, adopted in 1989. Relevant excerpts appear below:

I. HISTORIC PRESERVATION ORDINANCE, AN HISTORIC RESOURCE ELEMENT TO THE COMPREHENSIVE PLAN AND AN ORDINANCE PROTECTING HISTORIC RESOURCES IN THE CITY OF PORTLAND -1989

Goals

Preserve Portland's Architectural and Historic Heritage

- Some of America's most appealing cities are those which possess a distinct or unique flavor or appearance. An important element in a City's distinctiveness is its historic areas and architectural landmarks;
- Apply design standards in a reasonable and flexible manner to prevent the unnecessary loss of the community's historical features and to insure compatible construction and rehabilitation in historic districts while not stifling change and development or forcing modern recreations of historic styles;
- Foster civic pride in the city's history and development patterns as presented in such distinctive areas, sites, structures and objects;
- Protect and enhance neighborhood character;
- Stabilize and improve the values of designated properties and areas;
- Protect and enhance the attractiveness of the city to its home buyers, home owners, residents, tourists, visitors, businesses, and shoppers;
- Foster and encourage preservation, restoration, and rehabilitation that respect the historic, cultural, architectural, and archeological significance of distinctive areas, sites, structures, and objects.

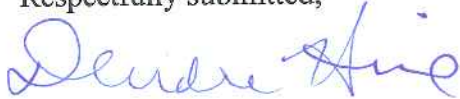
As discussed above, the sanctuary portion of the former church had been allowed to deteriorate too far beyond the point where it could be saved before the building came into the hands of FSLC. However, we have been able to stabilize and repurpose the Parish Hall for now. The maintenance of historic structures is a journey, not a destination. FSLC has determined that to continue on this journey, we need to use the currently vacant part of the lot to generate more revenue. Fortunately, we have developed a strategy to meet this financial need, tied to our

historic preservation mission, which is also consistent with the other parts of our mission – arts/culture and neighborhood/community.

SUMMARY:

St. Lawrence Arts has proudly been serving the public as an open, affordable, and successful performing arts center in the ever-changing neighborhood of Munjoy Hill since 2001. We are enthusiastically looking forward to continuing this work on a slightly larger scale, but with the same dedication to the arts, our neighborhood, and the broader community. We are a non-profit organization with a dedicated Board, dogged staff, and large community of arts and neighborhood supporters. The project we are proposing will only get built if that community contributes the funds to make this happen. We are confident that the amended conditional rezoning will allow us to move forward with the activities approved in 2010 in a more affordable, contemporary structure which will complement the historic Parish Hall and be compatible with the neighborhood.

Respectfully submitted,



Deirdre Nice, Executive Director
St. Lawrence Arts



PERSPECTIVE A - NORTH - EAST CORNER



PERSPECTIVE B - LOOKING EAST UP CONGRESS STREET



PERSPECTIVE C - LOOKING WEST UP CONGRESS STREET

NICHOLAS M. MAVODONES (MAYOR)
KEVIN J. DONOGHUE (1)
DAVID A. MARSHALL (2)
DANIEL S. SKOLNIK (3)
CHERYL A. LEEMAN (4)

CITY OF PORTLAND
IN THE CITY COUNCIL

JOHN R. COYNE (5)
JOHN M. ANTON (A/L)
DORY RICHARDS WAXMAN (A/L)
JILL C. DUSON (A/L)

*Order 64-10/11
Tab 13 10-18-10*

**AMENDMENT TO CITY CODE
SEC. 14-49 (ZONING MAP AMENDMENT)
RE: CONDITIONAL REZONING FOR PROPERTY
IN VICINITY OF ST. LAWRENCE ARTS CENTER/CONGRESS STREET**

ORDERED, that the Zoning Map of the City of Portland, dated December 2000 as amended and on file in the Department of Planning & Development, and incorporated by reference into the Zoning Ordinance by Sec. 14-49 of the Portland City Code, is hereby amended to reflect a conditional rezoning as detailed below:

CONDITIONAL ZONE AGREEMENT

**RE:
ST. LAWRENCE CHURCH**

AGREEMENT made this ____ day of _____, 2010 by Friends of the St. Lawrence Church, 76 Congress Street, Portland, Maine ("Developer"), and its successors and assigns.

W I T N E S S E T H

WHEREAS, the Developer owns land located at 76 Congress Street, and more particularly described in a deed from Deirdre E. Nice dated September 12, 1997 and recorded in the Cumberland County Registry of Deeds in Book 13333, Page 9 (the "Property"); and

WHEREAS, the existing building located on the Property was formerly used as the St. Lawrence Congregational Church until 1986; and

WHEREAS, in 1996, the St. Lawrence Arts Center was founded; and

WHEREAS, in 2001, the building located on the Property has two principal portions, the sanctuary and the parish hall; and

WHEREAS, in 2001, the parish hall portion of the building was renovated to house a one hundred and ten (110) seat theater, green room, art studio workshops and staff offices; and

WHEREAS, in 2008, the sanctuary portion of the building was dismantled due to structural failure; and

WHEREAS, the Developer proposes and intends to renovate the parish hall theater in order to increase its seating capacity to one hundred and twenty (120) seats substantially in accordance with the plans submitted as Exhibit A attached hereto; and

WHEREAS, the Developer proposes and intends to reconstruct the sanctuary to provide a full basement, lobby that serves both the auditorium and theater space and a new four hundred (400) seat auditorium substantially in accordance with the plans submitted as Exhibit A attached hereto; and

WHEREAS, the Developer proposes and intends to develop the building on the Property as an energy efficient and LEED-certified facility; and

WHEREAS, the Developer intends to maintain the character of the original structure and Property and complement the adjacent residential neighborhood; and

WHEREAS, the existing zoning is R-6 which has dimensional requirements that the existing structure on the site does not meet; and

WHEREAS, the Developer has requested a rezoning of the Property in order to permit the proposed development of the Property; and

WHEREAS, the proposed community hall use of the Property is consistent with the existing and permitted uses in the neighborhood, which include a mix of residential, commercial and institutional uses including churches, schools, the Portland Observatory Museum and the Portland Company Marine Complex; and

WHEREAS, the City's Comprehensive Plan calls for strengthening neighborhood identity through cultural programming and creating connections between neighborhoods and the Arts District; and

WHEREAS, the City's Comprehensive Plan calls for the preservation of the Downtown's unique identity and historic fabric through the re-use of existing structures and the development of new construction that is respectful of the built and natural surroundings; and

WHEREAS, the City's Comprehensive Plan promotes the enhancement of Portland's cultural community through retaining and encouraging arts and cultural organizations and retaining and expanding performance and exhibition space, studio space and office/support space for artists, institutions and organizations; and

WHEREAS, the Planning Board, after notice and hearing and due deliberation thereon, recommended the rezoning of the Property as aforesaid, subject, however, to certain conditions contained in this Agreement; and

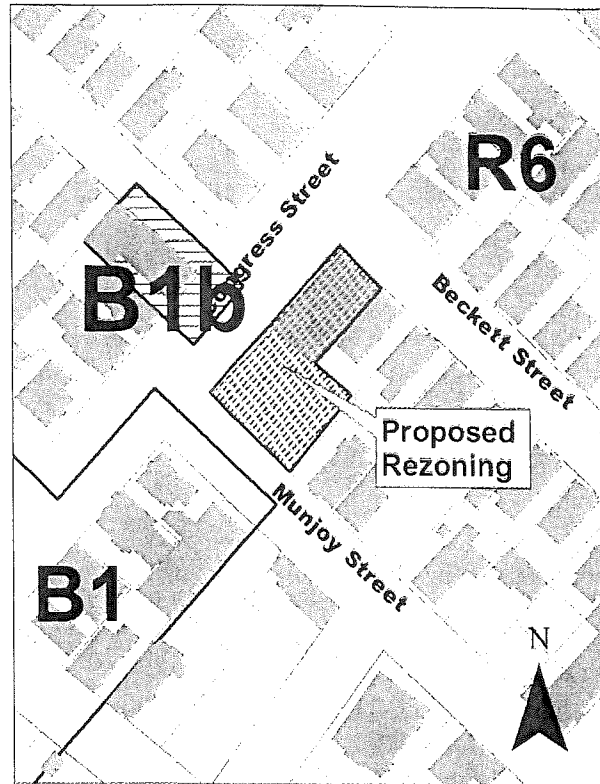
WHEREAS, the Portland City Council, pursuant to 30-A M.R.S.A. § 4352(8) and Portland City Land Use Code (the "Code") §§ 14-60 to 14-62, after notice, hearing and due deliberation thereon, has determined that because of the unusual nature and unique location of the proposed development, and its minimal impact on and compatibility with the surrounding community, it is necessary and appropriate to recommend the rezoning of the Property as aforesaid, with the following conditions and restrictions set forth in this Agreement; and

WHEREAS, the Portland City Council has on _____, 2010 approved this Agreement in its entirety, by City Council Order No. _____, a true copy of which is attached hereto as Attachment 1 (the "Order");

NOW, THEREFORE, in consideration of the rezoning, the Developer covenants and agrees as follows:

1. Pursuant to the Order, the City shall amend the Zoning Map of the City of Portland, dated September, 2000 (as amended from time to time and on file in the Department of Planning and Urban Development, and incorporated by reference into the Zoning Ordinance by § 14-49 of the Code) by adopting the map change amendment shown below to zone the property conditional R-6, subject to the conditions contained below.

Image 1: Proposed Rezoning



Prepared by Department of Planning and Development based on GIS Workgroup Data

If this Agreement is not recorded within sixty (60) days after the effective date of the City Council's approval of the Order, then the conditional rezoning shall become null and void and the zoning of the Property shall revert to the pre-existing R-6 zone or the equivalent zone in effect at the time of reversion.

2. Notwithstanding section 14-137(b)(6)(e)(i), the use of the Property shall be considered and be operated as a place of assembly/community hall.

3. The underlying dimensional requirements of the R-6 zone shall apply and are modified as follows:

- a. Minimum lot Size: 10,500 square feet.
- b. Minimum Yard Dimensions:
 1. Front yard: 0 feet.
 2. Rear Yard: 0 feet.
 3. Side Yard on Side Streets: 0 feet.
- c. Maximum Lot Coverage: 90%.
- d. Maximum Tower Height: 90 feet.

- e. Maximum Sanctuary Structure Height: 65 feet.
- f. Open Space Ratio: 0%.
- g. Minimum Lot Width: 50 feet

4. The proposed theater in the parish hall shall have no more than one hundred and twenty (120) seats, and the proposed auditorium in the sanctuary shall have no more than four hundred and five (405) seats. The Developer and its successors and assigns shall not be permitted to hold separate events in the parish hall and the sanctuary auditorium at the same time. The Developer shall be permitted to hold a separate event in the Promenade Room when another concurrent event is being held in the parish hall or the sanctuary auditorium. This does not preclude the Developer from using the parish hall, the Promenade Room and/or the sanctuary Auditorium for one (1) single event with the total number of attendees of said event not to exceed four hundred and eighty five (485) people.

Capacity

5. The owner of the Property shall be responsible for ongoing maintenance of the Property, including snowplowing, salting, sanding, sweeping, lighting, trash removal (at least weekly), mowing, etc.

6. Prior to the issuance of a Certificate of Occupancy, the Developer shall install, according to City specifications, new brick sidewalk along the Munjoy Street, Beckett Street and Congress Street property frontages and shall reset, as necessary, the existing pink granite curbing. If, at the time of site plan review, the Public Services Department determines that the curbing is in poor condition, the applicant shall replace it, as necessary.

7. Prior to the issuance of a Certificate of Occupancy, the Developer shall provide two (2) trees along each of the Munjoy Street, Beckett Street and Congress Street property frontages. If healthy street trees are already in place along any of these frontages, they may be counted towards this requirement. The size and type of trees to be planted shall be approved by the Portland City Arborist or their designee. If, due to site constraints, the Developer is unable to provide the two (2) required trees per street frontage, they shall contribute \$200.00 per tree or, if the required contribution is greater at the time of the application, that amount, to the City of Portland's Tree Fund. This contribution, if necessary, is independent of any conditions which the Planning Board may lawfully require under site plan review. The Planning Board shall not be authorized, however, to waive this requirement.

8. Prior to the issuance of a Certificate of Occupancy, the Developer shall, at its own expense, install a minimum of two (2) municipal street lights along the Congress Street frontage of the property that meet the specifications and color designated for the Downtown Lighting District, as detailed in the Municipal Street Lighting Standards of the City of Portland Technical Manual, or of a type as may be specified by the City Lighting Plan at the time of the application or by the Planning Division.

9. Prior to the issuance of a Certificate of Occupancy, the Developer shall construct any remaining sidewalk connections and sidewalk ramps meeting City technical standards at the intersection of Congress Street and Eastern Promenade on both sides of the street and at the intersection of Moody Street and Eastern Promenade on both sides of the street, unless these improvements are already in place at the time of the application. This may include walkway connections to the Cutter Street parking lots as described in the Eastern Promenade Master Plan (2004).

10 The Developer shall submit a transportation demand management ("TDM") plan during site plan and conditional use review for review and approval by the Planning Board in a form substantially in accordance with Exhibit B attached hereto as a starting point subject to Planning Board and applicant modification during Site Plan Review (the terms of the attached TDM are incorporated by reference herein). The requirement of TDM plan shall supersede any and all parking requirements under the Land Use Code for the Property. During the site plan review process, the Planning Board shall provide a communication to the City Council that may include recommendations, if the Board deems it necessary, for additional on-street parking regulations in the vicinity of the project site. These may include but shall not be limited to two (2) hour parking limits and/or a residential parking program.

The TDM plan shall include monitoring provisions to periodically review the efficacy of the plan over time. The efficacy of the TDM plan shall be reviewed by the TDM plan administrator within three (3) months from the issuance of the certificate of occupancy. The results shall be promptly provided to the City for evaluation upon completion of the review. From that time forward, the TDM plan administrator shall review the TDM plan and report results to the City for evaluation on, at a minimum, an annual basis or in accordance with the TDM monitoring schedule outlined in the TDM plan.

If at the time of review (and/or at any time thereafter) the City and/or the Developer has received five (5) or more complaints within a one (1) year period about traffic/parking generated by the use of the facility, the Developer will be required to institute a review process, working in concert with the Planning Authority, in accordance with sub-paragraph F of the attached TDM plan.

11. The Developer shall be responsible for ensuring that tour buses, vans and trucks affiliated with performances and events at the Property unload and then relocate to a remote, off street parking location away from the venue for the duration of the event.

12. The provisions of this Agreement are intended to replace and/or supersede the requirements of the underlying R-6 zone. As stated above, to the extent not otherwise altered herein, the zoning requirements for the R-6 zone shall otherwise apply to the Property.

13. In the event of a breach by the Developer or its successors or assigns of the zoning provisions contained herein (whether the Zoning Administrator, the Zoning Board of Appeals or a court determines such breach), the Planning Board, after notice and hearing, may recommend to the City Council that the conditional zone and this

Agreement be amended, or be rescinded, such rescission to result in the termination of this Agreement and a reversion of the Property to the R-6 zone requirements in place before the execution of this Agreement or its equivalent in effect at the time of the reversion.

14. The above stated restrictions, provisions, and conditions are an essential part of the rezoning, shall run with the Property, shall bind and benefit the Developer, any entity affiliated with the Developer that takes title to the Property, its successors and assigns, and any party in possession or occupancy of said Property or any part thereof, and shall inure to the benefit of and be enforceable by the City of Portland, by and through its duly authorized representatives. The Developer shall file a counterpart original of this Agreement in the Cumberland County Registry of Deeds.

15. This conditional rezoning shall become null and void and the Property shall revert to the existing R-6 zone or its equivalent in effect at the time of the reversion in the event that the Developer fails to commence construction within ten (10) years from the date of the Council approval of this rezoning. This ten (10) year period shall be extended up to an additional one (1) year period if:

- a. The Developer has applied for all required approvals but has not received all required approvals within the aforementioned ten (10) year period; or
- b. Any other event beyond the control of the Developer has occurred which will delay the closing on some or all of the parcels and Developer has notified the City of such event.

If any required approval, including the Council's approval of this conditional rezoning, has been appealed, then this rezoning shall become null and void and shall revert to the underlying R-6 zoning or its equivalent in effect at the time of the reversion if the Developer fails to commence construction within one (1) year from the final disposition of such appeal or the above mentioned ten (10) year period, whichever occurs last.

16. This conditional rezoning agreement shall be enforced pursuant to the land use enforcement provisions of state law including, but not limited to, 30-A MRSA § 4452 and the Portland City Code.

17. If any of the restrictions, provisions, conditions, or portions thereof set forth herein is for any reason held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed as a separate, distinct, and independent provision and such determination shall not affect the validity of the remaining portions hereof.

18. Except as expressly modified herein, the development shall be governed by and comply with the provisions of the Portland City Code and any applicable amendments thereto or replacement thereof.

WITNESS: _____

FRIENDS OF THE ST. LAWRENCE CHURCH

____ BY: _____

STATE OF MAINE
CUMBERLAND, ss.

_____, 2010

Personally appeared before me the above-named _____, in
his/her capacity as _____ of FRIENDS OF THE ST. LAWRENCE
CHURCH, and acknowledged the foregoing instrument to be his/her free act and deed in
his/her said capacity and the free act and deed of said corporation.

Before me,

Notary Public/Attorney at Law

Transportation Demand Management (TDM) Plan St. Lawrence Arts Center

A. Transportation Narrative

The St. Lawrence Arts Center (SLAC) at 76 Congress Street is a LEED registered performance arts center project located on Munjoy Hill, three blocks west of the Eastern Promenade. The SLAC Parish Hall currently holds performances and events with a capacity of 110 persons. With the reconstruction of the Sanctuary, SLAC seeks permission to hold events/performances in the sanctuary which seats 402. The performances and events will end by 10pm. SLAC commits to not holding separate simultaneous events in the two performance spaces.

The SLAC will manage the transportation and parking impacts through a consistent information and management regime. This includes improvements to the walking, transit and bicycling environment to and surrounding the SLAC, incentives to carpool, and operations and parking management strategies to reduce potential parking and traffic impacts to the abutting neighborhood.

In addition to advancing the city's arts and cultural goals, the project also strongly advances the City's transportation and environmental sustainability goals by providing incentives to promote bicycling, walking, bus transit, and carpooling to performances and events in an in-town neighborhood venue.

B. TDM Coordinator

Executive Director Deirdre Nice will serve as TDM coordinator upon completion of the project (2013, date anticipated). Contact information is: Deirdre Nice, SLAC, 76 Congress Street, Portland, Maine, 207-347-7177 or 749-0570 (cell). Ms. Nice is available Monday to Friday from 8:30 am to 4:30 pm.

C. Audience Survey and Neighborhood Parking Survey

Three months and then again at six months after initial occupancy, and annually thereafter, audience members at a sold out show will be surveyed regarding their means of transportation to the event and transportation options available to them. Concurrent with the audience surveys, parking utilization surveys will be conducted in proximity to the SLAC. The surveys will be used to identify and document any existing or potential parking and/or transportation issues arising after initial operation of the Sanctuary.

The survey will be developed in consultation with the City's TDM manager and conform to overall city TDM modeling and planning.

D. Set Parking Reduction Target

Parking Demand Calculation

Audience surveys at sold out performances held in the Parish Hall were conducted on December 22, 2009 and July 9, 2010. One hundred surveys were distributed at each performance with 77 and 36 surveys, respectively, returned. The table below provides a break-down of the means of travel and vehicle occupancy by respondents.

Distribution of Survey Respondents by Means of Travel

	December 22, 2009	Percentage	July 9, 2010	Percentage
Drivers	33	43%	19	53%
Auto Passenger	39	51%	16	44%
Walk	3	4%	1	3%
Bicycle	0	0%	0	0%
Other/Misc.	2	3%	0	0%
Total	77		36	

Distribution of Vehicle Occupancy and Average Occupancy

Occupants, #	December 22, 2009	Percentage	July 9, 2010	Percentage
1	5	16%	3	16%
2	14	45%	10	53%
3	6	19%	2	10%
4	5	16%	2	10%
5	0	0%	2	10%
6	1	3%	0	0%
Average	2.5 persons/veh		2.5 persons/veh	

The two surveys indicate a consistent approximately 2.5 persons/vehicle per performance.

The maximum number of event attendees is 485, adding 375 maximum new attendees and would typically be expected to generate demand for an estimated maximum additional 150 vehicles (375/2.5).

Parking/Transportation Demand Management Fund

As part of its Transportation Demand Management/Parking strategy, SLAC will institute a 50 cent per ticket surcharge to create a fund dedicated to implementation of the TDM Plan. This St. Lawrence Alternate Transportation Fund is anticipated to generate up to \$15,000 per year. This fund may be used for:

- Additional pedestrian and bicycle improvements
- Contribution to extension of METRO service hours of Route #1 and walking, bicycling, transit use and carpooling promotion and incentives
- Other potential ideas to be considered.

On-site Automobile Parking Reduction Strategies

Bicycle Parking

- Bicycle Parking
 - 6 bicycle racks for parking for 12 bicycles along the Congress Street frontage.

Pedestrian Improvements

- Sidewalks
 - The SLAC agrees to make pedestrian improvements to the public sidewalks along the Congress, Munjoy and Beckett Street frontages to include new brick sidewalk. Lighting and street tree improvements are anticipated as part of the conditional rezoning agreement.

Off-site Automobile Parking Reduction Strategies

Pedestrian Improvements

- Sidewalks
 - To improve access to parking spaces located along the Eastern Promenade the SLAC will help make sidewalk and curb ramp. These include remaining sidewalk connections and sidewalk ramps meeting City technical standards at the intersection of Congress Street and Eastern Promenade on both sides of the street and at the intersection of Moody Street and Eastern Promenade on both sides of the street, unless these improvements are already in place at the time of the application.

Bus Transit Availability

The METRO bus Route #1 provides service Monday – Saturday to Munjoy Hill from 5:36 am until 8:35 pm, serving the Portland peninsula primarily along Congress Street (with the route terminating on St. John Street). Service is approximately every 30 minutes throughout the day.

Service to typical evening events is approximately every 30 minutes with stops at/near the St. Lawrence at 6:30 pm, 7:00 pm and 7:30 pm. Route #1 would not currently serve patrons after events.

Off-site Parking – Shared Parking

Portable signs will be deployed to direct patrons to designated off-site parking locations.

On-street parking –

- Over 1400 on-street parking spaces were identified within a 3 to 4 block radius of the SLAC. A parking utilization survey, performed on July 9, 2009, indicated that approximately 355 parking spaces were not occupied during a sold out performance.

Theriault/Landmann Associates, 118 Congress Street, Portland

- Approximately 16-18 parking spaces are available for use by SLAC patrons by agreement with the owners of 118 Congress Street.

Cutter Street and Parking Lots, Eastern Promenade Park

- Two parking lots located within the Eastern Promenade Park have parking capacities of approximately 47 spaces and 20 spaces. Cutter Street itself can accommodate approximately an additional 30 automobiles. The Park currently closes at 10 pm. We request that, as part of the conditional rezoning agreement, that the times be amended to 10:30 pm.

Adams School Parking Lot

- 24 spaces will remain as-is after construction of the Avesta Housing project on approximately half of the school site.

E. Education

The on-site information about transportation options will include:

- A transportation information kiosk with maps and other transportation information located in the common area/lobby of SLAC

The SLAC website will provide event attendees with a wide range of transportation information and options. Almost all tickets to performances are now purchased on-line. This will continue with the new Sanctuary venue. When tickets are purchased, information will be sent regarding parking lot locations and on-street parking that least impacts neighborhood streets. The information will include the developed package of incentives to use these parking locations and the incentives to use alternate means of transport to shows/events.

F. Monitoring

As part of its TDM Plan monitoring program, SLAC will assess the utilization of on-street and off-site parking on an on-going basis.

Three months and six months after initial occupancy, and annually thereafter, SLAC will review the effectiveness of the TDM plan by conducting a patron survey and neighborhood parking utilization survey. SLAC will monitor the number of traffic/parking complaints related to the operation of the SLAC and monitor vehicle occupancy.

Based upon the results of the survey, SLAC will update the TDM Plan and submit a draft plan to the City's TDM Manager for review and comments.

SLAC commits to working with the City (as a condition of its approval) to update the initial TDM Plan and develop a package of measures to meet City requirements. This package may include:

- Additional incentives to bicycle, walk, use transit, carpool and use the off-site parking lots (such as reduced purchase price for items from the concession stand or event raffles)
- Contribution to METRO to extend bus service to serve Munjoy Hill until 10:30 (e.g., extend service for three hours)
- Additional off-site parking at nearby parking garages and parking lots
- Shuttle service serving off-site parking areas
- Contributing to the creation of an improved pathway from the Eastern Promenade to access the lower Cutter Street parking lots.
- Increase in the ticket surcharge to fund additional parking/transportation management strategies.

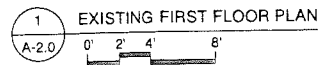
Timetable for Action Items

Action Item	Timeframe for Implementation
TDM Plan Monitoring	Three months & Six months after Sanctuary opening
Assess success of first three and six months of TDM program and Report to City on initial effectiveness	Per city TDM monitoring
TDM Monitoring	Annually thereafter

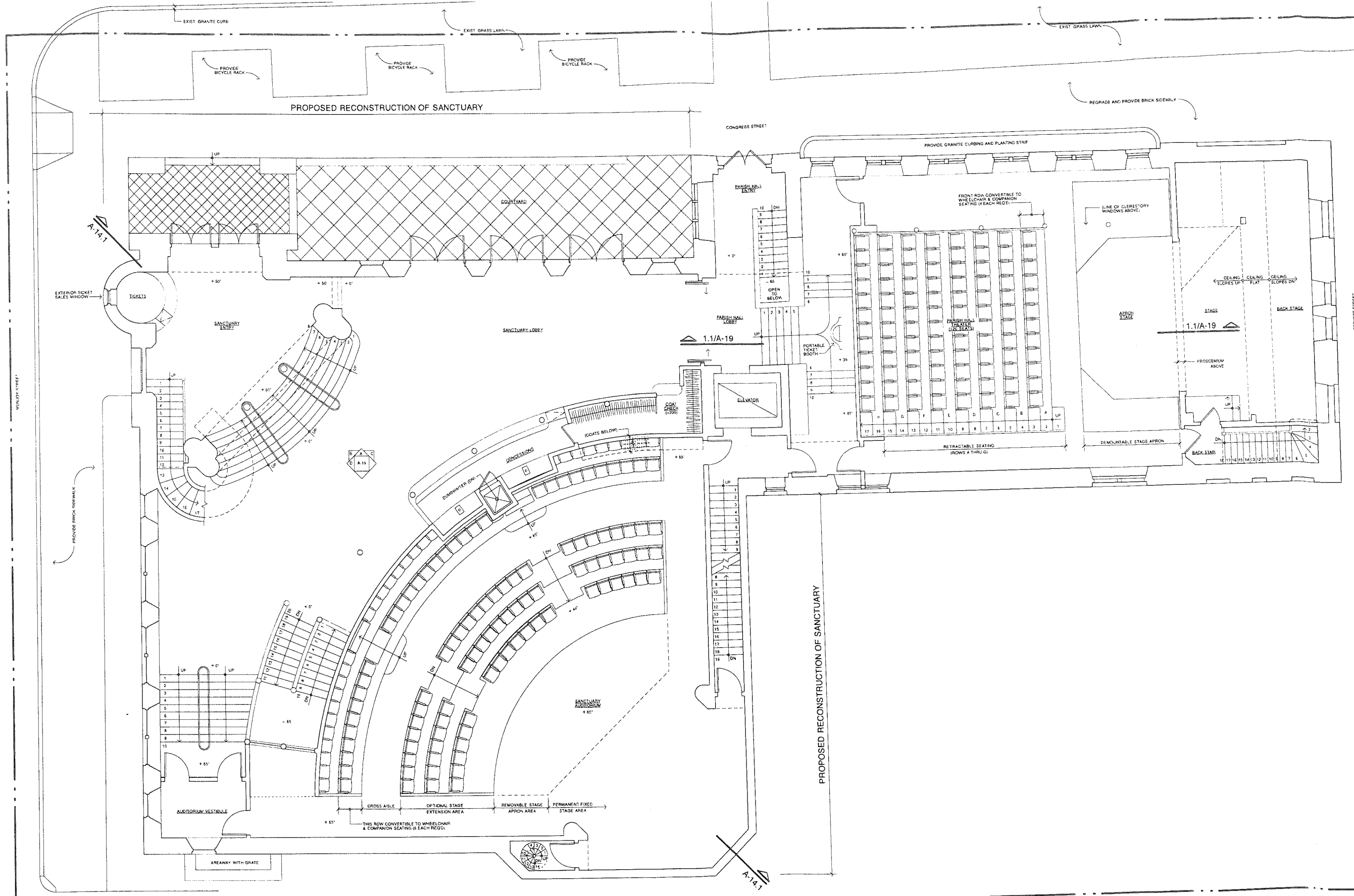
Notes:

- These counts were taken from 7:15 to 9:30 during a sold out performance at the St. Lawrence Arts Center.
- Audience attendance was approximately 100 persons.
- Total parking supply noted is 1329 spaces with 974 occupied for an occupancy rate of 73%, or 355 available parking spaces.
- Figures highlighted in yellow indicate number of parking spaces but were not included in the July 9th survey/counts.

$$\frac{X}{Y} = \frac{\text{No. of Parked Cars}}{\text{Parking Amount}}$$



A-2.0



1
A-2.1
PROPOSED FIRST FLOOR PLAN
0' 2' 4' 8'

MILLS WHITAKER ARCHITECTS LLC
P.O. BOX 25000
ARLINGTON MA 02475
PH: 617-876-7031
FAX: 617-876-0920

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
PROPOSED FIRST FLOOR PLAN

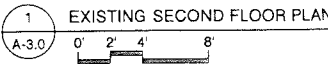
PROJECT NAME:
PROJECT ADDRESS:

DATE: 13 JULY 2009

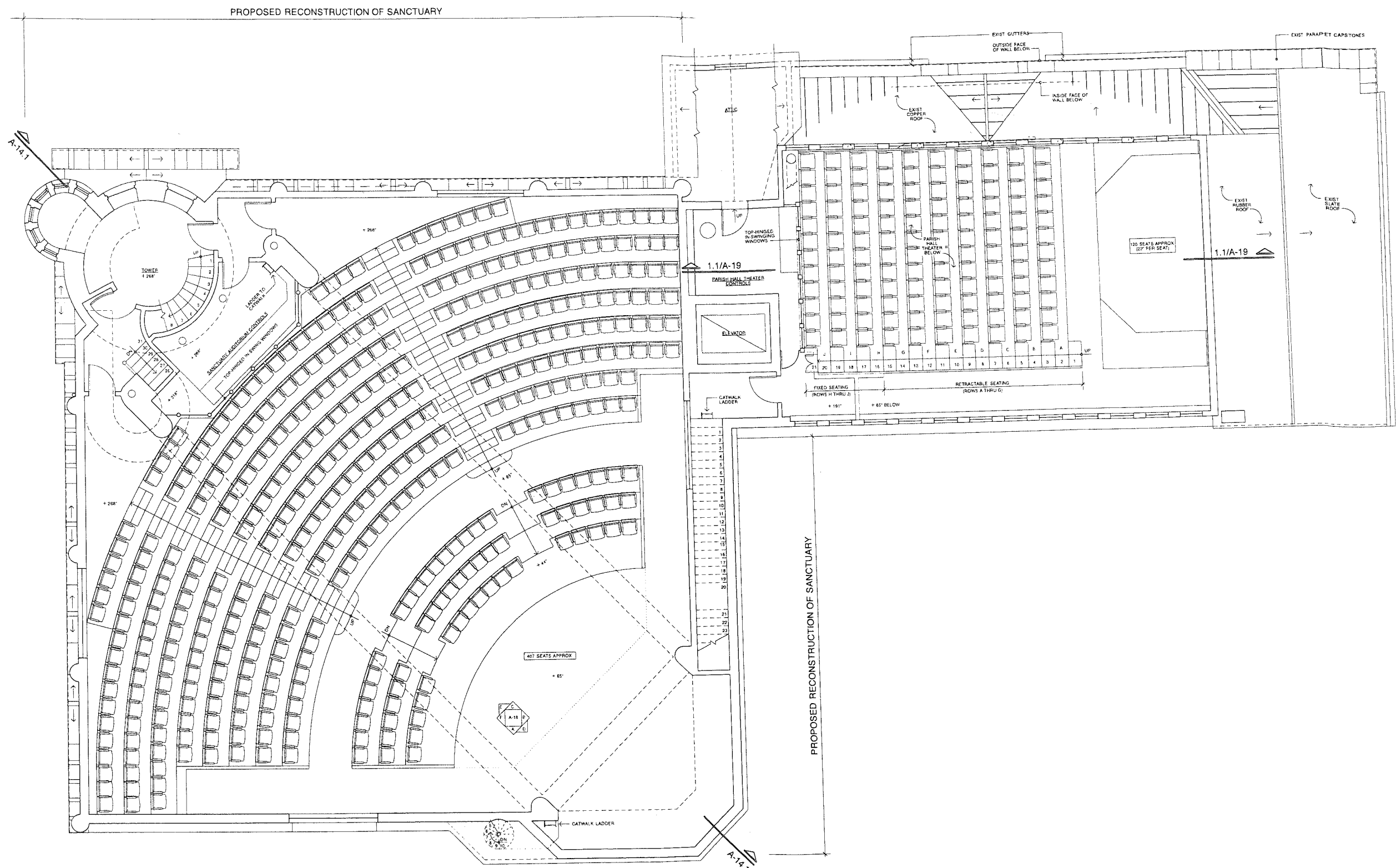
PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-2.1



A-3.0



1
A-3.1
PROPOSED SECOND FLOOR PLAN
0' 2' 4' 8'

MILLS
WHITAKER
ARCHITECTS
LLC
P.O. BOX 700089
ARLINGTON, MA 02475
TEL: 617-878-7611
FAX: 617-878-6420

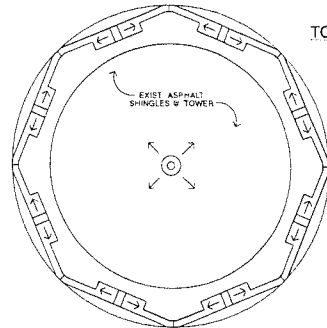
ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
PROPOSED SECOND FLOOR PLAN

PROJECT NAME
PROJECT ADDRESS

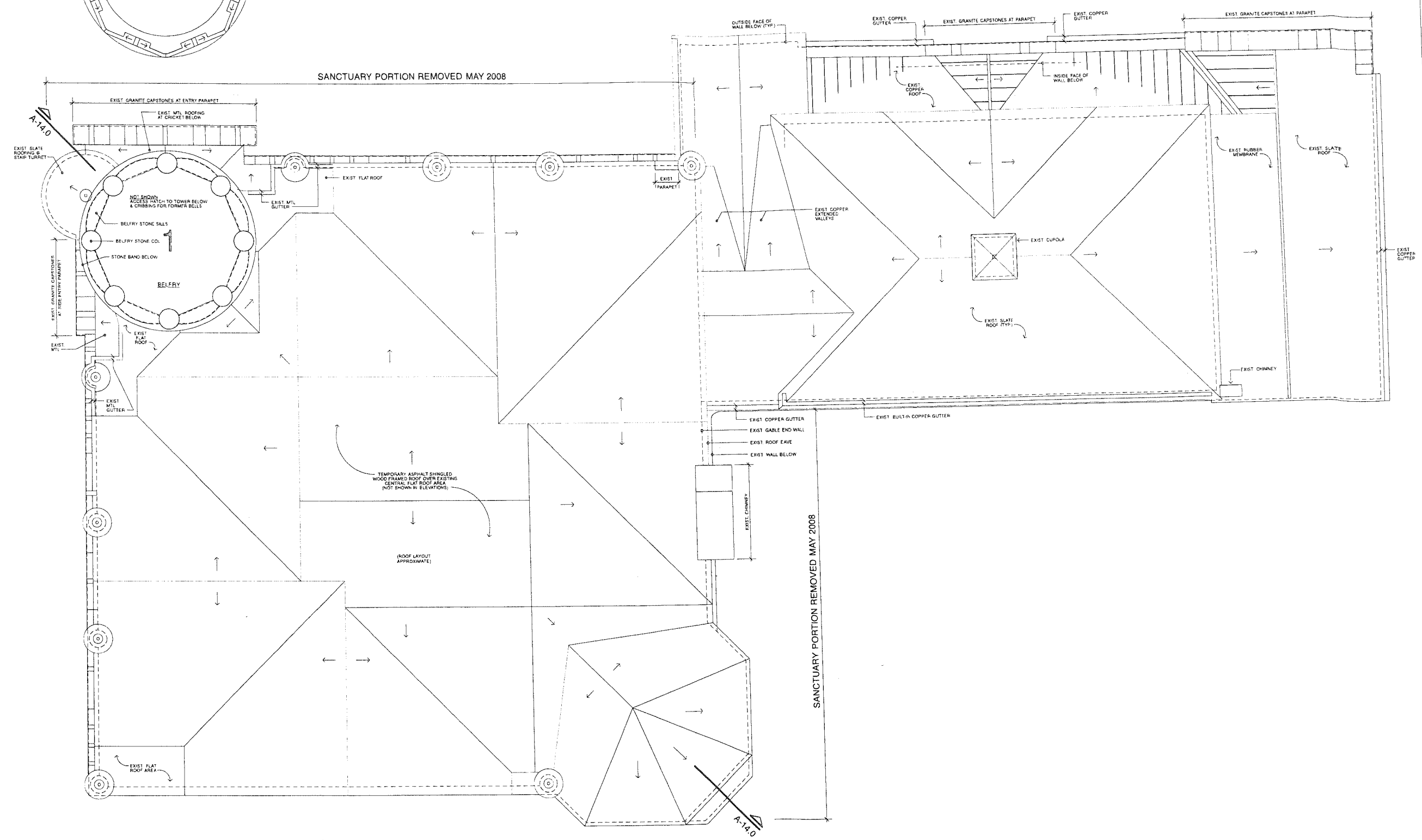
DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #
A-3.1



TOWER ROOF PLAN (STEEPLE)



1
A-5.0
EXISTING ROOF PLAN
0' 2' 4' 8'

MILLS
WHITAKER
ARCHITECTS
LLC
P.O. BOX 755889
ARLINGTON, MA 02475
Tel: 617-876-7511
Fax: 617-876-4420

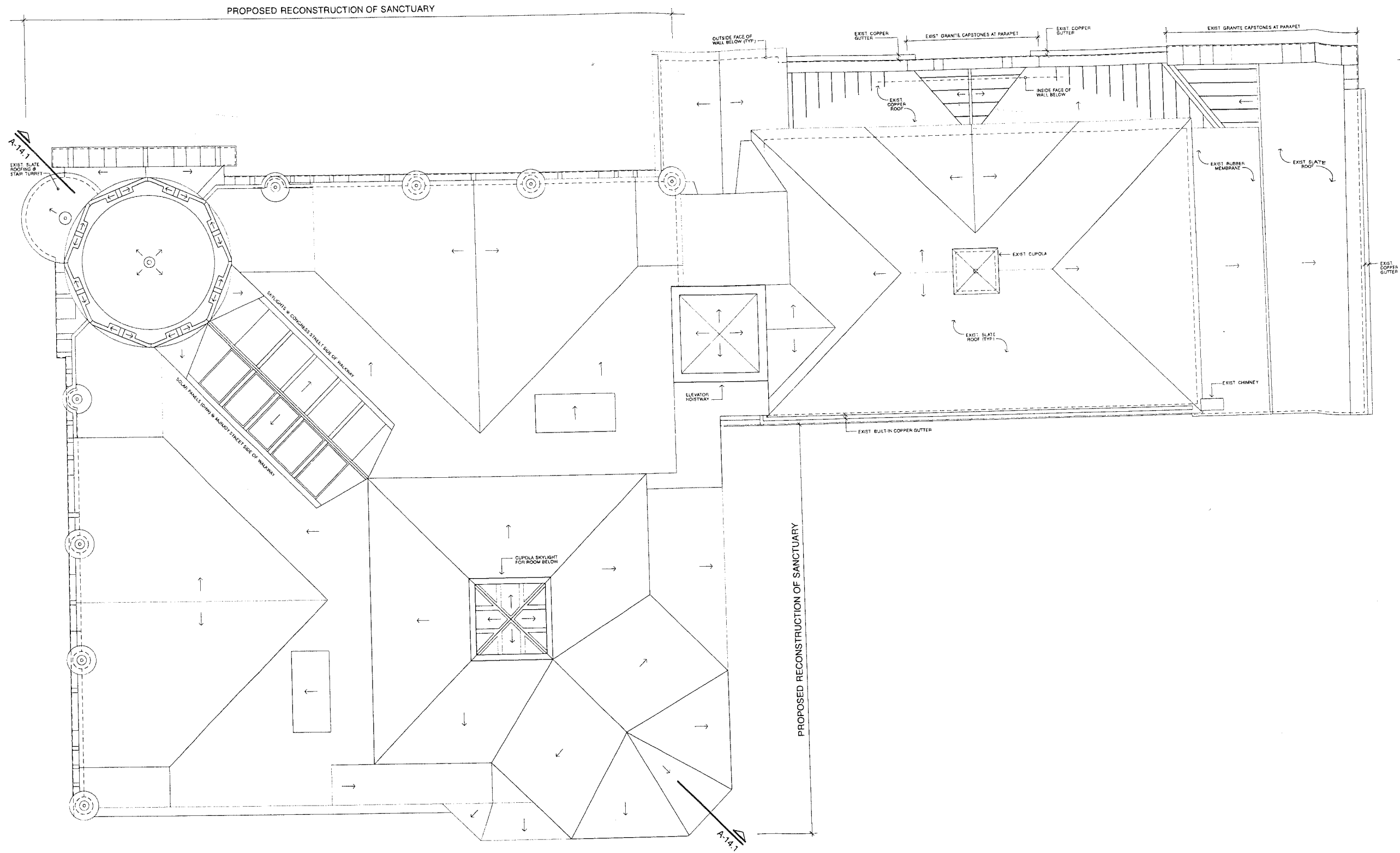
ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING ROOF PLAN

PROJECT NAME
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #
A-5.0



1
A-5.1
PROPOSED ROOF PLAN
0' 2' 4' 6'

N

MILLS
WHITAKER
ARCHITECTS
LLC
P.O. BOX 750085
ARLINGTON MA 02475
TEL: 617-876-7611
FAX: 617-876-6402

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
PROPOSED ROOF PLAN

PROJECT NAME:
PROJECT ADDRESS:

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #
A-5.1



1 EXISTING NORTH EXTERIOR ELEVATION - CONGRESS STREET
A-10.0

MILLS
WHITAKER
ARCHITECTS
LLC
P.O. BOX 750089
ARLINGTON VA 22207-5089
Tel: 617-476-7611
Fax: 617-476-6420

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

EXISTING NORTH ELEVATION - CONGRESS STREET

PROJECT NAME
PROJECT ADDRESS:

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #
A-10.0



1 PROPOSED NORTH EXTERIOR ELEVATION - CONGRESS STREET
A-10.1

MILLS
WHITAKER
ARCHITECTS
LLC
P.O. BOX 700095
ARLINGTON MA 02475
Tel: 617-876-7611
Fax: 617-876-6420

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

PROPOSED NORTH ELEVATION - CONGRESS STREET

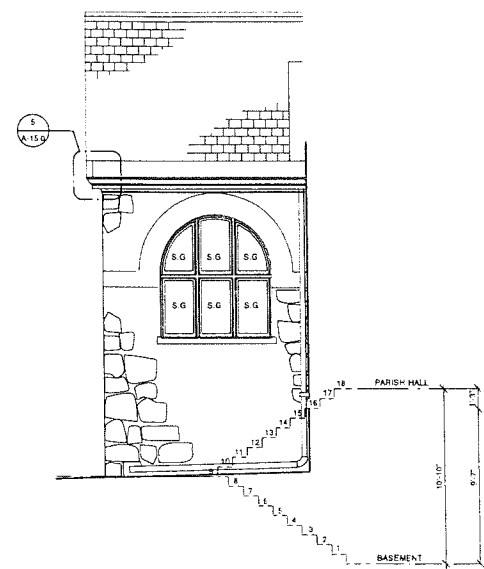
PROJECT NAME
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-10.1



1
A-11.0
EXISTING WEST EXTERIOR
ELEVATION @ PARISH HALL



2
A-11.0
EXISTING WEST EXTERIOR ELEVATION - MUNJOY STREET

MILLS
WHITAKER
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P.O. BOX 790885
ARLINGTON, MA 02475
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Fax: 617-876-6420

ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING WEST ELEVATION - MUNJOY STREET

PROJECT NAME:
PROJECT ADDRESS:

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-11.0



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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

PROPOSED WEST ELEVATION - MUNJOY STREET

PROJECT NAME:
PROJECT ADDRESS:

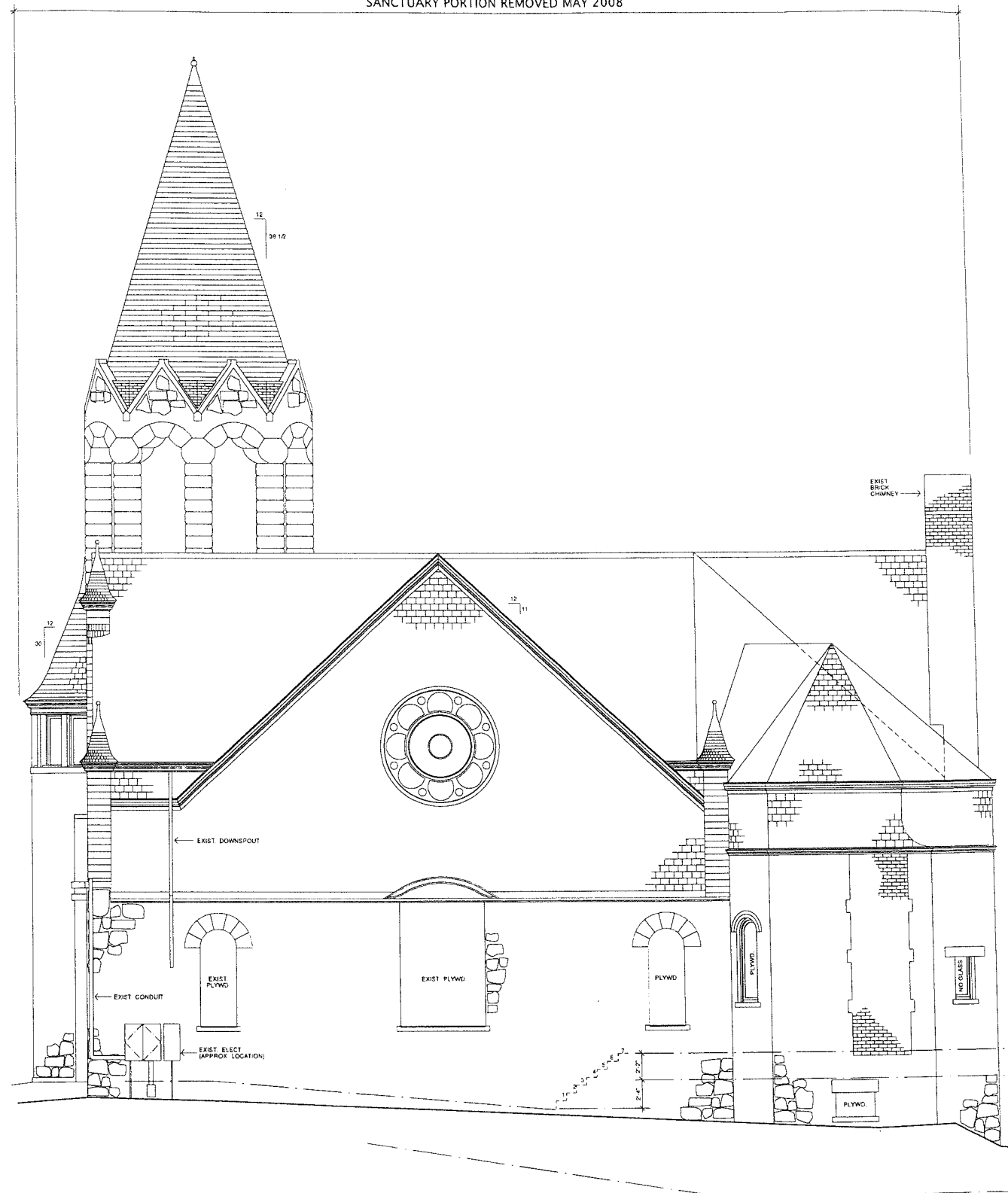
DATE 13 JULY 2009

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NOT FOR CONSTRUCTION

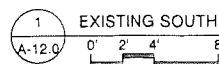
SHEET #

A-11.1

SANCTUARY PORTION REMOVED MAY 2008



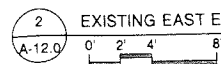
1 EXISTING SOUTH EXTERIOR ELEVATION - SANCTUARY



SANCTUARY PORTION REMOVED MAY 2008



2 EXISTING EAST EXTERIOR ELEVATION - SANCTUARY



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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING SOUTH & EAST ELEVATION - SANCTUARY

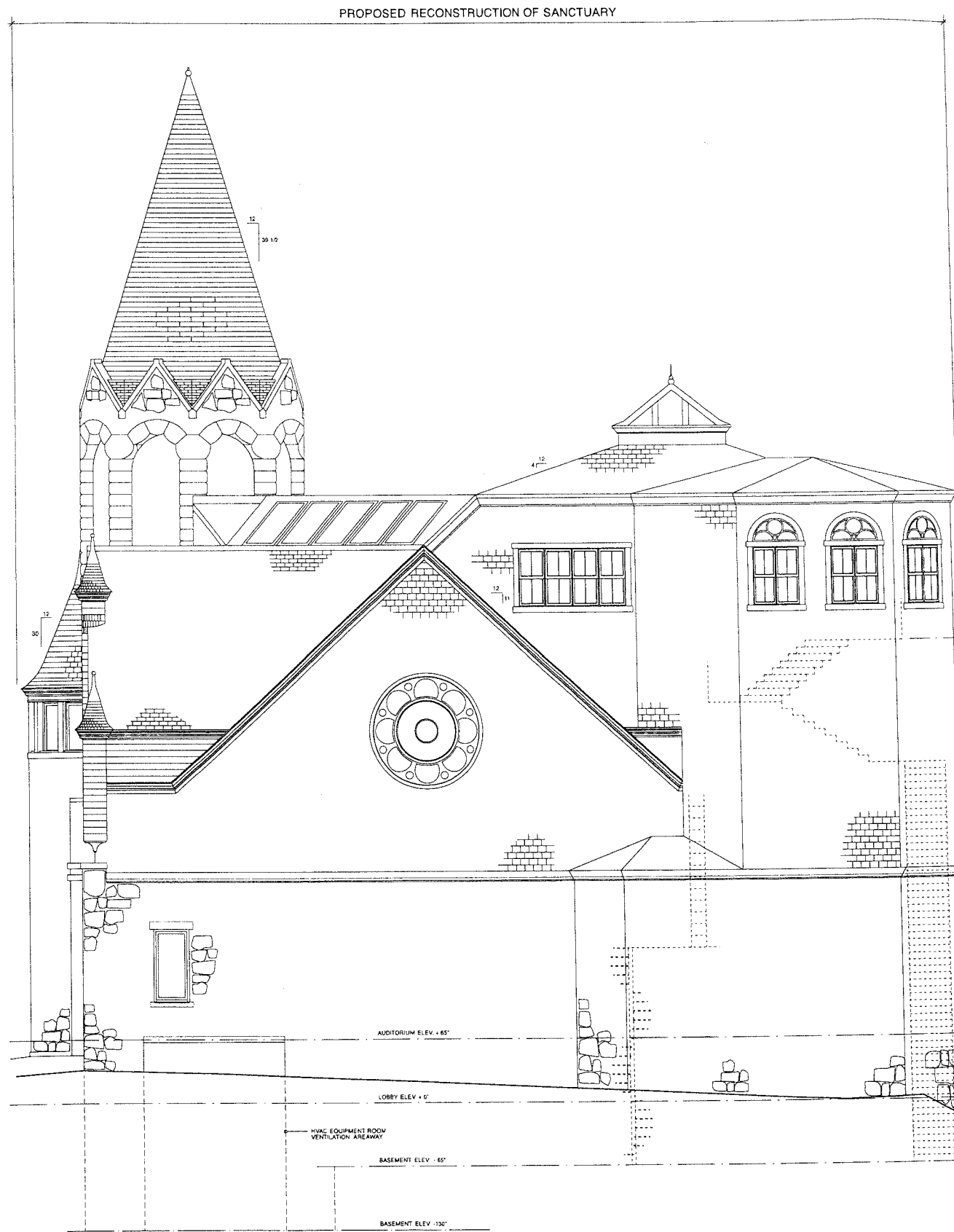
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PROJECT ADDRESS

DATE 13 JULY 2009

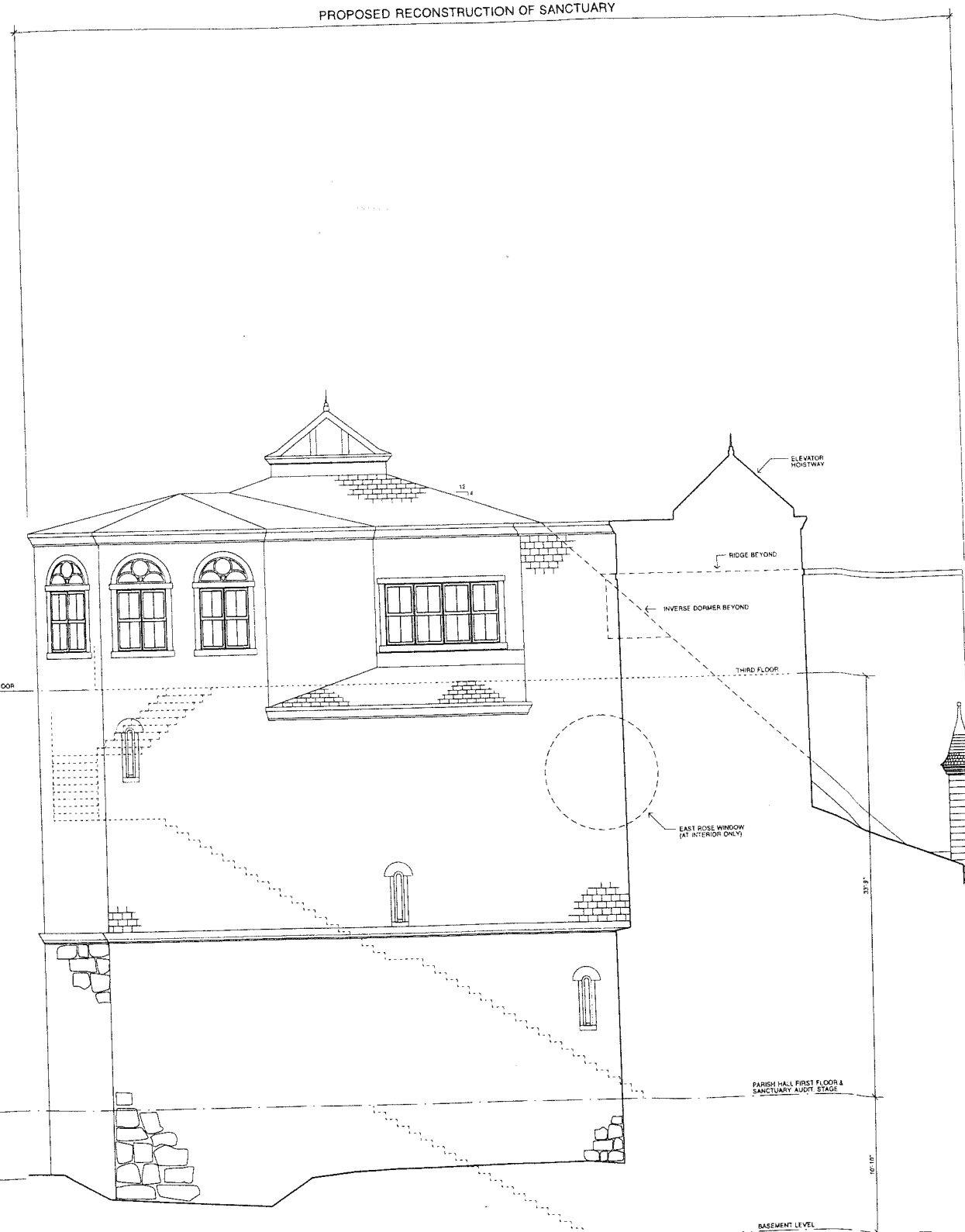
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NOT FOR CONSTRUCTION

SHEET #

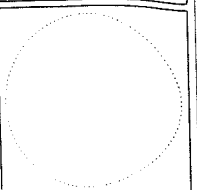
A-12.0

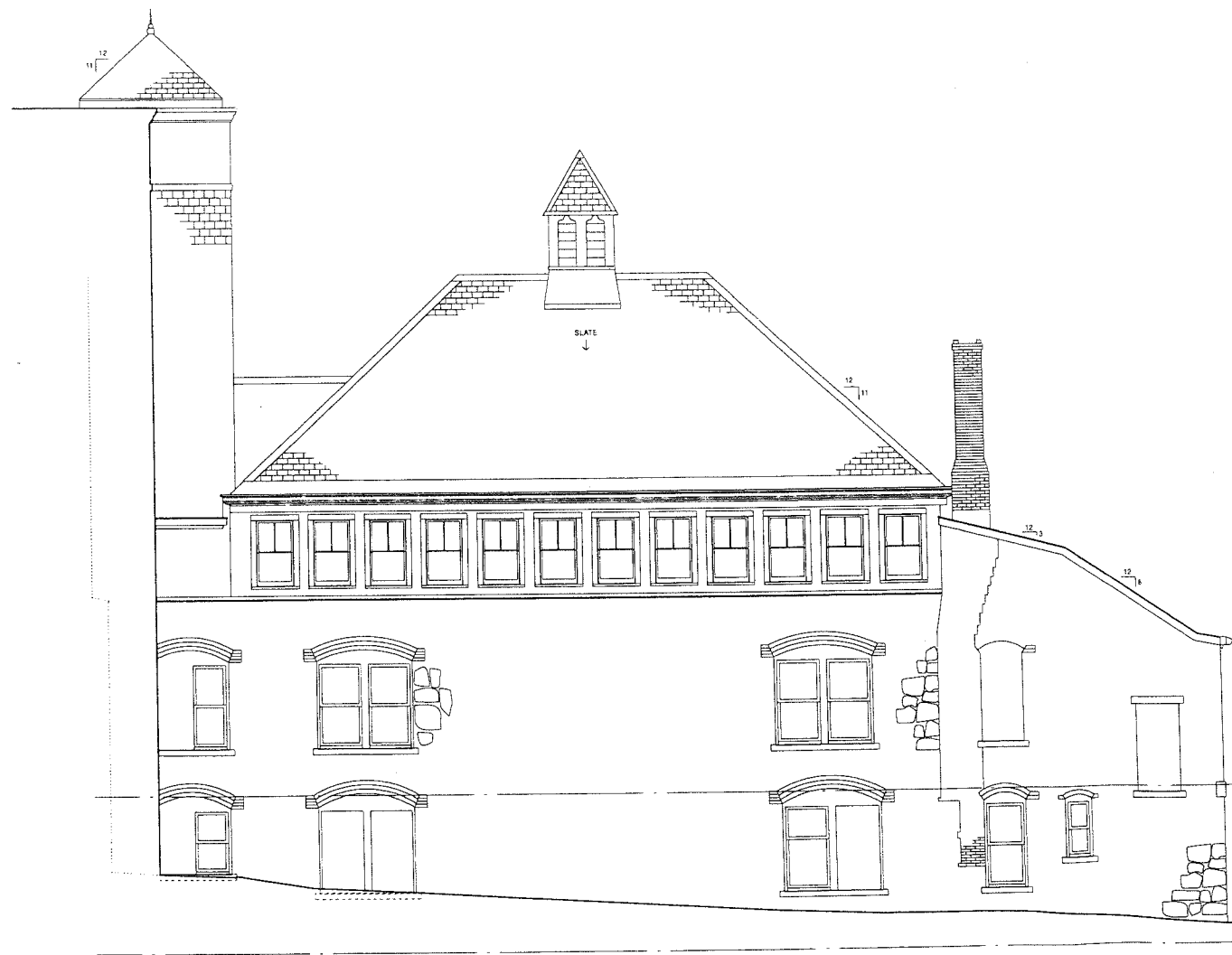


1
A-12.1
PROPOSED SOUTH EXTERIOR ELEVATION - SANCTUARY



2
A-12.1
PROPOSED EAST EXTERIOR ELEVATION - SANCTUARY

	
MILLS WHITAKER ARCHITECTS LLC P.O. BOX 750080 ARLINGTON MA 02475 Tel: 617-876-7611 Fax: 617-876-6420	
ADAPTIVE REUSE of the ST. LAWRENCE ARTS CENTER 76 CONGRESS STREET PORTLAND MAINE	
PROJECT NAME PROJECT ADDRESS	DRAWING TITLE: PROPOSED SOUTH & EAST ELEVATION - SANCTUARY
DATE 13 JULY 2009	
PRELIMINARY DESIGN NOT FOR CONSTRUCTION	
SHEET # A-12.1	



1 PROPOSED SOUTH EXTERIOR ELEVATION - PARISH HALL
A-13.1



2 PROPOSED EAST EXTERIOR ELEVATION - BECKETT STREET
A-13.1

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

PROPOSED SOUTH & EAST ELEVATION - PARISH HALL

PROJECT NAME
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #:

A-13.1



1 FORMER CROSS SECTION OF SANCTUARY
A-14.0 Scale: 3/16" = 1'-0"

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
FORMER CROSS SECTION OF SANCTUARY

PROJECT NAME
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-14.0



1
A-14.1 PROPOSED CROSS SECTION OF SANCTUARY
Scale: 3/16" = 1'-0"

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

PROPOSED CROSS SECTION OF SANCTUARY

PROJECT NAME:
PROJECT ADDRESS:

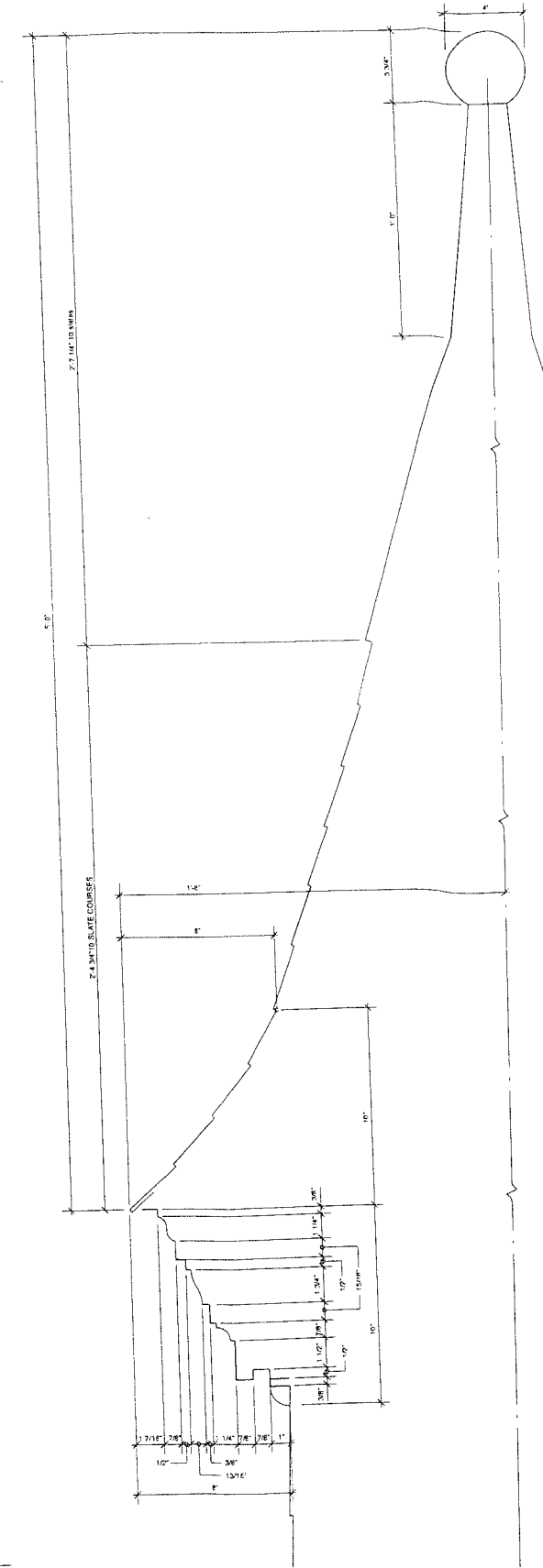
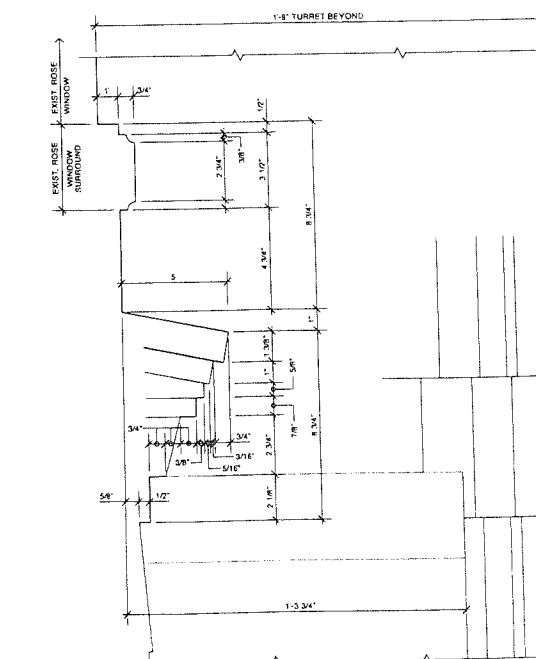
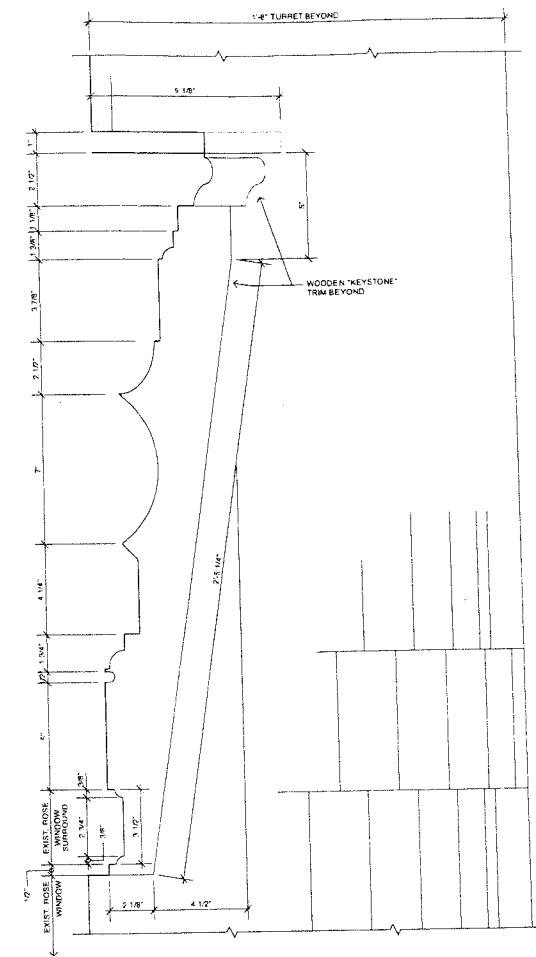
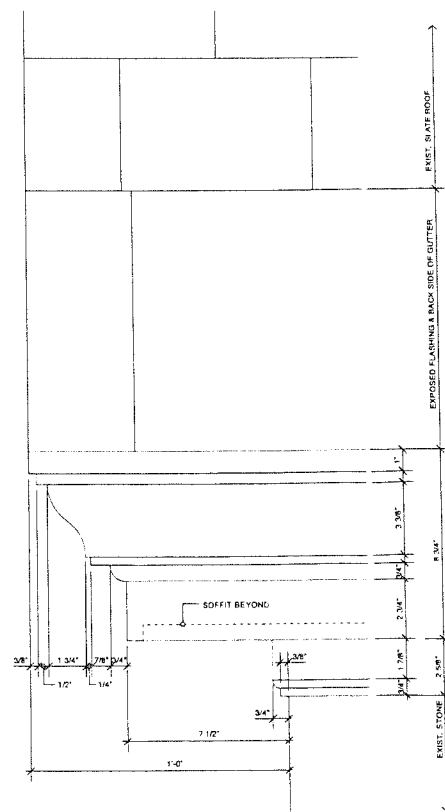
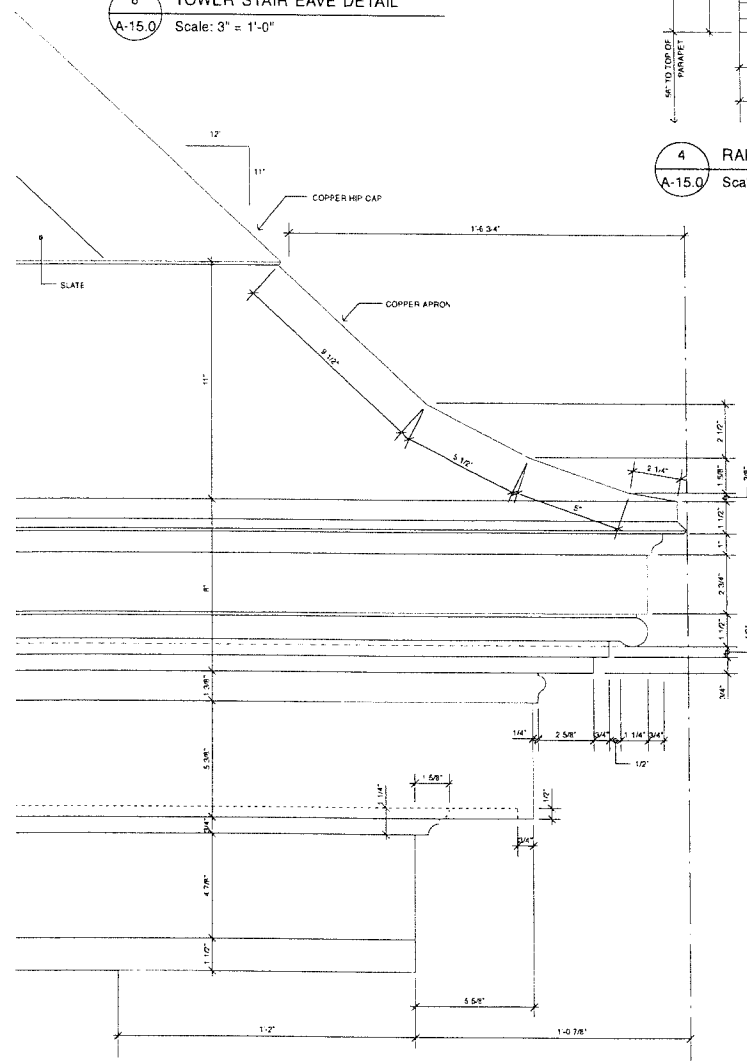
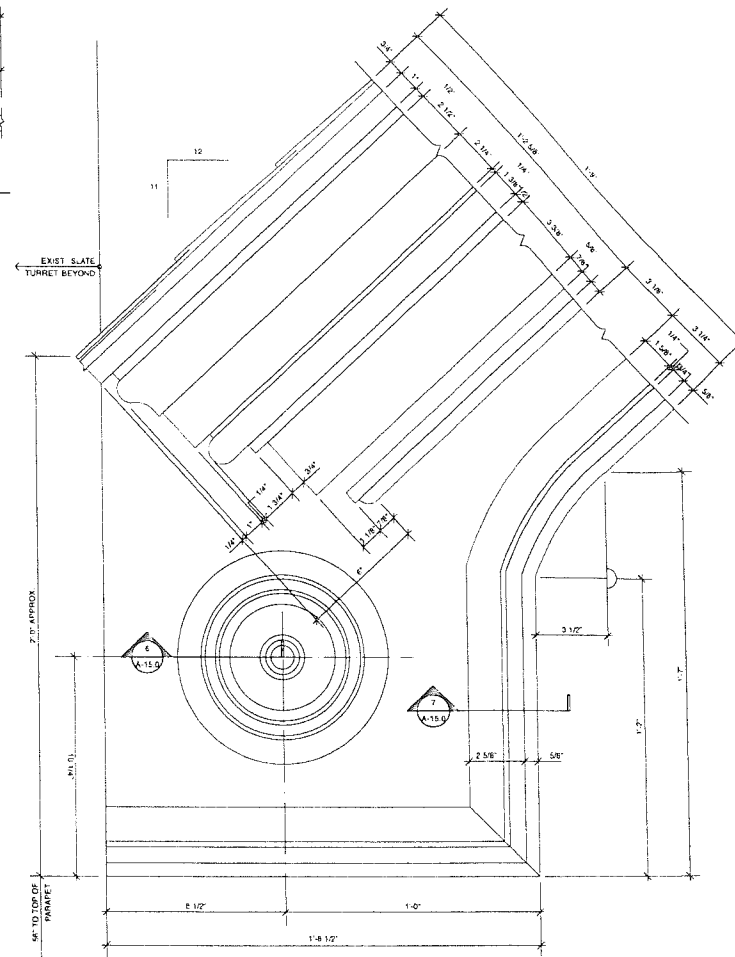
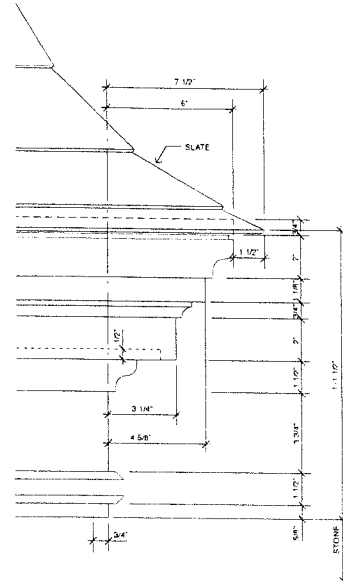
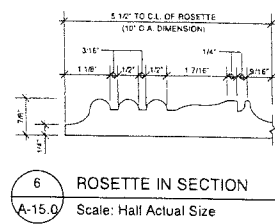
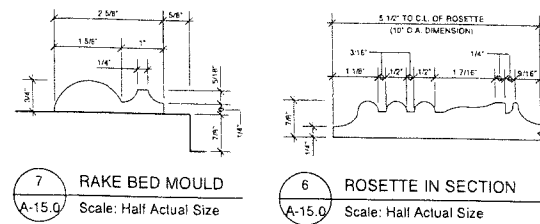
DRAWING TITLE:

DATE 13 JULY 2009

PRELIMINARY DESIGN
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SHEET #

A-14.1



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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

PROJECT NAME

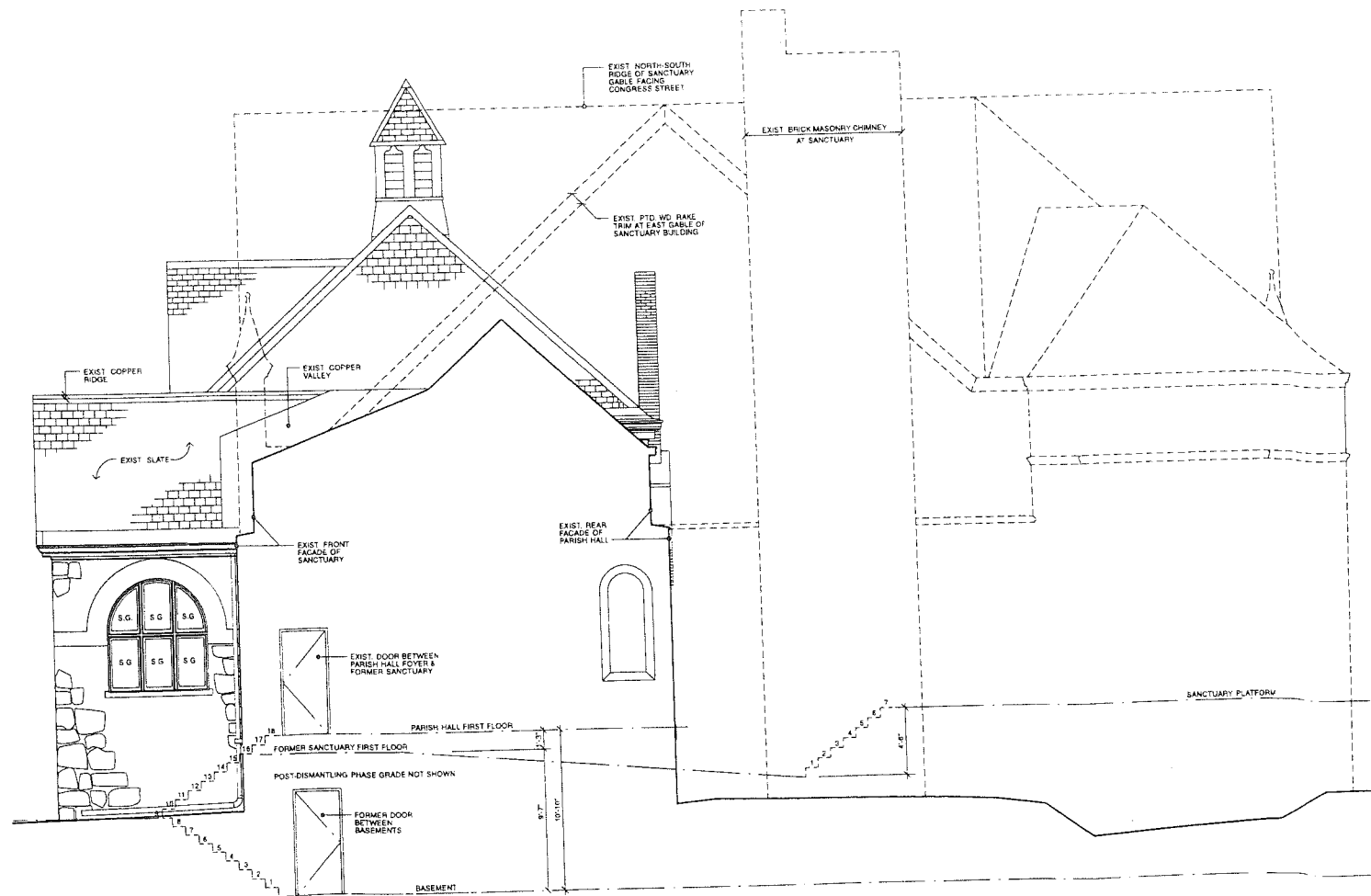
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-15.0



1
A-16.0
EXISTING WEST ELEVATION OF PARISH HALL

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
EXISTING WEST ELEVATION OF PARISH HALL

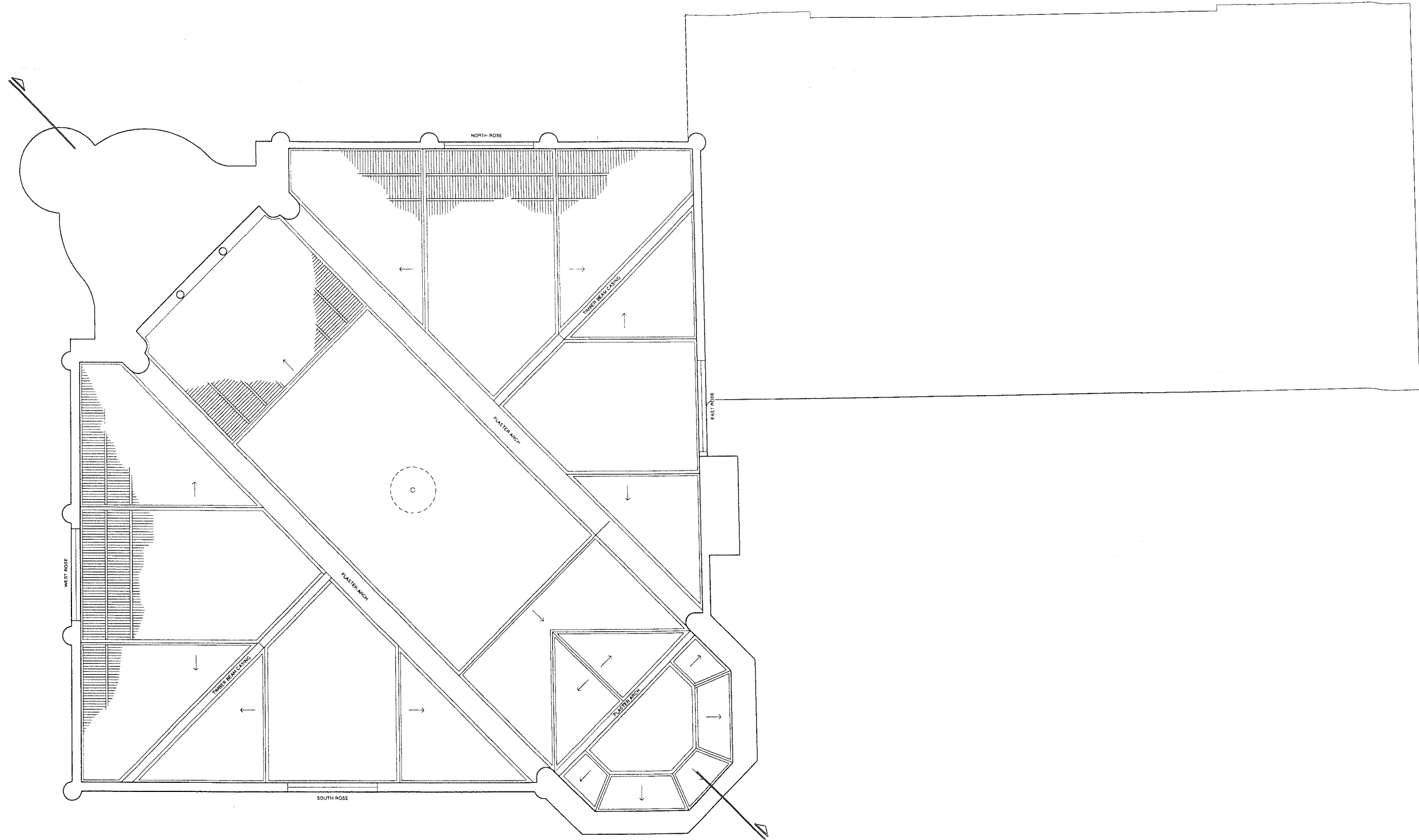
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PROJECT ADDRESS:

DATE 13 JULY 2005

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-16.0



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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE

FORMER SANCTUARY REFLECTED CEILING PLAN

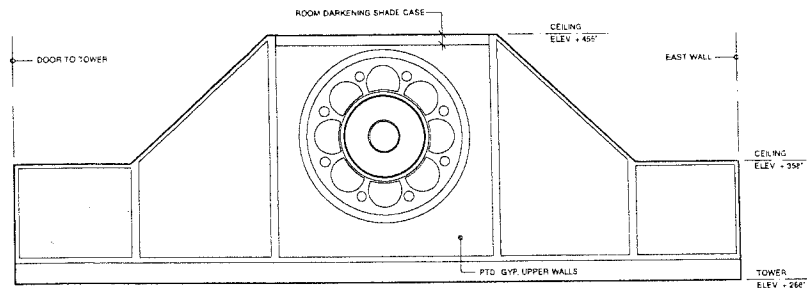
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PROJECT ADDRESS

DATE 13 JULY 2009

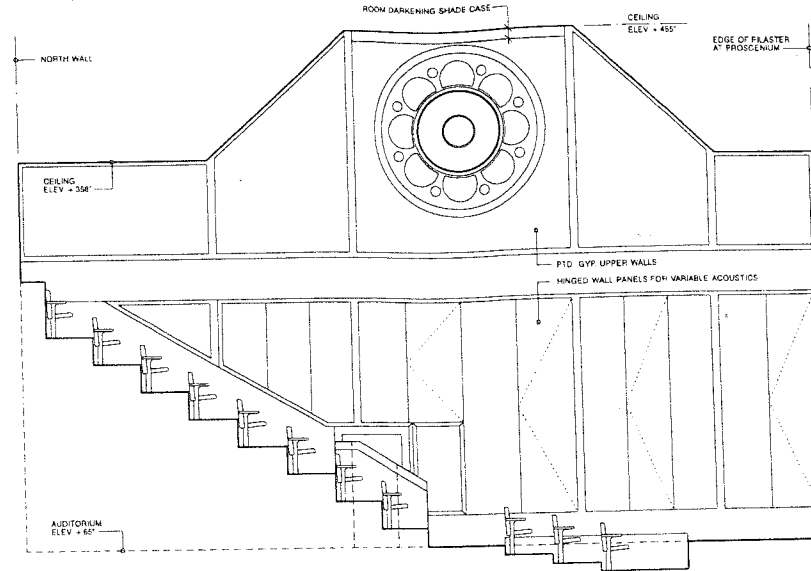
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SHEET #

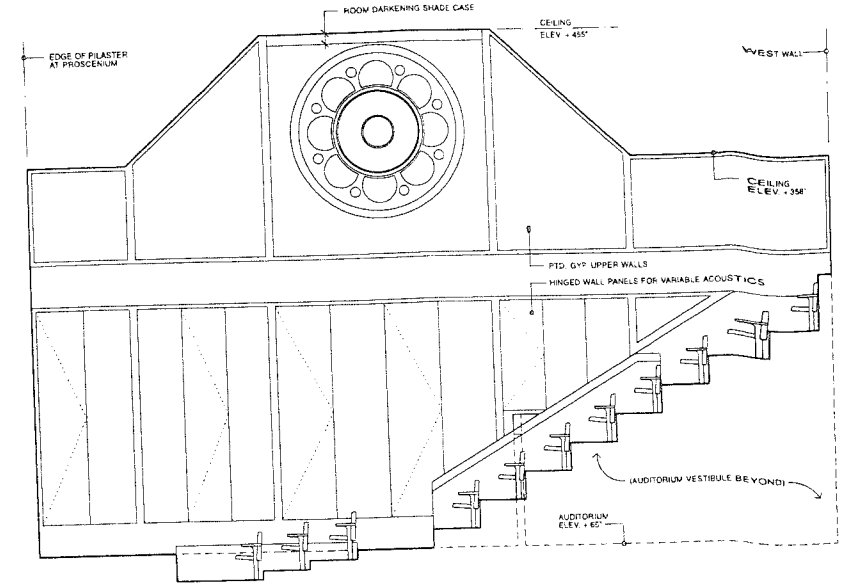
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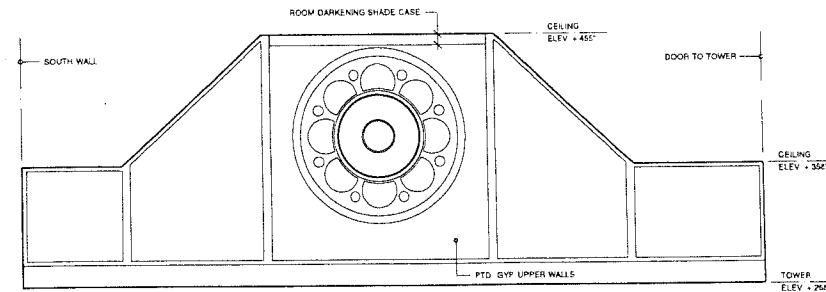
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A-18 Scale: 3/16" = 1'-0"



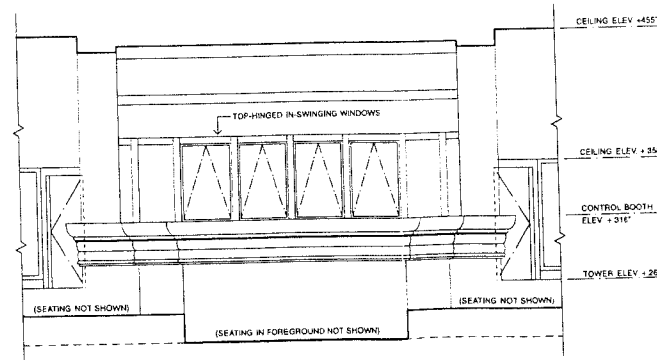
B EAST ELEVATION
A-18 Scale: 3/16" = 1'-0"



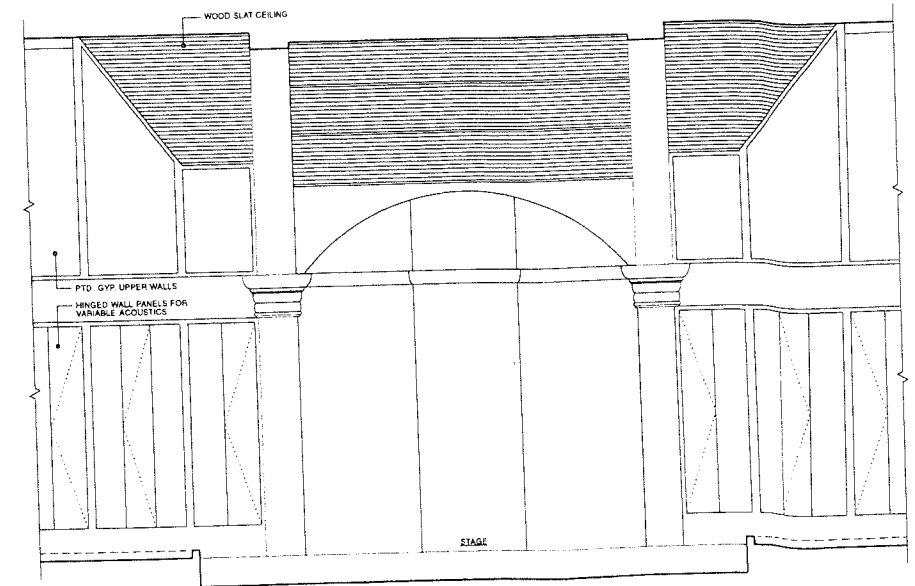
A SOUTH ELEVATION
A-18 Scale: 3/16" = 1'-0"



F WEST ELEVATION (MUNJOY STREET)
A-18 Scale: 3/16" = 1'-0"



E NORTHWEST ELEVATION (CONTROLS)
A-18 Scale: 3/16" = 1'-0"



D SOUTHEAST ELEVATION (STAGE)
A-18 Scale: 3/16" = 1'-0"

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
SANCTUARY AUDITORIUM INTERIOR

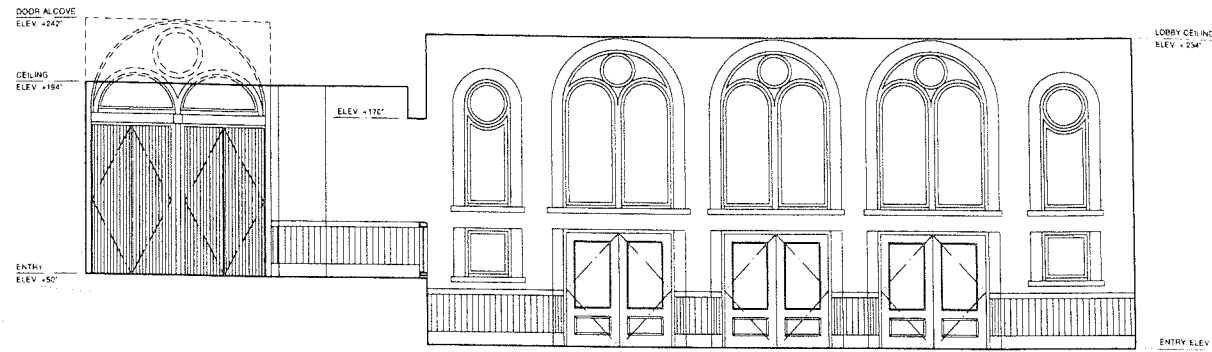
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PROJECT ADDRESS:

DATE: 13 JULY 2009

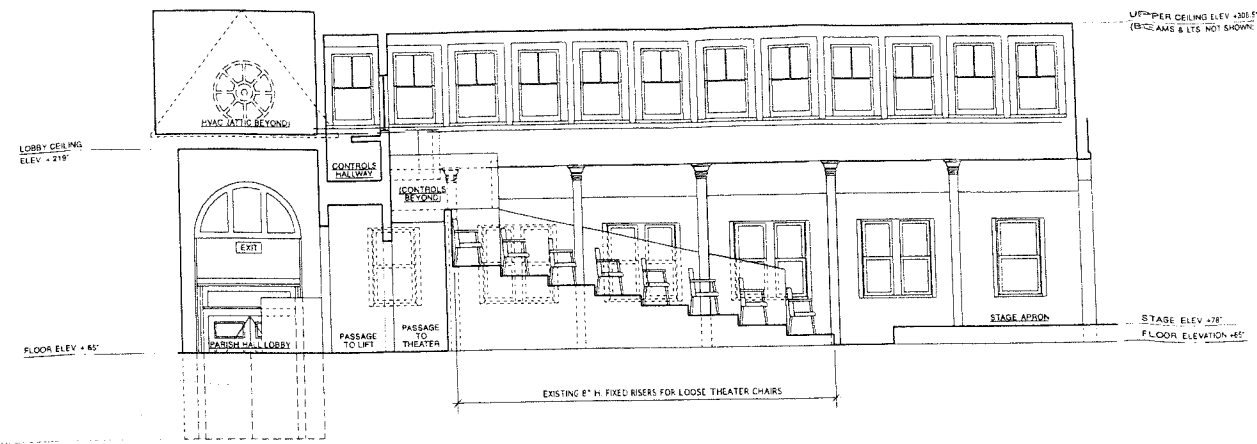
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SHEET #

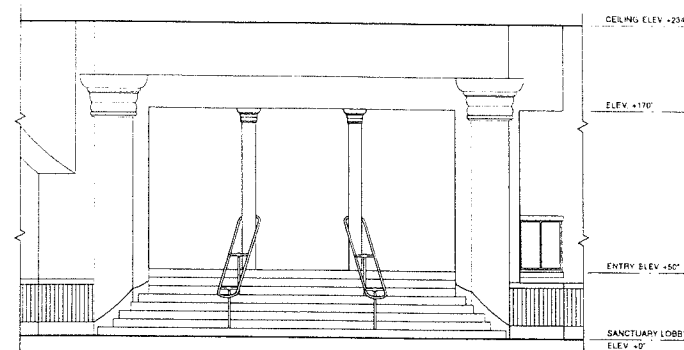
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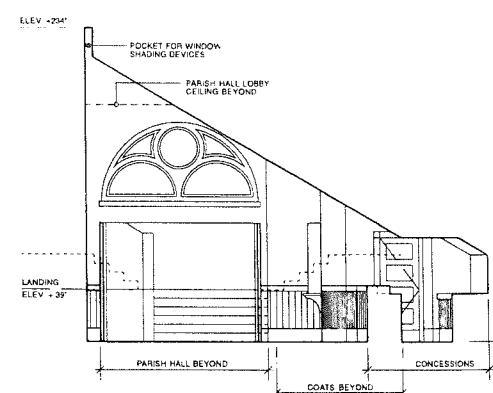
A PROPOSED SANCTUARY LOBBY NORTH ELEVATION
A-19 Scale: 3/16" = 1'-0"



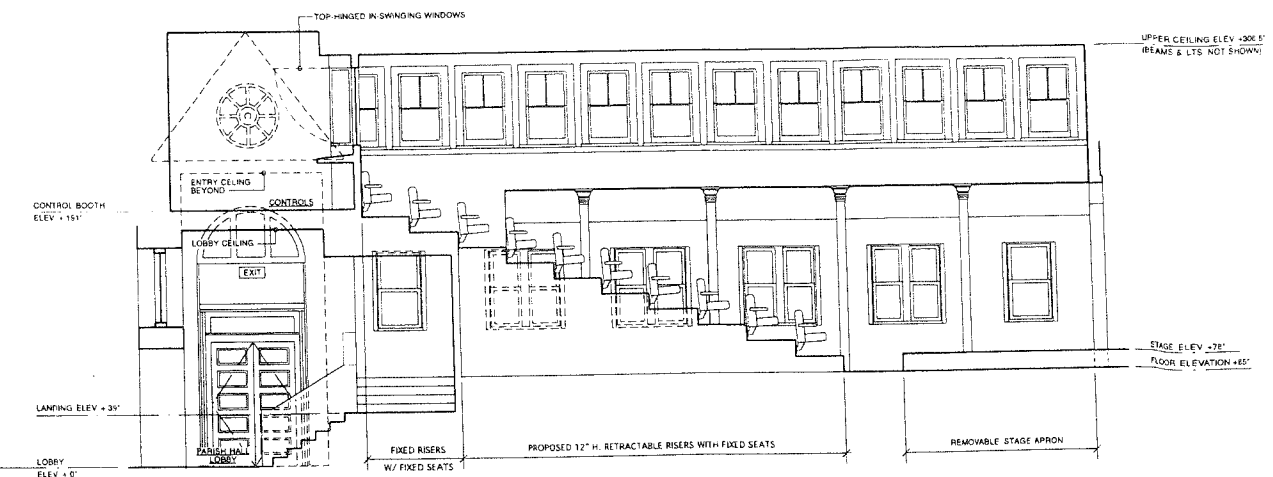
1.0 SECTION OF EXISTING PARISH HALL THEATER & LOBBY
A-19 Scale: 3/16" = 1'-0"



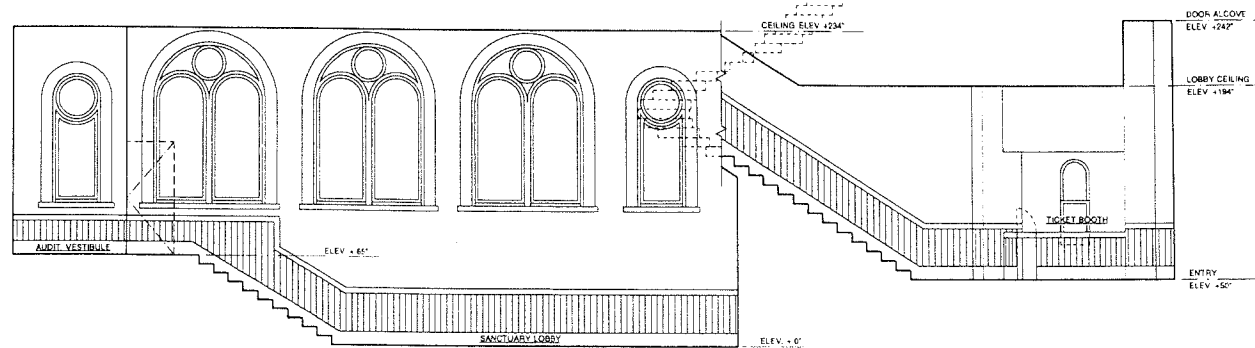
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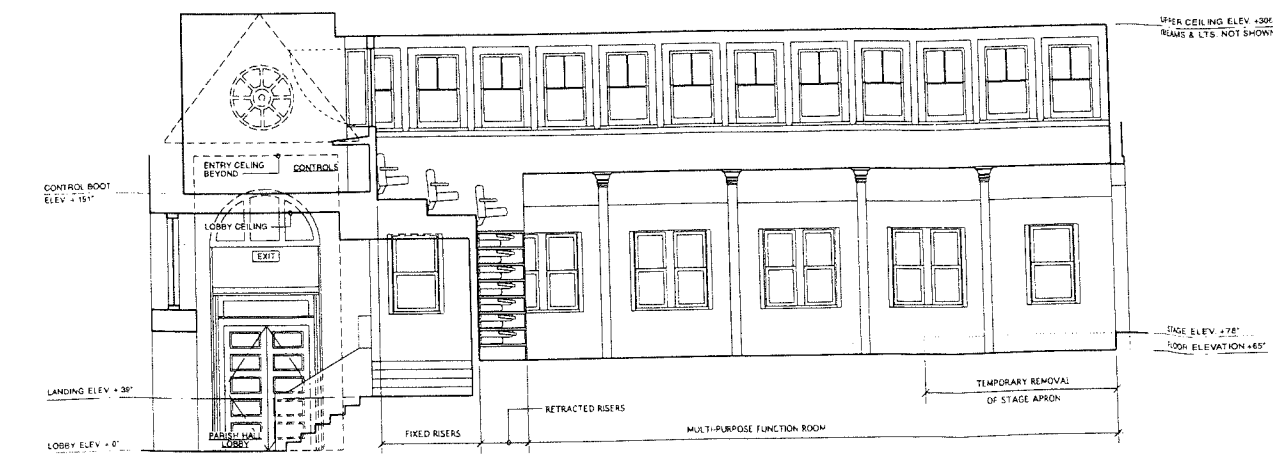
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A-19 Scale: 3/16" = 1'-0"



1.1 SECTION OF PROPOSED PARISH HALL THEATER & LOBBY
A-19 Scale: 3/16" = 1'-0"



D PROPOSED SANCTUARY LOBBY WEST ELEVATION
A-19 Scale: 3/16" = 1'-0"



1.2 PROPOSED SANCTUARY LOBBY ELEVATION
A-19 Scale: 3/16" = 1'-0"

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ADAPTIVE REUSE of the
ST. LAWRENCE ARTS CENTER
76 CONGRESS STREET
PORTLAND MAINE
LOBBY AND PARISH HALL THEATER INTERIORS

PROJECT NAME
PROJECT ADDRESS

DATE 13 JULY 2009

PRELIMINARY DESIGN
NOT FOR CONSTRUCTION

SHEET #

A-19

Neighborhood Meeting for Friends of St. Lawrence Church
February 12, 2014
St. Lawrence Arts, 76 Congress Street, Portland, Maine
5:30 p.m.

Present: See Attached Sign-in Sheet

Deirdre Nice, Executive Director of Friend of St. Lawrence Church (FSLC), opened the meeting by welcoming neighbors and made a short announcement about upcoming events in the Parish Hall Theater as well as alerting attendees that the City of Portland was also hosting a meeting about FSLC's project on Thursday, February 27, 2014 at 7:00 pm at the East End Community School.

David Lloyd, Principal, Archetype Architects, made a brief presentation about the project, updating attendees on the process stating that at present FSLC had gone through three workshops with the City of Portland Historic Preservation Board and had submitted its application for an amendment for its Conditional Rezoning Agreement (CZA). David brought images of the most current design of the exterior of the building, as well as a three-dimensional model of the blocks surrounding the FSCL property to show how the building will relate to the other adjacent buildings. David also showed an image of scale with the proposed FSLC building and the proposed condominium unit at 118 Congress. David gave an overview of the zoning codes in reference to height for this part of Congress Street and explained the height of the proposed Performance Hall for FSLC.

A question was asked about how the proposed Performance Hall compared to the former historic Sanctuary. David explained it has a similar footprint but it is smaller in height; furthermore, it is a smaller building cubic-feet wise.

A question was asked by a neighbor on Beckett Street about the proposed Promenade room in regards to noise and concerns about attendees in the room being able to stare down at neighbors. David addressed these concerns by stating that the Promenade Room is stepped back from the roof edge and will have thermal glazing, which is an excellent soundproofing material.

A question was asked about the use of the Promenade Room as a separate events space or potential for small events. Deirdre explained that it may be used for small events in conjunction with a larger event in the Performance Hall but that the space would not be equipped with lighting and sound for large concerts. Deirdre also stated that St. Lawrence Arts (SLA) ends all events end by 9:30 or 10:00 p.m. and adheres to all City noise ordinances.

A question was asked about the use of original materials on the building like stained glass, David explained that granite would be used on the façade to relate to the granite on the Parish Hall but that given its use as a Performance Hall, the new building would not incorporate stained glass or windows into the design except for glass on the front of the building and in the Promenade Room. Also, David stated that this is a contemporary building so the use of stained glass would not fit into the overall design scheme.

A question was asked about use of colored light on the front of the building and would it be similar to the light design in use on the exterior of the Portland Public Library. David explained that due to the residential nature of the setting, any light illuminating from the building would be very subtle.

Tom Gorrill of Gorrill-Palmer Consulting Engineers, Inc gave a presentation about the Transportation Demand Management (TDM) plan compiled by his firm. First Tom explained what is involved in a parking study, stating how demand is determined and then a review of the current supply, and finally a comparison between the two. The goal of a successful TDM plan is to not have demand exceed supply. Tom explained the formula used to determine the demand expected for the proposed 400-seat Performance Hall. The firm took the current number of people allowed in the building as stated in the CZA, which is 485, data compiled from 2 surveys conducted during sold-out performances of SLA, and national data to determine that FSLC would need to supply 228 spaces. Tom qualified that the Performance Hall only seats 400 people, so using the number of 485 made the study a very conservative estimate. Then it was determined that within a 5 minute walk of the building there are 179 available spaces. Further, by incorporating the Cutter Street lot an additional 95 spaces were available for a total of 274 spaces. Tom qualified his remarks about the Cutter Street lot stating that it is beyond a 5 minute walk and therefore his firm strongly recommends the use of a shuttle for patrons parking in this area. Tom stated that a successful TDM plan has careful management, promotes ride-sharing, public transportation, walking and biking to and from events. Tom stated that FSLC will provide four bike racks adjacent to the Performance Hall.

Tom concluded his presentation by stating that adjustments to the TDM plan will be made and that FSLC is required to file an annual report as a safety net.

A question was posed by a neighbor who disagreed with the number of spaces available and inquired exactly how this supply was determined. Tom said that the number of cars on the street are counted and subtracted by the number of cars it is pre-determined the street can accommodate if people are parked legally (i.e. not in front of driveways).

Jamie Parker stated in response that he counted 10 spaces on his way to SLA for the meeting and strongly disagreed with the comment by the person who said there are not even five spaces currently available around the St. Lawrence Church. Jamie stated that the parking problem is more perceived than real. Tom was asked if his firm could conduct another study and he replied that usually his firm only does one study but in this instance given the extreme concern and scrutiny anticipated about parking, FSLC asked for two surveys.

Vana Carmona stated that she has also gone out and conducted a parking study by counting cars and though she arrived at the same number of empty spaces as Gorrill-Palmer, she did not think there were enough spaces for 485 people. Vana stated that she didn't think it was realistic to think patrons of SLA would use alternate lots or other modes of transportation. Vana asked if Tom Gorrill would be advising on the shuttle, stating that the details are very important and if it is not convenient people would not use the service. Tom stated that the details of the shuttle were not a priority at this point but would be carefully scrutinized at the appropriate time. Vana Carmona then asked Tom to confirm that he was at present just determining supply and demand.

Deirdre Nice made a statement about how important the TDM plan is to FSLC, stating that we are committed to it being a workable and realistic plan that is carefully monitored.

A question was asked if FSLC had considered using the parking garage on India and Fore Streets. Deirdre explained that, at present, FSLC does not have a relationship with this garage but that we will look into making use of it for events via a shuttle as an option if the Cutter Street lot does not provide adequate parking.

Carl Loomis of Valet Services got up and made a brief presentation as an attendee of the meeting (not a formal presenter) on the benefits of valet services and how he feels it can greatly mitigate the effects of parking problems. He explained how he can handle a large influx of cars at one time.

A resident on North Street stated that North Street is not a far walk and that there is plenty of parking along it especially near the school and it should be considered as an option for parking. Another neighbor mentioned the use of residential parking stickers and how this system has worked well in the West End neighborhood with the addition of Maine Medical Center and its recent expansions. This person stated that even though the restaurants might not like the residential parking stickers, FSLC could work with the business to devise a joint parking plan.

Jamie Parker spoke again; encouraging attendees to think more progressively about parking and the creative opportunity to make the journey to the event part of the positive experience and that it can be achieved through outreach and communication.

A resident formerly from Beacon Hill stated that the FSLC has done a great job with its plan to build the Performance Hall and its TDM plan and stated that residential parking is a key way to solve the issue of parking.

Deirdre asked if there were more questions or comments and then invited attendees to take a closer look at David's three-dimensional model as well as the images of the current design. Some attendees took the opportunity to talk to David Lloyd and Tom Gorrill directly.

The meeting concluded at 6:35 p.m.

Respectfully Submitted,

Julia Kirby
Development Director
Friends of St. Lawrence Church

Friends of St. Lawrence Arts
Public Meeting for Contract Zone Amendment
February 12, 2014

Name (Please Print)

email (optional)

Signature

Jean Sheedy - joanisheedy@gmail.com Jean Sheedy

Richard A. Bradley
 CAROLYN YOUNG - CBYTRY@maeie.Rl.com
 Carolyn Young

CARL Loomis CARLLOOMIS@VALERYME.NET Carl Loomis
 Ross Fields fieldsofun@gmail.com Ross Fields

Jennifer Wikstrom JWIKPORTE@YAHOO.COM J. A. Wikstrom
 Sam Cohen Sam.Cohen@munjoyhill.org Sam Cohen

Tom Correll Correll Peter Tom Correll

JUDITH MALIA Judith Malia

Chris Lee Chris Lee

Owen Chaplin Owen Chaplin

ENOCH WENSTROM Enoch Wenstrom

Ann Landsberg Ann Landsberg

Vana Carmona Vana Carmona

Zeynep Turk zturk@hotmail.com Zeynep Turk

Joe Piergrossi JR. Jpier@maie.Rl.com Joe Piergrossi

Trevor Coyne Tcoyne@maie.Rl.com Trevor Coyne

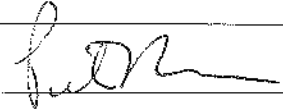
Friends of St. Lawrence Arts
Public Meeting for Contract Zone Amendment
February 12, 2014

Name (Please Print)

email (optional)

Signature

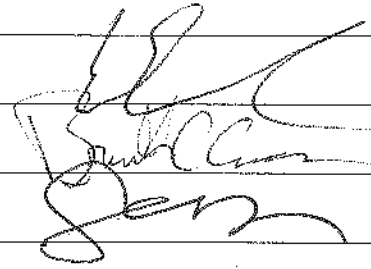
Peter BASS



BARBARA VESPA

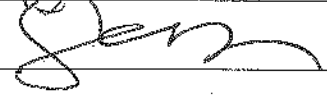
Eric Lessard

BRENDT CORCORAN



Sarah Gravity

sarah.gravity@
munjoyhill.org



October 1, 2014

Nell Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101

Subject: Submission of the Revised Parking Management Plan
St. Lawrence Arts Center
76 Congress Street Portland, Maine

Dear Nell:

Attached please find the revised TDM plan for the St. Lawrence Arts Center (SLA). The revised plan has been prepared working with Staff and Board Members of the Friends of St. Lawrence Church (FSLC) and benefits from comments received from Nelson/Nygaard's assessment of the previous TDM plan and comments received from the Planning Board. We want to emphasize that this plan is a living document intended to be revisited and revised frequently as noted in the Plan.

There are three comments we received from you and the Board that are not provided for in the Plan and are discussed below.

1. Provision for covered bike racks- It is our understanding that SLA will consider covered bike racks if they can be successfully incorporated with the design by Archetype both spatially and aesthetically, or appropriately designed to be placed in front of the Historic Parish Hall Theater.
2. Provision for Ushare- Board member Tim Dean suggested that we look into this option which we have recommended in other TDM plans prepared by our office. These programs allow people to make occasional use of a vehicle easily and affordably by allowing members of the program to rent the vehicle "by the hour" or for short periods of time. UShare has locations in Portland and we have recommended its use in TDM plans done by our office for housing projects as a way to help reduce the need for tenants to own cars. However, we do not see it as a component for SLA's TDM plan, but more as a solution for Munjoy Hill residents who find parking in the neighborhood difficult and owning a car too expensive. Whether or not people bring cars they own, ones they rent, or U-Share cars to the Performance Hall, they will be targeted thru the TDM plan.
3. Case studies- the Board requested case studies from Nelson/Nygaard. SLA and Metro are also working to identify any case studies available.

Nell Donaldson
October 1, 2014
Page 2 of 2

Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L Gorrill, P.E., PTOE
Principal

TLG/tlg/JN2818 / TDM Plan 10-1-14.doc



Gorrill-Palmer Consulting Engineers, Inc.

Engineering Excellence Since 1998

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October 1, 2014

Deirdre Nice, Executive and Artistic Director
St Lawrence Art Center
76 Congress Street
Portland, ME 04101

Subject: Parking Demand Management Plan
 St. Lawrence Arts Center
 76 Congress Street Portland, Maine

Dear Ms Nice:

Gorrill-Palmer Consulting Engineers, Inc (GP) completed an evaluation of the parking demand anticipated when the capacity at St Lawrence Arts (SLA) on Congress Street in Portland is expanded from a capacity of 110 to 485 and worked with SLA to develop a Parking Demand Management Plan. The Performance Hall will be 401 seats; however, 485 is the limit set under the current Conditional Rezoning Agreement (2010) and is the number used to estimate parking demand. This report takes into consideration the comments and suggestions provided by an outside peer review (Nelson Nygaard Consulting) on the first TDM completed January, 2014, as well as input from City of Portland planning staff. GP and SLA appreciate that the peer review focused on tangible solutions to discourage patrons of SLA from seeking parking primarily on residential streets directly near the building. SLA plans to implement a combination of solutions to successfully mitigate a parking problem for Munjoy Hill residents, and businesses, as well as patrons of SLA.

Estimate of Parking Demand

There are three potential sources to estimate the parking demand for the facility. Each of these sources is discussed below:

Institute of Transportation Engineers

The Institute of Transportation Engineers (ITE) publication, "Parking Generation, 4th Edition" presents parking rates for various land uses based on studies across the country. Land Use 441, Live Theater projects an average parking ratio of 0.38 vehicles per attendee with a range of 0.37 to 0.40 vehicles per attendee based on rural sites with an average of 800 attendees. The information was based on four studies. Since SLA is only projected to have capacity for 485 and the trip rate increases with fewer attendees, the rate would likely be closer to 0.40 vehicles per attendee.

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St Lawrence Arts Survey Data

SLA has furnished our office with the results of surveys of attendees to two Friday night shows which started at 7:30 p.m. on October 25, 2013 and December 13, 2013. The results are summarized below:

DATE	ATTENDANCE	SURVEYS COMPLETED	PARKING RATIO	NO. OF VEHICLES
10-25-13	103	103	0.54	56
12-13-13	110	110	0.40	44

It is our understanding that the October show attracted an older crowd and therefore the number of people traveling by car may have been higher than other shows.

Staff Demand- Based on information provided by SLA, an attendance of 401 people (sold-out performance) will require 10 staff members. Assuming each staff member commutes in their own vehicle results in a need for 10 staff parking spaces.

Parking Observations

A parking study was conducted by Gorrill-Palmer Consulting Engineers, Inc. on October 25th, the same night as the first survey was distributed to attendees. Two counts were conducted, the first was done before the show (5:45 p.m. to 7:00 p.m.) and the second was completed during the show (7:40 p.m. to 9:10 p.m.). Parked vehicles were counted on all surrounding streets within a half-mile radius of SLA. However, vehicles parked in the vicinity of SLA were the main focus. A walking radius was measured from a one minute walk to the St Lawrence Arts Center up to a four minute walk, assuming the average person walks 3 feet per second (180 feet per minute).

The increase in parked vehicles during the show is provided below:

LENGTH OF WALK	WALKING RADIUS	# OF VEHICLES BEFORE SHOW	# OF VEHICLES DURING SHOW	DIFFERENCE (+/-)
1 minute	180 feet	36	45	+ 9
2 minutes	360 feet	129	147	+ 18
3 minutes	540 feet	293	336	+ 43
4 minutes	720 feet	415	490	+ 75
5 minutes	900 feet	544	664	+ 120

Although we might find these results informative and useful, we can't assume the entire difference of vehicles is representing SLA. The Front Room is a local restaurant and bar located across the street from

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SLA, a popular spot on a Friday evening. Venues, like The Front Room, located near SLA can also influence the demand. Based on these considerations, the 56 vehicles based on the survey appear reasonable.

Comparing Estimates

The parking rate of 0.40 based on ITE coincides with the 0.40 ratio determined from the December show but is less than the 0.54 determined from the October show. However, as previously mentioned, the October show attracted an older crowd and therefore the number of people traveling by car may have been higher than other shows. In addition, as a general principal, parking ratio can be expected to decline as the number of seats increases.

Recommendation for Number of Spaces

After consideration of these variations, our office estimates a demand of 228 spaces (0.45 vehicles per attendee) for the site. This number comprises 218 cars from patrons, and 10 cars for staff. It is our understanding that SLA will distribute a policy to staff and performers that staff park at a set distance from the Performance Hall. This policy will apply to any performers, cast and crew travelling by bus to the Performance Hall in their own vehicle. Performers, cast, and crew who arrive in a bus will be able to unload on Munjoy Street, and all buses will be contractually required to park in an accommodating lot (i.e. not on a residential street). The recommendation for 228 spaces exceeds that forecast by ITE for a live theater and observed during the December show but less than the 0.54 ratio derived from October show which attracted an older crowd. Nelson Nygaard's review of the parking demand for a 401-seat Performance Hall in the Munjoy Hill neighborhood estimates that SLA will need to provide 122 parking spaces. Our parking analysis cited a need for 228 parking spaces, which is based on occupancy of 485 among the three different spaces (Parish Hall Theater, Performance Hall, and the Promenade Room) for one event. It should be noted the typical maximum audience will not exceed 401 people, and many times much less. It is our opinion that 228 spaces is more realistic as it is based on statistically significant surveys conducted during sold-out performances of the current 110-seat Parish Hall Theater (10/25/2013 and 12/13/13) operated by SLA. Furthermore, an independent survey of needed parking spaces for the venue conducted by members of the Concerned Citizens of Munjoy Hill (CCMH) complemented the recommended 228 spaces and therefore, we have proceeded drafting the plan based on a need of 228 spaces.

During the first year of monitoring, SLA will determine the actual parking demand. Once the actual number has been established, SLA will base its monitoring and reduction of single occupancy vehicle (SOV) goal upon the correct and realistic parking demand.

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Parking Supply

A count was also done of the total number of occupied parking spaces on each street within a 900 foot radius of the SLA on Tuesday evening, December 10th beginning at midnight. The purpose of the counts was to estimate the number of spaces used by the area residences and most of the parking that late at night should be associated with residences. The results of these parking observations are provided as follows.

<i>Length of Walk</i>	<i>Walking Radius</i>	<i># of Spaces</i>	<i># Occupied 12:00 midnight Tuesday</i>	<i>Available Spaces</i>
1 minute	180 feet	42	30	12
2 minutes	360 feet	144	107	37
3 minutes	540 feet	345	273	72
4 minutes	720 feet	551	436	115
5 minutes	900 feet	838	659	179

The Cutter Street parking lots located on the Eastern Promenade were vacant during our surveys and have a capacity of 95 vehicles. Results of the Cutter Street parking lots are provided on the following page.

<i>Parking Area</i>	<i># of Available Spaces</i>
Lower Parking Lot	24
Middle Parking Lot	35
Upper Parking Lot	15
On-Street Parking	21
Total:	95

Combining the results of the available on-street parking and Cutter Street lot parking, a total of 274 spaces are available to attendees.

Parking Demand and Supply

As discussed in the "Recommendations for Number of Spaces" section, SLA will typically incur a parking demand of approximately 228 vehicles (including 10 cars for staff) during show events. Though these spaces have been identified, SLA plans to encourage patrons to park downtown and travel by public transportation to the facility.

The available parking in the vicinity of the site is as follows:

- 179 on-street automobile parking spaces
- 95 Cutter Street automobile parking spaces

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This will provide 274 automobile parking spaces for attendees of each show. The 179 on-street parking spaces are based on a 5 minute walk radius around SLA.

Transportation Demand Management (TDM)

Purpose of Plan

The City of Portland requires the creation of a Transportation Demand Management Plan for all projects in excess of 50,000 square feet, or with 100 or more employees or students. SLA meets these requirements. However, in the case of this project, the TDM Plan serves a series of important needs:

- Make maximum use of nearby existing transit infrastructure
- Reduce peak hour trip impacts to adjacent roadway infrastructure
- Reduce the amount of needed parking on-site, especially as land is limited
- Encourage healthy activities

It is important to note that this Plan should not be viewed as a series of fixed, or unchanging recommendations. It is a living document intended to be reviewed and updated on a regular basis as SLA works with changes in local transportation patterns, preferences, and prices. Ultimately, the goal will be to make significant reductions in peak hour single-occupancy vehicle (SOV) activity on the local street networks as well as the need for on-site parking.

TDM Coordinator

SLA has designated its Executive Director as the TDM Coordinator, charged with coordinating the TDM plan. The TDM coordinator will be responsible for the following:

- Coordinating and promoting rideshare opportunities
- Coordinating with and promoting Metro
- Monitoring parking usage
- Overseeing event scheduling
- Encouraging the greater use of bicycling, walking, and bus-based transit
- Overseeing ongoing monitoring and updating of the plan
- Filing annual reports with the City

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The proposed TDM plan will be utilized during both public and private (i.e. corporate rental) events.

Single Occupancy Reduction Strategies

METRO Subsidies

SLA is located on Munjoy Hill in Portland on Congress Street. Its location is nearby the following transit services:

- *Metro Route 1, Congress Street:* Portland METRO provides service to Munjoy Hill with other major stops including Monument Square and the State Theatre. It also allows access to the Greyhound Bus Station and the Elm Street METRO facility. A limited service combining Routes 1 and 5 is provided on Sundays.
- **Primary User:** Patrons of SLA and Community Members
- **Responsibility:** SLA, METRO

SLA is proposing that the core of its TDM be a partnership with Metro to both extend and enhance the service of the Route 1 that travels up and down Congress Street. At present the Route 1 runs on a thirty-minute frequency between 7:00 a.m. and 8:00 p.m. with less frequency between 8:00 p.m. and 10:00 p.m. It is our understanding that Metro is working independently of this project to reduce those intervals to 20 minutes. Based on our conversations with SLA, they are mindful of the discussion taking place at the City of Portland on changes to the downtown's Tax Increment Finance (TIF) policy and that peninsula transit improvements are a potential use of this revenue. SLA recognizes that its proposed partnership with Metro and the revenue SLA proposes to bring to the table could be joined with TIF revenue to support a broader and more consequential transit improvement, one that could eventually lead to 15 minute frequency on the Route 1 all day and evening. The implications of this plan would not only serve the patrons of SLA, but would also allow residents the opportunity to take advantage of more frequent evening transit service on the peninsula.

With enhanced Metro service, patrons of SLA would be encouraged to utilize downtown parking lots, garages and street parking and use the Route 1 to travel up to SLA. The Temple Street and Free Street garages are open until 10:00 p.m. Monday – Saturday and it is our understanding that both have plenty of available parking after 5:00 p.m. Both garages are within one block of stops along the Route 1. The number of parking spaces that these parking facilities provide should exceed the 228 spaces we recommend. Patrons of SLA would have their parking ticket validated for up to three-hours of free parking. It is our understanding that SLA will subsidize and encourage use of this remote parking.

SLA has met with representatives from Metro and it is our understanding that both organizations are highly enthusiastic about a partnership. The Nelson Nygaard review encourages SLA to create a “more

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specific and targeted PTDM” and part of doing so will be an understanding what motivates patrons of SLA to drive and park close to SLA. For this approach to work, SLA and Metro will need to effectively communicate and market the transit option as convenient, affordable, easy, and fun. In particular, the marketing effort should promote transit as a key piece of a fun night out that includes both dining and entertainment. In addition to the higher frequency service on the Route 1 proposed by this plan, Metro will be rolling out real-time bus arrival information in 2015. This technology will allow riders to get actual bus arrival information through smart phones, text, website and, in some places, message boards at bus shelters.

A financial investment by SLA to the Metro will enhance these kinds of conveniences to Portland’s public transportation system. Another key of this partnership is making parking downtown and travelling to and from SLA easy by suggesting patrons park in a specific place (lot or garage) and wait for the Route 1 bus at a specific spot to ride up Munjoy Hill to SLA. At present, the Route 1 stops at the corner of North Street and Cumberland. Possible modifications to the Route 1 would include a stop at Congress and North Street as well as bringing the stop currently on Atlantic and Congress back to Munjoy and Congress (the corner of the new Performance Hall), where it originally was until poor street conditions forced it to be relocated. It is our understanding that SLA and Metro agree that a carefully laid out marketing plan is essential to the success of the TDM plan as well as making the parking and bus ride part of a ticket surcharge so that patrons do not incur extra charges along the way. SLA will commit to validating up to 3 hours of parking in a downtown garage. If patrons partake of other downtown entertainment, i.e. shopping or dinner, the “Park and Shop” system in place by Portland’s Downtown District can be used by patrons to cover additional time in the parking garage. SLA patrons will be able to use their venue ticket as valid fare to board the bus. Based on discussions with SLA, they have included in their financial projections that each patron will pay a ticket surcharge.

SLA is proposing to commit \$70,000 in annual funding to the Greater Portland Metro, which would increase evening frequency on the Route 1 (Congress) from about every 45 minutes to every 30 minutes and extend service to 11:00 p.m. (Monday-Saturday). SLA will provide this funding through its ticket surcharge. Furthermore, the long-term plan of the Greater Portland Metro is to expand its local partnerships in an effort to effectively work with the city of Portland and the Federal Transit Administration to develop the funding programs needed to improve transit service on the peninsula that will include all day frequencies of 20 minutes or even 15 minutes, hours of service through midnight, and added weekend service. While this service improvement to 30 minute frequency will help the Route 1 be an effective transit option for patrons, the number of patrons that can reasonably use the Route 1 bus must be considered. Metro buses’ seating and standing capacity can comfortably accommodate 30-40 people; hence, it is realistic that 2 trips will be required before *and* after an event to accommodate SLA patrons. This makes the Route 1 option possible for 60-80 patrons. Service improvements that lower frequency to 15 minutes would increase Metro’s capacity to the point where we could accommodate 120-160 patrons in the hour before and after an event. By growing ridership and diversifying the transit system’s revenue base, the partnership can make Metro more competitive in obtaining new federal grant funds that can support further transit expansion. In this manner, this partnership is truly strategic in that it can help

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achieve positive transportation outcomes for the broader community in addition to the specific goal of getting SLA patrons from point A to point B.

Patrons who use the Greater Portland Metro system will be able to wait in the lobby of the Performance Hall for the Route 1, which will negate needing a structure in inclement weather.

Valet Parking

➤ Primary User: Patrons

Gorrill-Palmer agrees with Nelson Nygaard's finding that a superior front-door valet service should be available to patrons who want to arrive at the Performance Hall with their car. SLA is proposing to work with Unified Parking Partners (UPP), a full service parking Management Company based in Portland, Maine, and servicing all of New England. UPP is an affiliate of Towne Park Ltd. from Annapolis, MD. Their focus is garage, flat lot, healthcare, hotel and restaurant, and event parking management. UPP is experienced with accommodating parking for large scale sporting and entertainment events. This service will be available to patrons who wish to pay for exceptionally convenient parking over and above the price of event tickets. Patrons can pay in advance for VIP valet parking as well as pay at the door. Patrons utilizing this service would be charged a fee to cover the cost above the (parking) ticket surcharge. Valet parking fees will fluctuate based on event sales as well as the performer(s). UPP will staff its valet parking service based on estimates of how many patrons will utilize the service. For example, if UPP expects to valet park 50 – 60 cars, a minimum of 5 valet parking attendants would be present. Estimates will be figured by how many patrons sign up in advance to use VIP valet parking as well as a "capture rate" that is based on how many cars are expected for a given event. The number of valet parking attendants is based on services levels, the primary one being the time the patron has to wait. Successful valet parking will have enough valet parking attendants to ensure patrons have a less than 4-minute wait time. For a per-staff, per-hour fee, UPP provides valet parking attendants, environmentally safe and friendly vehicle shuttle for the valet parking staff, and security of the lot where cars are parked during the event. Unified Parking Partners manages several parking lots in Portland and their owner would also utilize Cutter Street and its two parking lots (95 spaces).

Patrons who use Valet Parking will be able to wait in the lobby of the Performance Hall for their car, which will negate needing a structure in inclement weather.

Bicycle Transportation

Portland is an extremely friendly pedestrian and biking city. SLA will encourage patrons who live within a walking and biking distance to access these TDM friendly modes of transportation. SLA will provide 10, uncovered bike racks outside the facility (20 spaces) encouraging patrons and staff members to bike to the Performance Hall. SLA will become a participating business in Bicycle Benefits (www.bicyclebenefits.org), a national program that offers incentives and rewards for patrons who show

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up to an establishment on a bicycle. Portland, Maine businesses already have strong membership in Bicycle Benefits.

- Primary User: Patrons
- Responsibility: SLA

SLA will also work with the City of Portland's Pedestrian-Bicycle Committee as well as The Bicycle Coalition of Maine, an organization that formed in 1992 to make Maine better for bicycling and promote bicycling in Maine.

Pedestrian Accommodations

Pedestrian connections currently surround the SLA building. Congress Street provides sidewalks on both sides of the street for pedestrians walking from in-town Portland. A majority of side streets provide sidewalks for guests who are walking from local neighborhoods. Crosswalks are also provided to nearby streets including Beckett Street, Munjoy Street, and Howard Street as well as on the Eastern Promenade at Moody and Wilson Streets.

- Primary User: Patrons
- Responsibility: City of Portland

Education for Patrons

As discussed, the SLA will provide route maps, schedules, and ticket information via the website with ticket reservations. Information about the METRO Route 1 and downtown parking will be provided. There will also be announcements before and after the show regarding the bus schedule, including real-time arrivals available in the lobby. It is important that this information also be provided on SLA's website along with a link to the METRO Route 1 webpage. A direct link to the parking information should be at the top of SLA's website, next to "Directions." This link should provide exact directions to parking and bus incentives encouraging attendees to carpool or use the transit system.

- Primary User: Patrons
- Responsibility: SLA

Free Market Options

Transportation by Cabs and Pedicabs (bicycle cabs), will also be a viable option to patrons of SLA who live in Portland, or patrons who have parked downtown and elect to not use public transportation.

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Carpooling

Some patrons will still travel by automobile up to Munjoy Hill and SLA will promote car sharing as an option to reduce the number of cars that travel to the facility for an event. SLA will provide information on its website for Go Maine, which is Maine's statewide commuter service providing access to low-cost, healthy, economical and eco-friendly options for commuting. SLA will promote ride share, a multi-modal, one-time ride share opportunity.

Marketing

A carefully thought-out marketing plan that provides easily accessible information is the key to implementing a successful TDM for SLA. SLA will create a marketing strategy that complements and works closely with the other area Portland organizations that promote walking, bicycling, and public transit as alternative modes of transportation. SLA will also implement "honor system" strategies such as a button at the end of the online ticket system to check if you are carpooling or travelling by bus/foot/bike with an associated discount. An outline of the marketing plan is presented below:

- SLA will have a "Where to Park" tab clearly posted on its website that outlines instructions on utilizing the Metro system, including what downtown garage to park in and where to wait for the Route 1 bus. Instructions on how to use public transportation, walk, and bike will be provided at the top of the page emphasizing it over travelling by automobile.
- SLA will have a travel information kiosk in its lobby
- All ticket holders will receive instructions on parking at the time of purchase.
- SLA's website will include a map of the neighborhood encouraging patrons NOT park within 300 feet of SLA citing the negative impact such congestion will have on residents and neighboring businesses.
- SLA's website will have easy to understand information (and links to Portland Trails and Metro) on how to bike or use transit to get to the Performance Hall. SLA will provide a link to Google Transit walk trip planner.
- SLA will try to establish its Performance Hall as a Green Certified event space, acknowledging that the biggest carbon element to an event is how people travel to and from the property (i.e. encourage people to leave cars behind).
- SLA will work with Metro to create a catchy and green marketing campaign to target its audience. The marketing campaign will need to be developed, but will generally focus on the following key messages: Using the Route 1 to get to SLA is easy, free, fast, green and connects dining and entertainment.

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Monitoring

Parking Counts

As part of its TDM Plan monitoring program, SLA will assess the use of its various operational components, starting one month after the opening of the expansion and twice annually thereafter for five years. After five years, once a year monitoring will take effect. As the most critical component of the TDM program will be to reduce parking demand, the first part of each monitoring effort will include a parking count of the surrounding streets before and during an event. This count will include the Cutter Street parking lots on the Eastern Promenade.

Greater Portland Metro

The goal is to have the Metro reduce SOV traffic by 6% in the first year or eliminate 14 cars. In order for SLA patrons to gain ridership on the Route 1, they will have to show their ticket (paper or smart phone), allowing Metro to keep track of ridership as well. This will provide SLA with an exact count of how many Performance Hall patrons are using the bus system.

Surveys – Employees

One month after the expansion of the facility, SLA employees will be surveyed regarding their transportation choices such as automobile/bicycle ownership, parking demand, and the frequency of trips using bicycle, walking carpool/vanpool, and the bus. The survey will be developed in consultation with the City's TDM manager and conform to overall City TDM modeling planning.

The surveys will be conducted to determine:

- Mode of travel to and from work (car/carpool/biking/walking/bus)
- Preferences or concerns with mode of travel
- An important component of the survey will be to determine the flexibility of employees to utilizing various travel modes to access the facility

Surveys – Attendees

For attendees to SLA, surveys will be either conducted as patrons enter the site in the form of one or two questions from a volunteer, or patrons will be given a survey they can complete and return in exchange for a free gift.

The surveys will be conducted to determine:

- Mode of travel to and from the show (car/carpool/walking/bus)
- Preferences or concerns with model of travel

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- Specify as a driver or a passenger

Submission of Monitoring Information/Updated TDM Plan

Based upon the results of the monitoring, SLA will update the TDM Plan and submit a draft plan to the City's TDM Manager for review and comments. The primary goal of the initial year will be to ascertain the actual parking demand number (228 vs. 122) and reduce the parking demand six percent from the calculated demand.

Closure

The TDM plan and SLA's investment in Greater Portland Metro will be a tremendous benefit to the community at large as well as SLA patrons, emphasizing less reliance on automobile traffic, utilization of downtown structures, and investment in an important public infrastructure.

Please contact us with any questions.

Sincerely,

Gorrill-Palmer Consulting Engineers, Inc.



Thomas L Gorrill, P.E., PTOE
Principal

TLG/tlg/JN2818 /TDM August 2014.doc

METRO

Greater Portland Transit District

September 17, 2014

Ms. Deirdre Nice
Executive Director
St. Lawrence Arts
76 Congress Street
Portland, Maine 04101

Re: Enhanced Transit Service on Congress in support of St. Lawrence Theater

Dear Deirdre:

The Greater Portland Transit District (Metro) is pleased to partner with St. Lawrence Arts and offer useable transit services as part of your multi-pronged effort to manage the traffic and parking impacts associated with the theater's proposed expansion.

Using the approximate \$70,000 in annual funding that St. Lawrence Arts is proposing to commit, Metro would increase evening frequency on the Route 1 (Congress) from about every 45 minutes to every 30 minutes and extend service to 11:00 p.m. (Monday-Saturday). As part of this program, theater patrons will be able to use their venue ticket as valid fare to board the bus. This plan will make it easier for patrons to park in Portland's downtown district, enjoy pre-performance activities or dinner, then catch the Route 1 for a quick ride up to the theater on Munjoy Hill.

Additionally METRO will work with St. Lawrence Arts staff to develop a marketing plan to promote these public transit options in a way the catches people's attention. Elements of this plan will include promoting patron's use of "Real-Time Arrival" technology either through smartphones, text or possibly on display in the theater's lobby as well as providing incentives for taking public transit to performances at St. Lawrence.

While this service improvement to 30 minute frequency will help the Route 1 be an effective transit option for some theater patrons, we must be mindful of the number of patrons the Route 1 can reasonably transport both before and after events. Realistically, 2 trips both before and after events (depending performance start and end times) are likely to be reasonable options for theater patrons. Metro buses' seating and standing capacity can comfortably accommodate 30-40 people. So, the Route 1 can be a realistic option for up to 60-80 people per event. Service improvements that lower frequency to 15 minutes would increase Metro's capacity to the point where we could accommodate 120-160 patrons in the hour before and after an event.

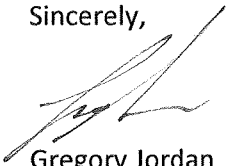
Not only does this partnership benefit St. Lawrence patrons with convenient transit service connecting the downtown district with the theater, it will also provide enhanced transit service for Portland residents and visitors travelling on the peninsula and up to Munjoy Hill and the Eastern Promenade. This is truly a strategic partnership in that we can work together toward making transit a

useable option for theater patrons while also improving transit service generally for Portland residents of Munjoy Hill and the Eastern Promenade.

As Metro continues advancing transit in Portland and growing ridership, we also plan to expand this concept and work with other cultural and artistic venues along our transit routes to promote public transit use through this kind of creative payment arrangement. As we expand our local partners, Metro can more effectively work with the city of Portland and the Federal Transit Administration to develop the funding programs needed to seriously improve transit service on the peninsula with all day frequencies of 20 minutes or better, hours of service through midnight, and added weekend service.

Thank you for this opportunity to work with you and we look forward to a successful partnership.

Sincerely,

A handwritten signature in black ink, appearing to read 'Gregory Jordan', written over a horizontal line.

Gregory Jordan
General Manager

From: Deirdre Nice <deirdre.nice@stlawrencearts.org>
To: Helen Donaldson <HCD@portlandmaine.gov>
CC: Julia Kirby <julia.kirby@stlawrencearts.org>, David Lloyd <lloyd@archetypepa.com>
Date: 9/2/2014 9:58 AM
Subject: Re: to-do list/plan moving forward

Nell,

3. Other outstanding comments from staff: There are a couple of relatively minor site plan changes/information requests contained in the planning board memo (e.g. Marge's comments re clarification of uses in Promenade Room, verification of dimensional information, conceptual site plan edits, questions from earlier emails about total footprint & square footage numbers, bike parking numbers).

The primary use of the Promenade Room will be as a lobby for the 401 seat performance hall. Secondary uses will be as a space for SLA and other non-profits to hold events in line with our mission of arts and culture, community and neighborhood and historic preservation. These uses include fundraising, rentals and in house programming of music, theater, film, meetings, corporate and business rentals, and civic activities.

I believe the other questions within #3 have been answered in the TDM and the drawings David has provided. If not, I'll hunt that info down.

Thanks and hope you had a great weekend.

~Deirdre

Memo to: Deirdre Nice & Julia Kirby, St. Lawrence Arts Center

From : Sarah Cushman, *Cushman Transportation Consulting, LLC* 

Re : *Initial Examples of TDM Sites Utilizing Remote Parking & Shuttle/Transit Strategies*

Date : October 22, 2014

Below are some case examples of evening remote parking and shuttle/transit service to specific sites that are using Transportation Demand Management (TDM) strategies. These have surfaced from initial research that was requested by the Portland Planning Board, as part of the St. Lawrence Arts Center's consistent efforts to produce a successful TDM plan for its proposed 401 seat venue.

While there are a number of examples of very large venues (e.g. the Greek or Ford Theatres in Los Angeles) where access is primarily through remote parking and shuttle, or where a shuttle is offered solely to access a venue from a local transit stop (e.g., Queens Theatre in New York), there are few examples that more closely align with the particular circumstances of the St. Lawrence. I want to be clear that does not indicate this strategy is not a good fit for the St. Lawrence. With good planning and marketing the Arts Center will have real success with this and the rest of its TDM elements – and the larger neighborhood will benefit as well.

Similar Examples in Scale or Patronage

City of Portsmouth, NH

Set-up: New free weekend remote parking and shuttle makes parking easier for Portsmouth visitors, employees, and residents

The City of Portsmouth regularly fills its downtown parking garage, especially on Friday and Saturday afternoons and evenings. The city was facing the need to build another parking garage and decided to experiment with remote parking and a free weekend-only (Thursday afternoon to Sunday afternoon) shuttle from a church parking lot just off Exit 7 of I-95 and running at 10 minute intervals the ½ mile to downtown (a 10 minute ride). The shuttle launched May 2, 2014 and has been so successful that the city keeps extending the seasonal end date (which was early October and now may be the end of the year). There is a remote digital sign board at the Exit 7 off ramp that notifies drivers of the service and also when the downtown garage is full.

Glenwood Avenue Arts District

Chicago, Illinois

Set-up: Remote parking and shuttle for three small theaters in the far north side of Chicago; arts district is half block from local transit service (El Train and two bus lines).

In a dense neighborhood area on the far north side of Chicago – near enough to the suburbs to draw a large suburban clientele - is the Glenwood Avenue Arts District. This is a three-block radius arts district (three small theaters, a 300 seat concert venue, and two small bars with live music) that, as a whole, has access to only one parking lot (25 spaces). On-street parking near all the venues is largely free (there are some 2 hour meters on two nearby corridor streets) but can be difficult to find.



CUSHMAN TRANSPORTATION CONSULTING, LLC
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One of the theaters (Lifeline Theatre – 95 seats, 2-4 shows daily) runs a shuttle for itself and the other two theatres from a remote parking lot. The shuttle is highly successful and the theatres believe if they did not have remote free parking with transportation to the neighborhood they would likely have far fewer suburban patrons.

Paramount Theater

Huntington, NY (Long Island)

Set-up: Remote parking and trolley bus from train depot/parking lot to theater

The Paramount Theater (1600 seats) is located in the heart of Huntington's downtown village and as part of their TDM plan, patrons can use the theater's free trolley service. The trolley runs from 1.6 miles from the remote parking site (Huntington train station on the Long Island Rail Road) and is able for both train users and those who drive to the train parking lot and ride from there. The trolley runs the night of each show from 5:00 pm until 2:00 am.

Larger Complexes - Similar Function, Location, or Patronage:

TD Place/Lansdowne Park - Ottawa Sports and Entertainment Group (OSAG)

Downtown Ottawa, Ontario

Set-up: Increased transit service on multiple lines serving the site with free passes for patrons; free shuttle from four remote parking sites

TD Place/Lansdowne Park is a new arena and shopping center in the heart of the city that has inadequate parking. Lansdowne Park is Ottawa's jewel by the Rideau Canal—a 40-acre site in the heart of the city, adjacent to the historic Bank Street Bridge and wrapped to the East by a gentle curve of the Canal, a UNESCO World Heritage Site. Lansdowne is itself an historic site and houses two of Ottawa's most spectacular examples of early Canadian exhibition space architecture.

As part of its transportation plan, the site developed a plan with the local transit provider, OC Transpo (Ottawa City), to:

- 1) integrate a transit pass with every ticket to an event of the pro football or pro soccer leagues, extending from three hours before until three hours after each game
- 2) increase bus service on regular routes, as well as shuttles from a transitway (separate road for buses) station
- 3) offer a free shuttle from one of four remote parking lots

The site also offers quite a bit of free valet bicycle parking.

Oregon Institute of Technology – Wilsonville

Suburb of Portland, Oregon

Set-up: Subsidizes local transit for evening service to accommodate night students, including professionals

The university pays the local transit agency (SMART) for a late night trip to accommodate evening classes for their students. This service is also open to the general public but it is mainly funded by the student body who votes to approve the fee and pay for the additional service. Oregon Tech's high-demand BS and MS degrees are accessible to traditional full-time students, working professionals, and busy adults by offering day, evening, weekend, and online courses.

From: <lynne_panico@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 2/19/2014 1:09 PM
Subject: Proposed St Lawrence Expansion

I work out of state during the week and am unable to attend the neighborhood meeting. However, I have two major objections to the proposed expansion:

One is that St Lawrence parking will take up the current on street parking used by area residents, and two is that the architecture is inconsistent with the existing building and area.

The goals of the St Lawrence Friends are worthy of supporting, but not until the issues raised above are addressed. I will strongly oppose the proposed expansion based on the two objections listed.

Lynne Panico

Sent from Windows Mail

From: ebw <eenebw@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 2/26/2014 10:56 AM
Subject: st lawrence arts center
Attachments: IMG_20140223_144028.jpg; IMG_20140223_143355.jpg

I live on beckett street three houses down from the St Lawrence church. I wanted to attend today's meeting in person but am unable to so am writing this email. Overall, I am not against the project but I have concerns that the scale of it is too large for the neighborhood in terms of noise and parking congestion. I attended the last meeting at St. Lawrence and what I got from the meeting was there really is no parking issue and that the parking stock in the neighborhood is sufficient except for 20 or so spaces.

I would like to offer the following considerations:

1. Beckett Street is hit hard when a show occurs. Parking gets unmanageable with people parking over driveways, making 3 spaces out of two, etc... Refer to the pictures I included in this email that were taken last Sunday at around 2:30. Although illegal parking is not the responsibility of St Lawrence, increasing the size of a show from 100 people to up to 500 requires a better plan than "the neighborhood has sufficient parking stock". Last Sunday when the picture was taken I was barely able to drive down the street to my driveway because of the crowded parking basically blocking the street from passage.
2. Before a show the street is crowded by a constant stream of cars looking for parking places. This will only get 4 times worse.
3. After a show, people tend to converse outside their cars. While this is not a big deal normally, it is not a good thing in the summer at 10:30 pm when you are trying to get to sleep.
4. There may be a few parking spaces available occasionally on Beckett street but those really should be for residents.

Enoch Wenstrom
88 Beckett St





From: Ross Fields <ross.fields@munjoyhill.org>
To: Ralph Carmona <ralphcarmona@gmail.com>
CC: Jeff Levine <JLEVINE@portlandmaine.gov>, Barbara Barhydt <BAB@portlandmaine.gov>, Nell Donaldson <HCD@portlandmaine.gov>, Deirdre Nice <deirdre.nice@stlawrencearts.org>, Ann Landsberg <alandsberg@aol.com>, Tim Baehr <TBaehr@aol.com>, Nick Mavadones <NickM@cascobaylines.com>, David Marshall <dave@damfineart.com>, Stephen Gaal <Steve@gaal.com>, Joan Sheedy <joaniesheedy@gmail.com>, Kevin Donoghue <kjdonoghue@gmail.com>, Vana Carmona <vanacarmona@gmail.com>, Bobbi Keppel <bobbik@zwi.net>, Leslie Bailey <legato@zwi.net>, Jon Hinck <jhinck@lewissaul.com>, Tom Kelley <thomas.kelley@maine.edu>, Rita Yarnold <cbayrea1@maine.rr.com>, Erna Koch <ekoch4@maine.rr.com>, Jill Duson <jlduson@maine.rr.com>, Peter Bass <pbass@maine.rr.com>, <vestal@maine.rr.com>, Alex Jaegerman <AQJ@portlandmaine.gov>, John Coyne <jcoyne@portlandmaine.gov>, Michael Brennan <mfpb@portlandmaine.gov>, Mark Rees <MHR@portlandmaine.gov>, Julia Kirby <julia.kirby@stlawrencearts.org>, Maia Greco <maiaagreco@verizon.net>, Cheryl Leeman <cal4161@yahoo.com>, Ed Suslovic <edsuslovic@yahoo.com>, Cliff Gallant <gallant.cliff555@yahoo.com>
Date: 2/26/2014 11:40 AM
Subject: St. Lawrence Arts Center - TDM and Parking input
Attachments: Parking Study Munjoy Hill-All Data.xlsx

Jeff,

I too extent my "Thank You" for meeting with me and Ralph yesterday on such short notice. As part of discussion concerning a success approach to this project here are some observations, questions and collected data (attached). These items are a blend of my own thoughts and discussions with members of the community and Concerned Citizens of Munjoy Hill (CCMH). The parking data is the result of the efforts of CCMH.

TDM - Suggestion for Success and Questions

The success of the TDM seems to hinge on the willingness of theater goers to park at the Cutter Street location and be shuttled to the theater. The current problem is that there is no real incentive or enforcement mechanism to make the Cutter Street parking with shuttle service a viable solution.

However, if ***Residential Parking Permits*** were required within the 3 block area around the theater, during performances, the odds of the Cutter Street parking - shuttle bus system increase dramatically. It now becomes the more convenient, almost only, choice, and much easier to monitor.

There has also been a suggestion that ***Handicapped Parking*** be put in on the streets, Congress, Munjoy and Beckett, to facilitate the ease of use for theater goers with special physical needs - 4 to 6 spaces.

For which performances will the TDM be in play?

- Only performances in the 401 seat theater?
- Only performances put on by St. Lawrence (i.e. for Good Theater, TDM not required)?
- Any and all events taking place at the newly established Arts Center.

What parking requirements do you see for private shuttle services such as school groups and retirement communities?

- Park anywhere they can find space?
- Required to park in one of the Cutter Street lots?

The impact on available residential and commercial street parking and traffic flow in the Munjoy Hill neighborhood will also depend on the frequency of performances needed for financial success.

- What is the projected performance frequency, 1 per week, 3 per week, 5 per week?

Example: If the 65,000 (approx.) residents living on the peninsula attended the proposed 401 seat theater, once per year, and each performance had 400 seats filled, 3 (3.125) performances per week would be required.

It would definitely be helpful to know and understand just how many performances in the 401 seat theater, given the claim that a 401 seat theater is required (the current 110 seat theater is not big enough) to accommodate acts/groups who aren't currently coming to Portland due to lack

of a properly sized venue, will be expected each day, week, month.

*Parking Data *- Exel Doc attached

Concerned Citizens of Munjoy Hill (CCMH) completed 11 parking counts
- 9 with performances at the current Parish Hall theater
- 2 counts with no performance.

Available Parking (ave) *WITH performance* - 9 samples

32 open spaces - 1 block in all directions from theater (yellow on diagram)
181 open spaces - 2 to 3 blocks, in all directions from theater (tan on diagram)
216 open spaces - 3 to 4 blocks, in all directions from theater (green on diagram)

Available Parking (ave) *NO** performance* - 2 samples

61 open spaces - 1 block in all directions (yellow)
182 open spaces - 2 to 3 blocks in all directions (tan)
202 open spaces - 3 to 4 blocks in all directions (green)

These figures support the concern that theater goers tend to search for and use parking as close to the theater as possible based on almost 50% decrease in available parking within the 1 block area during current performances.

Based on this data, all available parking in the 1 block, and 2 to 3 block, areas would be required during a performance where attendance was 400 to 485.

Thank you for your involvement with this proposed project. If you have any questions or comments please email or call me.

Sincerely,
Ross Fields
46 Turner Street
207-233-43 <207-233-4327>

	Spaces Open	Spaces Open	Spaces Open	2/3/2013	Performanc e at St. L.	
			Eastern	Prom.		F
M	236	200			M	o
e			T Morning	C Morning	o Morning	V Morning
l	Emerson	e Emerson	r Emerson	n Vesper	d Vesper	I Vesper
b		b	n 39	g	y	s
o		e Howard	e Howard	r Beckett		o O'Brian
u		c	r	e SLAC		n
r	Merrill	Merrill	Merrill	s Munjoy	Munjoy	Munjoy
e		Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
			m		n	Gi
	North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
C	Tot. Spaces Available 475					

	Spaces Open	Spaces Open	Spaces Open	2/16/2013	S/O Perf. at St. L.	
			Eastern	Prom.		F
M	224	191			M	o
e			T Morning	C Morning	o Morning	V Morning
l	Emerson	e Emerson	r Emerson	n Vesper	d Vesper	I Vesper
b		b	n 41	g	y	s
o		e Howard	e Howard	r Beckett		o O'Brian
u		c	r	e SLAC		n
r	Merrill	Merrill	Merrill	s Munjoy	Munjoy	Munjoy
n			C	s	M	SL C
e		Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
			m		n	Gi
	North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
D	Tot. Spaces Available 456					

Spaces Open		Spaces Open	Spaces Open	2/23/2013	S/O Perf. at St. L
M e l b o u r n e	Eastern		Prom.		F
	222	199		M	
	Emerson	Emerson	Morning	C Morning	o Morning
			Emerson	n Vesper	d Vesper
			47	g	y
		Howard	e Howard	r Beckett	
				e SLAC	
	Merrill	Merrill	Merrill	s Munjoy	Munjoy
			C	s	M
North	Layfayette	u Layfayette	Atlantic	o Atlantic	Gi Atlantic
		m		n	
	North	North	North	St. Lawrence	St. Lawrence
Tot. Spaces Available					
468					

Spaces Open		Spaces Open	Spaces Open	3/2/2013	No Performance
M e l b o u r n e	Eastern		Prom.		F
	204	192		M	
	Emerson	Emerson	Morning	C Morning	o Morning
			Emerson	n Vesper	d Vesper
			55	g	y
		Howard	e Howard	r Beckett	
				e SLAC	
	Merrill	Merrill	Merrill	s Munjoy	Munjoy
			C	s	M
North	Layfayette	u Layfayette	Atlantic	o Atlantic	Gi Atlantic
		m		n	
	North	North	North	St. Lawrence	St. Lawrence
Tot. Spaces Available					
451					

	Spaces Open	Spaces Open	Spaces Open	3/9/2013	S/O Perf. at St. L	
			Eastern	Prom.		F
M	232	166				
e			Morning	C Morning	o Morning	V Morning
l	Emerson	e Emerson	r Emerson	n Vesper	d Vesper	I Vesper
b		b	n 31	g	y	s
o		e Howard	e Howard	r Beckett		o O'Brian
u		c	r	e SLAC		n
r	Merrill	Merrill	Merrill	s Munjoy	Munjoy	Munjoy
n			C	s	M	SL C
e		Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
			m		n	Gi
	North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
G	Tot. Spaces Available 429					

	Spaces Open	Spaces Open	Spaces Open	3/16/2013	S/O Perf. at St. L	
			Eastern	Prom.		F
M	212	160				
e			Morning	C Morning	o Morning	V Morning
l	Emerson	e Emerson	r Emerson	n Vesper	d Vesper	I Vesper
b		b	n 29	g	y	s
o		e Howard	e Howard	r Beckett		o O'Brian
u		c	r	e SLAC		n
r	Merrill	Merrill	Merrill	s Munjoy	Munjoy	Munjoy
n			C	s	M	SL C
e		Layfayette	u Layfayette	Atlantic	o Atlantic	Atlantic
			m		n	Gi
	North	North	b North	St. Lawrence	u St. Lawrence	St. Lawrence
H	Tot. Spaces Available 401					

Spaces Open		Spaces Open		Spaces Open		3/23/2013		S/O Perf. at St. L.	
Melbourne Industrial Building Unit Room Number	230		184		Eastern		Prom.		F
	Emerson		Emerson		Morning		Morning		M
									o
	Merrill		Merrill						V
									i
			21		Emerson		Vesper		d
			Howard		Howard		Beckett		y
							SLAC		M
									s
									O'Brian
North	North		North		North		St. Lawrence		u
									SL
									C
									M
									SL
									C
									SL
									C
									SL
									C
Tot. Spaces Available		435							

Spaces Open		Spaces Open		Spaces Open		3/30/2013		Performance at St. L.	
Melburn	211		194		Eastern		Prom.		F
	Emerson		Emerson		Morning		Morning		M
									o
	Merrill		Merrill						V
									i
			22		Emerson		Vesper		d
			Howard		Howard		Beckett		y
							SLAC		M
									s
									O'Brian
North	North		North		North		St. Lawrence		u
									SL
									C
									M
									SL
									C
									SL
									C
									SL
									C
Tot. Spaces Available		427							

Spaces Open	Spaces Open	Spaces Open	4/6/2013	Performanc e at St. L.	
M e l b o u r n e K	Eastern Prom.				
	215	167			
	Emerson	Emerson	Emerson	Vesper	Vesper
		Howard	Howard	Beckett	O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy
		Layfayette	Layfayette	Atlantic	Atlantic
	North	North	North	St. Lawrence	St. Lawrence
	Tot. Spaces Available 411				

Spaces Open	Spaces Open	Spaces Open	4/13/2013	Performanc e at St. L.	
M e l b o u r n e L	Eastern Prom.				
	167	161			
	Emerson	Emerson	Emerson	Vesper	Vesper
		Howard	Howard	Beckett	O'Brian
	Merrill	Merrill	Merrill	Munjoy	Munjoy
		Layfayette	Layfayette	Atlantic	Atlantic
	North	North	North	St. Lawrence	St. Lawrence
	Tot. Spaces Available 356				

Spaces Open		Spaces Open		Spaces Open		4/14/2013		No Performance	
Eastern Prom.									
201	173			M					
Emerson	Emerson	Emerson	Vesper	Vesper	Vesper	Vesper	Vesper	Vesper	Vesper
	Howard	Howard	Beckett						O'Brian
Merrill	Merrill	Merrill	Munjoy	Munjoy	Munjoy	Munjoy	Munjoy	Munjoy	Munjoy
	Layfayette	Layfayette	Atlantic	Atlantic	Atlantic	Atlantic	Atlantic	Atlantic	Atlantic
North	North	North	St. Lawrence	St. Lawrence	St. Lawrence	St. Lawrence	St. Lawrence	St. Lawrence	St. Lawrence
Tot. Spaces Available									
441									

CONCERNED CITIZENS OF MUNJOY HILL

Why you should be concerned about the St. Lawrence Arts Center's latest proposal

The most significant problem with this proposal is its PARKING plan.

- The proposal's TDM (Transportation Demand Management) plan includes a shuttle service to and from the Cutter Street lot to supplement on-street parking and accommodate the estimated 228 parking spaces needed for the 401-seat performance hall.
- The shuttle service seems unworkable, especially during a typical Maine winter.
 - Snow-clogged streets will decrease available on-street parking.
 - There are no shelters to protect those waiting for the bus in foul weather.
 - A parking ban will make the Cutter St. lot hard or impossible to use.
- The shuttle service in the TDM plan lacks important details that would have an impact on the surrounding neighborhood.
 - The size and number of buses
 - The frequency of trips
 - The time for loading, transporting, and unloading passengers
 - How much time will patrons need between parking in the Cutter Street lot and being seated in the performance hall?
 - How much time will patrons need to return to the Cutter Street lot when patrons are all leaving at the same time?
- The proposal is vague or unclear about the maximum number of patrons and how many of the three venues (theater, concert hall, promenade room) can be used at one time. The language of the proposal implies that there could be as many as 600 patrons, and their cars, to accommodate.
- Most troubling is that this proposal gives ongoing oversight of parking issues to the Center's Executive Director and chief promoter of the proposal.

Other concerns: Some people feel that the size and design of the new building are out of character with the neighborhood and the Parish Hall. The size has a direct impact on parking and traffic.

For more information, contact Ralph Carmona at 207-420-5916 or RalphCarmona@gmail.com

From: Kevin Donoghue <kjdonoghue@portlandmaine.gov>
To: Jeff Levine <JLEVINE@portlandmaine.gov>, Helen Donaldson <HCD@portlandmaine.gov>
Date: 2/28/2014 11:11 AM
Subject: SLAC Meeting

Hi Jeff and Nell,

My major takeaways from last night are:

Yes, we are willing accommodate the parking demand, but the impacts are acute in an inner radius of blocks. Whether as a companion to the TDM or part of it, we should be prepared to define options for a parking permit program which could be implemented once the SLAC begins operations or after a defined review period thereafter. Even though the impacts are real, if acute, there remains sufficient community support for the value the SLAC can provide to the neighborhood among established residents. This is my divination of Jeff's values vs. science approach. However, we must use some "science" to mitigate the impacts implicit in our acquiescence of "values." The science should inform our permit program design.

No, the shuttle service is not a viable technique to mitigate parking demand in and around the SLAC. If visitors are rational actors, it is a supremely unattractive option and compares unfavorably to parking two or three blocks deep into the neighborhood. Moreover, it's expensive and heavy on wasted administrative effort. Instead, a comparable amount should be applied to extending daytime frequencies of the METRO #1 into the evening, whether the SLAC is operating then or not. First, it can mitigate baseline residential and commercial parking demand in the neighborhood all while providing a tangible neighborhood benefit that the equally costly shuttle does not. Second, it provides more options for visitors than the shuttle. Virtually every parking space on the Congress Street corridor, including Downtown parking garages, is in play for patrons, encouraging multi-stop visits.

Finally, as much as I would see the building round to the new upper limit of 50 ft in the "Munjoy Hill B1," 118 dwarfs the visual impact of SLAC and, while I'm unhappy with the both the review process and recommended outcome of 118, what's good for the goose.. The generous setbacks of the Promenade Room, moreover, make the difference of having the SLAC being much more respectful of the Observatory.

Thanks for your facilitation last night,
 Kevin

St. Lawrence Arts Center Conditional Zoning Agreement (CZA)
 Neighborhood Meeting
 2/27/14, 7 p.m., East End School

Jeff Levine, Director of the Planning Division, gave a brief introduction, explaining the purpose of the meeting. Nell Donaldson, Planner, added an overview of the history and current conditional zoning agreement application process.

Julia Kirby provided background on the current St. Lawrence Arts Center proposal, with David Lloyd of Archetype Architects and Tom Gorrill of Gorrill-Palmer Consulting Engineers offering detail on the design and parking/transportation elements of the current plan respectively.

The floor was then opened for questions and comments.

Process

How much influence does public input have on the Planning Board? <i>Jeff Levine</i> – Public comment is taken seriously by staff, the Planning Board, and the City Council and, ultimately, input is balanced with policy to arrive at a resolution.
What is the process for dealing with the details regarding parking concerns? When will a public discussion about this occur? <i>Jeff Levine</i> – The TDM plan includes annual reporting requirements. <i>Nell Donaldson</i> – In the conditional zoning agreement there is a draft parking study and TDM plan. This plan will be reviewed during this process.
Has the fire department been consulted?
The requests for further study are a way of opposing the project. The project should not be overburdened by unnecessary studies.

General

Munjoy Hill already has a 100-seat theater. Why is a 400-seat theater necessary?
The existing theater is an asset to Munjoy Hill and the greater community.
Is this theater expansion really necessary given the other facilities in the city?
Most people would support the expansion if it was a 300 seat addition. The project seems out of scale.

Design

How is the massing of the original sanctuary different from the new? <i>David Lloyd</i> - There is no bell tower in the current proposal and the total cubic volume is now smaller.
Concern regarding recent development pressure and the massing along Congress Street. Will there be shadows due to the proposed height?
The form and massing generally fit the character of Congress Street.
Like architecture.
The mass is overwhelming. Does it obscure the observatory?

Parking Study

The data in the parking analysis doesn't seem to be transparent enough and the arithmetic doesn't seem to work. There are only 179 spaces within a 5 minute walk, but 228 spaces are needed.
Concerned regarding the validity of the parking survey. Supply numbers do not seem accurate.
It appears that the parking study has been done with integrity.

Parking Supply

Never adequate parking on Munjoy Hill right now. Could there be some off-street facility for parking?

There is not enough on-street parking currently, and parking congestion under the new development will create traffic congestion. Encourage the Planning Board to conduct a more careful parking analysis. The two most discussed options present a false choice; is it really a matter of 485 people in the facility or the status quo? Could a smaller venue (with 200-250 seats) work instead?
A change in travel behavior is coming which will alleviate some of these parking concerns. How often does the St. Lawrence expect a sold out performance? Can live with some inconvenience if it's infrequent.
This neighborhood should be urban. Not worried about parking supply.
Parking is a real issue, but we live in a city. TDM strategies (shuttle, transit subsidies, education) could help, as could a residential parking program.
Parking issues can be resolved through public transportation and remote lots.
Is residential parking program needed?
People love to walk in the neighborhood; using on-street spaces farther than 5 minutes away should not be a problem.
How frequently will shows occur? How frequently must there be shows in order to provide sufficient revenue stream? Parking problem might be manageable if infrequent.
Not enough parking spaces now. How will you fit 400+ people into 200 spaces?
This facility is in the middle of a business district. Successful places don't have ample on-street parking.
Could a wrapped garage be built on Munjoy Hill?
A residential parking permit program needs to be instituted.
The parking competition is going to create issues for other businesses, like the restaurants.

Safety

Concern about safety issues with cars circling looking for on-street spots. Couldn't project be downsized to make this work?
Need to consider winter conditions, when snow and ice limit parking aisles and make sidewalks treacherous. Sidewalk maintenance should be part of the plan.
How will fire navigate the streets in the winter when In the winter when streets are tighter with snow, ice, and on-street parking? Will children be safe with all the on-street parking?
Need to look at sidewalk maintenance issue.
Could speed bumps help with traffic safety concerns?

Transportation Demand Management (TDM) Plan

The Cutter Street remote lots won't work in either the summer or winter.
Putting too much stock in the Cutter Street lots. What about the boat trailers that are parked there in the summer?
Need more analysis of TDM strategies. Evaluate demographics of audience and base TDM plan on those demographics.
The shuttle bus to Cutter Street needs more study. The numbers don't work and the logistics have not been thought through carefully enough.

Building Occupancy

The capacity figures in the conditional zoning agreement are ambiguous.
Issue of enforcing capacity. How do you limit the number of occupants to 485?

The meeting concluded at approximately 8:30.

City of Portland - Public Meeting, 2/27/14, East End School
 St. Lawrence Arts Center Conditional Rezoning Amendments, 66 Congress Street

Name	Address	Email
Deirdre Nic	St. Lawrence Arts	deirdre.nic@stlawrencearts.org
Ross Fields	46 Turner St.	ross.fields@mainjorhill.org
Willa Carmena	105 North St #1	willacarmena@gmail.com
Alyson Wright	83 St. Lawrence St. Portland	
Stephen Goad	176 Eastern Prom, Portland	steve@goad.com
Dawn Chaplin	150 Washington Ave	
Joyce Walworth	135 Sheridan St (203)	joycewalworth@gmail.com
Wendy O'Rourke	158 North St Portland	
NITA DARNOLD	559 CONGRESS PORT.	CBAYREAD@MAINE.RR.COM
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Fred Brancato	85 Beckett St	opis2@maine.rr.com
WJ Emerson		
Joanne Vandermost	53 Bantley Ave Portland	vanderj@and.yahoo
Carol McElahan	1 North St.	carol@ckenehl.com

or

City of Portland - Public Meeting, 2/27/14, East End School
St. Lawrence Arts Center Conditional Rezoning Amendments, 66 Congress Street

[illegible]

From: Caitlin Shetterly <caitlin.shetterly@gmail.com>
To: <jlevine@portlandmaine.gov>
Date: 2/27/2014 11:09 AM
Subject: St. Lawrence

Dear Jeff,

I'm writing to express my support for the St. Lawrence expansion. I am a theatre director who has benefitted greatly from the amazing just all around wonderfulness of the St. Lawrence. I think if it could expand to give even more to the Portland community, that would be great--and a win win for everyone. Thank you, Caitlin.

CAITLIN SHETTERLY

Writer, Director, Actor,
Independent Radio Producer
EMAIL | BLOG | TWITTER | FACEBOOK | VIDEO

madeforyouandmethebook.com

From: Wendy Cody <wendycody@hotmail.com>
To: "jlevine@portlandmaine.gov" <jlevine@portlandmaine.gov>
Date: 2/27/2014 11:22 AM
Subject: St Lawrence Arts expansion

Dear Mr. Levine,

I'd like you to know that I support the St Lawrence Arts expansion project and hope you will too. I live in Yarmouth, ME and am a big supporter of expanding the arts in Portland. Thanks for your consideration.

Sincerely,

Wendy Cody

From: Karyn Jenkins <kjenkins671@gmail.com>
To: <jlevine@portlandmaine.gov>
Date: 2/27/2014 11:29 AM
Subject: I support the St. Lawrence Arts Expansion

Jeff,

I will not be able to attend the meeting tonight but I am writing to you to let you know that I support the St. Lawrence Arts Expansion.

Thank you.

Karyn Jenkins
38 Pembroke Street
Portland, Maine 04103
207-671-9055

From: Annette Elowitch <annette@barridoff.com>
To: "jlevine@portlandmaine.gov" <jlevine@portlandmaine.gov>
Date: 2/27/2014 12:29 PM
Subject: St Lawrence expansion

My husband Rob and I live in Portland and support the St. Lawrence expansion.

Annette Elowitch

Sent from my iPhone

From: charles brown <cbrownjr51@gmail.com>
To: <jlevine@portlandmaine.gov>
Date: 2/27/2014 2:32 PM
Subject: Saint Lawrence Arts

This is a message in support of the St. Lawrence's proposed addition to their theater. I am a longtime Portland resident who has both attended performances and performed at the St. Lawrence space; the addition will provide them with the financial security they need to fulfill their promise as an important arts presenter to the region. Any talk of Munjoy Hill as a desirable location for residence involves taking advantage of the theater's offerings. The theater is part of the neighborhood and is a powerful force for positive change on the Hill. Thank you.

From: Chris White <chriswhite.ars@gmail.com>
To: <jlevine@portlandmaine.gov>
Date: 2/27/2014 3:11 PM
Subject: St. Lawrence Art Center

I am a resident of Windham, but do most of my shopping in Portland. All of my doctors are in Portland. I had my own office located in Portland for over 15 years and ran a gallery on Congress St. for 3 years.

I strongly support the planned St. Lawrence performing arts space. While I recognize that parking may be an issue, the issues of parking and public transportation are perpetual in the City and should not unduly influence decisions about such wonderful projects as this one, which can only enhance the City's reputation as a cultural center for the state and region.

Sincerely,

Christopher White

--

Chris White

Arts Resource Service
48 Madison Road
Windham, Maine 04062
207-892-7578

From: "Larry .Hayden" <larry.hayden49@gmail.com>
To: <jlevine@portlandmaine.gov>
Date: 2/27/2014 3:28 PM
Subject: St. Lawrence expansion

Dear Mr. Levine,
I want to go on record in support of the St. Lawrence Church expansion. The organization is doing great work and deserves all the encouragement possible. It appears they have been open and cooperative with the neighborhood suggestions and will continue to be an asset to the City of Portland.
Sincerely,
Lawrence Hayden
671 Auburn Street
Portland 04103

From: <katie_graine@yahoo.com>
To: "jlevine@portlandmaine.gov" <jlevine@portlandmaine.gov>
Date: 2/27/2014 3:47 PM
Subject: St Lawrence arts center

Hey Jeff, I just wanted to send an email expressing my support for the St Lawrence expansion. I live & work on the hill and wholeheartedly support them. Feel free to be in touch. Thanks so much. -Katie Wallace

Sent from my iPhone

From: David Iovino <davit70@gmail.com>
To: "jlevine@portlandmaine.gov" <jlevine@portlandmaine.gov>
Date: 2/27/2014 4:06 PM
Subject: St Lawrence.

Jeff Levine,

I'm writing to support the expansion of the St Lawrence Arts Center. I'm not able to attend the meeting tonight but completely agree that the expansion will help the neighborhood grow. I have owned a business on the hill for 10 years and have seen a steady building of a community, and welcome any growth and addition.

Thank you and feel free to contact me with any questions.
David Iovino

Sent from my iPhone

From: Alison Grey Murray <wharey@yahoo.com>
To: "jlevine@portlandmaine.gov" <jlevine@portlandmaine.gov>
Date: 2/27/2014 6:03 PM
Subject: St. Lawrence Arts Expansion

Hello Mr. Levine.

My husband and I bought our house on Munjoy Hill ten years ago and have been pleased with the neighborhood changes over that time. In my opinion, the best additions to our neighborhood have been Blue Spoon, The Front Room, the expanded Hill Top location, and Rosemont. I appreciated the perspective in the recent Press Herald article that the expansion of the St. Lawrence will be positive to those businesses.
http://www.pressherald.com/news/Parking_a_hurdle_for_Munjoy_Hill_music_hall_plan_.html?pageType=mobile&id=1

I think the expansion will be good for residents too.

Thank you for your consideration.

Sincerely,
Alison Grey

Can't attend tonight's meeting about St. Lawrence Arts, send Jeff Levine, Director of Planning & Urban Development an email at jlevine@portlandmaine.gov

Tell him that you support the St. Lawrence Arts Expansion! (include your town...especially if you live in Portland, Maine!!) Thanks!! They put emails and letters in the public record.

From: "Lisa Morris" <lmmorris@usm.maine.edu>
To: "Helen Donaldson" <HCD@portlandmaine.gov>
Date: 9/23/2014 12:15 PM
Subject: Re: St. Lawrence Arts - revised submittal and upcoming Planning Board workshop

Hi Helen,

I cannot attend tonight's meeting (working...) but I want to chime in regarding the St. Lawrence plans and the planning board's decision making around their request for conditional zoning.

I live around the corner (Lafayette Street). We own a house without a driveway. Parking is occasionally an issue, of course, but the prospects of having a new 400-seat theater around the corner more than offsets this occasional inconvenience. Besides, the St. Lawrence folks have been more than accommodating in their ideas and plans for transportation flow management.

Additionally - and I've said this before: planning around cars and parking is increasingly out-of-date. Younger people are less likely to have cars, more inclined to bike, walk, take a bus, a trolley. We need to stop planning so closely around auto traffic.

I also think the design is fine and have no concerns about the height or bulk (especially since it will help tie in 118 Congress, making 118 look more to scale).

I am concerned that few out-spoken folks will block what is an example of just the kind of economic development an inner-city neighborhood like Munjoy Hill needs: small, non-profit, non-polluting, neighborly. A new theater on this end of town will enhance the overall vibrancy of Portland.

If it doesn't succeed (the risk of any new start-up) the building is sized to be desirable to other small businesses.

Thanks.

Lisa Morris
 26 Lafayette Street

>>> "Helen Donaldson" <HCD@portlandmaine.gov> 9/15/2014 2:25 PM >>>
 To Whom It May Concern:

Please be advised that the Friends of St. Lawrence Arts has submitted additional materials related to proposed amendments to their existing conditional zoning agreement for 76 Congress Street, the St. Lawrence Arts Center. These additional submittals, including a revised transportation demand management plan and revised architectural drawings, will be discussed by the Planning Board at their next workshop, to be held at 4:30 p.m. on Tuesday, September 23 in Council Chambers, City Hall.

These materials may be accessed by visiting the Planning Division on the 4th floor of City Hall or by emailing me directly. Background materials will also be available on the city's website by the end of this week (<http://www.portlandmaine.gov/211/Planning-Board>).

Details on the Planning Board agenda for September 23 may be found here:

<http://www.portlandmaine.gov/211/Planning-Board>

As always, please feel free to email or call with questions or comments. We appreciate your input in this process.

Nell Donaldson

Nell Donaldson
City of Portland Planning Division
389 Congress Street
Portland, Maine 04101
874-8723
hcd@portlandmaine.gov

Notice: Under Maine law, documents - including e-mails - in the possession of public officials or city employees about government business may be classified as public records. There are very few exceptions. As a result, please be advised that what is written in an e-mail could be released to the public and/or the media if requested. 2/21

From: Stephen Gaal <steve@gaal.com>
To: <hcd@portlandmaine.gov>
Date: 3/17/2014 2:08 PM
Subject: FSLAC Amendments to Conditional Rezoning agreement

Dear Ms. Donaldson:

Please forward my comments on the proposed Friends of St. Lawrence Arts Center's Amendments to Conditional Rezoning Agreement to the entire planning board. Please also confirm receipt and forwarding of this communication. Thank you.

Portland Planning Board Members:

I am writing to offer my comments on the proposed Amendments to Conditional Rezoning Agreement: St. Lawrence Arts Center. Regretfully I am not able to attend the March 18 workshop. I have attended every meeting I have been aware of regarding the SLAC proposal including the city sponsored meeting on February 27. I have also read the memorandum from Nell Donaldson to the Planning Board members dated March 15. My compliments to ms. Donaldson on that memorandum. In my view her report on public comment was complete and accurate and the memorandum was factual and neutral.

My name is Stephen Gaal and I am a resident of Munjoy Hill. There are a number of issues and concerns I have about the project as proposed, but first I would like to say that I like having the St. Lawrence Arts Center in the neighborhood. I appreciate the venue it offers Good Theater, one of the most popular theater groups in the greater Portland area. And I like the access to an eclectic mix of entertainment in a very convenient location. The neighborhood has, by and large, successfully assimilated the traffic generated by the current 110-seat theater.

The applicant is not ENTITLED to this contract rezoning. By that I mean this proposed "regional performing arts center" (to use the applicant's description) is in a Residential zone (R-6) and absent both a compelling reason that this provides a net benefit to the community and each and every objection being satisfied, they do not have a right to this rezoning. In fact, the residents of the neighborhood should have a right to have confidence that their planning board will not revert to spot zoning for a particular applicant. So the default case here should be to deny the application.

Capacity, Traffic and Safety

Capacity: My principal issue with the proposed addition is its capacity and the resulting concerns about parking, traffic and safety. As proposed the St. Lawrence will have a total capacity of 721, (401-seat theater, 120-seat theater and 200-person Promenade room.) SLAC, as part of their proposed contract rezone, would limit attendance to any one event to 485 and would limit the use of the facility to one event at a time. This represents about 188 additional vehicles looking for parking. The additional vehicles represent 375 people, almost 1.5 times the capacity of Portland Stage that has a parking garage across the street and a parking lot next door. It is nearly 2.5 times the capacity of One Longfellow Square. The scale of this project is simply unsuitable for a residential neighborhood like the Hill. When Mad Horse Theatre opened a 50-seat performance venue in South Portland in a residential area similar to this one, they were required to show that they had 27 on-site parking spaces for fifty seats. And we are contemplating 375 additional seats with no parking. Does that make sense?

Traffic: The current Traffic Demand Management Plan is essentially identical to the plan put together for the previous contract zone agreement and is superficial, at best. Your own staff described it as "underdeveloped." Although it talks about available parking spaces on nearby streets, public transportation options, bicycles, and a shuttle to Cutter Street, what it does not do is create any additional parking to handle this increased demand. And when the completely predictable issues occur:

- An unworkable van shuttle system that defies common sense. And how about on snow ban nights when the lot starts filling in the afternoon? Or summer evenings when Cutter street is full of cars and boat trailers?
- Traffic jams caused by many vehicles arriving in a short window circling in ever widening circles looking for a space or waiting while a lucky patron who has found one parks.
- Even more cars than currently parked in the space that says "no parking from here to the corner" that would prevent fire trucks from making the turn into side streets near the theater
- Not to mention the blocking of Munjoy Street so trucks setting up and taking down shows can access the sidewalk positioned loading dock?

the neighborhood has no recourse. The building is built and the problem will persist. Annual reviews of the problem will do nothing to alleviate it.

The notion that there is ample on-street parking within a few blocks of the theater based on surveys counting empty parking spaces is appealing but simplistic. Although I am not a traffic engineer, I am an engineer by training and I do have a sense of how systems operate. And parking around the theater is a system in the most general sense. As any system approaches its capacity, virtually anything can and does disrupt the flow and causes "traffic jams" We all know this from driving on a highway that is nowhere near capacity and finding ourselves suddenly in stopped or dramatically slowed traffic. We wonder if there is an accident only to find out that there was just a hill and traffic slightly slowed and bunched, causing a traffic jam. This happens at well below the capacity of the highway. I would encourage the planning board to view parking on the Hill as a system and to understand in a more sophisticated way the impact this project is likely to have. I would be happy to provide members a copy of a Federal Department of Transportation report: Traffic Congestion and Reliability. I am sure there are many others. This addition, if approved, will be a regional performing arts center. An even higher proportion of event attendees will be driving than currently do. Improved public bus transportation and bicycle racks are simply not credible options.

Safety:

This is my most serious concern. Even now, on many nights, near the St. Lawrence, you will find cars parked in the zone that says "No parking from here to the corner." As parking demands increase, that will spread farther and farther from the St. Lawrence. Those parking restrictions are there so fire trucks can make the turn into narrow Munjoy Hill Streets. I would love to have the Fire Department weigh in on this issue. As curtain time nears theatergoers may become more and more anxious to find a space. It is human nature that will translate into going a bit too fast, missing stops signs, etc. This is something we should all be concerned about.

Other alternatives:

I would like to see a continuing and successful St. Lawrence presence on the Hill. So far St. Lawrence has presented us with just two options: the current arrangement that they have declared unsustainable and a dramatically expanded regional performing arts center. I would respectfully suggest there are other options that would be more compatible with the residential neighborhood in which it sits:

- Create an enlarged performing arts center but one that would be significantly smaller than 401, or 485, or 721. How about 200-250 seats? We can probably absorb that much additional traffic. I have suggested that to St. Lawrence and they responded that it doesn't work for them but they have declined to provide any detail on why it doesn't.
- Continue to operate the St. Lawrence as is and raise \$2-3 million for an endowment to maintain the current structure. St. Lawrence has said they breakeven on operations but don't have enough money to maintain the structure. This would allow them to do that.
- Follow your dream, SLAC, and build a new 4-500-seat regional performing arts center. But do it in the Arts district that has the infrastructure to support it

Respectfully,

Stephen Gaal
Portland ME
steve@gaal.com
(603) 651-9183 mobile

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Friends of St. Lawrence Church (FSLC) Revised Proposal for New Construction of a 400-seat Theater and Arts Center

We support an Arts Center on the site of the historic St. Lawrence Church.

However, we, the undersigned, oppose the current design plan for the Arts Center for the following reasons:

- The **size** is out of proportion with the rest of the neighborhood.
- The **design** is out of character with its residential neighborhood, and with the existing Parish Hall.
- The potential **capacity** of the new Arts Center, at 400, even without the 200-person capacity in the "Promenade" room or the existing 110-seat Parish Hall theater, will create significant **parking** problems not only for the neighboring residences and businesses but also for the patrons of the Arts Center.

Size and design. In 2010, the Friends of the St. Lawrence Church (FSLC), a nonprofit organization that owns the St. Lawrence Arts Center, obtained zoning exemptions from the City Council to build an expanded replica of the original Sanctuary as an arts center. FSLC is now seeking to amend this zoning agreement. The result, if it passes, would be a large box-shaped 400-seat theater topped by a 3,000-square-foot glassed-in "promenade" that accommodates 200 people. This structure will not "maintain the character of the original structure and property and complement the adjacent residential neighborhood" — one of the conditions in the original 2010 zoning agreement.

Capacity and parking. A 400-seat venue creates parking problems. The 2010 proposal called for shuttle transportation from remote parking lots, and expanded public transit. This is unworkable, especially in foul weather. Most patrons will still arrive by car and choke the neighborhood streets as they drive around looking for nonexistent spaces and drop off passengers. Local restaurants and other businesses will lose revenue if increased traffic causes customers to go elsewhere. Parking restrictions to reserve residential spaces (as proposed in 2010) would only add to these difficulties.

The Arts Center, as designed, will be a regional facility, with the potential of drawing patrons (and their cars) from a wide area. Regional facilities are appropriate for arts or commercial districts with adequate parking — but not for a residential neighborhood. If this were a private commercial project, FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Betty Welt	Betty Welt	43 Wilband Rd. Nobleboro, ME 04555	(Good Theater patron)	backlog@tidewater.net	
Martin Welt	Martin Welt	43 Wilband Road Nobleboro, ME 04555	Good Theater season ticket holder	backlog@tidewater.net	
Parrell McIlwain	Parrell McIlwain	89 North Street Portland, ME, 04101	(207) 756-5350	mcilwain-dan@ yahoo.com	✓
Walter McIlwain	Walter McIlwain	89 North Street 04101	(207) 773-112	Walter.McIlwain@ maine 04101	✓
Nikolay Velichkov	Nikolay Velichkov	56 Montreal St. Portland, ME		nikolayvelichkov@ gmail.com	✓
David Coy	David Coy	95 COTWY	699-6053		
Eric Masley	Eric Masley	12 Moody Street		emasley@ pre-intel.com	✓
Eva Keskemäki	Eva Keskemäki	74 Vesper St APT 2 Portland	233-7814		✓
John Pech	John Pech	74 Vesper St Portland Apt #1			✓
John Harniss	John Harniss	74 Vesper St Portland Apt #2			✓
Zeli Keskemäki	Zeli Keskemäki	74 Vesper St Portland ME			✓
Katy McKler	Katy McKler	221 Wood Rd Portland	233-0808		
Josh Jones	Josh Jones	39 PREBLE St APT 3	518-0893		

Petition Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Ed Apon	Ed Apon	Portland, ME. 90 Atlantic	699-8479		
Erin Dunne	EDe	240 Brighton Ave Portland, ME 04102		missclairesilk@gmail.com	
Dominick A. Rizzo	DPA.M	72 OAK ST. #405 Portland 04102	207 420-6521	dominick@hughes.net	✓
W Pra H	WPA	8 Merrill 04101		will@tandemcoffee.com	✓
Crystal Pomoretan	CP	45 North St. 04101		camypom@gmail.com	✓
Jeremy Sasser	JS	70 Deering St 04101		sasserj@gmail.com	
John Bowen	JB	36 North St Portland	650-4858	JBOWEN@BHAMCCPA.COM	✓
Matt Libby	ML	35 North St Portland	408-2940	matlib527@hotmail.com	✓
David Martin	DM	49 Cumberland Ave. #2	207-321-1188	heathphysick@hotmail.com	✓
Austin Saleeby	AS	9 Anderson Street Apt 2	207-730-0744	austin.saleeby@gmail.com	✓
Zach Cashner	ZC	30 Bramwood St Apt 2	207-510-6949	Sweetnangsy@yahoo.com	✓
Aaron Charles	AC	58 Congress St. Apt. 3	No cell		
Paul Capizzo	PC				
Bye Polansky	BP				
Cake Whitman	CW	23 Emerson #2	522-7863	mightcommand@yahoo.com	✓

RC
3/4

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

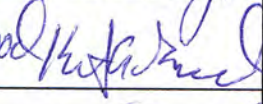
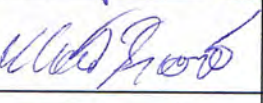
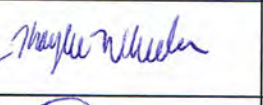
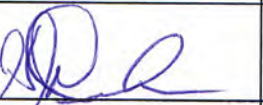
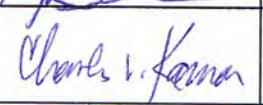
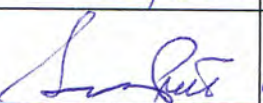
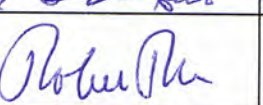
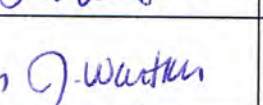
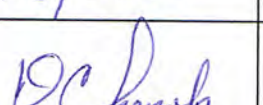
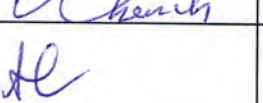
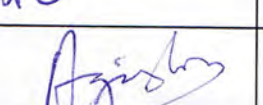
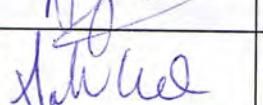
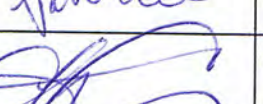
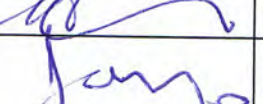
Print name	Signature	Address	Phone	e-mail	✓ I can help
Janet Stewart	Janet Stewart	187 E. Prom Portland, Me	899-2348	johnstewart bdi@gmail.com	✓
Wendy Napolitano	Wendy Napolitano	208 Eastern Promenade #4	233-9232	wendy@maineemissions.com	✓
Tony Napolitano	Tony Napolitano	208 E. Prom.	233-9232	" "	✓
Cecilia Cerino	Cecilia Cerino	10 Walnut St	838-8917		✓
Rachel Bruce	Rachel B.	125 Morning St	845-323-3679	rachelbruce@gmail.com	✓
Ryan Barnard	Ryan B.	125 Morning St	" 207 272-2712 "	" barnard97@gmail.com "	✓
Bethany Thweid	Bethany Thweid	246 E. Prom	" 207-632-3032 "	" bethany.thweid@yale.edu "	✓
Dan Blais	Dan Blais	1350 Forest Ave	242 9196	daniel.blais13@gmail.com	✓
Alexis McCoy	Alexis McCoy	254 Eastern Prom. #4	—	alexisjmccoy@gmail.com	✓
Ruth Hansen	Ruth Hansen	340 Eastern Prom	—	—	✓
Erin Juhl	Erin Juhl	Portland, ME	—	—	✓
Tim Stevenson	Tim Stevenson	270 E. Prom	—	t.stevenson33@gmail.com	✓
Rita Sudbay	Rita Sudbay	45 Melburn St		resudbay@maine-tr.com	✓
H. Ashby	H. Ashby	288 E. Prom		hlieb@msa.com	✓
Joyce Senneker	Joyce Senneker	304 E. Prom		jseckeb@kane.edu	✓
Margaret Hillman	Margaret Hillman	9 Willis St		mhillman@maine-ss.com	✓

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Susan Hoyt		43 HOWARD ST	773-8746		✓
Heidi Greenwood		402 Salmons Rd	240-1678		
Net Knowlton		36 Woodrow Civemore Falls			
Kaylee Wheeler		50 Vesper Street Portland, ME	—		
Hank Dresch		124 Pleasant St	—		
CHUCK KAMAR		55 Mornings St. Unit 2-1 04101	781 492 1192	CKamar@comcast.net	✓
MASON PRATT		45 Eastern Prom Unit 4H	653-9060	mpratt@percotwood.com	✓
BOB SWAN		68 MITCHELL RD S.O.P.O.	653 2235	SWAN d9d1@GMAIL.COM	✓
Jennifer Waitkin		168 Eastern Prom #3 R	415-8109	Jwaitkin1989@gmail.com	✓
Donna Church		325 Ray St	878 8307		
Andrew Collier		170 Eastern Promenade	312-1311	ajcollier1642@gmail.com	✓
Ages tyz Anishetty		166 Eastern Promenade	215-620-6339	agg86@gmail.com	✓
Sarah Conradt		166 Eastern Promenade	207-607-2274	Sarah.Conradt@maine.edu	✓
Chad Carson		172 E. PROM #1	2—	caronchad82@gmail	✓
Tom Starn		155 E. Prom	712-4669	Stewart.bli@gmail.com	✓

Petition to Portland Planning Board and City Council

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105 North Street, Unit 1, Portland, Maine 04101

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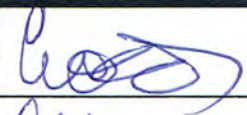
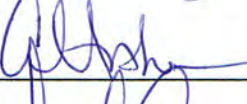
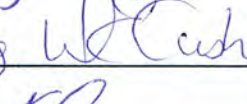
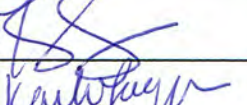
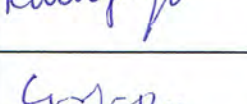
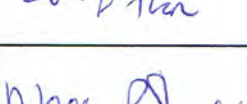
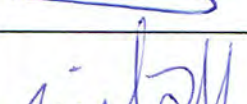
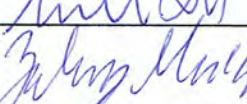
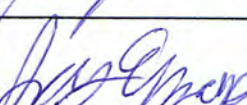
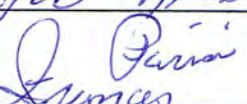
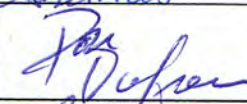
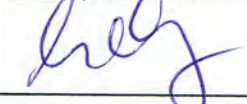
Print name	Signature	Address	Phone	e-mail	✓ I can help
Thomas MacMillan	Thomas MacMillan	17 May St #3			
Adam Martella	Adam Martella	90 Grant St. Apt 8		adam.martella@gmail.com	
James W. Devine	James W. Devine	696 Congress St.		JamesWDevine@yahoo.com	
MARK S. PLUMMER	Mark S. Plummer	10 DEBby 20 Portland 04101		H2pro_martz@yahoo.com	
Elizabeth Streefer	Elizabeth Streefer	66 Quebec Portland ME		streefer@stratos.net	
Catherine Hall		North St Portland Me			
Bonnie Brien		115 North St Port. Me	Bonnie Brien		
Gunn Richards	Gunn Richards	208 Congress			
Alex Gann	Alex Gann	54 Walnut St.		bigbajod@hotmail.com	
Adam Foster	AFW	110 North St		110 north street@gmail.com	
Aria Bacon	AKB	" "		110 north street@gmail.com	
Robert Huppewell	Robert Huppewell	93 Atlantic St. Portland, Me			
ELIZABETH CLARK	Elizabeth Clark	16 Presumpt St. Portland.			
Skylar Richardson	Skylar Richardson	1192 Washington Ave Portland, ME 04103			
Kathleen Sullivan	Kathleen Sullivan	158 North St Portland, Me		msullivanmyfairpoint.com	

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Croix Galipault		25 Waterville St	617.642.5032	croixgalipault@gmail.com	
Aimee Hake		56 Congress St Apt 3	914 629 6168	Aimee.Hy@gmail.com	
Sarah Goan		54 Walnut St Portland 04101	703 403-3681	krichels@hotmail.com	
Maria Cushing		12 Ocean View	207 210 827	maria.cushing5@yahoo.com	
Kara Fagan		105 North St #3 Portland	207 58 9274	kkfagans@yahoo.com	
Karla Fagan		105 North St #3 Portland ME 04101	207 332 5567	kkfagans@yahoo.com	
Carolyn Tkach		73 Cumberland Ave #2	(917) 428-4010	carolyn.tkach@gmail.com	
Megan Shute		42 Congress St	207 637 4352	megan9shute@gmail.com	
Seth Bullock		66 Underwood Rd. Falmouth	207 899 9436	bullockseth16@gmail.com	AS
Indira Growell		18 Atlantic St #4 Portland		igowell@hotmail.com	
Zachary Walker		151 North St. Apt H 108		zwalker91@gmail.com	
James Ammons		19 Fox Rd N. Reh.		James502@yahoo.com	AS
PARISI FRANCES		158 North St Portland	774-9654		
DON DUBESNE		101 North St		dondubessn1@yahoo.com	
Elizabeth Winy		22 Cumberland Ave		bizw@hotmail.com	

WING

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CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

PC
4/18

W

Print name	Signature	Address	Phone	e-mail	✓ I can help
PETER FOSTER	<i>pd. Foster</i>	340 E. Prom		<i>fostrpd@gmail.com</i>	✓
Jed y Foster	<i>Jed Foster</i>	340 E Prom		<i>h h</i>	✓
Maggie Pughman	<i>Maggie Pughman</i>	84 Rosewood	(0299927		AS
James Aust	<i>James Aust</i>	45 Eastern Prom #3	(207) 712-5445	<i>jim.aust@gmail.com</i>	✓
Anne Mangano	<i>Anne Mangano</i>	206 S 4th Street	207-772-8884	<i>anemangano@yahoo.com</i>	✓
Mary Taddia	<i>Mary Taddia</i>	135 Andersa St.	207.420.1756	<i>mtaddia@unc.edu</i>	✓
Bruce Davis	<i>Bruce Davis</i>	45 Quebec St Portland	756-0185	<i>bruce.davis21@yahoo.com</i>	✓
Angelika Schrechter	<i>A. Schrechter</i>	21 Deering St. Portland		<i>abraham@gwinet</i>	
Amanda Kierman	<i>Amanda Kierman</i>	68 Sawyer St.		<i>akierman@clark.edu</i>	
Mark Mayer	<i>Mark D Mayer</i>	15 O'Brien St. Portland, ME 04101		<i>markmayer60@gmail.com</i>	✓
John Sullivan	<i>John Sullivan</i>	1582 Forest Av. Portland, ME		<i>jsully65@yahoo.com</i>	
JASON SHEPPARD	<i>Jason St. Sheppard</i>	Pine St. Portland		<i>resurgom207@gmail.com</i>	
Victoria Kinney	<i>Victoria Kinney</i>	26 William St		<i>Kinneyfam@maine.rr.com</i>	
Spencer Mena	<i>Spencer Mena</i>	30 Chase St		<i>melnick2000@hotmail.com</i>	
Anna Lopez	<i>Anna Lopez</i>	56 Wilson St Unit 1		<i>alopez105@gmail.com</i>	

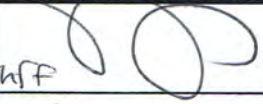
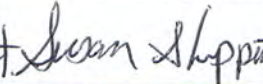
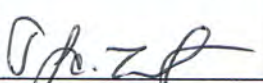
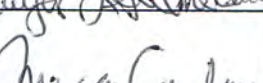
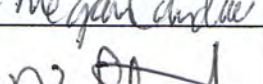
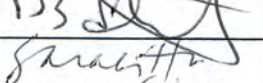
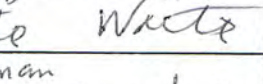
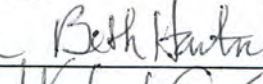
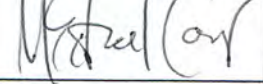
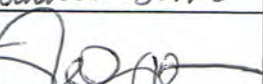
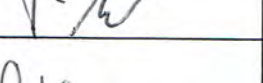
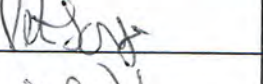
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CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

RC
7/20

Print name	Signature	Address	Phone	e-mail	✓ I can help
Joachim Pottthoff		2416 E. Prom	838-2858	pottthoff.joachim@gmail.com	✓
Susan S. Lippert		76 Anderson	837-2800	sue.lippert@icloud.com	
TIM LIPPERT		76 ANDERSON	838-1760	talipperte@gmail.com	
LISA Sellmeyer		121 Walton St	699-7572	Sellmeyer@gmail.com	
Megan Carlow		22 Madison ST	442-6404	mc@rawfocks.com	
Dana Street		110 Park St		dance@danastreet.com	
Sarah Waite		44 Wellstone	879-1003	swaite@comcast.net	
Beth Hartman		28 St George Apt 2	232-0749	beth29hartman@gmail.com	
Michael Connor		12 Pith. St. Apt 7	772-0009		
Annette Lemck		98 Whittey Ave Portland	400.6024	annielemek@yahoo.com	
STEPHEN MORTON		60 ORMSBY ST.			
R. L. Talbot		96 Green. Hill	318 0091		
Peter Sager		207 State St Apt 3			
Josh KAPLAN		3 CUMMIS ST	207-53576		
Margo Wood		18 Lawn Ave.			

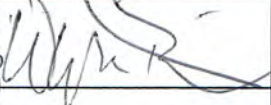
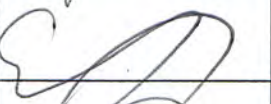
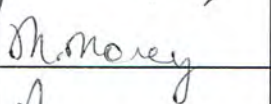
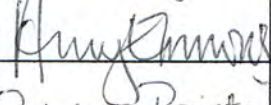
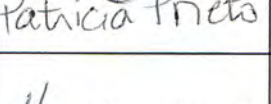
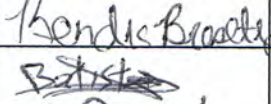
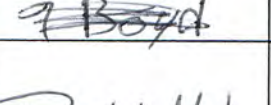
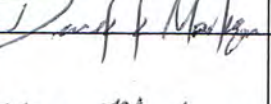
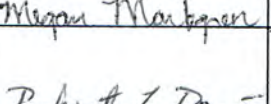
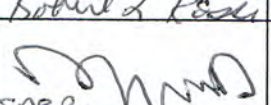
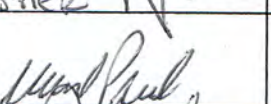
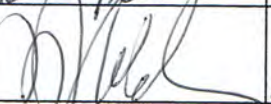
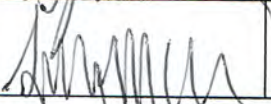
Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

RC
7/20

Print name	Signature	Address	Phone	e-mail	✓ I can help
WAYNE BARTER		18 Lawn Ave.			
Elizabeth Miles		46 Wellington			
Carolyn Radding		42 Parsons Rd		cradding@maine.rr.com	
Marian Morey		58 Hevis St		Marianmorey@gmail.com	
Amy Emmons		50 Pennwood Dr			
Patricia Prieto		48 Sheffield St		pprieto@maine.rr.com	
Kendra Bresette		1244 Washington Ave			
Batista		9 Boyd #1		207.274.0288	
Derek Markgren		291 State St #2		Sademenace@hotmail.com	
Megan Markgren		291 State St #2		meganmarie.littlefield@yahoo.com	
Robert Ross		43 Highland St		BROSST52@GMAIL.COM	
Debra Krasner		27 Brookview Terr			
Mike Pulaski		68 Winter St #2		michael.pulaski@gmail.com	
Margaret Welch		29 Clifton St		m.welch@hudlaw.com	
Susan		29 Clifton St			

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RC
3/20

Print name	Signature	Address	Phone	e-mail	✓ I can help
Jacob Ryan	[Signature]	159 Grant St.			
Courtesy Muller	[Signature]	159 Grant St			
Alex Cousins	[Signature]	92 Revere St.			
James Seng	[Signature]	25 Stradwater Rd		jimejsengineer@com	
Rumto Young	[Signature]	91 Christy Rd			
John Yanga	[Signature]	103 Front St.	774-6478	juma.yanga@gmail.com	
Kyle Dennis	[Signature]	546 Cumberland Ave		Kyle.robertson@gmail.com	
Alex McFadden	[Signature]	9 Arundel Rd			
Scott McFadden	[Signature]	9 Arundel Rd			
LIANA HAWK	[Signature]	178 Pine St ^{port}	24	LIANAHE@earthlink.net moller717@gmail.com	
Daniel Mack	[Signature]	91 Carleton St Apt 1			
Kellen D. B. tos	[Signature]	12 Hollis Rd.		Kbritos@maine.cc.com	
Christy Mares	[Signature]	9 Free & #2		CHRISTYMAZOWS@GMAIL.COM	
Peter Blackthorn	[Signature]	76 Cumberland Ave			
Amy Heriz	[Signature]	55 AIBA ST.		amy.heriz@gmail.com	

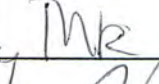
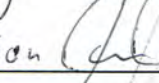
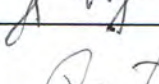
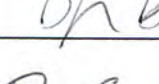
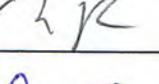
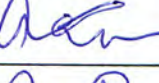
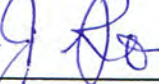
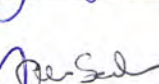
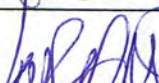
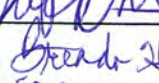
RC

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Jacob Heric		55 Allen St			
Meghan Kelly		39 Greenleaf St			
James Johnson		43 Saunders St.		jhj@lsu.edu	
Lydia Moland		43 Saunders St			
Arabella Perez		27 Farnham St		perezedgar@gwj.net	
Katy Bradley		79 East Commonwealth Dr.	712-5170	KBRAADS25@GMAIL.COM	
Jason Bradley		79 EAST COMMONWEALTH DR		JASBRAD@WYANDCO.COM	
Megan Pryor		38 Irving St		memprior@gmail.com	
Matt Beyer		38 Irving St			
Andrea Rorer		115 Huntington		napromer@hotmail.com	
Jim Roma		15 Huntington		j.d.romer@hotmail.com	
Alon Freeman		164 CALEB		AL33@MANK.RP.COM	
James Dorr		12 North St		mountain25@gmail.com	
Brenda Humphrey		35 Merrill St			
Guene Kennedy		22 Atlantic		gueneke@gmail.com	

Letter to Portland Planning Board and City Council

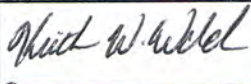
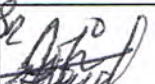
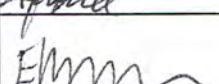
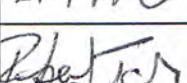
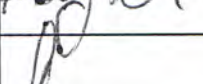
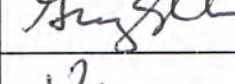
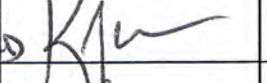
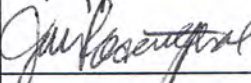
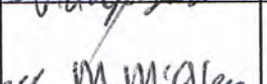
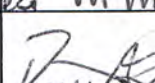
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FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Print name	Signature	Address	Phone	e-mail	I can help
Keith W. Welch		89 Vesper St. #3	207 774-3443	Sundralocantant@hotmail.com	
Sam Cropper		63 Deerfield Circle, South Portland ME	401-554-7991	sonisgreat2@yahoo.com	
Elke Muller		94 St. Lawrence	450-3049	ludervine@gmail.com	
Robert Tate		94 St. Lawrence St 04101	450-3049		
Jamie Malt		90 St. Lawrence	332-1632	JCM@COSC.TS.CA	
George Shaler		13 Merriam St. 04103	771-5571	GSHALER@USM.MAINE.EDU	
Karen Madson		27 Melbourne St	404-307-8583	Canverke@yahoo.com	
Jill Roseana		13 Merriam St	771-5571	inbasue@aol.com	
Victor Rezendes		177 Cumberland Portland	332-4393	Victorrezendes@gmail.com	
Marcella Malt		219 Bluff Rd Yarmouth	229-7771		
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Mike Dugay		47 S. Main St	—	m5ougay@gmail.com	

RF

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Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Hurricane Moulton	Hurricane Moulton	457 Cumberland Ave Apt 12	200-0367		
Alice Krassowski	Alice Krassowski	28 Morning St	400-4834		
Eric Maynard	Eric Maynard	24 Yarmouth Ave 283 Portland	546-8248		
Bradley Dubois	Bradley Dubois	24 Emerson St	239-0133		
Thomas Kelley	Thomas Kelley	102 Morning St Apt 3	332-4695		
Sarah Graulty	Sarah Graulty	69 Morning St Apt 2	802-578-7030	sarahgraulty	
Claire Harrison	Claire Harrison	21 Mackworth St Portland	774-4252		
William Harrison	William Harrison	21 Mackworth St Portland 04103	774-4252		
Patricia A Wilbur	Patricia A Wilbur	2 PINE hedge #2 Portland			
Ted Musgrave	Ted Musgrave	149 Broadway St		tc@tc.com maine-rr.com	
Tiffany Heater	Tiffany Heater	15 Wilkie Street	917-669-1031		
Corinne Holbine	Corinne Holbine	15 Wilkie Street	917-683-0542		
Brittany Puma	Brittany Puma	315 Forest Ave Portland ME 04103	707-849-9113	Brittanynd 212@gmail.com	
CHRISTINA STACEY	Christina Stacey	27 Raymond Rd Portland, ME 04102	207-774-4650		
Michelle Gaegele	Michelle Gaegele	130 Lynn St	207-878-1271		

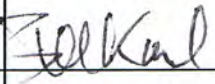
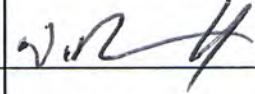
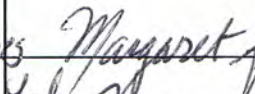
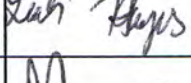
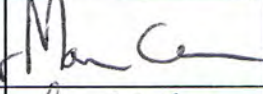
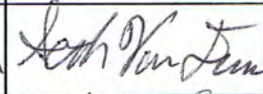
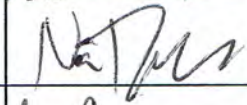
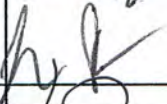
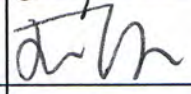
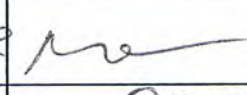
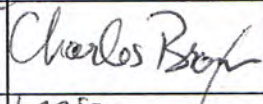
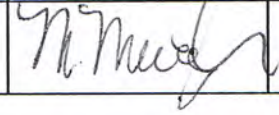
RF

Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Bill KARL		130 LYNN ST PORT	518-12-11	—	
Will Russell		113 William St Portland			
Margaret Genes		880 Forest Ave Apt 8-15	518-3208	—	
Leah Hayes		279 State St Apt 1	416-9229	—	
Maria Conna		12 PICE St.	712-0739		
Seth VanDam		12 Salem St	899-3744		
Heather VanDam		12 Salem ST	899-3744		
Nat Juss		31 Sherman			
JULIA FAIR		22 THOMAS			
Kent Belford		158 Danforth			
Jenn York		24 State St. #1	207-332-1688	yorkjennifer@gmail.com	
Mei Schrage		37 Berley Ave			
Ralph Carmona		53 PINE ST.			
Charlie Brown		83 Sherman St. #3 Portland, ME	400-6941		
Michael Mertaugh		118 Beacom St. Portland Me	774-3732		

RF

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Kathryn Stead	Kathryn Stead	50 Gleckler Rd.	—	stead485@gmail.com	
Bill Garden	Bill Garden	126 Gleckler Rd			
Marsha Stylitz	Marsha Stylitz	107 Tucker Ave			
Mindy Ray	Mindy Ray	107 Tucker Ave.			
Barbara Rausch	Barbara Rausch	66 Spruce St #5 Portland			
DANA FISHER	DANA FISHER	71 BRADLEY ST			
Ryan MacDonell	Ryan MacDonell	95 Broadway	—	—	
Emily Blake	Emily Blake	95 Broadway	—	—	
Garrett Adams	Garrett Adams	30 WEST ST			
Anne Brooks	Anne Brooks	30 WEST ST			
CHRISTOPHER WESTWICK	CHRISTOPHER WESTWICK	102 WASHINGTON			
Angela Giordano	Angela Giordano	102 Washington			
Casmy Roeder	Casmy Roeder	5 Houlton St	—	—	
Alex Chang	Alex Chang	5 Houlton St	—	—	
Cindy Mackay	Cindy Mackay	129 EMERY ST.			

24

105 North Street, Unit 1, Portland, Maine 04101

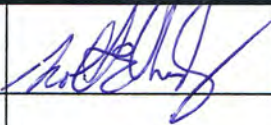
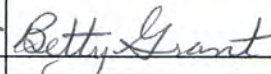
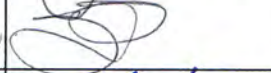
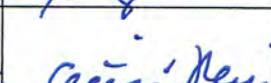
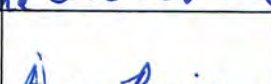
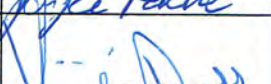
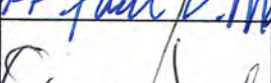
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Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Scott Hardy		55 Spring St Unit 9		scotthardy@gmail.com	
BETTY GRANT		418 Caprice St			
SOOZIE LARBE		147 Vaughan St.		ritasrin@gmail.com	
Verity Cushman		1 AVON PLACE Apt. #13 Portland, ME 04101		Verity@sandrisk.com	
David Aceto		27 Brackett St Portland, ME		DPAceto@gmail.com	
Katie Ferreira		20 Cleeve St. Portland, ME 04101			
Janet Catherine		56 Ocean Ave #2 Portland, ME 04103			
JAMAAL CATERINA		56 Ocean Ave. Portland, ME.			
Jane Gagnier		24 EMMA ST PORTLAND, ME		Jgagnier@gmail.com	
Christine Racine		246 Auburn St #119		christina@peacemail.com	
Joyce Racine		246 Auburn St #119 Portland		joyracine@peacemail.com	
Virginia Dos		120 Read St Portland, ME 04103		Tm92@yahoo.com	
PAUL B. MANOFF		480 Allen Ave Portland			
ACQUELINE LIVERI		88 Park St, #2 Portland, 04101		aliveri@GWI.NET	
RALPH CARMONA		105 NORTH ST #1			

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CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Susan Pare	Susan Pare	CumBer	400-2568		
Jeff Vane	—	✓	400-2568		
MARSHAL MILLIN H.	William H. Marshall	96 Pitt St.	620-74-0116		
KATHERINE M. MARSHAL	Katherine M. Marshall	" "	" "		
Morgan Locke Adams	Morgan Locke Adams	16 Linder Street		miakadamsc@gmail.com	
Erin Hschi Nolan	Erin Hschi	32 Fescendust	—	—	
Keri Darter	Keri Darter	84 Farragut St	797-4973	—	
Michael Kops	Michael Kops	14 Harsyst	—	—	
Sharon Parker	Sharon Parker	14 Harsyst St		smdarder85@live.com	
Susy Kist	Smile	134 Neal St		skist@gwi.net	
Rita M. Zabracka	Rita M. Zabracka	419 Cumberland Ave #43		Rwiltzie@gwi.net	
Breeder Santoro	Breeder Santoro	15 Murray Pkwy #24	874-0893	the.santoro@aol.com	
Carie Demer	Carie Demer	33 Payson St Pkwy	—	—	
Holly Lord	Holly Lord	201 Cashman St. #114			
Cody Deboy	Cody Deboy	1 Aron Pl Apt 13	—	Photocody@gmail.com	

PC

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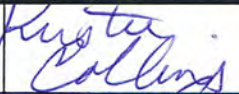
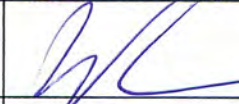
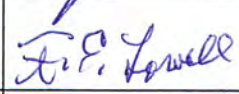
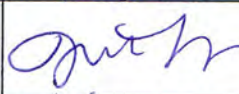
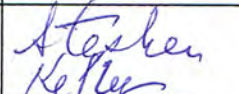
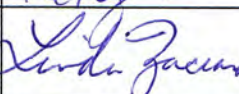
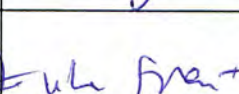
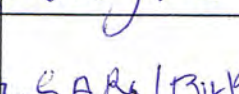
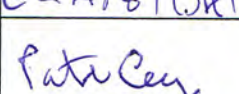
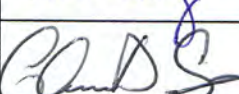
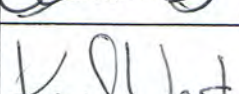
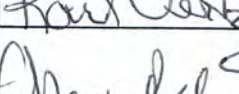
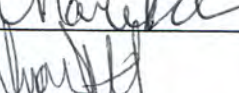
Print name	Signature	Address	Phone	e-mail	✓ I can help
Monica Swan	Monica Swan	28 Melbourne		mswan7@gmail.com	✓
Caron Murray	Caron Murray	40 St Lawrence	caron.murray@munjoyhill.org munjoyhill.org	caron@rand.org caron@rand.org	✓
MARCIA PARKER	MARCIA PARKER	41 Atlantic		parker.marie@gmail.com	✓
Alexandra Carter	Alexandra Carter	72 Morning St.		xandra.carter@gmail.com	✓
ANDREW SAWYER	ANDREW SAWYER	58 E. Oxford St		Andrew.Sawyer@gmail.com	✓
DAVID R. HOPKINS	DAVID R. HOPKINS	62 Waterville St.		Hopkins.dave@yahoo.com	✓
Richard R. Farnsworth	Richard R. Farnsworth	55 Old Mast Rd Portland, ME 04102	207-233-3814	omc@maine.vv.com	
Felicia Files	Felicia Files	76 Monument St #		feliciahoh@gmail.com	✓
Dana Maglaris	Dana Maglaris	74 Atlantic St			✓
Lauren Sheeley	Lauren Sheeley	78 Atlantic St.		Lauren.Sheelley@gmail.com	✓
Lenore D. Finner	Lenore D. Finner	96 Vogue St		lenore.d.finner@hotmail.com	✓
Dennis Bailey	Dennis Bailey	55 Morning St		dennis@seely-inc.com	✓
Deb Murray	Deb Murray	143 Pine St #6		J.h.crowbar@gmail.com	
Kathleen McKean	Kathleen McKean	53 Hammond St		KMcKean@maine.vv.com	✓
Peter Nesbitt	Peter Nesbitt	20 Pine St			

Petition to Portland Planning Board and City Council

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105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Kristie Collins		11 George St. apt 2	329 0982	KristieCollins@rocketmail.com	
Michael Royles		18 LORAIN ST		miroy42@MAINEAthen	
Frances Lowell		13 West #13			
Haider Hussain		610 Congress ST	2391903	haiderhussain36@yahoo.com	
Jessica Long		95 West St	207 439 4705	Jess.long327@gmail	
STEPHEN KELLEY		439 CONGRESS ST #416 PORTLAND		56ALBERTC@GMAIL.COM	
Linda Zaccaro		72 Frances St. Portland			
Julie Grant		155 West Dr		jgrant50@maine.rr.com	
Carol Baker		115 Congress St			
PAT CORRIGAN		62 India	450- 8186	patrickcorrigan3@gmail.com	
GLENN SMITH		51 QUEBEC ST	420-0384		
Karl Verts		56 Pine St	899-3140	KV124@live.com	
Charlene Poirier		12 Samuel Rd		Charlene-poirier@gmail.com	
Anna Wills		60 Rockland Ave			
Charles Cain		51 Newton St	450- 2948	ccain1@	

maine.rr.com

RC

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Print name	Signature	Address	Phone	e-mail	✓ I can help
Jane Smith	Jane N. Smith	195 Deepwood Dr	797 6623	jane.smith@neweng.com	
Garey Smith	Garey Smith	195 Deepwood Dr	797-6623	Garey.Smith@neweng.com	
George N. Fricke	George N. Fricke	290 Baxter Blvd	772-1481		
Liz Kallu	Liz Kallu	19 East Lawn Rd	680-0284	li20732@gmail.com	
Sarah Long	Sarah Long	51 Ray St	7		
Peter Carmona	Peter Carmona	25 WASHBURN AVE	772-6514	PCARMONA@MAINE.ICE.COM	
Priscilla Skerry	Priscilla Skerry	95 EMERY ST	780-8063	priskerry@netnetfairport.net	
Noemi Kronlokkhen	Noemi Kronlokkhen	95 Emery St.	774-3465		
NATHAN BAKER	Nathan Baker	236 PARK AVE		LIQUIDUSN@YAHOO	
DANIEL MARLOWE	Daniel Marlowe	13 TATE ST	879 0634	DMARLOWE001@maine.vv.com	
GREG WATKINS	Greg Watkins	13 TATE ST			
Beverly Stewart	Beverly Stewart	66 Vesper St	772-0410		✓
Morgan Hevener	Morgan Hevener	19 Howard St			✓
Katie Riley	Katie Riley	46 Howard St			
Elizabeth Roberts	Elizabeth Roberts	288 STATE ST		EricRoberts22@gmail.com	

Ross

Letter to Portland Planning Board and City Council

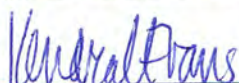
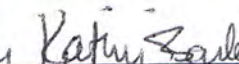
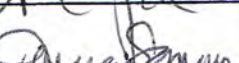
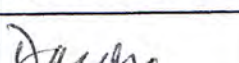
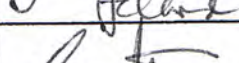
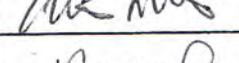
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FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Print name	Signature	Address	Phone	e-mail	✓ I can help
Kristen (at)		86 Cheney St	773-5845	N/A	
Heather	Pollard	102 New Island	332-8796		
Linda	Romholdtzen	25 Farragut St	671-0019		
Kendra ^{Evans}		279 Brackett St #6	504-376-9423		
Eric Meneau		279 Brackett St #6	704-576-9423	bimmer monkey @ gmail.com	
Katay Bailey		65 Bannock St			
Kasey ^{Cioffi}		125 Grant St #6	774 364 0474		
Dawn Coyne		142 Rockland Parkl. Ave			
Donna Somma		126 Rockland Ave.			
Dawn LELAND		33 Willow Ln P.O. 04102	459 8580	LelandDma@gmail.com	
Justin DUNST		37 W. Lincoln St.			
Kira Butera		11			

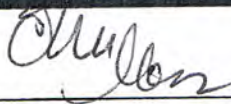
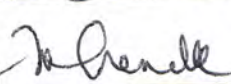
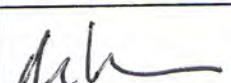
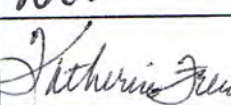
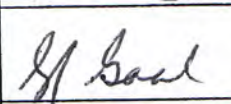
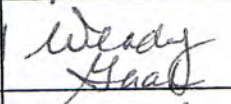
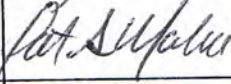
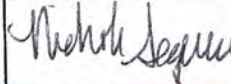
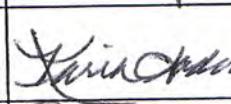
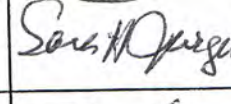
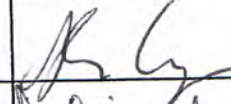
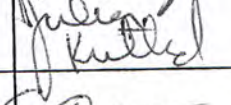
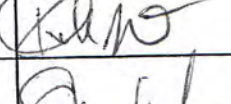
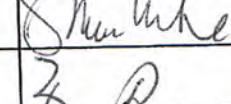
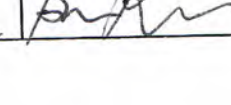
Ross

Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

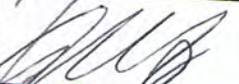
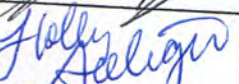
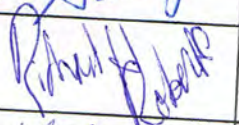
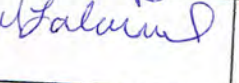
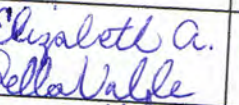
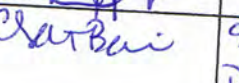
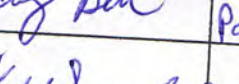
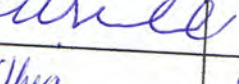
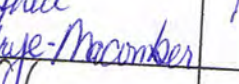
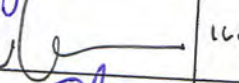
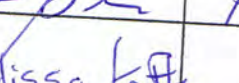
CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Catherine Mockus		124 Glenwood Hwy Portland	874-7445	mockuskaty@yahoo.com	
Meg Crandall		18 Cobbett Rd Portland	729-1635	Merandall5@aol	
MICHAEL LAPHAM		18 COBBETT RD Portland	450-6603	MLAPHAM04102@aol.com	
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STEPHEN GAAL		176 Eastern Prom Portland	775-4329	Steve@gaal.com	✓
Wendy Gaal		176 Eastern Prom Portland	775-4329	Wendy@gaal.com	✓
Patrick Malia		119 Morning St. Apt 2 Portland 04101	653-2329	packm3@yahoo.com	✓
Nichole Sequeira		119 Morning St Apt 2 Portland ME	653-9245	nikoli78@hotmail.com	✓
KARIN ANDERSON		21 Chestnut St Portland, ME	773-4053	karinandersm1@gmail.com	
Sally Jorgensen		51 Thomas Portland			
Shawn Gagne		33 Bay View Dr Portland	838-7970	sgagne2e@att.net	
JULIA KIRTLAND		54 Kellogg Portland	319-5817	juliakirtland@gmail.com	✓
Kim O'DONNEN		15 Grosvenor Rd Portland	776 5578	fins@maine.rr.com	
SHARON MARTIN		15 Grosvenor Rd Portland		blaugrassgirl@yahoo.com	
Ben Robesge		8 Quebec Street Portland		bsh92@nh.rr.com	✓

Petition

Letter to Portland Planning Board and City Council

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Print name	Signature	Address	Phone	e-mail
MAIA GRECO		107 NORTH STREET	210-6997	MAIA GRECO@VERIZON.NET
ANN KRONENBERGER		107 NORTH ST PORTLAND 04101	210-6997	akronenberger@nsg-i-hq.com
Holly Seeliger		303 Brackett apt 2 Portland, ME	207 415-0207	holly.seeliger@gmail.com
RICHARD ROBERTS		10 Merymeeting Drive	207 797 1808	robbrando@msl.com
Madison Lalemand		32 Forest Park #1		mlalemand@gmail.com
Elizabeth A. DeLaValle		64 Wellington Rd	899-3123	bothdellavalle@hotmail.com
Monica Helms		141 Congress St Portland, ME		mhelms@preblestreet.org
Elizabeth Baldwin		98 Codman St. Portland ME		ervey13@gmail.com
Corey Bell		98 Codman St Portland ME		cobaltcorey28@yahoo.com
Kathryn Wadland		370 Capric St Portland ME		
Cynthia Frye-Macomber		10 Knight Street		
MARK ANDERSON		1603 WESTBROOK ST.		
GRACE WHELAN		35 W HANCOCK AVE.	617 717 8192	gswhehlan@gmail.com
Ellen Gilliam		36 Wellstone Dr Portland		
Melissa Kraft		56 Buca Run Portland		
Mike LaKe		161 Xack St P+1D	773 9084	
Rebecca LaKe		161 York St Portland		slake@maine.rr.com

*

"KITT"

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
SHARON AUSTIN	[Signature]	14 Chinery St Portland	—	sharon@marketingpros.com	
Kirstin Powell	[Signature]	139 Abby Lane, Portland		Kweilinkpe@yahoo.com	
Rhonda Vasmus	[Signature]	18 Lewis St Portland ME		Vasmurchme.org	
SILVIA SUPPENNOVA	[Signature]	18 Lewis St Portland ME			
SHEILA SARRIMA	[Signature]	398 Park St. Portland, ME	—	sheila@gwind	
Sarah Lougee	[Signature]	52 Birchwood Portland		Sarahlougee@live.com	
Joan Gildart	[Signature]	97 Glenwood Avenue	748452	gildartjoan@yahoo.	
James A. Albert	[Signature]	645 Congress #502		JAlberty1@gmail.com	
marie swan	[Signature]	21 Sheridan St #3			✓
Dd Swan	[Signature]	21 Sheridan St #3		ddswan@maine-rrr.com	✓
Jessica Bean	[Signature]	61 Mayland St Portland 04103		Jess_Moore@yahoo.com	
Sandy Rudman	[Signature]	442 Cumberland Ave	—		
CARC RODMAN	[Signature]	442 Cumberland	—		
Bonnie Beach	[Signature]	67 Hastings St		bbeach@maine-rrr.com	
Stephanie O'Brien	[Signature]	95 West St		clmeverest@yahoo.com	

Letter to Portland Planning Board and City Council

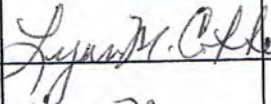
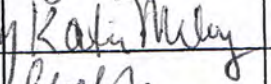
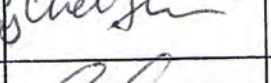
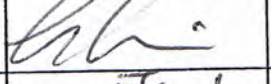
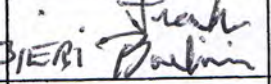
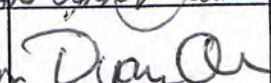
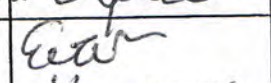
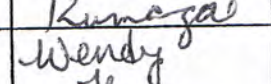
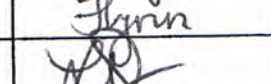
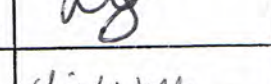
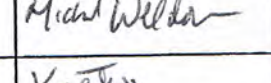
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105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Print name	Signature	Address	Phone	e-mail	✓ I can help
Lynn Coffin		69 State St	207.699.4122	lenthia2009@yahoo.com	
Katie Mahan		494 Deering Av.	207 807 8490	Kem35@gmail.com	
Chelsea Andrews		7 Huntress St Apt 5	207 807 0385	Chelsea L Andrews@me.com	
Lynne Nichols		14 Evebec St Apt 3		lynnnichols@gmail.com	✓
FRANK BARDIERI		10 SYLVIA RD PTLD			
ANN V. QUINLAN		16 Wilson St PTLD			✓
Dyan Alban		11 Arthur St PTLD			
Evan Kumagai		23 Pembroke St Portland ME	310-869 5403		
Wendy Flynn		47 Glenridge Dr Portland	879-4084	wflynn1@yahoo.com	
LISA KATZ		52 Coyle St Portland	761-7211		
MICHAEL WELDON		52 Coyle St Portland ME	761-7211		
Kathy Strange		37 Wilkie St.			

*

Ross

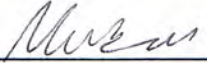
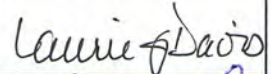
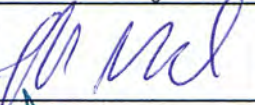
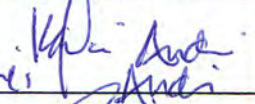
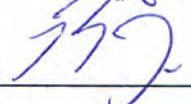
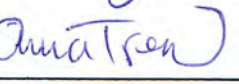
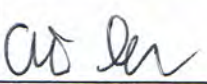
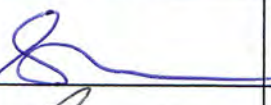
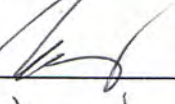
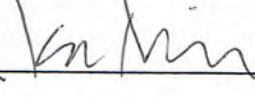
Petition to Portland Planning Board and City Council

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CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

10/19

Print name	Signature	Address	Phone	e-mail	✓ I can help
Chris Brown		163 Gilman St Apt 4	774-0047	ChrisJB28@yahoo.com	
VALOETE		37 Smith St.	761-9693	valoeta@hotmail.com	
NELA		2 Kennedy	7613815		
Laurie Davis		134 Oakdale St	838-5201	#1jd74@maine.rr.com	—
Jenny McEdward		199 Stevens Ave Portland, ME 04102	207 274 3149	jennifer.mcedward@gmail.com	
Adam Mastetta		98 Grant St.	207 604-0494	adamd. Mastetta@gmail.com	
Patrick Banks		19 Melbourne St #2		Pib1978@gmail.com	✓
Kyle Andrei		9 Dow St. #2	(317) 490-3842	kyleandrei@gmail.com	
Kaulani Anderson-Andrei		9 Dow St #2	(812) 390-1251	kaulani.andersonandrei@gmail.com	
Ben Chipman		5 Mayo St. #3	(207) 318-4964	VoteChipman@gmail.com	
Annatreveron		51 Myrtle St	699.4141	ajtrev@gwi.net	N
Chris Shorr		240 Harvard St.	210-2267	CShorr@hotmail.com	
Simon Thompson		123 Woodfield Rd.	838-7147	thompson.simon@gmail.com	
Lucas Desmond		39 Clark St	615-7893	lucasdesmond@gmail.com	
KARINA NAPIER		138 DANFORTH ST #2	207 400 6023	kinna.napier@gmail.com	

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Margie Fayer *(Wini)*

Print name	Signature	Address	Phone	e-mail	✓ I can help
Leah Parker	<i>Leah Parker</i>	46 Vesper St. Apt 1	207-317-7575	leah.parkera@gmail.com	
Jo Anne Richio	<i>Jo Anne Richio</i>	5 Braddish Ct	207-882-2519		
Wade Rich	<i>Wade Rich</i>	5 Braddish Ct	"	W Richio@gmail.com	
Fred Brando	<i>Fred Brando</i>	85 Beckett St	774-3163	OPUS2@maine.rr.com	
Biljana Uzunova	<i>Biljana Uzunova</i>	15 Hanover		sunbeam.bp@gmail.com	
Kevin Sprague	<i>Kevin Sprague</i>		242-0101	kevinsprague@USM.EDU	
Michael Frazier	<i>Michael Frazier</i>	785 Congress St. #5		wannabeartist.mf@gmail.com	
NATE WOODIN	<i>NATE WOODIN</i>	29 JAMESON	614-548-0213		
Len Woodin	<i>Len Woodin</i>	" "			
Michelle Anies	<i>Michelle Anies</i>	259 Dunbar	N/A	Marpalnic@gmail.com	
SAM MATEOSIAN	<i>SAM MATEOSIAN</i>	143 SPRING ST			
Bethany Mateosian	<i>Bethany Mateosian</i>	143 Spring St			
Theresa Charron	<i>Theresa Charron</i>	17 Glenridge Dr	774-1347		
Christina Sillari	<i>Christina Sillari</i>	104 Murray St	807-9232	cms11arj@gmail.com	
Alex Steel	<i>Alex Steel</i>	128 North St.	—	—	—

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105 North Street, Unit 1, Portland, Maine 04101

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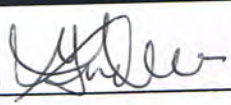
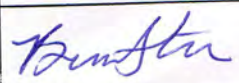
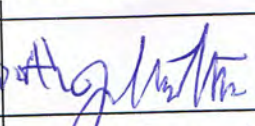
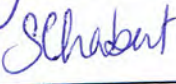
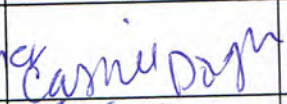
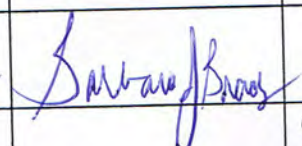
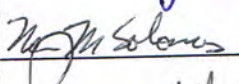
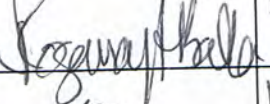
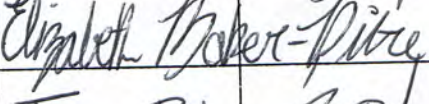
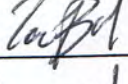
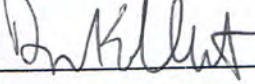
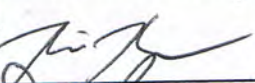
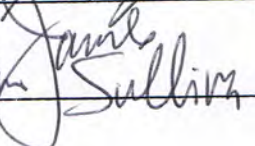
Print name	Signature	Address	Phone	e-mail	✓ I can help
Charlotte Hurley No Rea LST	Charlotte Hurley	Rea LST	Phil		
Meghan Stribner	Meghan Stribner	33 Kenwood St	PHd		
Celeste Band	Celeste Band	197 Prospect	PHd	celeste.band@maine.edu	
Dorothy Conforti	Dorothy Conforti	11 Old Barn Ln Portland 04103			
Mike Collier	Mike Collier	97 Montross PTld	PTld	miccol@maine.edu	
Tammy McLaughlin	Tammy McLaughlin	7 Codman St	—	—	
Jaime Berg	Jaime Berg	85 Codman St	—	—	
Alexandra Legere	Alexandra Legere	97 Danforth St.		alexandra.legere1@gmail.com	
John Barry	John Barry	22 Bramblewood	—	—	
Paul Neuner	Paul Neuner	139 Pitt St		PNEUNER@MAINEAR.COM	
Anne Wadleigh	Anne Wadleigh	19 Paris St #9	—	—	
Brian D. Lian	Brian D. Lian	66 Grant St	—	—	
Wile Stewart	Wile Stewart	100 Commonwealth Dr.	—	—	
Jim Dineen	Jim Dineen	4 Allison	878-4485	—	
James Healy	James Healy	87 State	207-838-3251	—	

Petition to Portland Planning Board and City Council

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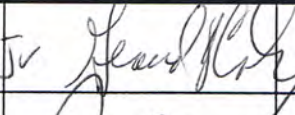
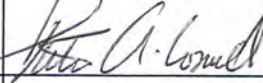
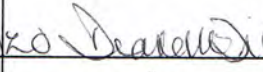
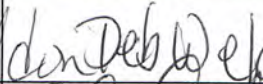
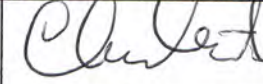
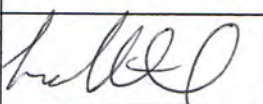
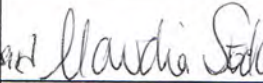
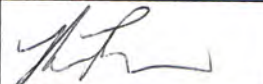
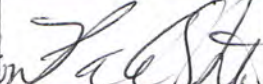
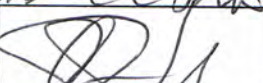
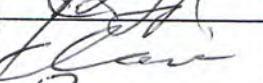
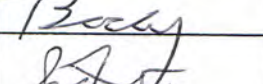
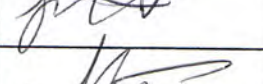
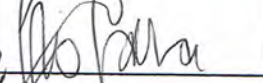
Print name	Signature	Address	Phone	e-mail	✓ I can help
GARY MARCISSO		6a Vesper St	761-1949	gmarcisso@yahoo.com	
Linda Burns		49 Austin St		linda.lmburne@aol.com	
Bruce Stone		49 Austin St.		→	
Jason Went		42 Hammond St.	775-1050	jwent@gwi.net	
Sandrine Chabot		" "	" "	" "	
Cassie Day		17 Stevens		cfish@yahoo	
Aaron Cloutier		185R BRACKETT	450-3732	aaron.cloutier@gmail.com	
Barbara Brady		119 Mornings St	413-454-8990	bjbrady55@yahoo.com	
Alan Solomons		400 Woodford St	775-2570	nan.solomons@gmail.com	
Rosemary Baker		1399 Congress St.	857-1861	rosemaryb66@gmail	
Elizabeth Baker-Pitre		1399 Congress St.	807-1860	izatastic01@gmail.com	
Thomas Badger		96 Gray St.	712-9070	→	
Dan Kilbuck		906 Gray St	874-7004	→	
KEVIN KAYNE		11 ALICE ST	939 9815	KKayne@me.com	
Jim Sullivan		87 Douglas	879 1675		

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Gerard P. Conley Jr		71 Ashlin St	775-1515	gconleyatmaine.vv.com	
Patrick Connell		54 Penwith Rd	772-7198	pat.connell201@gmail.com	
Diane DiCorso		54 Penwith Rd	772-7198		
Debi Welden		552 Allen Ave Port			
Chris DiPietro		221 Virginia St. Port.			
Larry Stedwell		47 Frederic St	Port 450-562	me99lcing@aol.com	
Claudia Shtet		"	"	Trina shtet@aol.com	
Therese Brada		9 Dalton St		TomRok US@yahoo.com	
Paula Ashton		132 Brighton	8281159	pashton64@maine.rr.com	
John Lawdon		46 WATERVILLE	8 ✓	JRL@MAINE.rr.com	
DAVID BODY		46 WATERVILLE	578 5604	David body 1937@hotmail.com	
Jonathan Brown		21 Powelard St	615-1155	jlbrown@gmail.com	
Nielude Browne		21 Powelard St.	415-0494	nbwhite71@yahoo.com	
Sophanie Salame		6 Richardson	632-7622	N/A	
Heather Fesulo		165 Gilman St. Apt. 4 Portland Me 04103	774-0047	N/A	

Me 04103

Petition to Portland Planning Board and City Council

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CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Diane Mahan	Diane Mahan	36 Northwood St		dmm@tasksunlimited.com	
John Mahan	John Mahan	36 Northwood St	798-1499	jmahan@tasksunlimited.com	
Charles H Cobswell	Charles H Cobswell	147 Pine St Portland, ME	764-0413		
Katherine Earley	Katherine Earley	29 William St Portland, ME 04103	773-7486	Kate 317 @maine.rr.com	
GEORGE EARLEY	George Earley	29 William St Portland	773-7486	georgeearley@maine.rr.com	
Jandra Dadiego	Jandra Dadiego	30 Pierce Ave Port	775-4980		
TONY CAVALLARO	Tony Cavallaro	30 HASTINGS ST	773-5712		
PAT Dadiego	Pat Dadiego	30 Pierce Ave			
VICKI LANNIGAN	Vicki Lannigan	96 FEDERAL ST #4	253-6023	IRISHASSOCIATION@YAHOO.COM	
CLAIRE PANAGAKOS	Claire Panagakos	63 Rome Av Portland	207-772-5813		
Tiffine Panagakos	Tiffine Panagakos	79 Devon St Portland		TIFFBANK56@yahoo.com	
Patricia Cote	Patricia Cote	111 Combs Ave	761-2080		
Helen Lewis	Helen Lewis	100 STATE ST	541-2688		
Colleen Siebert	Colleen Siebert	Cumtard Lane			
Krista Buckner	Krista Buckner	Vesper			

Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Print name	Signature	Address	Phone	e-mail	✓ I can help
Aennis Joyce	[Signature]	33 Summer St	671-4795	✓	
AYLA ZEIMER	[Signature]	15 Cumberland Ave		—	✓
Tim Manning	[Signature]	15 Cumberland Ave		—	✓
Kendra MacGillivray	[Signature]	240 Valley St			
Ron Barbour	[Signature]	73 Western Ave	502-0209	✓	✓
Brandon Hayes	[Signature]	104 Oak St, apt 25			
Joanne Vandermaas	[Signature]	53 Bar Hwy Ave. Portland	797-5212	Vanderjoan@yahoo.com	
BARBARA WOOD	[Signature]	125 EMERY ST.	871-1555	—	—
Paul Olas	[Signature]	2 Poe St	7751470		
Trish Macomber	[Signature]	24 Orange St.	332-9573	trishmacomber@hotmail.com	
Charles Crumrine	[Signature]	40 Hamblet	653-5727	—	
Stephanie Thomas	[Signature]	62 Glen Haven	272-4272		

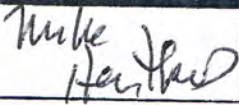
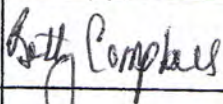
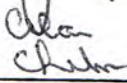
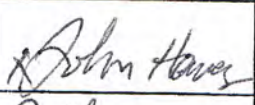
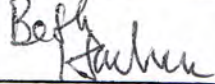
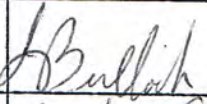
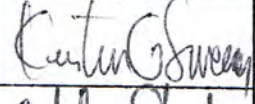
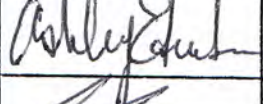
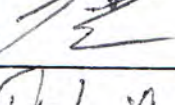
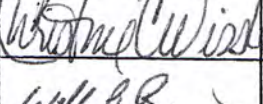
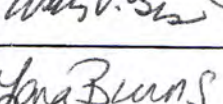
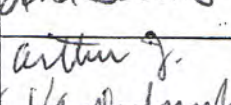
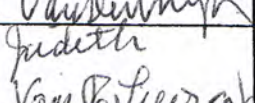
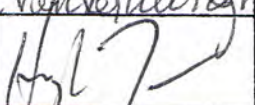
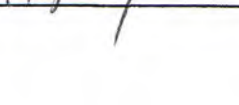
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Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
MIKE HEATITERS		82 PARK AVE # 4	207 - 776 9003		
Betty Campbell		19 Graystone Ln	775-286		
Alan Chebster		37 Glenwood	—		
John Henney		154 Francis			
Beth Hartman		28 St George	232-0749		
Joan Bullock		206 St. St	773-6848		
Kristin Sweeney		167 Caleb St	772-1490		
Ashley Edmondson		41 Pitt St.			
Richard Edmondson		41 Pitt St			
CHRISTINE WISSLEY		115 HOBART ST	772-2613		
BILL BURNS		139 William Pk Portland ME	518-428 0020		
LARA BURNS		139 William Pk Portland ME	315-534 5171		
ARTHUR VANDERBURGH		193 EDWARDS PORTLAND	772-3291		
JUDITH VANDERBURGH		193 Edwards Portland St	772-3291		
Hugh Tice		290 CAPSILL ST DOW-TOWN, ME	772-326		

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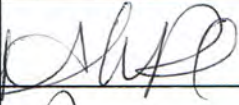
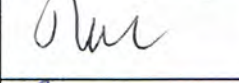
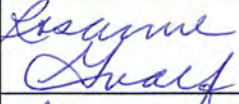
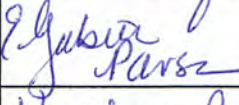
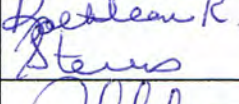
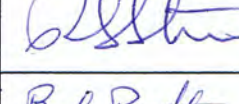
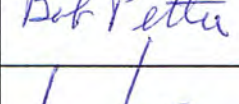
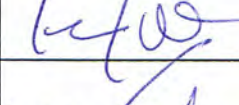
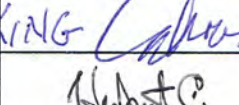
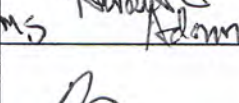
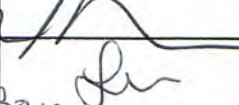
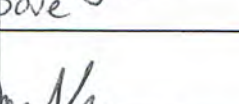
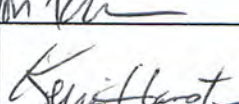
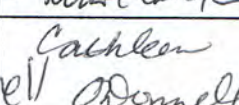
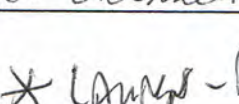
Print name	Signature	Address	Phone	e-mail	✓ I can help
Peter Plouffe	Peter Plouffe	158 Summit St	878-0505	—	
Jeff Brewer	Jeff Brewer	5 Pinebush Dr	786-8646		
Kathy Brewer	Kathy Brewer	5 Pinebush Dr.	780-8644	katicasale brewer@yahoo.com	
Mary K. Westcott	Mary K. Westcott	35 Waterville St	—	dirtgirl1@aol.com	✓
DAVID VICTOR	David Victor	35 Brook Rd	899-2573		
GARY WINSH.P	Gary Winsh.P	17 CHAPMAN ST 34 Greenwood Ln	797-3628	GWINSH.P@XANE.PR.COM	
Cherylann Pulsoni	Cherylann Pulsoni		801-7087	cpulsoni@maine.rr.com	
JOHN LEEKE	John Leek	26 HIGGINS ST. PORTLAND	773-2526	JOHN LEEKE@ HISTORICHOME WORKS.COM	
Phyllis Leeke	Phyllis Leek	26 Higgins St Portland	773 2523	Phyllis @ PhyllisLeeke.com	
Erin Devlin	Erin Devlin	71 Read St.	775-5689	edevlin@york schools.org	
Jodelle Austin	Jodelle Austin	41 State St.		doceanasea @gmail.com	
Alison Kenney	Alison Kenney	54 Richardson		apkenway@ maine.rr.com	
John Zook	John Zook	21 HANOVER ST.	—	JZOOK212@ gmail.com	
MAO LIN	Mao Lin	21 HANOVER ST. APT 1		maotenglin@yahoo.com	
Gil Doughty	Gil Doughty	112 Rockland	879-9235	gdoughbl@yahoo.com	

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Ashley Phaneuf		240 Brighton Ave. Portland	401-3609-5903	AshC@gmail.com	
John Edar		101 Gray St.	Portland ME	JohnRichardEdar@gmail.com	
Rosanne Graef		30A Salem St.	Portland ME	rgraef@gwi.net	
Elizabeth Parsons		44 Winter St	899-2206		
Kathleen R. Stevens		260 Vaughn St.	780-6750	Penny.Stevens@maine.rr.com	
Richard Stevens		260 Vaughan St.	780-6750	dick.stevens@maine.rr.com	
Bob PETTEE		309 Spring St	518 524-1808	bobpettee@gmail.com	
IAN JACOB		59 STATE ST PORTLAND	207 409 2030	IANASPERJACOB@GMAIL.COM	
EDWARD J. KING		48 Pleasant St.	776-3841	thewestendnews.com	
HERBERT ADAMS		231 State St.	772-2565	—	
Robyn Tucker		10 Alder St	402-8222	robbyntckr@yahoo.com	
Lauren Schaefer-Bove		91 Penn Ave Portland ME 04103	207-329-9588	lschae61@yahoo.com	*PE
Krisla Marsh		401 Brighton Ave #4 Portland, ME 04102	207-807-2722	marstonkrisla@yahoo.com	
Kevin Hanstine		23 Grafton St. Portland 04103	561-400-8854	KHANSTINE@MAINE.rr.com	
Cathleen O'Donnell		113 North St Portland 04101	207-310-9685	occasionalchefe@gmail.com	✓

PAR

* LAMPS - PORTLAND PD - PRO
MARY DEMOREZ

Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Munjoy Hillers

Print name	Signature	Address	Phone	e-mail	✓ I can help
ETHEL ANDERSON	Carl Anderson	571 Grand Ave 4th Portland	—	—	—
Thomas Allen	Thomas M. Allen	123 Ray St Ald	—	—	—
Eda Zukic	Eda Zukic	10 White Birch Lane Portland ME 04103	—	edazukic@yahoo	
Eve Nelson	Goe J. Nelson	134 Mead St Portland, Maine 04102		evelsonstegmail.com	
Kevin Roberts	Kevin Roberts	121 River St	—	—	
Barbara Robinson	Barbara Robinson	121 River St	—	—	
Frances Wilson	Wilson	259 Spring St	—	—	
Todd Denson	Todd Denson	615 Forest Ave		Denson37217e yahoo	
K. Ackermann	K. Ackermann	114 Emery St.	—	—	
John Liechty	John Liechty	49 Dennett St	—	—	
AMY LIECHTY	amy liechty	49 DENNETT ST.	—	—	
Molly Anderson	Molly Anderson	63 Franco St.	—	—	
Toji Perlman	Toji Perlman	53 Hartley St.	—	—	
PETER WEYL	P. Weyl	17 BREWER ST. PORTLAND			
TERRY WEYL	Terry Weyl	"			

Letter to Portland Planning Board and City Council

Ross

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

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FSLC would be required to establish approximately 160 on-site parking spaces.

For all these reasons, we urge the Planning Board and the City Council to require substantial revisions to the St. Lawrence proposal in size, design, and capacity.

Print name	Signature	Address	Phone	e-mail	✓ I can help
Eileen Parady	<i>Eileen Parady</i>	One Rickor Park, Dix Portland	207 761-0126	a.parady@abc	
Brendan Benson	<i>Brendan Benson</i>	44 Read 90. Portland	774- 5567		
Roger Boulton	<i>Roger Boulton</i>	142 Longfellow St	774-5338		
Susan Quimby	<i>Susan Quimby</i>	3 Hyde St Portland	772-6279		
Richard Gammon		95 HERFORD ST	660 0520		
Reginald McDonald	<i>Reginald McDonald</i>	956 Knividge Dr	207-761-0513		
Sandy Donahue	<i>Sandy Donahue</i>	9 Dordworth	773-1410	<i>sekh@com</i>	
ANN ARCHING HOWE	<i>Ann Arching Howe</i>	76 Monument St	775-7515		
Bruce King	<i>Bruce King</i>	16 RICHMOND	207 756-5412		
Jim Parsons	<i>Jim Parsons</i>	38 Hatley St	—	—	
Lisa Toner	<i>Lisa K. Toner</i>	53 Haywood St	(207) 838- 8012		
Nelson Toner	<i>Nelson Toner</i>	"	(207) 838 9309		

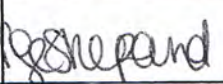
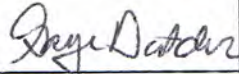
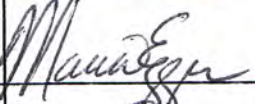
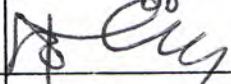
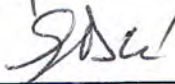
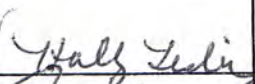
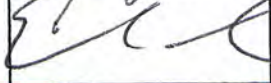
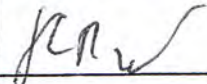
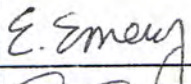
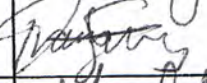
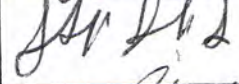
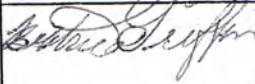
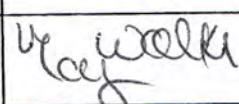
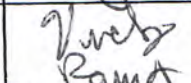
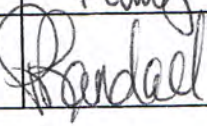
Letter to Portland Planning Board and City Council

Ross

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Pauge Shepard		8 Aubec Street		pauge-shepard@munjoycity.com	✓
Gaye Dutcher		Muddy Lane			
Maria Egges		59 Montrose Ave			
Heath Paley		"			
Dean Leslie		488 Allen Ave Portland			
Holly Leslie		488 Allen Ave Portland			
Ed Ginty		46 Turner St Portland ME			✓
Susan Picotte		87 Grosse Dr.			
Elizabeth Emery		55 Sheridan			✓
Mavis Emery		55 Sheridan			✓
Steven Thomas		37 Casco St Portland ME			
BEATRICE GRIFFIN		75 State St. Portland Maine			
Mary Walker		22 Label Ave Portland, Me.			
Vicky Rawley		22 Label Portland	650-1465		
Patti Randall		424 Brighton #15 P.O.			

Letter to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

[illegible]

Ross

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

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Petition to Portland Planning Board and City Council

Sponsored by Concerned Citizens of Munjoy Hill

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

Print name	Signature	Address	Phone	e-mail	✓ I can help
Kevin Johanna	<i>K. Johanna</i>	41 Montreal St.	780-1004	Kevin@ilknow.net	
Vanessa M. Gerth	<i>Vanessa M. Gerth</i>	22 Montreal St	956-9619	munjoydance@yahoo.com	
Zack Anchors	<i>Z. Anchors</i>	69 Vesper St	978-710 9225		
Stephanie Pooler	<i>S. Pooler</i>	99 Brook Rd.	232-1085	spooler@portlandmaine.gov	
Stephanie Neales	<i>S. Neales</i>	88 Munjoy Hill employee	207-650-7356	Sneales@gmail.com	
Kevin Kilmartin	<i>Kevin Kilmartin</i>	10-A Emerson St.	207 615-8755	—	✓
LATHER FRASER	<i>Lather Fraser</i>	13 Emerson St. #1105	207-518-9584	Benito Amos @ Yahoo.com	✓
Meghann Quinn	<i>Meghann Quinn</i>	41 Howard St	978 618 0000	Meghannquinn@gmail.com	
Jan Eakins	<i>Jan Eakins</i>	15 Brown St. #202 Portland	228-5274	jan.m.eakins@msn.com	
DALE CROON	<i>Dale Croon</i>	45 Eastern Ave. Portland Me 04101		DALE.CROON@comcast.net	
KATHY LODGE	<i>Kathy Lodge</i>	56 North St	4155911	K-jol@live.com	
Roychell Libby	<i>Roychell Libby</i>	89 Gray St	756-2184	RoychellLibby@live.com	
Vana Carmona	<i>Vana Carmona</i>	103 North St #1 Portland ME 04101	420 6962	vanacarmona@gmail.com	

PM

105 North Street, Unit 1, Portland, Maine 04101

CONTACT: Ralph Carmona at 207-518-9177 or RalphCarmona@gmail.com

[illegible]

From: "ebw" <enebw@gmail.com>
To: "'Helen Donaldson'" <HCD@portlandmaine.gov>
Date: 9/16/2014 9:41 AM
Subject: RE: St. Lawrence Arts - revised submittal and upcoming Planning Board workshop

In case I can't attend I would like to comment once again that the neighborhood especially Beckett Street can't support more cars parking on the street. There will be no place for tenants to park as there are approx. 200 people that live on the street and about 35 parking spaces since 1 car frequently parks in two spaces. I have tenants regularly complaining how there is no parking available for them because of the St. Lawrence which most of the time is just due to the staff. Also, the Transportation plan does not seem to take into account summer months that experience a higher than usual parking need due to tourists in the surrounding streets an cutter street. I am not sure why the plan indicates older people tend to use a car more than younger people. The base line is many people are concerned for their safety and will not want to park a long distance away young OR old. I know this is a relatively safe neighborhood but people I work with for example still equate Munjoy hill with crime so they will not tend to want to park blocks away from a show and walk back in the dark. I honestly do not understand why the St. Lawrence staff does not get the impact St. Lawrence currently has on Becket St, let alone what the future impact will be. I have to question how the staff would approach this if this was in the neighborhood they lived in.

Since it is likely this will get approved, I would ask the City Council to please consider issuing Resident Parking permits for Beckett, Munjoy and immediate surrounding areas. Regardless of what the transportation plan implies, the majority of people are not going to be "educated" to learn to park a long distance and walk in the cold or dark. Cutter street is a LONG walk and up a hill if there is no shuttle bus involved.

Thanks for giving me the opportunity to comment.

From: <TBaehr@aol.com>
To: <HCD@portlandmaine.gov>
CC: <JLEVINE@portlandmaine.gov>, <alecjaegerman@gmail.com>, <jbp@portlandmaine.gov>, <bab@portlandmaine.gov>, <jduson@maine.rr.com>, <jcoyne@portlandmaine.gov>, <kjdonoghue@gmail.com>, <dave@damfineart.com>, <edsuslovic@yahoo.com>, <NickM@cascobaylines.com>, <jhinck@lewissaul.com>, <cal4161@yahoo.com>, <mfpb@portlandmaine.gov>
Date: 9/17/2014 9:58 PM
Subject: Re: TDM - Proposed - St. Lawrence Arts Center

Dear Nell,

Thank you for meeting with us on Wednesday. Moving the new St. Lawrence Arts Center through the approval process has been a long journey that is still not at its destination. I think the drawn-out process indicates much passion and commitment among all the parties involved.

So that you have a written record of my small piece of our meeting, I offer the following:

What is striking in all the TDM plan iterations, and especially in the latest one, is the number and diversity of proposed solutions - most or all of which must work at the same time, and often in coordinated fashion.

The various solutions depend on the interlocking cooperation of several parties on a continuing, if not permanent, basis: valet parking, enhanced bus service (with a grant from St. Lawrence), pedi-cabs, parking at Cutter Street, co-promotions and discounts with in-town restaurants and parking garages, bicycle racks, and possibly permit parking on streets near the Arts Center.

Moreover, the solutions require cooperation among multiple parties, any of whom could either not join the venture from the start or, later on, seek to modify or eliminate their participation.

This mix of solutions creates a fairly fragile structure that could crumble if one or more of the individual items were to be withdrawn: the Metro subsidy may need to be cut or eliminated; the Metro could run into unrelated problems; Cutter Street may periodically fill with non-St. Lawrence cars (think snow emergency); restaurants and/or parking garages may withdraw their support.

We must consider two additional challenges in all this.

1. In addition to the Cutter Street lot being filled in a snow emergency, foul weather could make waiting for a bus unbearable and clog any available parking near the Center (as happens now in the winter with events in the ParishHall).
2. The TDM attempts to address the traffic and parking situation for people going to an event at the Arts Center. When a 400-customer event has ended, a large number of people may be vying for valets and bus seats. Oh, and add foul weather to that.

If TDMs in other situations have been more complicated, as was mentioned in our meeting, it would be good to keep in mind the actual, and not hypothetical, challenges posed by transforming a residential neighborhood in ways that are not good for either the neighborhood or the city. If the set of challenges for another location are not nearly identical, the comparison falls apart.

My concern also touches on an assumption that has been made, by both the St. Lawrence and people reviewing their plans: The desire for a 400-seat venue drives all other considerations, including parking. The size is part of a dream going back more than a decade by people sincerely committed to the arts on Munjoy Hill. Sadly, absolutely no flexibility about size has been expressed by the St. Lawrence or proposed by those reviewing their plans. It's hard to believe that a better plan cannot be conceived.

Sincerely,

Tim Baehr
 North Street

From: Ross or Kathleen Fields <fieldsofun@gmail.com>
To: Nel Donaldson <HCD@portlandmaine.gov>
Date: 9/18/2014 8:37 AM
Subject: Corrections to previous email

To Portland Planning Board and Staff

I continue to wrestle with the issues I see with the proposed 401 seat St. Lawrence Arts Center theater. I have listed my observations for your consideration as you move forward in this process.

1. I have a difficult time understanding why a business, St. Lawrence Arts Center (SLAC), would roll-the-dice on their success or failure. The huge unknown is that of how patrons will respond to the* inconvenience of parking options* being presented in the Transportation Demand Management plan. The risk seems high when considering increasing what is the current parking demand by a factor of four. From a systems approach if you increase any demand by a factor of four without any real attempt to allow for the increase you will most likely be faced with a failing system. If there were a parking facility for 200 cars we wouldn't be having these discussions.

It would be great if you could test the proposals in the TDM prior to making your decision.

2. The whole TDM* hinges on changing human behavior *from the current practice - driving to SLAC and parking as close as possible. What is presented in the TDM offers *no real incentive to change* this behavior. Portland, because of its size and layout, does not present any real obstacles to the continued use of privately owned vehicles.

The changing of human behavior could be forced if Residential Parking Stickers were required on Munjoy Hill around the theater. This would force the use of the alternatives presented in the TDM at the risk of turning patrons away.

I am pretty certain that those who will be affording the \$20+ a seat ticket will be driving their vehicle to the theater and searching out the most convenient parking spot they can find.

3. We all like convenience. So in order for the proposed TDM solutions to actually work they need to be convenient. *Ask yourself* -

- would you park at a downtown garage, wait for a bus that may or may not be on time, or even exist, ride 10 blocks, get off to walk a few more - hoping the weather is agreeable, and then reverse that process only to be competing with 400 people all wanting to get home quickly and "conveniently" at the end of a performance?

- if you are traveling from say the Deering area, or South Portland, Falmouth or Westbrook changing from the #4, #5, #6, #21 to the #1 and then in reverse, would you be willing to plan the time needed? Right now it would be challenging because several of these lines stop operating way before performances at the SLAC let out. Now add in winter traveling conditions.

On a recent Friday evening, my wife and I walked into town to attend a music performance up on Free Street. We checked the schedule of the #1 bus and decided that we would catch the 9:40 p.m., Congress/Elm stop, back up to Munjoy Hill. We arrived at the Congress/Elm bus stop at 9:30 p.m. At 9:55, no #1 buss had shown up, we decided to start walking. We made it to the top of Munjoy Hill around 10:15 p.m. and never saw the #1 bus.

Again, if you are basing your decision on all of these pieces coming together and working I think you are kidding yourself. It is time to get real. This TDM is requiring SLAC to put so much effort, say 80%, in an attempt to get less than 20% of its patrons to use alternative means of transportation/parking. It is not fair to them and not fair to the Munjoy Hill Neighborhood. The data that SLAC has all ready collected (100% participation) makes this extremely clear.

4. It seems as if the *approach is in reverse*. Instead of asking, is a 400 seat theater a viable enterprise for the location, the discussion is about how can we accommodate the amount of cars when space isn't really available or practical.

5. The TDM is more like a house of cards. If one card, one of the players - say downtown restaurants offering free bus tickets, or pedicabs making their way up Congress, decide it isn't worth it, then the whole *system begins to unravel*. Again, a private 200 car parking lot next to the theater would be way more committed.

6. When it comes to *monitoring the TDM* - the parking - and how everything is working, just how is that going to work? Example: It is my understanding that theater staff and performers will have a designated, off site, area to park. How do you know they are actually following through with this? Special tags on their vehicles? Will the monitor be going out during performances to check on adherence to the requirements? Seems a bit absurd.

7. Please also consider the impact of the *loading dock/door*. What standards will be required for this facility. Will there be any restrictions/guidelines concerning vehicle size, time of day it can be used, and length of time a truck can be parked to unload. Under the current plans it looks like a 30 foot van/truck would be blocking half of the street when loading or unloading.

8. One last item is that of *frequency of use*. The Friends of St. Lawrence board has yet to come up with any definitive response concerning the frequency of use of the 400 seat theater. Will it be once a month, once a week, 4 times a week? This would be valuable information. At one of the more recent public meetings it was stated by Ms. Nice that SLAC was encouraged to have one performance per month, for the first 6 months in the new theater. Really? This is where I just don't get it. At every meeting I hear that the new 400 seat theater is needed to generate much needed revenue in order to maintain Parish Hall. One performance per month just doesn't make sense, does it?

Bottom line - The proposed TDM offers no real incentive for the changing of behavior of Portland area theater patrons.

Would each one of you be willing to use one of the alternatives presented when going to this theater - winter, spring, summer and fall?

Thank you,

Ross Fields - living in *Portland vehicle free* since 2011

46 Turner Street
 Portland, ME 04101

From: Stephen Gaal <steve@gaal.com>
To: "hcd@portlandmaine.gov" <HCD@portlandmaine.gov>
Date: 9/18/2014 9:40 AM
Subject: St. Lawrence Arts Center Contract Zoning hearing

Dear members of the Portland Planning Board:

I understand that there will be a meeting of the Planning Board on September 23, 2014 to again consider the application for a Revised Contract Zone Agreement with the St. Lawrence Arts Center. Regretfully, I am not able to attend. I respectfully request that you consider the following points as you deliberate on this request. I apologize for the length of this communication but there are many issues to be considered relating to this request.

1. A Contract Zone Agreement is not a right but an exception to current zoning. By definition, a Contract Zone Agreement is a variance from the carefully considered zoning laws of the City of Portland. Some would call it "spot zoning." The applicant is not entitled to this agreement. In fact, absent a compelling argument for community benefit without undo hardship, the default response should be to deny it.
2. The TDM concept is flawed here because if it doesn't work there is no remedy. Parking is, to me, the overriding issue with the proposed SLAC expansion. I won't recite the numbers involved. I am sure that you are all familiar with them. In fact, the TDM proposed by SLAC is full of data and numbers, but has precious little information about how to remedy the issues that will arise when an additional 200 cars try to park in an already crowded neighborhood. And that neighborhood that may get even more crowded if the proposed zoning changes allowing for higher density that are being discussed are passed. Once this is built, there is no going back.
3. The TDM relies on significant changes in human behavior - buses, bikes, carpooling, shuttles vs cars. As much as we would all like to see greater use of public transportation and people-powered transportation, we all know how difficult it is to change human behavior. And the automobile is at the heart of American behavior.
4. This is a regional performance venue in a residential neighborhood with most attendees coming from afar. SLAC has, themselves, described this is a Regional Performance Venue. They certainly are not going to fill a 401 seat theater, and a 200 person Promenade Room with local residents. Most of these people will be coming from some distance. It is highly unlikely that they will be willing to change modes of transportation to attend the theater. Would you drive to Saco, park in a lot some distance from a theater, wait for public transportation, and do the same on your way home?
6. Cutter St is often not available- snow days, summer evenings. I live on the Eastern Promenade overlooking the Cutter Street parking lot. It fills up by 3-4 PM on winter afternoons when there is a snow ban. It is often very busy during summer evenings. And I suspect the
7. SLA has never explained how often this will be used nor discussed the impact on the neighborhood. Despite many requests to SLAC, both in public and private meetings, requesting how often this venue will be used, no information has ever been forthcoming. If the venue were to be used once a month, the impact on the neighborhood is probably minimal. But it is unlikely that you would build a \$7 million dollar facility and use it sparingly.
8. The TDM is a "Golden Moment" plan with many disparate factions and players all required to work at the same time.
9. SLAC is being held to a lower standard with respect to parking. You are all aware of the significant development going on on Munjoy Hill. But even these developments come with parking. The closest to SLAC, 118 Congress Street, has 19 parking spaces for 12 units. 9 and 11 St. Lawrence has parking for each unit. The Sheridan Street development has parking for each unit. The Avesta housing on the site of the old Adams School has parking. I am involved with a small theater company in South Portland in a neighborhood similar to Munjoy Hill (Ferry Village) where we were required to show that we had 27 on-site parking spaces for a 50-seat performance venue. And yet we are contemplating allowing SLAC to create demand for an additional 150-200 cars without any additional parking.
10. There is another option. It has been suggested to SLAC that they modify their plans and reduce the expansion from a 401 seat theater and 200 capacity Promenade Room (in addition to the 114 seat existing theater space) to something more like a 200 seat theater that is more in keeping with what is primarily a residential neighborhood.. They have consistently refused saying "this is our plan."
11. There is an Arts District. And it isn't here. I admire the effort and energy that has gone into the St. Lawrence over the years. I am a subscriber to and supporter of The Good Theater. I like having the other cultural offerings available at the St. Lawrence. And I appreciate Ms. Nice's and the SLAC Board's desire to expand their offerings. But we already have an Arts District in Portland, and it isn't here. It is at the other end of Congress Street with the appropriate infrastructure, particularly parking, that is so obviously missing here.

I respectfully urge you to consider these points and those raised by others as you consider this request, and I urge in the strongest way possible to deny this application for a Revised Contract Zone Agreement relating to this expansion of the St. Lawrence.

Stephen Gaal
 176 Eastern Promenade
 Portland ME

steve@gaal.com
(603) 651-9183 mobile

From: <ALandsberg@aol.com>
To: <hcd@portlandmaine.gov>
CC: <JLEVINE@portlandmaine.gov>, <alecjaegerman@gmail.com>, <jbp@portlandmaine.gov>, <bab@portlandmaine.gov>, <jduson@maine.rr.com>, <jcoyne@portlandmaine.gov>, <kjdonoghue@gmail.com>, <dave@damfineart.com>, <edsuslovic@yahoo.com>, <NickM@cascobaylines.com>, <jhinck@lewissaul.com>, <cal4161@yahoo.com>, <mfpb@portlandmaine.gov>
Date: 9/18/2014 12:16 PM
Subject: St. Lawrence Arts Center proposal

To the City of Portland Planning Board and Staff:

I understand that the St. Lawrence Arts Center proponents will be presenting their latest design and TDM revisions to you next week. Before that happens I want to share some concerns I have about the status of the project and the most recent TDM that I have had a chance to review. I have, and have had since the very beginning, so many concerns about this project that it is hard to limit myself to just two areas. However I will give it my best effort.

1. At present, Munjoy Hill has a vibrant neighborhood theater and arts venue in the Parish Hall of the former St. Lawrence Church. Size, scale, and design are very appropriate for the location, tucked into a residential neighborhood of almost all three-story homes. For major musical, theatrical, and other types of bigger performance events, patrons from all around greater Portland and beyond know they can go into town and find a range of many venues of various sizes, all with convenient parking adjacent to the venues.

The St. Lawrence arts Center project, as currently proposed, threatens to turn this densely populated residential neighborhood into a second Arts District, complete with what will now be a regional theater whose management hopes – because there is grossly inadequate street parking available, hence the required TDM - to have many patrons avail themselves of an upgraded Metro “Arts Line.”

Where is the need for another Arts District? Where is the need, given that we have a flourishing one already, one which is supplied with convenient and abundant parking and almost none of which will take needed spaces away from those who live in town? There one can find both garages and open parking lots to accommodate the influx of vehicles: In the downtown business and retail area, where such venues so clearly belong.

2. Munjoy Hill is being crowded in on every side by new development - large developments, tall developments – developments which tower over the modest three-story homes that cover the Hill. I urge you to come up to the Hill, drive down Congress Street, and have a look at the new 118 Congress Street structure as it nears completion. It blends into that location about as well as those gigantic white cruise ships blend with the waterfront and the buildings that line Commercial Street. The St. Lawrence Arts Center will blend into its Munjoy Hill neighborhood in the same way. It won't: It will be a permanent looming presence, just like 118 Congress Street already is.

Please take these issues into consideration as you review the latest proposal from the St. Lawrence Arts Center. Please keep in mind the permanent and irreversible impact that this proposal will have on both Munjoy Hill and its residents if it is allowed to go forward at this size and with the currently proposed TDM. Once this building is up, it's not coming back down.

Thank you very much.

Ann S. Landsberg
 105 North Street
 899-1043

From: Ralph Carmona <ralphcarmona@gmail.com>
To: Nell Donaldson <hcd@portlandmaine.gov>
CC: Jill Duson <jduson@maine.rr.com>, John Coyne <jcoyne@portlandmaine.gov>, Michael Brennan <mfbp@portlandmaine.gov>, Kevin Donoghue <kjdonoghue@gmail.com>, David Marshall <dave@damfineart.com>, Ed Suslovic <edsuslovic@yahoo.com>, Nick Mavadones <NickM@cascobaylines.com>, Jon Hinck <jhinck@lewissaul.com>, Cheryl Leeman <cal4161@yahoo.com>, John Peverada <jbp@portlandmaine.gov>, Barbara Barhydt <bab@portlandmaine.gov>, Alex Jaegerman <aqj@portlandmaine.gov>, Jeff Levine <JLEVINE@portlandmaine.gov>, Erna Koch <ekoch4@maine.rr.com>, Rita Yarnold <cbayrea1@maine.rr.com>, Stephen Gaal <Steve@gaal.com>, Vana Carmona <vanacarmona@gmail.com>, Ann Landsberg <alandsberg@aol.com>, Cliff Gallant <gallant.cliff555@yahoo.com>, Tim Baehr Ann Landsberg <alandsberg@aol.com>, Leslie Bailey <legato@zwi.net>, Maia Greco <maiagreco@verizon.net>, Joan Sheedy <joaniesheedy@gmail.com>, Tom Kelley <thomas.kelley@maine.edu>, Bobbi Keppel <bobbik@zwi.net>, Tim Baehr <TBaehr@aol.com>, Ross Fields <ross.fields@munjoyhill.org>
Date: 9/18/2014 1:51 PM
Subject: ST. LAWRENCE PROPOSAL - PLANNING BOARD WORKSHOP - SEPT. 23

Dear Nell and Planning Board Members:

I believe most people on Munjoy Hill want this SLAC proposal to succeed. But the frustrations and concerns over the last 18 months continue to be fundamental in nature.

Beyond Munjoy Hill, CCMH is a committee that represents an increasing sense among residents and business people that growth for growth's sake can undermine the character of a neighborhood and city.

The St. Lawrence expansion, under its present plan, is going to profoundly influence what we can't measure: the character, streetscape, use and social climate on Munjoy Hill. There will be people who feel overwhelmed by the scale of the project, similar to that at 118 Street, and will object to its presence. Many are concerned that the character of Munjoy Hill is radically changing.

Councilor Donoghue is to be commended for seeking to have a public transportation plan to mitigate this problem. But bus scheduling, and other TDM-like fixes are not sufficient. We are faced with a complexity in this latest TDM that defies logic, as other emails to you have touched on.

Business people, like Rita Yarnold, a lifelong native, and Crandall Toothaker, know from personal real estate experience the inevitable effects that inadequate access to parking will have on the St. Lawrence development. Crandall, as you know, has proposed a parking facility. But the hostility toward more parking lots in a cities, like Portland, that face decreased car use in the future, works against that.

The scope of the new Arts center is regional - not neighborhood - in scale. This and other large-scale developments threaten to make Munjoy Hill a futuristic version of urban renewal that damaged the city over a generation ago. It is back to the future.

I want to address two problems in achieving compliance with the current TDM proposal. One is human nature and ingrained habits; the other is making the SLAC Executive Director responsible for maintaining compliance with TDM plan, on its face, a conflict interest.

Some unpleasant realities may come into play if the current project is completed as planned. One nightmare scenario is that the new SLAC may become, like our Congress Square, an empty space as customers abandon the Arts Center because of a TDM plan that does not work, and the subsequent parking nightmare. Further large-scale developments, and the retail businesses they include or attract, are destined to ratchet up the need for customer parking.

Growth and development are needed to contribute to Portland's vitality. But unchecked growth raises questions about where Portland is going. The development experience of Munjoy Hill, including this SLAC proposal, may well represent a tipping point for the character of Portland's future.

Many thanks, Nell, for your generous efforts to work with us. See you next Tuesday.

Regards, Ralph

Ralph C. Carmona, Ph.D.
 Adjunct Professor
 Southern Maine Community College
 105 NORTH ST., UNIT 1
 Portland, Maine 04101
 Office: 207-518-9177
 Cell: 207-420-5916
 Email: ralphcarmona@gmail.com



June 16, 2014

Deirdre Nice
St. Lawrence Arts
76 Congress St.
Portland, ME 04101

Dear Deirdre,

On behalf of Portland Ballet, it is my pleasure to write in support of the creation of the new St. Lawrence Arts Performing Arts Space. Portland is a magnet for the performing arts, and is lucky to be home to large theaters like the 1900 seat Merrill Auditorium and more intimate venues like the 74 seat Portland Ballet Studio Theater. What Portland is missing is the well appointed mid size theater – exactly what St. Lawrence Arts proposes to build. Portland needs this venue – an impressive home for dance, theater, and music that meets the needs of performers, audiences, and presenters. Its location on Munjoy Hill makes it convenient to patrons both on and off the peninsula.

The Board and staff of St. Lawrence Arts have diligently reached out to the performing community to inform their plans for this theater. Dance has many very specific needs, and these needs are met in the current building plans. Portland Ballet envisions utilizing both the theater and the reception space several times each year.

I am pleased to support the St. Lawrence Arts Performing Arts Space. If you have any questions, or would like to refer someone to speak with me, I can be reached at lgibbons@portlandballet.org or 772-9671.

Sincerely,

A handwritten signature in blue ink, which appears to read "Leslie Gibbons".

Leslie Gibbons
Director of Development



July 23, 2014

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Amy M. Taylor

Louise Thomas

June Vail

Alison Vanderhoof

April Ylvisaker

Aimée M. Petrin
Executive Director

Deirdre Nice
St. Lawrence Arts
76 Congress St.
Portland, ME 04101

Dear Deirdre,

We are always excited to hear the progress of St Lawrence Arts new 400-seat performing arts space!

As a multidisciplinary presenter without its own venue, Portland Ovation depends on the resources of the community to continue its legacy of 80+ years of presenting some of the finest artists in dance, music and theater from around the world to our community. This is why we find the vision for St. Lawrence Arts so compelling.

In recent years, Ovation has taken a more expansive view of its programming with greater consideration for working across different scales and venue formats. And while we have found great success with smaller scale (<500) presentations, we also have discovered that our venue options are severely limited beyond live music possibilities. We are unable to bring intimate theater and dance projects that require a more theatrical setting with all of the amenities. We look to the future development of St. Lawrence Arts to help fill that void.

We wish you the best as you continue with this ambitious endeavor and look forward to a day when St. Lawrence Arts is a viable venue partner for us.

Kindly,

Aimée M. Petrin
Executive Director



August 6, 2014

Deirdre Nice
St. Lawrence Arts
76 Congress St.
Portland, ME 04101

Deirdre,

I am happy to submit this letter of support for the new St. Lawrence Performing Arts Space. As the general manager and talent buyer for both the State Theatre and Port City Music Hall, I can speak first hand for the need of a mid-size performing arts venue in Portland that can accommodate not just a certain type of live music, but theater, dance, and performance art.

As we present and promote over 220 events annually, there are many times during the year when I cannot accommodate a national touring artist at either of our venues whether it's due to date unavailability, or for the simple fact that the State Theatre (at 1,870 capacity) is too large. I would love to be able to present these types of musicians at an intimate and flexible space such as the St. Lawrence. As a promoter, I am excited by the venue plans you have shared with me and look forward to promoting many shows at the venue each year.

I am pleased to support the St. Lawrence Arts Performing Arts Space and hope that its current plans come to fruition. Please don't hesitate to reach out with any questions you may have.

All the best,

Lauren Wayne
General Manager/Talent Buyer
State Theatre & Port City Music Hall
207.956.6001
lauren@statetheatreportland.com

From: Kate <czmurray@yahoo.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 9/22/2014 10:15 AM
Subject: 76 St. Lawrence Arts Center

Good Morning Mr Donaldson,

I am a resident of 91 Beckett St. I have owned my home since 1990 and have lived in this house since the 70's.....and my family has lived/owned this house for over 100 yrs.

I have many concerns re the addition to the arts center, the chief one being parking, second is the design. I will only address the parking at this time as beautiful Munjoy Hill is becoming more congested all the time. Family and friends don't like to visit because of the parking situation NOW just think what it would be like with this addition! As my brother says "its a crap shot".

I am very happy for the restaurants in area that they are doing a flourishing business. Currently, it is almost impossible to find a parking place on any of the nearby streets adjacent to the restaurants. It is tolerable for there is usually a turnover in a couple of hours and brings business to the area.

When there is a function at the arts center, usually in the evening, you have to park several streets away from your home. This is an especially unsafe/unpleasant/dangerous experience in the winter time when the sidewalks are not shoveled and the streets are a mess. Just think what and addition of an 401 seat theater would do!!

I know Beckett St. very well and the art center sits on the corner. Last winter for example, by mid January we had no place to pile the snow after a storm. Individuals who were either shoveling or snowblowing had to throw the snow into the street as Beckett St gets an excessive amount of snow in any storm but especially a northeaster. Several of other nearby streets experience the same situation as the streets are fairly narrow. Parking was almost impossible with only half the spaces available. Residents had a hard time finding parking spots where would patrons of the theater park?? Cutter St?? Who in their right mind is going to walk up Cutter St and around the prom to Congress St. in our bitterly cold winters to attend a function at the theater....that is 5/6 months of the year. The rest of the year Cutter St is filled with local residents and tourists who are enjoying our beautiful Munjoy Hill and Casco Bay. Would they be displaced in favor of the theater goers?

Has anyone given this serious thought! I am vehemently opposed to this addition!! I do hope to attend the meeting tomorrow if at all possible.

Cathleen Murray
 91 Beckett St.
 Portland, Maine
 04101

From: Tyler Kidder <tylerkidder@yahoo.com>
To: "HCD@portlandmaine.gov" <HCD@portlandmaine.gov>
Date: 9/22/2014 1:43 PM
Subject: St Lawrence Arts Center

Nell & The Planning Board,

I was so heartened to see the St Lawrence Arts folks thinking ahead with their great idea of supporting our existing metro bus system and making it even better with later service for the 'Art Line'. Space on Munjoy Hill is at a premium and should not be squandered on parking lots or tall, unsightly and expensive garages. Instead, we should be encouraging a sustainable and community-building transportation model built on walking, biking, and using public transit. What a waste it would be to use any of our high-valued land on the peninsula to further the cause of a divisive, expensive, isolating vehicle like the automobile. Plenty of folks can drive in to town and then use alternative modes for the 'last mile'. Please don't let the wealthy citizens make bad choices for the rest of us. Gentrification is a very real threat, especially on the Hill.

I appreciate you reviewing comments on this issue from concerned citizens.

Thank you,
Tyler Kidder

Previous Hill resident, frequent Hill visitor, and Asst Director for Sustainable Programs at USM.

Sent from iPhone

From: Peter Monro <jpmonro@me.com>
To: "HCD@portlandmaine.gov" <HCD@portlandmaine.gov>
Date: 9/22/2014 4:24 PM
Subject: Bus subsidy

I support the subsidy proposed by St. Lawrence Arts to increase the frequency of Metro buses in lieu of some other parking approach.

All the moves to increase the frequency of buses and make Metro a mainstream transit service are to be supported, in my opinion. This is a great start to doing just that.

Peter Monro, 32 May Street, 04102

From: Jaime Parker <jaime@trails.org>
To: Helen Donaldson <hcd@portlandmaine.gov>
Date: 9/22/2014 6:40 PM
Subject: St. Lawrence Arts

Hello Nell,

I will not be able to make it to the Planning Board Meeting tomorrow night, but wanted to comment on the proposed TDM plan for the St. Lawrence. See my comments below:

Dear Chair O'Brien and members of the Planning Board,

I would like to take this opportunity to comment on the proposed Transportation Demand Management plan for the St. Lawrence Arts Center. I have been following the process through many meetings and am generally supportive of their proposal, but have also heard persistent neighborhood concerns about parking and traffic.

The latest proposal from the St. Lawrence to contribute funding to METRO to provide increased frequency and later service to the Hill should help alleviate some of those concerns by providing a direct and tangible benefit to the entire neighborhood, not just patrons of the St. Lawrence.

Making improvements to public transportation is one of the most important things we can do to create a stronger, more resilient city. As a parent of a middle schooler who takes METRO every day to get back and forth across town, I know how important it is to have frequent, reliable service. The difference between 20 and 30 minute headways is bigger than it seems, and the proposed 20 minute intervals is approaching the point where METRO can become a viable option for many more people.

I strongly support the St. Lawrence TDM plan, and hope it can set an example for other development throughout the city; that as we look to the future for ourselves and our children, we should not build a city for cars, but for people.

Thank you for considering my comments,

Jaime Parker
73 Atlantic Street

From: Christian MilNeil <c.neal.milneil@gmail.com>
To: <HCD@portlandmaine.gov>
CC: <deirdre.nice@stlawrencearts.org>
Date: 9/22/2014 7:37 PM
Subject: Planning Board public comment re: St. Lawrence Arts

cc: Deirdre Nice, St. Lawrence Arts Executive Director

To the members of the Portland Planning Board,

As someone who served on the Portland Peninsula Transit Study's advisory committee and worked to get that plan implemented into the city's Comprehensive Plan, I'd like to express my strong support for the proposed St. Lawrence Arts Center expansion — and in particular, its visionary Transportation Demand Management plan.

In my opinion, this proposal exemplifies more strongly the principles of Portland's transportation goals and policies than any development proposal I've seen so far.

The proposed enhancements to METRO's Route 1 won't merely benefit the patrons of the new arts venue. By extending service on the city's backbone transit route, it will benefit households and businesses across the entire Portland peninsula, from late-night workers at Mercy Hospital and Maine Medical Center to downtown restaurant patrons.

I urge you to approve this proposal, and to do so with a sense of pride in knowing that your vote is building a more environmentally sustainable, transit-friendly future for our city.

Christian MilNeil
45 Smith Street (East Bayside)
Portland, ME
<<http://www.vigorousnorth.com>>

From: John Pelletier <john.f.pelletier@gmail.com>
To: <HCD@portlandmaine.gov>
Date: 9/22/2014 10:45 PM
Subject: Comment on St. Lawrence Theatre TDM plan

Good evening Nell,

While I am not a resident of Portland, my fiancé and I travel up to the city a couple times a year for shows and general shopping/dinning etc. from the Boston area. We always come by train and take the bus downtown.

I reviewed the TDM plan for the new theatre and found it quite exciting for non-car options! Having worked with the City of Cambridge PTDM manager on projects, I felt the plan was well put-together and thought out and has a high chance to succeed on providing for current SOV parking demand and reducing that demand over the coming years. I especially felt that the extension of bus service will be a valuable element and very innovative, there are only a few examples of that from around the country, but they are pretty successful when packaged properly, as this seems to be.

One note I would have is that since bike parking is dirt cheap, per bike parked, and takes up relatively little space, that 10 racks is on the low side and it might be worth putting in an additional 5-10 racks from the start even if they might not be filled to capacity the first few years. I would also note that if at all feasible the bike parking should be covered and the racks should be of the "staple" or "inverted U" style for maximum security and comfort. Covered parking is more likely to attract patrons who may be leery about coming out to a show by bike if rain is predicted since they would have a wet seat on the ride home.

All in all, as a tourist and active transportation (and transit user) who might be attending shows at this venue in the coming years I would encourage the adoption of this proposed plan and not require the company to build an expensive parking structure that will sit empty most of the time. I believe the parking plan showed sufficient capacity in the surrounding area to cover demand with existing facilities, and that demand will only lesson as the trip reduction strategies are introduced and Portland continues to work on encouraging non-auto travel.

Thank you very much

John Pelletier

92 Central Ave
Newton, Massachusetts 02460

From: Elaine Mullin <elainevmullin@gmail.com>
To: <hcd@portlandmaine.gov>
Date: 9/23/2014 6:22 AM
Subject: St Lawrence Arts

Dear Ms Donaldson,

I am a 7 year resident of Beckett St and a direct abutter of the St Lawrence. I am in favor of the plans proposed by St Lawrence Arts, despite the fact that there will undoubtedly be more traffic on show nights.

The Friends of the St Lawrence have done a wonderful job in restoring, preserving and developing the Parish Hall. Had they not made it into the lively Arts Center is it, it's entirely possible given the state of the the economy and Munjoy Hill at the time, the entire structure of the St Lawrence could have crumbled and been replaced with something of great detriment to the neighborhood. The dedication to the quality of life on the Hill that is evidenced by the efforts of Deidre and the Friends of the the Lawrence contributed greatly to the revival of the area and I see no lessening of their commitment to this neighborhood.

The impact of the addition of a 400 seat theater will surely be felt, just as the impact of the restaurants with early morning deliveries and trash hauling, and the changing street and sky scape with the new condo developments. When I moved to this area I knew it to be one that would likely continue to undergo transitions, like the ones that changed it's direction and brought economic viability back, including St Lawrence Arts. I wanted to be and still want to be a part of it, taking the reality of these businesses with the benefits.

I would recommend a few things in relation to the transportation plan and monitoring to make it more robust:

Parking counts as described be performed on a quarterly basis during the first year, then annually

Surveys of employees and attendees also be done on a quarterly basis and, include a neighborhood survey, residents and businesses, also quarterly during the first year.

Include specifics for performers and parking

Publish the results and SLA response to these surveys in a timely fashion on the SLA website and in local papers

Establish a monitoring committee, including members of the community/neighborhood to oversee and assist with these efforts

In addition to making the monitoring more robust, these efforts will also demonstrate a sincere intent by SLA to make the theater successful in every way, including the area where most concerns are now being expressed and the one which will impact those us who live here the most.

I trust that if the initial plans for transportation management or other aspects of this project do not work well, The Friends of St Lawrence will listen to the neighbors and make changes.

Sincerely,
 Elaine Mullin
 99 Beckett St

From: Markos Miller <markosmiller@hotmail.com>
To: "hdonaldson@portlandmaine.gov" <hdonaldson@portlandmaine.gov>, Tuck O'Brien <tuckobrien@mac.com>, Tuck O'Brien <tuckobrien@me.com>
CC: deirdre nice <deirdrenice@hotmail.com>, Bill Hall <bill.hall@martinspoint.org>, Carol Morrisette <carol@camorrisette.com>
Date: 9/23/2014 9:00 AM
Subject: St Lawrence

Planning Board Chair O'Brien,

I am writing to express my support for the St. Lawrence Performing Arts Center project. The revitalization of the St. Lawrence has played a key role in the renewal of the Munjoy Hill neighborhood over the years, and contributes greatly to the quality of life in the Greater Portland area. The St. Lawrence's expansion project sets the stage for the ongoing growth of the organization, and the vibrancy of the community. I believe we should be embracing the planned growth of our community arts organizations.

I understand that the St. Lawrence proposal has been the target of criticism from some in the neighborhood. I too am a concerned citizen of Munjoy Hill. I am concerned that as a city we are still fretting over issues of transportation and car storage, although we pride ourselves on being a "walk-able" city. I am concerned that some in our community seek to repress our city's growth and limit the future vibrancy of Portland. I am concerned by a tendency to freeze what we have in place or to turn the clock back when innovation and experimentation are needed to address the challenges of today and to move towards a more sustainable future.

The St. Lawrence project is a forward looking proposal that is rooted in a very real history of neighborhood renewal: an abandoned church restored into a community asset. The St. Lawrence proposal dares to address transportation and parking issues in an innovative manner, strengthening the role of transit on the peninsula and creating alternatives to the automobile. The proposal has also been responsive to many of the design concerns of neighbors, working to fold these into their vision for the organization in the community. It is apparent that the St. Lawrence seeks to continue to contribute to the strengthening of the vibrancy of the Munjoy Hill neighborhood and the greater community.

Sincerely,

Markos Miller 17 Atlantic St Portland, ME 04101 (207) 807-2681

From: "Lisa Morris" <lmorris@usm.maine.edu>
To: <jlevine@portlandmaine.gov>
Date: 2/28/2014 4:46 PM
Subject: St Lawrence Arts expansion

Hi Jeff,

I want to weigh in on the proposed expansion of the St. Lawrence Arts Center.

I live on the Hill and own two properties (26 Lafayette and 38 Turner), and, for the record, my family (both sides) also goes way back...

I am in favor of the proposal.

I understand people's concerns about traffic and parking but I think the trade-offs are worth some inconvenience. We live in a city. Traffic and parking are par for the course (and, for the record, neither of my properties have a driveway. I park on the street). I am also of the mind that giving car use and parking too much weight in planning is not a good thing. Portland is a very walk-able and bike-able city. We need to encourage people to walk, carpool, take the bus, etc. for environmental and other reasons. Going out of our way to accommodate cars, especially at the cost of a great amenity like a new theater, moves us in the opposite direction. Increasingly, younger people don't even own cars. As gas becomes increasingly expensive (which it will) everyone is going to be using public transportation more. Older people will have their friends and family drop them off out front. People always manage.... If, in the end, the new theater is so successful that parking and traffic become a big problem, I think there are ways to deal with it then (making sure main side walks are clear in winter, better lighting at night to increase safety for walking and biking, a shuttle or two from different parts of the city, incentives, preferred parking for residents).

The concerns expressed regarding the risks from the increased number of cars roaming around the area looking for parking are somewhat more valid. In the meeting last night I suggested speed bumps. I think a few speed bumps here and there are needed around the Hill anyway. Having a theater and more people and traffic related to the theater can also increase safety (makes it less of a haven for drug dealers).

I think the proposed size and height of the addition is reasonable. Its about the size of the previous structure. Its within range of surrounding buildings. The 50 ft or so height is not imposing, and I really like the front of the building's design - set back a bit, the porch effect, the lantern effect, etc. -all of which will make it less imposing.

In terms of the sustainability of the Center, who knows for sure, but I do know that Portland currently does not have a mid-size theater (Portland Stage is 220 seats, State Theater is closer to 2000). A 400 seat theater is a good size and will probably fill a gap and be successful. If not, someone else will buy it and turn it into something else successful.

Thanks for a great first meeting the other night. You and Nell were really great.

Lisa Morris

Ms Donaldson,

I cannot attend the Portland Planning Board meeting tonight, but wanted to express my support for a larger theater at the St Lawrence Church and the potential expanded bus service along the Metro bus #1 route instead of additional parking on Munjoy Hill. My apologies for the last-minute email, and not being able to show in person.

Best regards,
Kathryn Masters
231 State St, Portland

From: Ross or Kathleen Fields <fieldsofun@gmail.com>
To: Nel Donaldson <HCD@portlandmaine.gov>
CC: Ralph Carmona <ralphcarmona@gmail.com>
Date: 9/24/2014 1:52 PM
Subject: Response to Planning Board Meeting 9/23/14 - St. Lawrence Arts Center
Attachments: nielsen-millennial-report-feb-2014.pdf

Dear Nel,

Please see that the following is distributed and placed in the record concerning the Planning Board's review of the St. Lawrence Arts Center's request for a zoning amendment.

To Planning Board Members

In reflecting upon the Planning Board workshop for Zoning amendment for St. Lawrence Arts Center, and with all due respect for Planning Board members, I feel that several Planning Board members are a bit naive or in-the-dark as to how many performances and at what capacity are needed to make St. Lawrence Arts Center (SLAC) financially viable.

Ms. Nice has been asked, on more than one occasion, what types and frequency of acts will be scheduled at this type of venue and has yet been able to answer the question with any quantifiable information. I would think that, if what other organizers are claiming as to SLAC being the right sized venue for specific acts, these acts would be making inquiries. The only one I have heard of so far is Portland Ballet.

I also don't understand why SLAC doesn't share with the community how many performances the new venue will need each year for it to be successful. Is it once per month, once per week, three times per week? Even the most simplistic business plan will have a grasp on needed sales. Knowing the frequency of performances required is important in understanding how the neighborhood will be impacted and if the TDM plan is robust enough.

It appears that the Planning Board is more interested in how much Ms. Nice has done for the community rather than digging to get actual hard data and then doing the math. Is being popular part of the criteria for this zoning amendment?

As to the reply from one board member that since I live in Portland without owning any vehicles, I am proof that "human behavior" is changing, is a bit short sighted and out of touch with reality. Yes, the trend is changing, but will it change enough within the next three years to create the attendance needed by SLAC? Just how many people like me are required for this to work? (Suggest board members take time to read Nielsen's recent report on Millennials (attached) for insight into urban trends being moved forward by this segment of our population.)

If all 65,000 residents on the peninsula - within a 2 mile or less walk from SLAC - attended one sold out performance at SLAC per year that would equate to 162 performances or approximately 3 performances per week. Would all be able to travel by bus or walk?

Is this a practical expectation? Probably not. Is 50%, 32,000 peninsula attendees, or 25%, or 10%, 6,500? The point is that success for SLAC will require customers coming from outside the Portland peninsula area. Which means driving to the venue. SLAC must have some data as from where the majority of their current patrons travel, but it doesn't seem like that information enters into the equation. It seems to always come back to the idea that all of a sudden everyone is going to start riding the bus.

At present there are no real deterrents, or obstacles, that keep people from driving. There is no traffic grid lock, no congested roadways, and at the moment, for the 110 seat theater, no real parking issues. Driving is convenient and until that changes, people will continue to do just that, drive. I know of theater goers who actually live on Munjoy Hill and drive to performances when the weather is inclement.

I suggest the Planning Board gather some actual data by either examining the bus schedules for hours of operation and connecting times and/or actually have someone ride each line with the intention of going to and returning home from a performance at SLAC. I find it interesting that SLAC does not currently publish running times of their performances (expected end time) or promote the use of public transportation on their website. Seems that this would be the perfect time to start educating their patrons and start the slow change of human behavior to alternate means of transportation.

Generally, the #1 has its last run from North Street/E. Prom at 10:50 p.m. - all other buses stop operation with their last run from Elm Street at 9:30 p.m. Current scheduling would require catching the 8:50 p.m. #1 (time of leaving North Street/E Prom stop) in order to make a 9:30 p.m. connection for the #2, #3, or #5. If a show starts at 7 or 8 p.m. only the #1 bus would be of any use and only to patrons living on the peninsula.

The #7 bus, the Falmouth Flyer, with its stop at Congress and Washington would be a great connection except for the fact that the #7 stops running at 6:30 p.m. The #6, North Deering route, makes its last stop at Congress and Washington at 9:35 p.m. headed to N. Deering. So this would be possible for a 7 p.m. performance. The #7 is good Monday through Saturday.

The only Sunday buses are the #1 (combination of #1 and #5) and #4.

The Metro bus system would have to incorporate numerous changes in order for it to become the transportation method of choice by SLAC patrons either on the peninsula or from outlying areas. It's somewhat comical to picture 30 to 40 (if that many) theater goers standing in the St. Lawrence lobby after a performance, staring at the Metro Bus Locator screen, and then all racing out the door, running two blocks to catch the last bus going down the hill. Add to that a rainy night with those 30 or 40 lined up outside the bus as the driver takes their money or punches their pass. Add to that the fact that when the snow piles up it is a rare case when bus stops are cleared adequately to provide a path from the street to the sidewalk (I do have a suggestion for that).

Note: While serving on the Munjoy Hill Neighborhood Organization board I inquired about having bus stop shelters installed on Munjoy Hill. The answer I received was that the sidewalks were too narrow to install the bus stop shelters used by the city. This came from a Metrobus board member. The current size of bus shelter being used would not accommodate 30 to 40 people waiting for a bus.

Again, if you are going to change human behavior you have to make that change an attractive choice. This TDM plan needs to be in much greater detail and way more far reaching than it currently is.

UCarShare - I am a UCarShare member and totally love the service. However, in this case promoting this idea as another option to the TDM is actually counter productive. I thought the idea was to lessen the number of cars not encourage those who might walk, cycle or ride the bus to use a vehicle instead. Please rethink this idea.

There seems to be a lack of facts and information in reviewing the TDM plan. Those that spoke in favor of the plan used phrases like, "I hope, I feel, I know, that this will all work out." I am all for having a vision, a dream, but in this case I would think that you, the Planning Board, would base your decision on more than a hope, a wish, and a prayer.

Thank you for your time and continued dedication.

Ross Fields Linked In page - <https://www.linkedin.com/in/rossfields>
46 Turner Street
Portland, ME

From: Sam Snellings <ssnellings@gmail.com>
To: <HCD@portlandmaine.gov>
Date: 10/2/2014 10:55 PM
Subject: I support the St. Lawrence Arts Center transportation plan

Hello,

I read about the plan to fund the bus system as part of the expansion of the St. Lawrence Arts Center on Munjoy Hill. I think it is a great idea, Portland's transportation system can use all the help it can get (and so can the Munjoy Hill neighborhood).

For the record, I currently live down near Biddeford, but I lived for a few years in East Bayside and still make it regularly to Portland to visit Silly's, Union Bagle Company, and other (mostly edible) destinations.

Sincerely,

--

Sam Snellings
tel: 207-805-6896
fax: 207-591-4774
Find me at Camp207.com
or on LinkedIn <<http://www.linkedin.com/in/ssnellings>>

From: Frances Buerkens <frances.buerkens@gmail.com>
To: <hcd@portlandmaine.gov>
CC: <kjdonoghue@portlandmaine.gov>, <jhinck@portlandmaine.gov>, <nmm@portlandmaine.gov>, <jduson@portlandmaine.gov>, Will Ginn <will.m.ginn@gmail.com>
Date: 10/20/2014 11:12 AM
Subject: St Lawrence Arts Center Zoning Change

Dear Portland Planning Division,

I am writing in response to the notice about the upcoming public meeting on the zoning change at 66 Congress. I am not able to attend but I would like to submit a written comment in support of the project.

My boyfriend and I own a home on St Lawrence street, just several hundred feet from the St Lawrence Arts Center. We work in Portland as well. Our life is rooted very deeply on the peninsula, and as such, we support any development that will further enhance the lives of those who live here.

The St Lawrence Arts Center is a vital part of our hilltop community. We would be incomplete without them. Their current facility is charming but cramped. A larger performing arts center would bring great value to our growing community.

Parking is not an issue that bothers us - it's not as if there are performances every single night of the year - and most people will be home from work by the time concert goers start their search for a space.

Thank you for your time.

Frances Buerkens & William Ginn

--

Frances Buerkens
Marketing Specialist & Photographer
www.francesbuerkens.com
207.200.6289

From: Joshua Broder <jbroder@tilsontech.com>
To: "hcd@portlandmaine.gov" <hcd@portlandmaine.gov>
Date: 10/18/2014 7:50 PM
Subject: St. Lawrence Arts Center zoning change

Dear Portland Planning Division,

I'm writing in response to recent notice I received in the mail from you about the upcoming public meeting on the zoning change at 66 Congress St. Since I'm not able to attend myself, I would like to provide a written comment.

My wife Eliza and I own and reside at 96 St. Lawrence st., close to 66 Congress St with our two young children. I'm also a business owner in town, and have employees who live all over the city, and own rental properties downtown at 11 South St. and 801 Brighton Ave.

We both strongly support the proposed changes. The St. Lawrence Art Center has been an outstanding member of our neighborhood, and have worked hard against difficult financial headwinds to keep this community anchor institution vibrant and relevant to our cultural life. They have a great plan that will enhance our neighborhood, and we believe that the proposed changes in support of their project make good sense for our neighborhood and the city.

Regards,

Joshua Broder & Eliza Ginn

[Description: Description: tilson-logo sig]

Joshua Broder | CEO

245 Commercial Street | Portland, ME 04101

t: +1 207-358-7402 | m: +1 (207) 653-0573 | f: +1 (207) 772-3427

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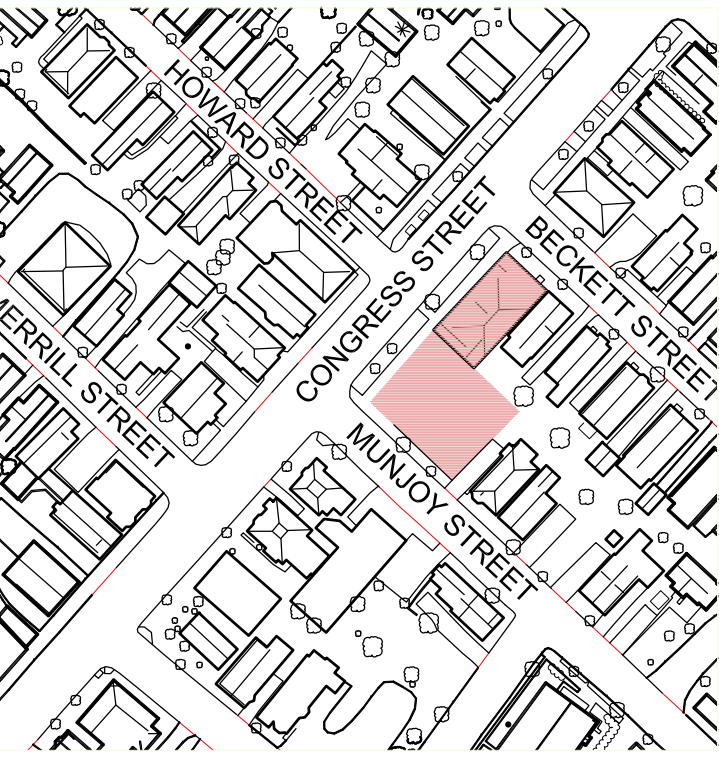
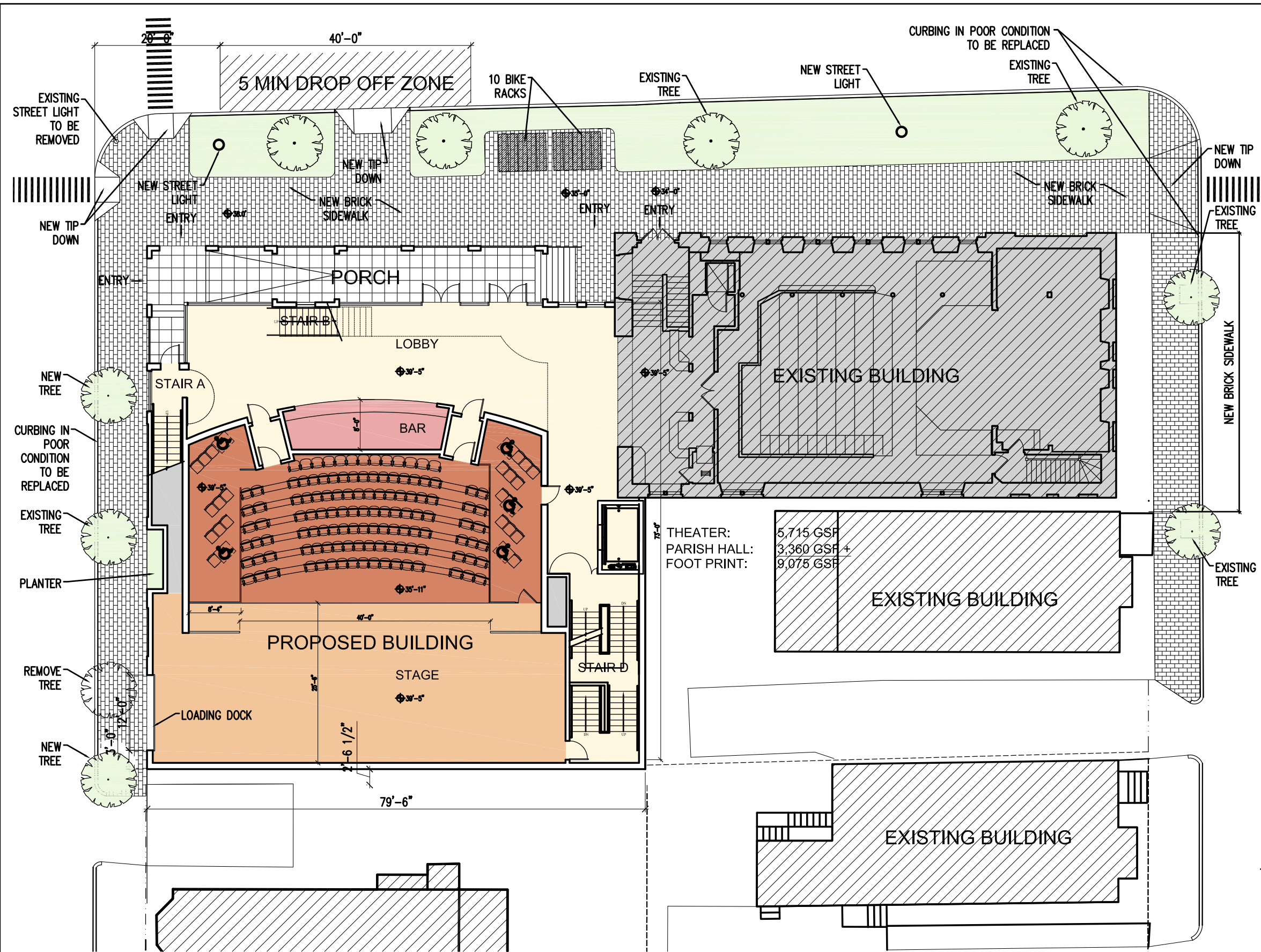
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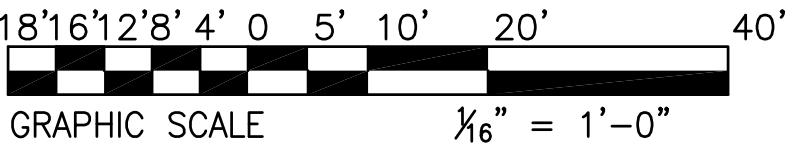
Tilson is hiring! Please visit our employment page<http://www.tilsontech.com/careers/> for details.

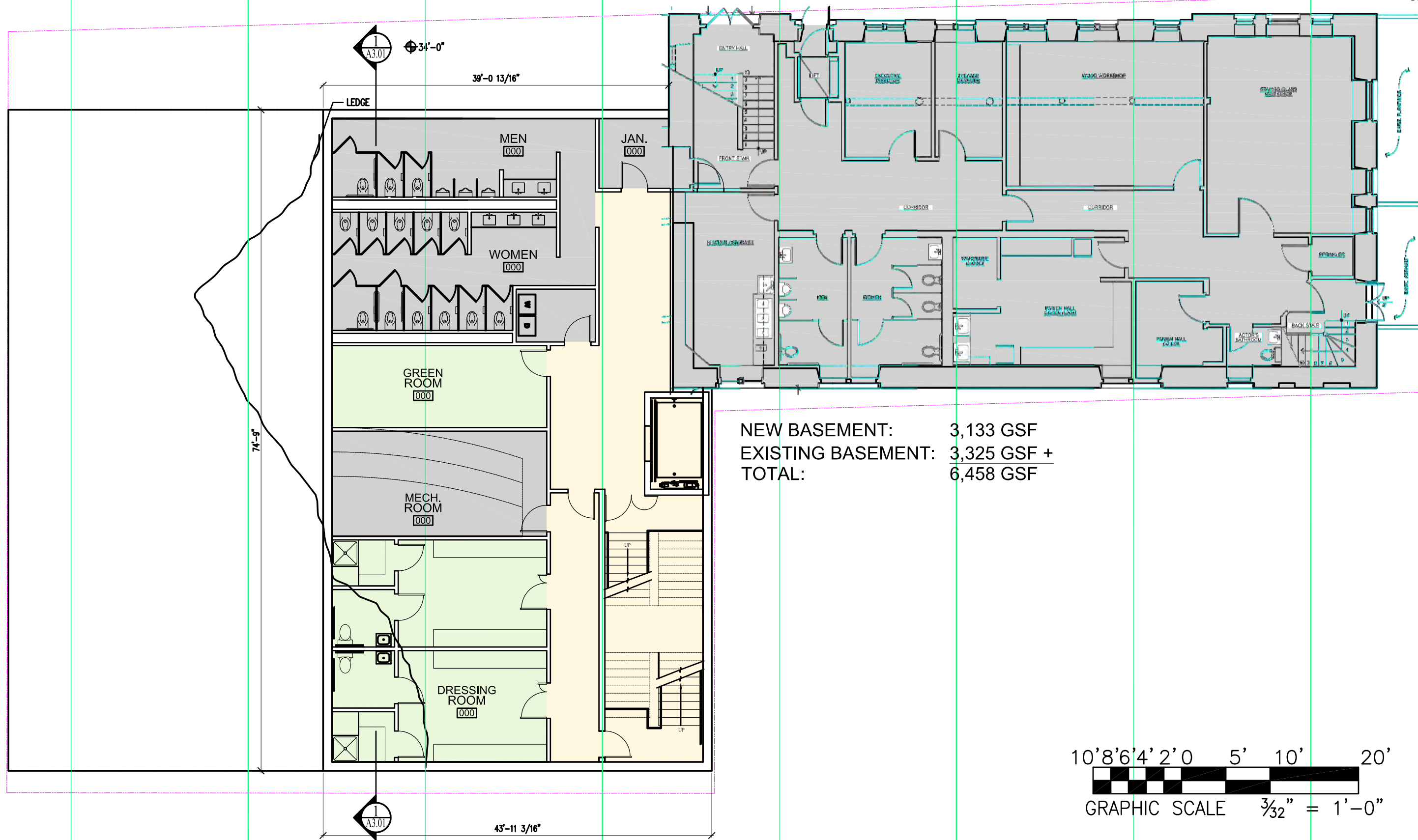


KEY PLAN

Lot Coverage Calculation:

Area of Partial: 10,565.45 SF
Exist & New Building (incl. 710 sf porch)
Footprint: 9,785 SF
Total lot coverage: 93 %





Prepared for:
**FRIENDS OF THE
 ST. LAWRENCE CHURCH**

76 CONGRESS STREET
 PORTLAND, MAINE 04101

Consulting Engineer:

ARCHETYPE
 architects

48 Union Wharf Portland, Maine 04101
 (207) 772-6022 Fax (207) 772-4056

Project:
**ST. LAWRENCE ARTS
 ADDITION**

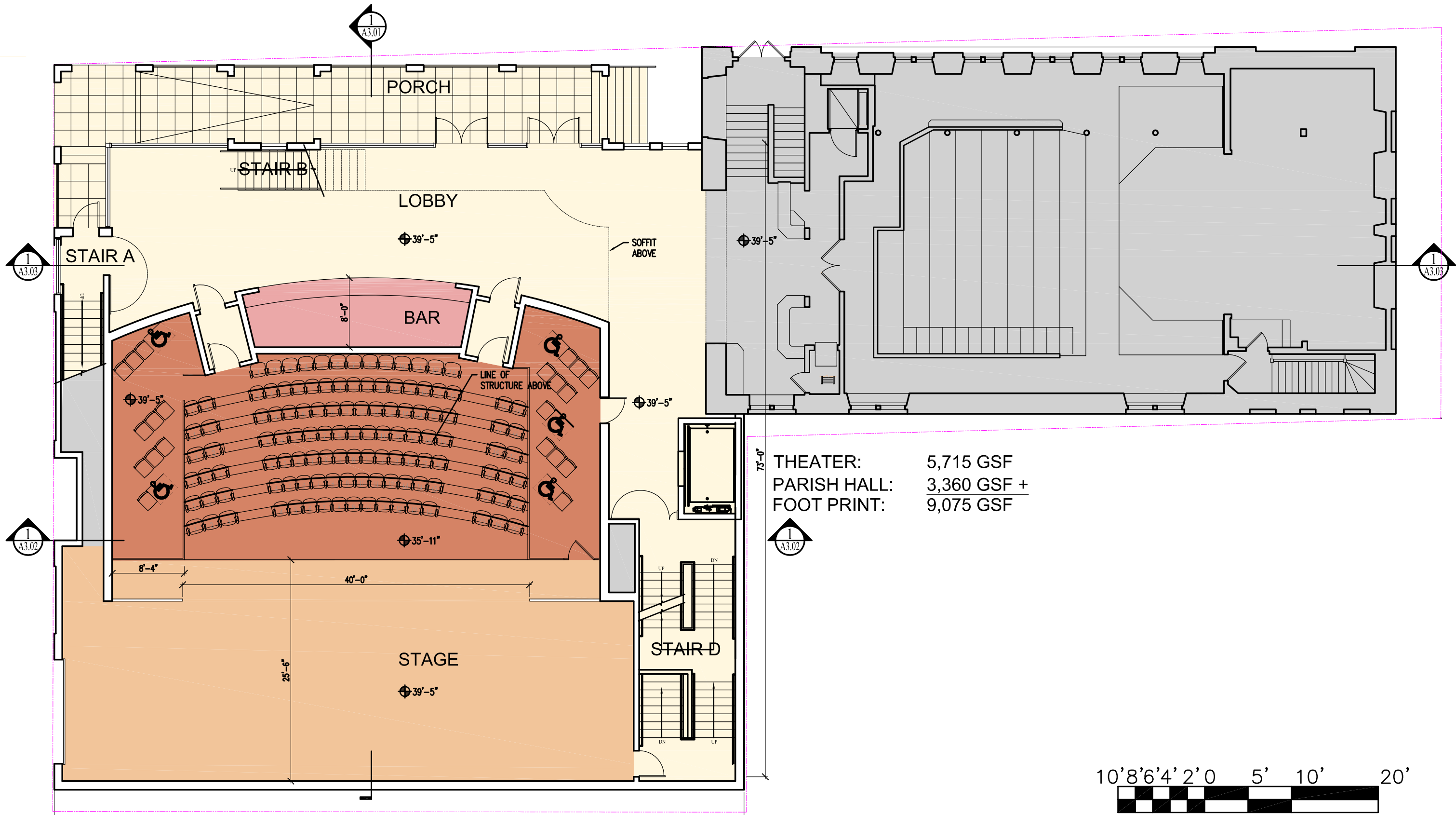
76 CONGRESS STREET
 PORTLAND, MAINE 04101

Revisions:

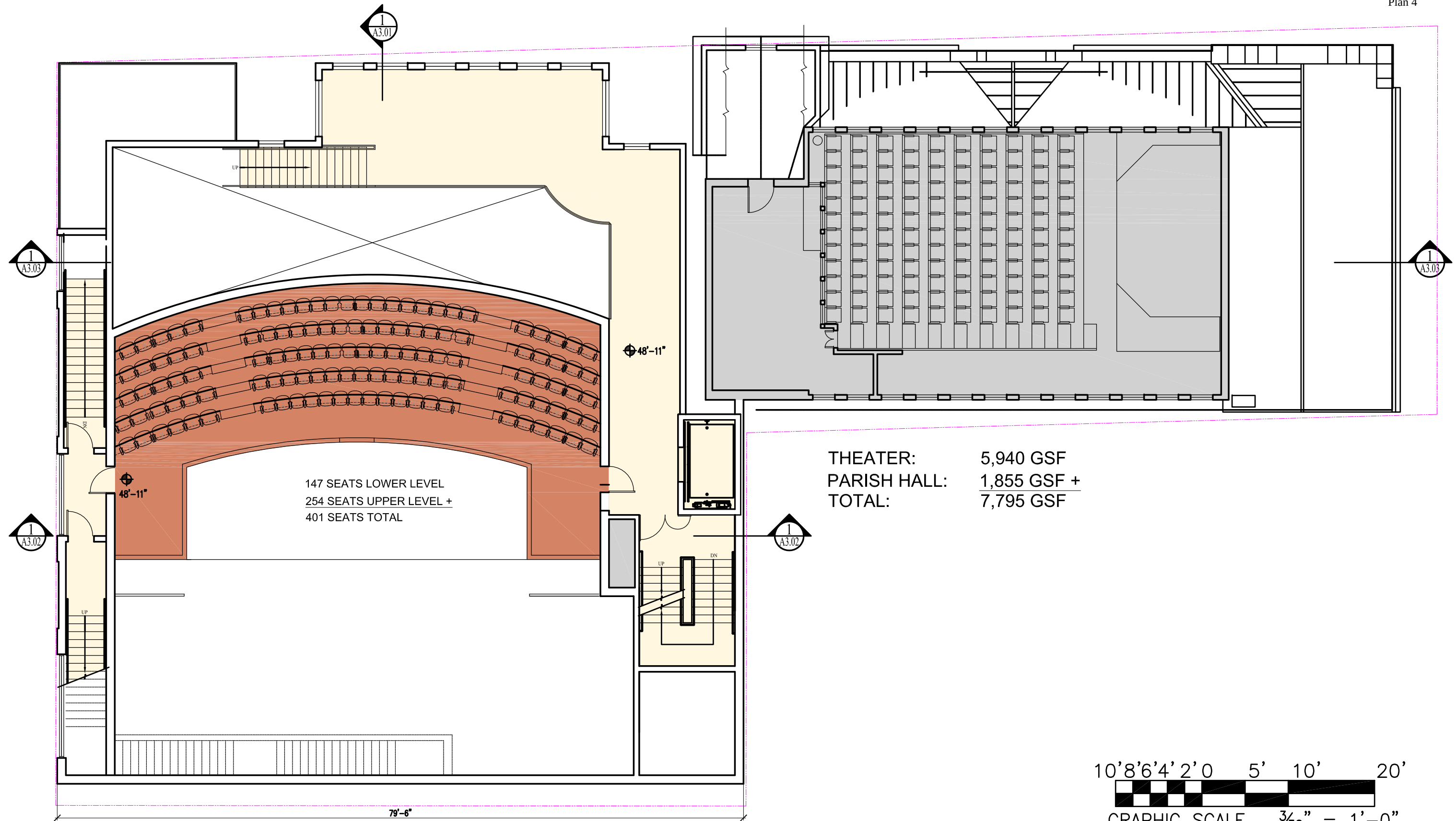
Date: 10 Sept. 2014 Scale: 3/32" = 1'-0"

BASEMENT PLAN

A1.00

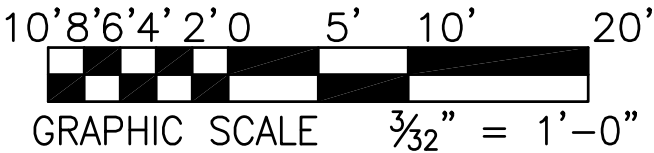


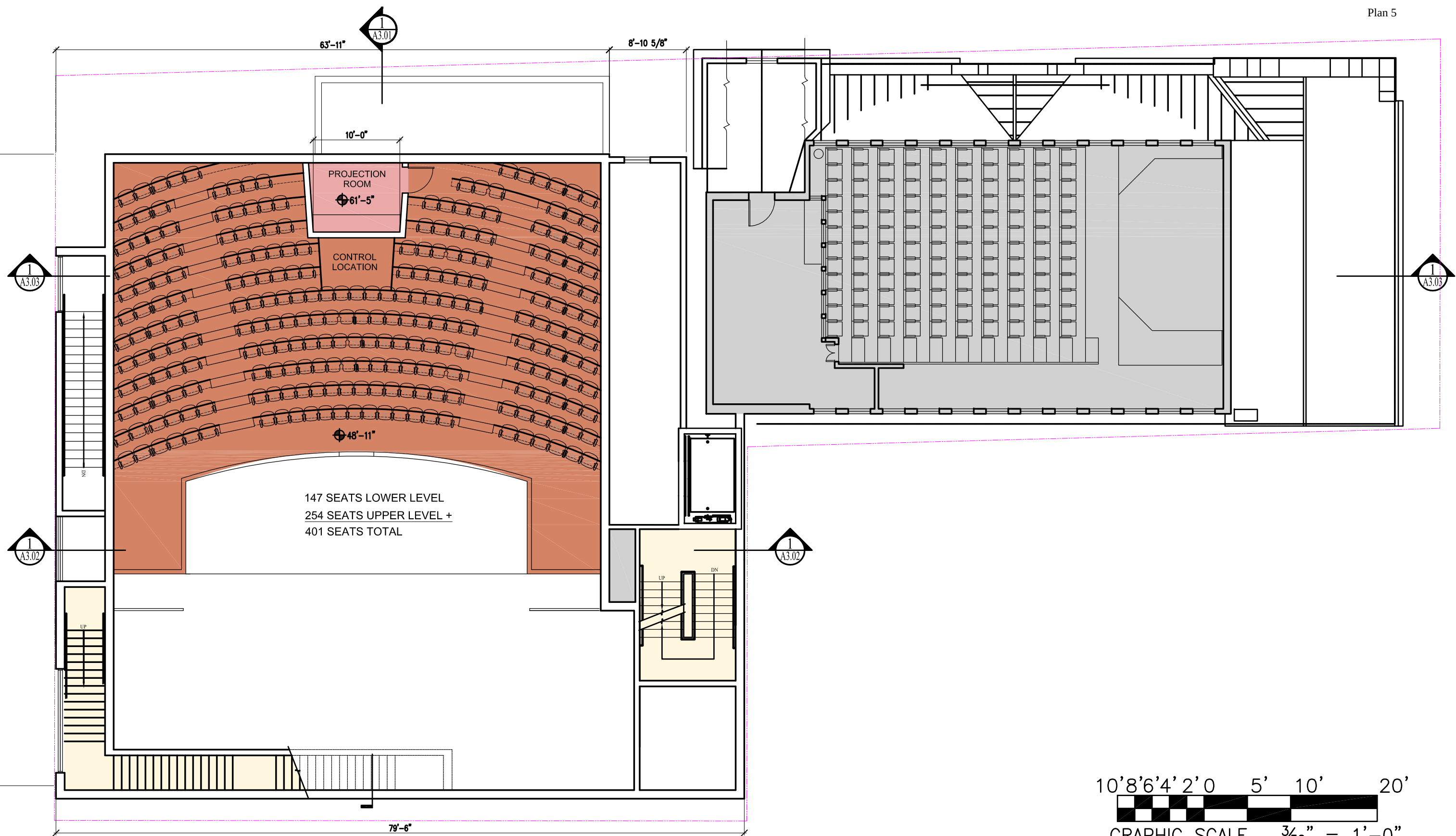
THEATER: 5,715 GSF
PARISH HALL: 3,360 GSF +
FOOT PRINT: 9,075 GSF

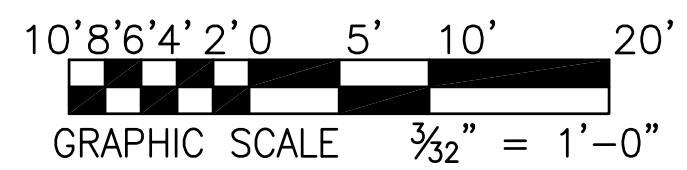


THEATER: 5,940 GSF
PARISH HALL: 1,855 GSF +
TOTAL: 7,795 GSF

147 SEATS LOWER LEVEL
254 SEATS UPPER LEVEL +
401 SEATS TOTAL





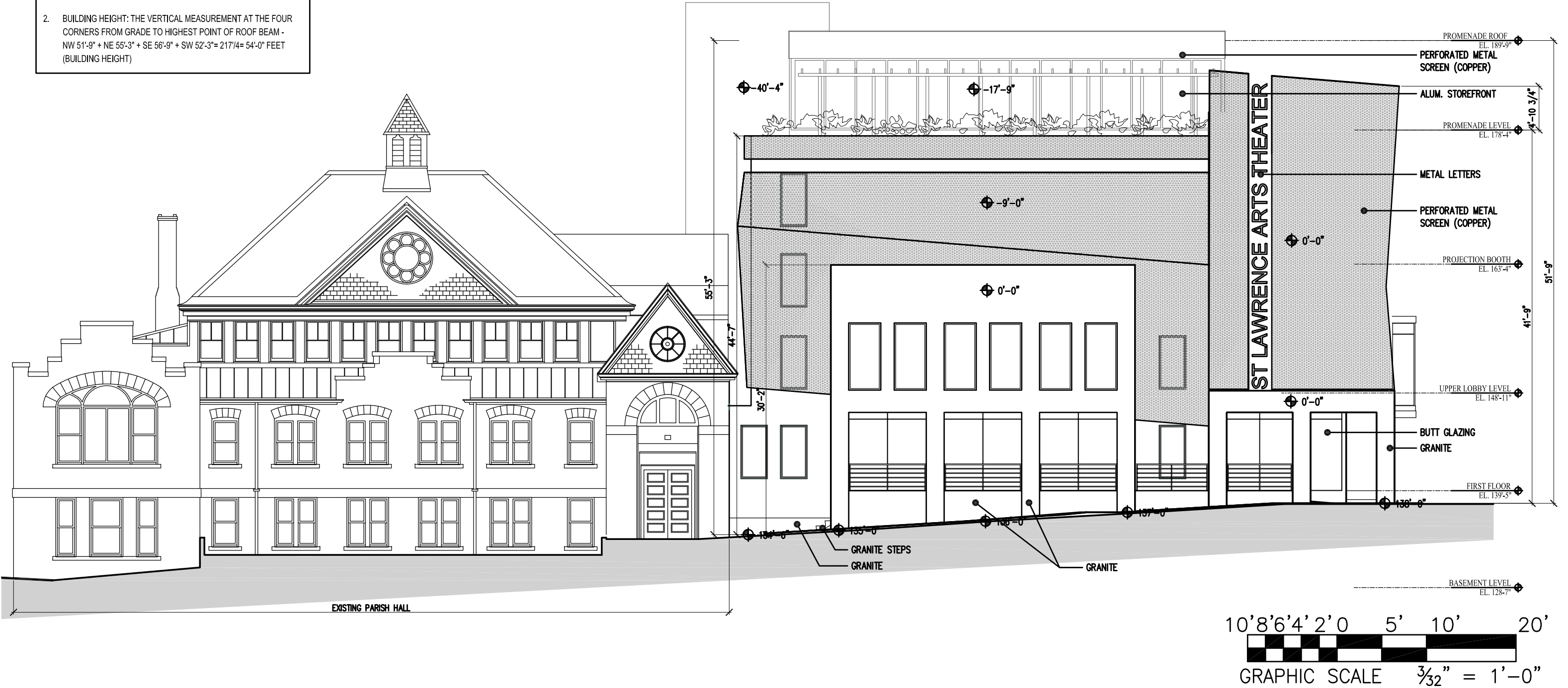


A1.04

- GENERAL NOTES:
1.

AVERAGE GRADE BY DEFINITION: 4 CORNER AVERAGE GRADE -
NW 138'-0" + NE 134'-6" + SE 133'-0" + SW 137'-6"= 136'-0" / 4 = 135'-9"
(AVERAGE GRADE)
2.

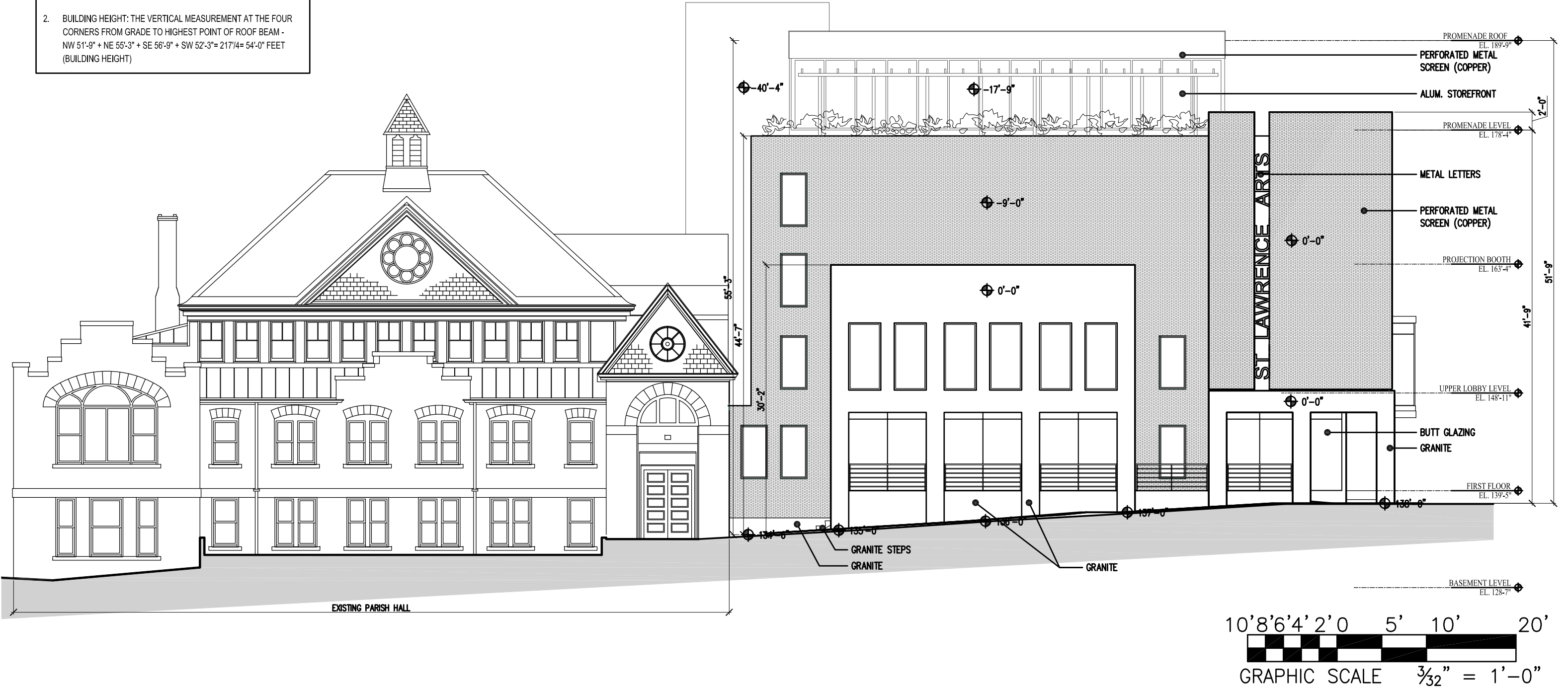
BUILDING HEIGHT: THE VERTICAL MEASUREMENT AT THE FOUR
CORNERS FROM GRADE TO HIGHEST POINT OF ROOF BEAM -
NW 51'-9" + NE 55'-3" + SE 56'-9" + SW 52'-3"= 217'/4= 54'-0" FEET
(BUILDING HEIGHT)

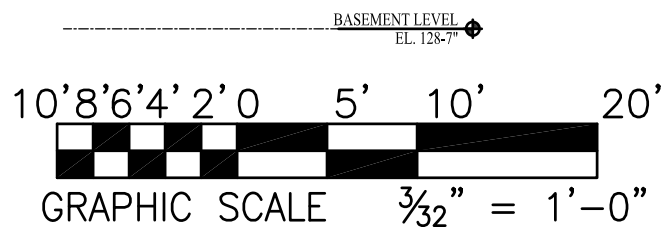
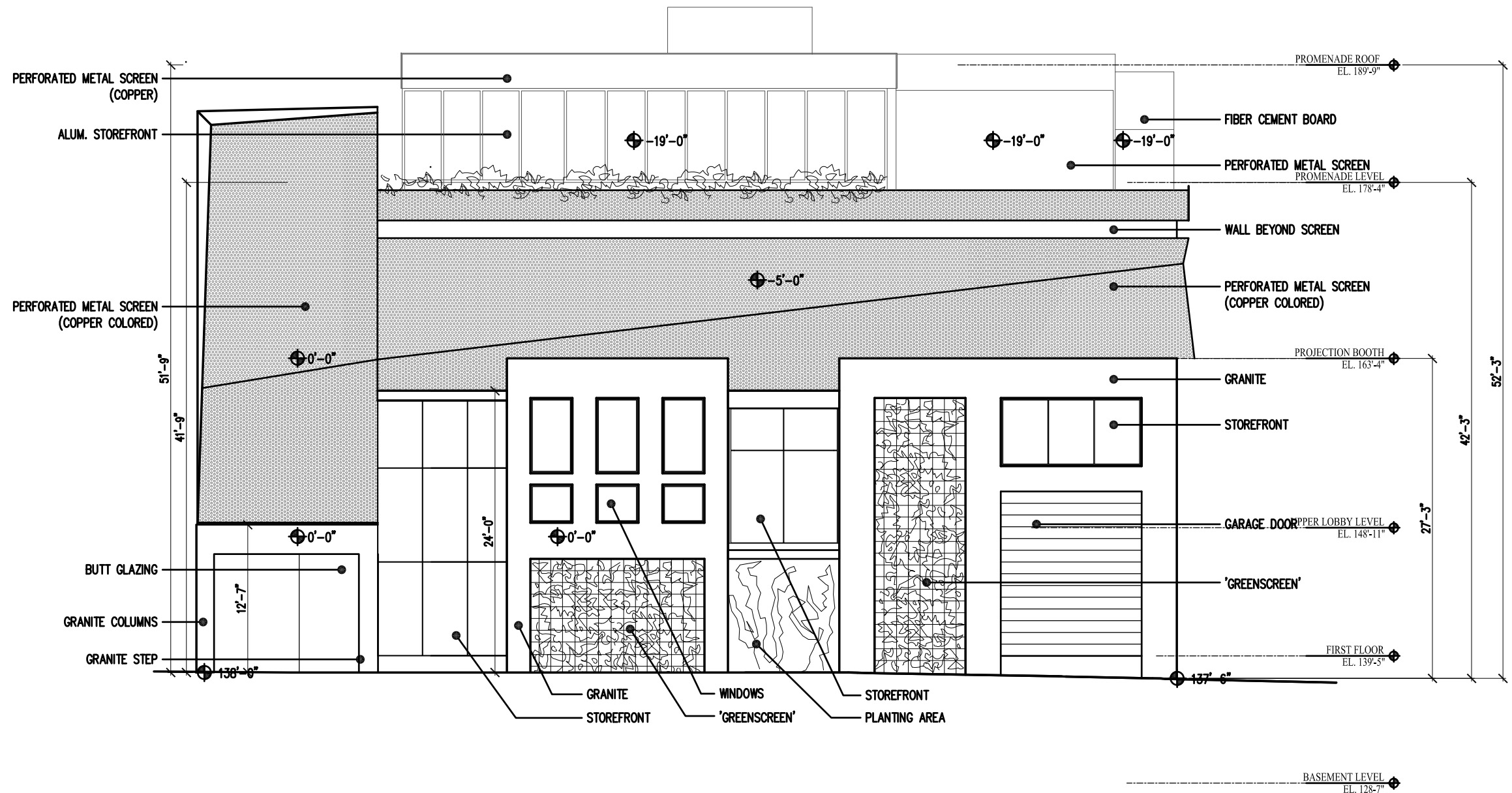


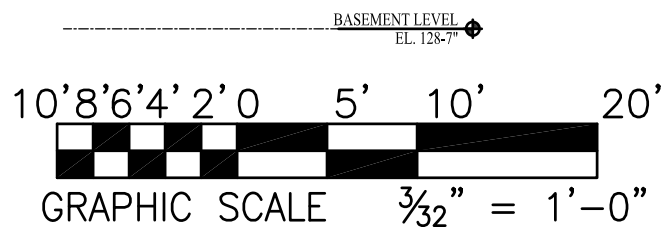
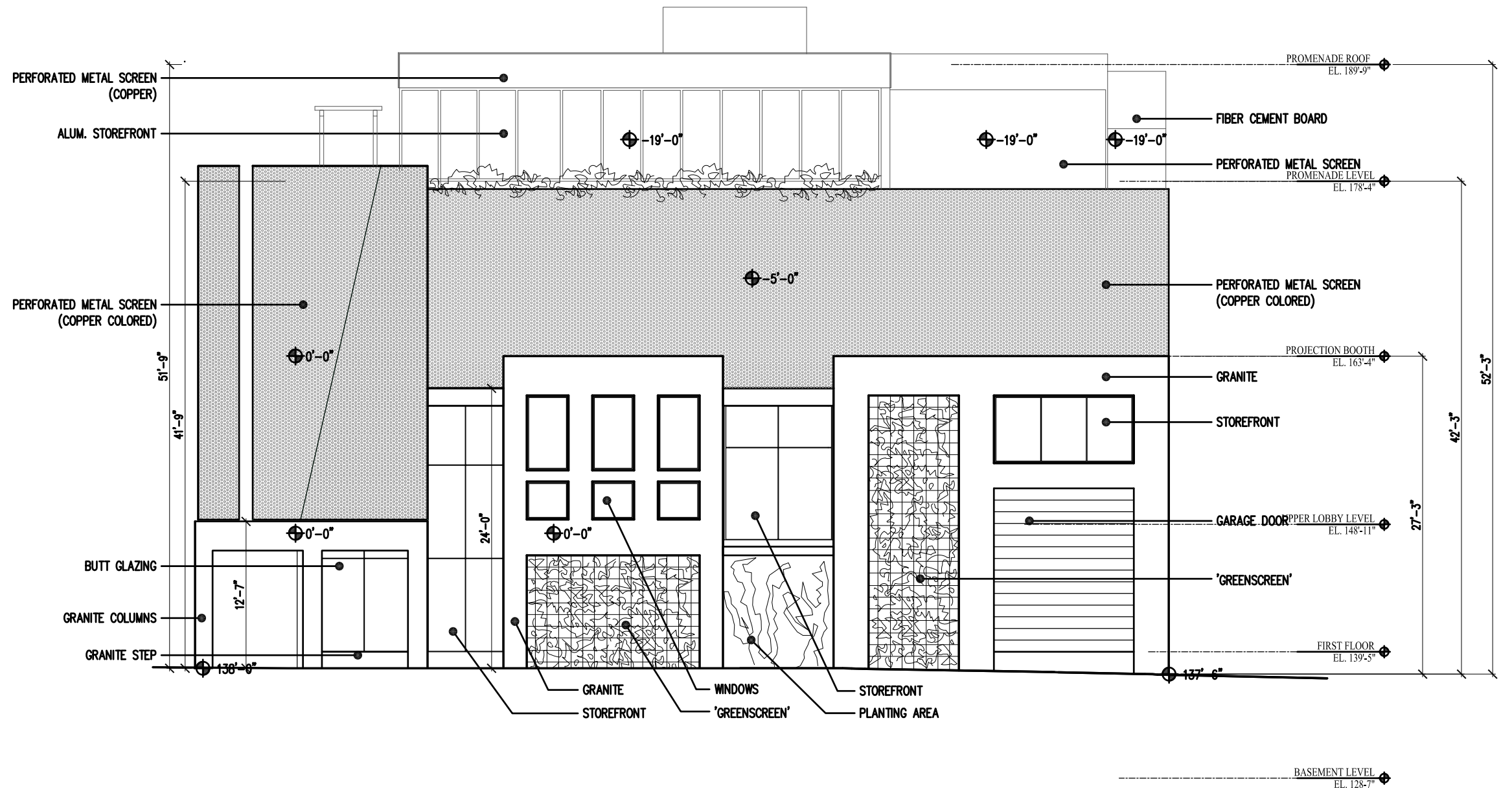
- GENERAL NOTES:
1.

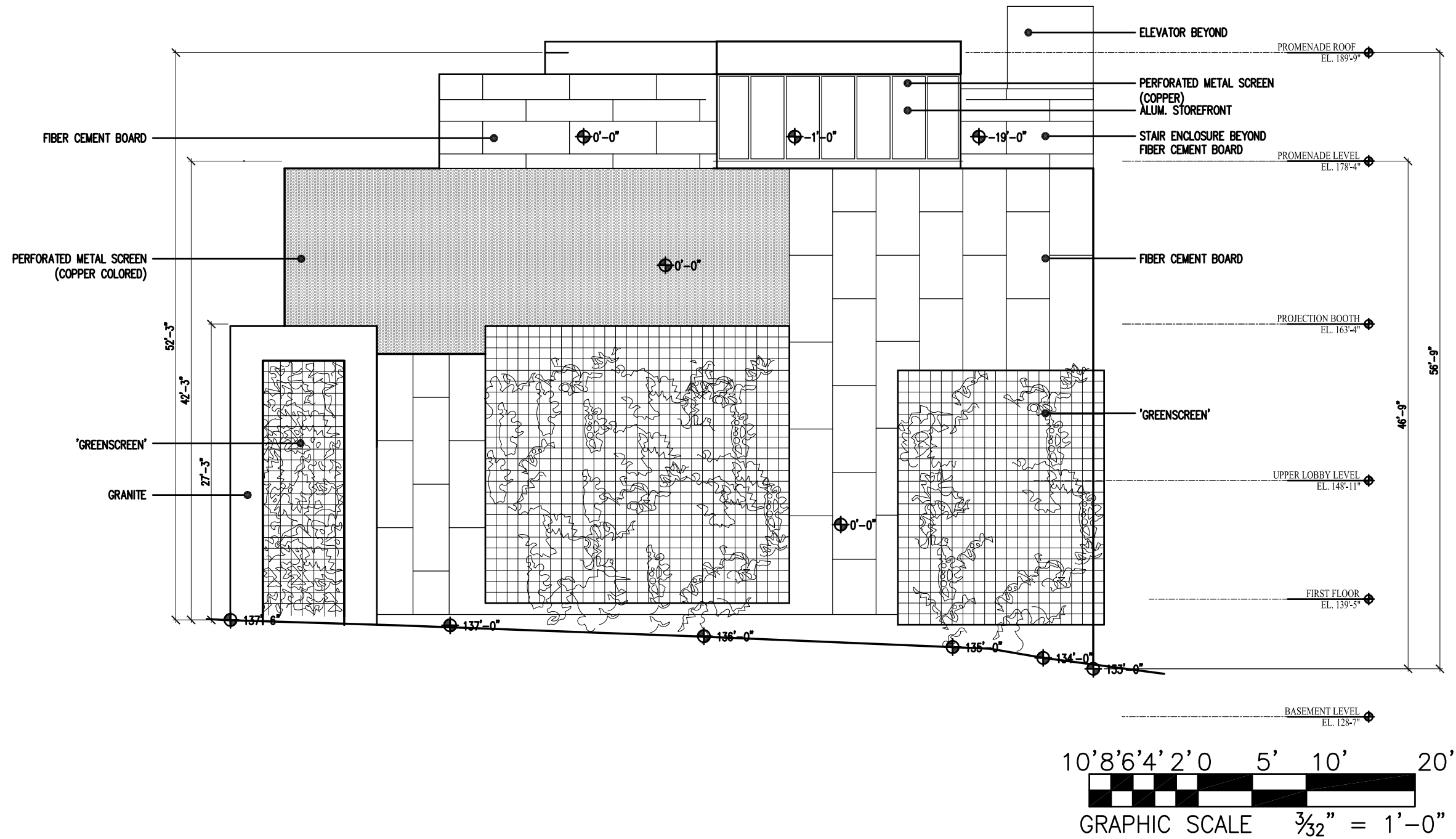
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(AVERAGE GRADE)
2.

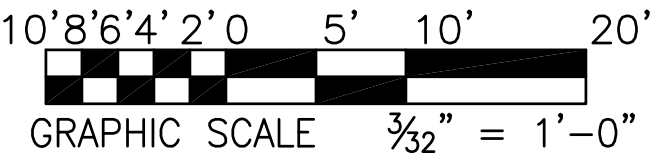
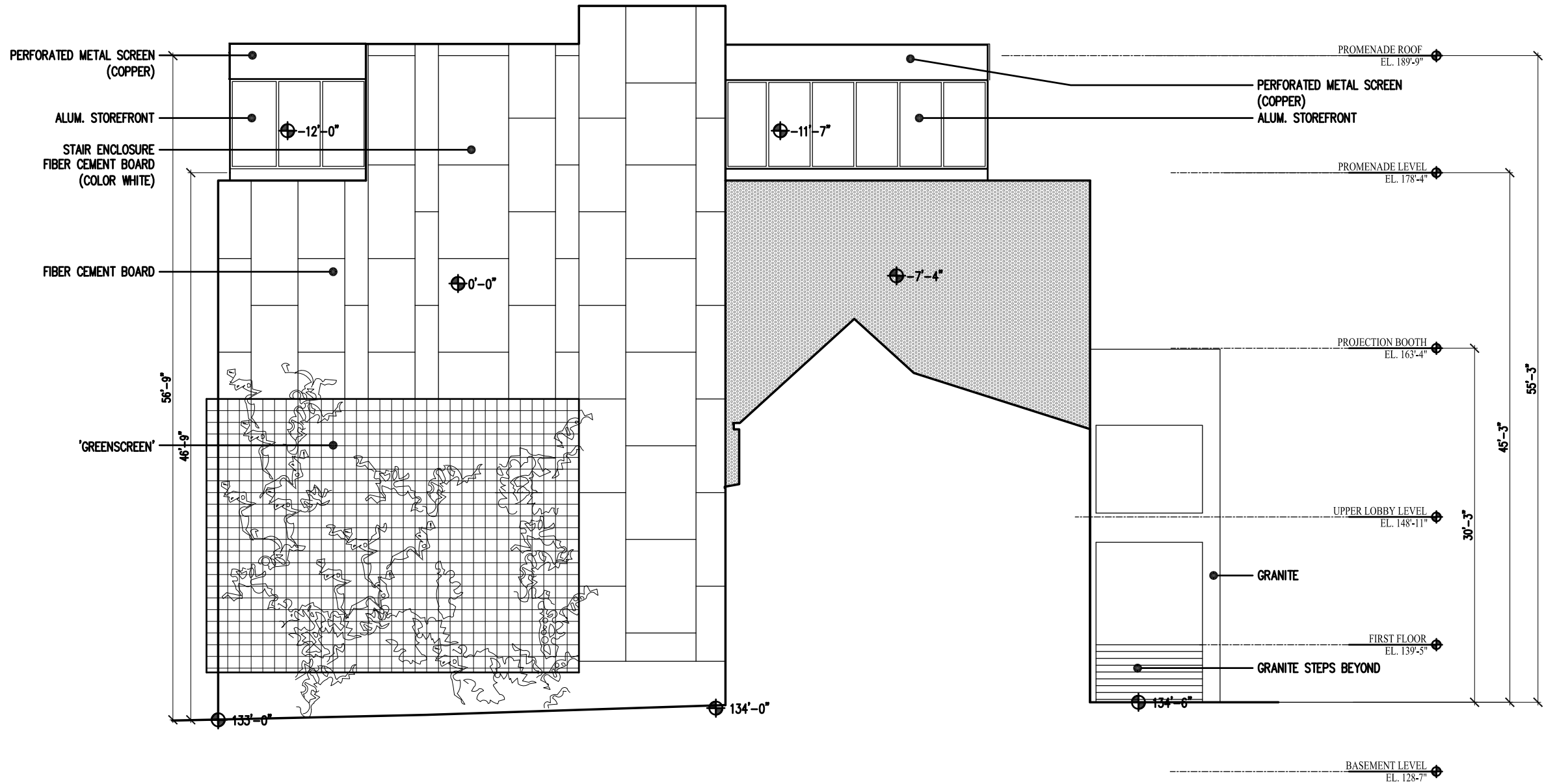
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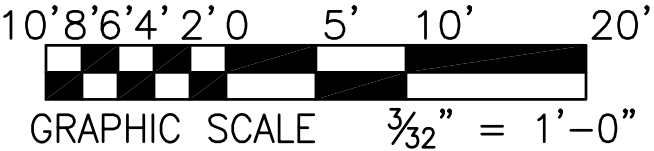
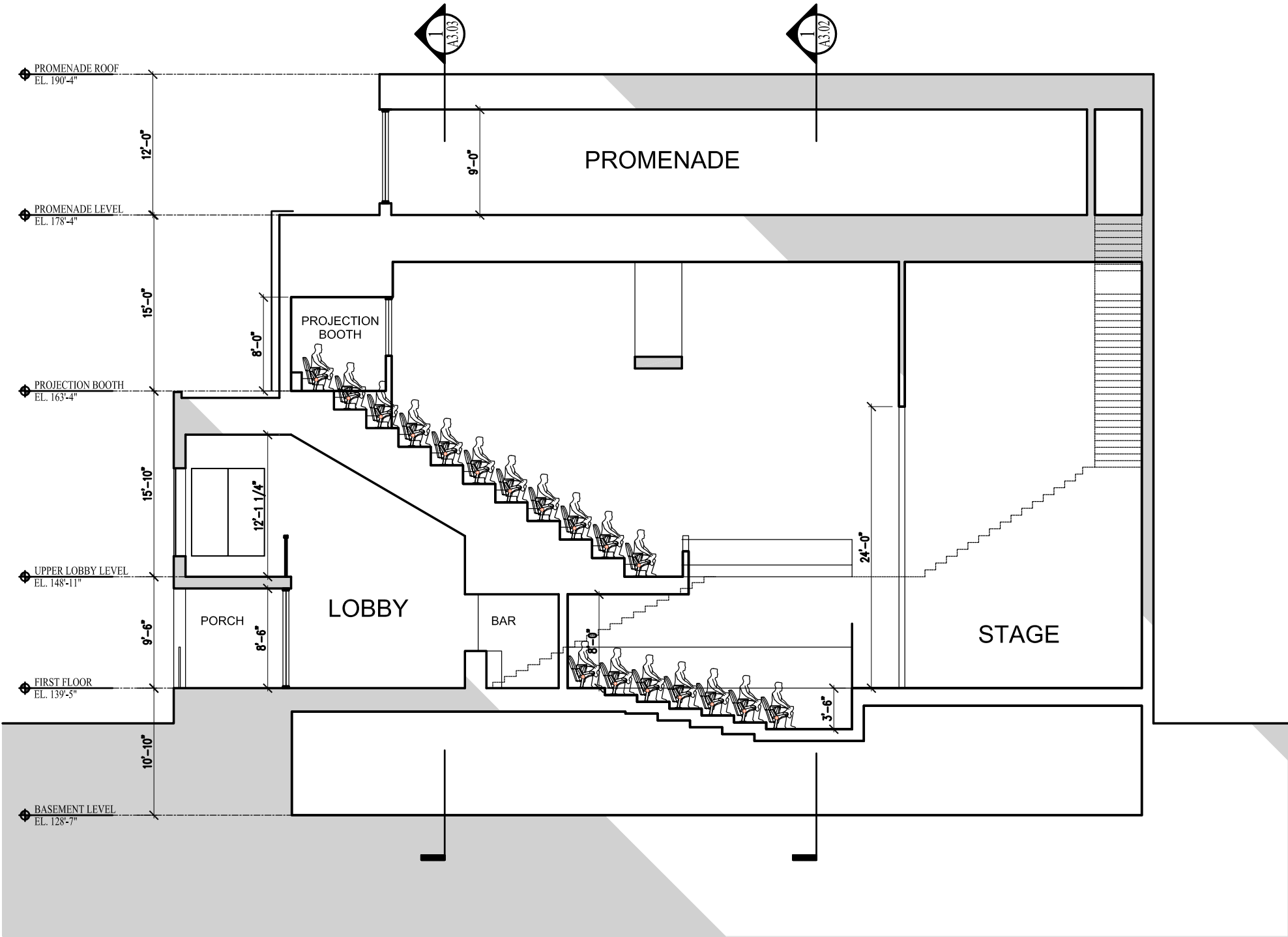














St. Lawrence Arts - North East Rendering



St. Lawrence Arts - North East Rendering



PERSPECTIVE B - LOOKING EAST UP CONGRESS STREET



PERSPECTIVE B - LOOKING EAST UP CONGRESS STREET



PERSPECTIVE C - LOOKING WEST UP CONGRESS STREET



St. Lawrence Arts - Munjoy St. View



St. Lawrence Arts - Munjoy St. View



Saint Lawrence Arts - Beckett St. View



**FORMER APPROVED SCHEME
MASSING DIAGRAM**



PROPOSED SCHEME WITH FORMER APPOVED OVERLAY DIAGRAM

